

# TRANSMITTAL TO CITY COUNCIL

|   |   |            |
|---|---|------------|
| Case No.<br><br><b>Tentative Tract No. 67491-2A</b>   | Planning Staff Name(s) and Contact No.<br><b>Maya Zaitzevsky – 978-1416</b> | C.D. No. 9 |
| Related Case No(s).<br><b>Tentative Tract No. 67490</b><br><b>Tentative Tract No. 67492</b> | Last Day to Appeal<br><b>August 24, 2007</b>                                |            |

**Location of Project (Include project titles, if any.**

The proposed project is located at 100, 221, 225, and 237 S. Grand Avenue; 121, 129, and 135 S. Hill Street; 220 and 236 S. Hope Street; 111, 121, 130, 134, 138, 141, 145, 151, and 161 S. Olive Street; 400 and 440 W. 1<sup>st</sup> Street; 411, 417, 419, 419, 421, 425, 427, 429, and 431 W. 2<sup>nd</sup> Street; and 630 and 635 W. General Thaddeus Kosciuszko Way.

**Applicant(s) and Representative(s) Name(s) and Contact Information, if available.**

Applicant: The Related Companies; Beatrice Hsu  
 Representative: Psomas; Jennifer Yakubik ; 310-954-3742 or 3700

**Appellant(s) and Representative(s) Name(s) and Contact Information, including phone numbers, if available.**

Appellant: Christopher Sutton on behalf of Today's IV, Inc., dba Westin Bonaventure Hotel  
 Attn: Peter Zen  
 Representative: Christopher Sutton; (626) 683-2500

**Final Project Description (Description is for consideration by Committee/Council, and for use on agendas and official public notices. If a General Plan Amendment and/or Zone Change case, please include the prior land use designation and zone, as well as the proposed land use designation and zone change (i.e. "from Very Low Density Residential land use designation to Low Density land use designation and concurrent zone change from RA-1-K to (T)(Q)R1-1-K). In addition, for all cases appealed in the Council, please include in the description only those items which are appealable to Council.)**

Appeal on the City Planning Commission's denial of an appeal and sustaining of the Deputy Advisory Agency's **approval of Tentative Tract Map No. 67491**, (Parcels W-1 and W-2) for the merger and re-subdivision of two lots to permit a 2-master lot subdivision and 27 airspace lots for construction of either 1) a new 568-unit residential condominium, 142 affordable apartment units with 50% at very low and 50% at low income levels, 64,000 square feet of commercial/retail, and 681,000 square feet of commercial office with a total of 1,955 parking spaces; or 2) a new 1,048-unit residential condominium, 262 affordable apartment units with 50% at very low and 50% at low income levels, 64,000 square feet of commercial/retail with a total of 2,175 parking spaces on a 3.14 net acre site in the C2-4D and R5-4D zones; also, haul route approval.

**Items Appealable to Council**

CPC Tract Appeal Decision

**Fiscal Impact Statement**

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

**Yes**

**Env. No. 2006-6051-MND**

**Commission Vote: 5-0**

**Please note: In addition to this transmittal sheet, Council needs:**

- (1) One original and two copies of the Commission, Zoning Administrator or Director of Planning Determination
- (2) Staff recommendation report
- (3) Appeal, if applicable;
- (4) Environmental document used to approve the project, if applicable;
- (5) Public hearing notice;
- (6) Commission determination mailing labels
- (7) *Condo projects only: 2 copies of Commission Determination list (includes project tenant list) and 500 foot radius mailing list*

|  |  |
|--|--|
| Gabrielle Williams, Commission Executive Assistant<br>City Planning Commission | Date <span style="font-size: 1.5em; margin-left: 20px;">8/28/07</span> |
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**AUG 30 2007**

**PLANNING & LAND  
USE MANAGEMENT**

ORIGINAL

page 1 of 3

CITY OF LOS ANGELES  
PLANNING DEPARTMENT

MASTER APPEAL FORM

APPEAL TO THE: CITY COUNCIL <sup>2A</sup>  
REGARDING CASE NO.: TENTATIVE TRACT NO. 67491-1A

This application is to be used for any authorized appeals of discretionary actions administered by the Planning Department. Appeals must be delivered in person with the following information filled out and be in accordance with the Municipal Code. **A copy of the action being appealed must be included. If the appellant is the original applicant, a copy of the receipt must also be included.**

**APPELLANT INFORMATION: PLEASE PRINT CLEARLY**

Name CHRISTOPHER SUTTON  
Mailing Address 2181 EAST FOOTHILL BOULEVARD, SUITE 202  
PASADENA, CALIFORNIA Zip: 91107-6825  
Work Phone: (626) 683-2500 Home Phone: ( ) \_\_\_\_\_

- a) Are you or do you represent the original applicant?  
(Circle One) YES ☒ NO
- b) Are you filing to support the original applicant's position?  
(Circle One) YES ☒ NO
- c) Are you filing for yourself or on behalf of other parties, an organization or company?  
(Circle One) SELF ☒ OTHER
- d) If "other" please state the name of the person(s), organization or company (print clearly or type)  
TODAY'S IV, INC., d.b.a. WESTIN BONAVENTURE HOTEL  
ATTN: PETER ZEN, SUITE 516, 404 S. FIGUEROA STREET  
LOS ANGELES, CALIF. 90071-1710

REPRESENTATIVE

Name CHRISTOPHER SUTTON  
Mailing Address 2181 EAST FOOTHILL BOULEVARD, SUITE 202  
PASADENA, CALIFORNIA Zip 91107-6825  
Work Phone: (626) 683-2500 Home Phone: ( ) \_\_\_\_\_

**APPEAL INFORMATION**

A complete copy of the decision letter is necessary to determine the final date to appeal, under what authorizing legislation, and what, if any, additional materials are needed to file the appeal.

**Appeals to the City Council from a determination on a Tentative Tract (TT or VTT) by the City (Area) Planning Commission must be filed within 10 days of the written determination of the Commission.**

Final Date to Appeal: AUGUST 24, 2007



**REASONS FOR APPEALING**

Are you appealing the entire decision or parts of it?

☒ Entire      ☐ Part

Indicate: 1) How you are aggrieved by the decision; and 2) Why do you believe the decision-maker erred or abused their discretion? If you are not appealing the whole determination, please explain and specifically identify which part of the determination you are appealing.

In 2006, Today' IV, Inc. (Westin Bonaventure Hotel) received City approval to convert some rooms to residential and commercial condos (TT No. 65986). This was a settlement of a prior lawsuit. The Bonaventure and these proposed Tract Maps (Nos. 67490, 67491, & 67492) are within the Bunker Hill Redevelopment Project Area (Ordinances 113321, 135900, 140662, 170196, and 175659). The Bunker Hill Redevelopment Plan ("RP") governs all development and tract maps in this Project Area. The RP limits residential units within the Project Area to 3900 — Of these, 3000 units may be in residential areas shown in the Redevelopment Plan, and 900 units may be in others. Such a limit is mandated by Health & Safety Code §33333 and cannot be changed without a formal amendment of the Redevelopment Plan. The proposed Tract Map and its related two Tract Maps together are mutually inter-dependent, and they contemplate dwelling units which would cause the RP Area to exceed the maximum allowed. This will harm the Bonaventure by potentially preventing it from obtaining Redevelopment Agency approval of its buildings permits, constructing, and obtaining occupancy permits for its 219 new residential condo units. See the attached objection letter dated August 24, 2007, regarding these three Tract Maps and Planning Department Case No. CPC-2006-9702. The U.S. and California Constitutions ban government actions which impair their contracts. These constitutional provisions prevent the City of L.A. from approving these Tract Maps because to do so violates its prior settlement contract with the Bonaventure. It appears that Council member Jan Perry has multiple economic and property interests in the approval process for the Grand Avenue Project. The City is prohibited by California conflict of interest laws from taking any action on these Tract Maps or on Case CPC-2006-9702 until at least one year after Council member Perry discloses and eliminates any and all conflicts of interest.

**ADDITIONAL INFORMATION**

- Original receipt required to calculate 85% filing fee from original applicants.
- Original applicants must pay mailing fees to BTC and submit copy of receipt.
- Any additional information or materials required for filing an appeal must be provided in accordance with the LAMC regulations as specified in the original determination letter. **A copy of the determination/decision letter is required.**
- Acceptance of a complete and timely appeal is based upon successful completion and examination of all the required information.
- **Seven copies and the original appeal are required.**

I certify that the statements contained in this application are complete and true:

Appellant Christopher Sutton 8/24/2007

**OFFICIAL USE ONLY**

Receipt No. 267276 Amount \$74 Date 8/24/07

Application Received Daniel Ahadian

Application Deemed Complete [Signature] 8/28/07

Copies provided: ☒ Determination ☐ Receipt (original applicant only)

Determination Authority Notified (if necessary) ☐

## TRANSMITTAL TO CITY COUNCIL

|   |   |  |
|---|---|--|
| Case No.<br><b>Tentative Tract No. 67490-2A</b>   | Planning Staff Name(s) and Contact No.<br><b>Maya Zaitzevsky - 978-1416</b> | C.D. No. 9                                   |
| Related Case No(s).<br><b>Tentative Tract No. 67491</b><br><b>Tentative Tract No. 67492</b> |   | Last Day to Appeal<br><b>August 24, 2007</b> |

## Location of Project (Include project titles, if any.)

The proposed project is located at 100, 221, 225, and 237 S. Grand Avenue; 121, 129, and 135 S. Hill Street; 220 and 236 S. Hope Street; 111, 121, 130, 134, 138, 141, 145, 151, and 161 S. Olive Street; 400 and 440 W. 1<sup>st</sup> Street; 411, 417, 419, 421, 425, 427, 429, and 431 W. 2<sup>nd</sup> Street; and 630 and 635 W. General Thaddeus Kosciuszko Way.

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Applicant: The Related Companies; Beatrice Hsu  
Representative: Psomas; Jennifer Yakubik ; 310-954-3742 or 3700

## Appellant(s) and Representative(s) Name(s) and Contact Information, including phone numbers, if available.

Appellant: Christopher Sutton on behalf of Today's IV, Inc., dba Westin Bonaventure Hotel  
Attn: Peter Zen  
Representative: Christopher Sutton; (626) 683-2500

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Appeal on the City Planning Commission's denial of an appeal and sustaining of the Deputy Advisory Agency's **approval of Tentative Tract Map No. 67490** (Parcel Q) to permit a two-master lot subdivision and 19 airspace lots for the construction of a new 400-unit residential condominium, 20% of the total amounts of residential units shall include affordable apartment units as follows: 35% at extremely low and 65% at very low income levels, 284,000 square feet of commercial/retail, and a 275-room hotel with a total of 1,510 parking spaces on a 3.02 net acre site in the C2-4D and R5-4D zones; also, haul route approval.

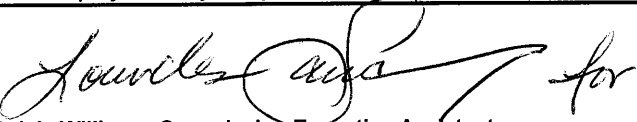
## Items Appealable to Council

CPC Tract Appeal Decision

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| <b>Fiscal Impact Statement</b><br><small>*If determination states administrative costs are recovered through fees, indicate "Yes."</small><br><b>Yes</b> | <b>Env. No. 2006-6051-MND</b> | <b>Commission Vote: 5-0</b> |
|--|-------------------------------|-----------------------------|

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- (1) One original and two copies of the Commission, Zoning Administrator or Director of Planning Determination
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|  |                 |
|--|-----------------|
| <br>Gabriele Williams, Commission Executive Assistant<br>City Planning Commission | Date<br>8/28/07 |
|--|-----------------|

CITY OF LOS ANGELES  
PLANNING DEPARTMENT

## MASTER APPEAL FORM

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REGARDING CASE NO.: TENTATIVE TRACT NO. 67490-1A <sup>2A</sup>

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☒ Entire ☐ Part

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I certify that the statements contained in this application are complete and true:

Appellant Christopher Luther 8/24/2007

**OFFICIAL USE ONLY**

Receipt No. 267276 Amount \$74 Date 8/24/07

Application Received Samuel Abundiam

Application Deemed Complete K. Holder 8/28/07

Copies provided: ☒ Determination ☐ Receipt (original applicant only)

Determination Authority Notified (if necessary) ☐

# TRANSMITTAL TO CITY COUNCIL

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| <b>Case No.</b>  | <b>Planning Staff Name(s) and Contact No.</b><br>Maya Zaitzevsky – 978-1416 | <b>C.D. No. 9</b>                            |
| <b>Tentative Tract No. 67492-2A</b>  |   |  |
| <b>Related Case No(s).</b><br>Tentative Tract No. 67490<br>Tentative Tract No. 67491 |   | <b>Last Day to Appeal</b><br>August 24, 2007 |

|   |
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| <b>Location of Project (Include project titles, if any.</b><br><br>The proposed project is located at 100, 221, 225, and 237 S. Grand Avenue; 121, 129, and 135 S. Hill Street; 220 and 236 S. Hope Street; 111, 121, 130, 134, 138, 141, 145, 151, and 161 S. Olive Street; 400 and 440 W. 1 <sup>st</sup> Street; 411, 417, 419, 421, 425, 427, 429, and 431 W. 2 <sup>nd</sup> Street; and 630 and 635 W. General Thaddeus Kosciuszko Way. |
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| <b>Items Appealable to Council</b><br><br>CPC Tract Appeal Decision  |

|  |                               |                             |
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| <b>Fiscal Impact Statement</b><br><small>*If determination states administrative costs are recovered through fees, indicate "Yes."</small><br><b>Yes</b> | <b>Env. No. 2006-6051-MND</b> | <b>Commission Vote: 5-0</b> |
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| Gabrielle Williams, Commission Executive Assistant<br>City Planning Commission | for<br><br><div style="text-align: right; font-size: 1.5em;">8/28/07</div> Date |
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# ORIGINAL

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CITY OF LOS ANGELES  
PLANNING DEPARTMENT

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I certify that the statements contained in this application are complete and true:

Appellant Christophe Sutton

**OFFICIAL USE ONLY**

Receipt No. 267276 Amount \$74 Date 8/24/07

Application Received Daniel Aradian

Application Deemed Complete 8/28/07

Copies provided:

☒ Determination

☐ Receipt (original applicant only)

Determination Authority Notified (if necessary)



LAW OFFICE OF  
CHRISTOPHER SUTTON  
2181 EAST FOOTHILL BOULEVARD, SUITE 202  
PASADENA, CALIFORNIA 91107-6825  
TELEPHONE (626) 683-2500 • FACSIMILE (626) 405-9843

**August 24, 2007**  
**ATTACHED TO APPEAL FORM**

Los Angeles City Council  
Los Angeles City Hall  
100 North Spring Street  
Los Angeles, California 90012

**Re: Appeal of Planning Commission votes on TTM Nos. 67490-1A, 67491-1A, and 67492-1A,**  
**Which occurred on July 26, 2007, over objections of Appellant;**  
**Related to Planning Commission File No. CPC-2006-9702-ZC-CU-CUB-CUX-ZV-DA;**  
**Violations of Redevelopment Law, H&S Code §§ 33121.5, 33204, 33205, 33336, etc.**  
**Violations of Bunker Hill Redevelopment Plan dwelling unit, FAR, and parking limits;**  
**Violations of City of L.A. Ordinance Nos. 113321, 135900, 140662, 170196, and 175659**  
**Violations of Redevelopment Oversight Ordinance, LAAC § 8.99 to § 8.99.14;**  
**Violations of Conflict of Interest Laws, Gov't. Code §§ 1090 etc., 87100 etc., 91000 etc.**

Dear Members of the City Council:

This office represents Today's IV, Inc., doing business as Westin Bonaventure Hotel, a property and business owner within the Bunker Hill Redevelopment Project Area on Block G. The Bonaventure Hotel is located about 1,200 feet southwest from the site subject of the hearing.

The various proposed actions related to the Grand Avenue Project are improper for the reasons set forth below. The proposed actions would violate provisions of local and state law. The proposed actions violate the Bunker Hill Redevelopment Plan's limits on land uses on Blocks K, L, M, Q and W, violate the Redevelopment Plan's maximum 6 to 1 floor-area-ratio, violate the Redevelopment Plan's total limit on residential units, violate the Redevelopment Plan's total limit developed floor areas, and violate the Redevelopment Plan's minimum requirements for off-street parking.

The proposed actions are a *de facto* attempt to amend the Bunker Hill Redevelopment Plan without following the strict amendment procedures mandated by state redevelopment law at Health & Safety Code sections 33450 to 33458. See, Gibbs v. City of Napa (1976) 59 Cal.App.3d 148, Kehoe v. Berkeley (1977) 67 Cal.App.3d 666, and Redevelopment Agency v. City of Berkeley (1978) 80 Cal.App.3d 158.

The procedures being utilized violate several conflict of interest laws, Redevelopment Law and the City-CRA "oversight ordinance" adopted pursuant to Health & Safety Code sections 33204, 33205 and 33121.5. These laws take precedence over any other purely local land use procedures.

**1. VIOLETION OF REDEVELOPMENT OVERSIGHT ORDINANCES,**  
**L.A. ADMINISTRATIVE CODE SECTIONS 8.99 THROUGH 8.99.14**

Pursuant Health & Safety Code sections 33204 and 33205 the City has adopted and amended a "Redevelopment Oversight Ordinance" found at Los Angeles Administrative Code ("LAAC") sections 8.90 to 8.99.14. This ordinance was enacted as a state law function, and not as a local function.



As such, the provisions of the Redevelopment Oversight Ordinance pre-vail over and pre-empt contrary local laws and procedures related to territory within Redevelopment Project Areas.

In addition, Health & Safety Code section 33121.5 limits the degree to which redevelopment powers may be delegated to another entity. That section reads as follows:

When a decision, determination, or other action by the agency or legislative body is required by this part, neither the agency nor the legislative body shall delegate the obligation to decide, determine, or act to another entity unless a provision of this part specifically provides for that delegation.

Nothing in the Redevelopment Oversight Ordinance delegated powers to the Planning Commission or the City Council, and nothing in the redevelopment law allows any such delegation. The zoning proposals contained in CPC-2006-9702 and TTM 67490, 67491, and 67492, all must comply with the Bunker Hill Redevelopment Plan's land use provisions, as last adopted by Los Angeles City Council Ordinance No. 140662 on June 25, 1970. The operative provisions of the Redevelopment Plan and Ordinance No. 140662 remain in place today and apply to the approvals sought in CPC-2006-9702 and these three TTM's. The Planning Commission and City Council lack authority to approve any land use proposals that conflict with the Bunker Hill Redevelopment Plan and state redevelopment law.

LAAC Sections 8.94.04 (n), (o) and (o) require City Council approval of all land use approvals within all redevelopment project areas. The Planning Commission does not exercise this power and has never been delegated this power. LAAC 8.94.14 provides for a detail "Cooperation Agreement: that all City departments must follow regarding decisions within redevelopment project areas. The Planning Commission has failed to review the Redevelopment Oversight Ordinance or the Cooperation Agreement to understand the process and the restrictions on its jurisdiction.

Nothing in the oversight ordinance allows the City Council to take actions which violate state law or the Bunker Hill Redevelopment Plan.

## **2. VIOLATION OF BUNKER HILL REDEVELOPMENT PLAN'S MANDATORY LAND USE AND MAXIMUM DEVELOPMENT STANDARDS**

As a matter of California law, the terms of a redevelopment plan prevail over later enacted zoning code and general plan provisions governing the same territory. See, Housing Authority v. City of Los Angeles (1952) 38 Cal.2d 853, 862 [243 P.2d 515] [cert. den., 344 U.S. 836 (97 L.Ed. 651, 73 S.Ct. 46)]; Housing Authority v. Superior Court (1950) 35 Cal.2d 550, 557 [219 P.2d 457]; Gibbs v. City of Napa (1976) 59 Cal.App.3d 148, Kehoe v. City of Berkeley (1977) 67 Cal.App.3d 666, Redevelopment Agency v. City of Berkeley (1978) 80 Cal.App.3d 158, and Walker v. City of Salinas (1976) 56 Cal.App.3d 711.

The proposed Grand Avenue Project violates the Bunker Hill Redevelopment Plan, the governing land use document. The land use standards in the Bunker Hill Redevelopment Plan were last substantively amended in 1970 (Ordinance 140662). The later amendments did not change this. Sections 409 to 417 of the Redevelopment Plan mandates the City Council and Planning

Grand Avenue Project

Commission to take zoning actions in a manner consistent with the Redevelopment Plan land use standards. Section 418 and 419 mandate all developers to comply with the land use standards and development limits in the 1970 Redevelopment Plan.

Within Section H, at section 801, the Bunker Hill Redevelopment Plan reads as follows:

All of the land lying within and constituting the Project Area, including any land therein not acquired by the Agency, shall be subject to the requirements and restrictions specified in this Section H.

Within Section H, at section 811, the Bunker Hill Redevelopment Plan reads as follows:

The maximum density of population in residential areas shall not exceed 250 persons per acre. The number of dwelling units in residential areas is tentatively 3,100 with an additional 800 dwelling units if areas designated for multiple housing under alternate uses are developed for residential purposes.

The Redevelopment Plan at Section 814 limits all develop to a 5-to-1 floor-area ration ("FAR"), or a 6 to 1 ratio if a special approval procedure is followed. See, Redevelopment Plan sections 800 to 816. Yet, the proposed approvals in CPC-2006-9702 and TTMs 67490, 67491, and 67492, together provide for a much higher 9.9 to 1 FAR throughout the development site! This is an illegal attempt to evade or undermine the maximum limits in the Bunker Hill Redevelopment Plan without processing a formal redevelopment plan amendment.

Sections 812 to 814 of the Bunker Hill Redevelopment Plan also limits total development in the Project Area in a number of ways. First, a project-wide FAR applies. The total square footage of development in CPC-2006-9702 and TTMs 67490, 67491, and 67492, is described as 3,600,000 square feet. This will cause the Project Area to exceed the Project Area maximum FAR limits. An FAR calculation cannot include non-developed land within public rights-of-way. The Grand Avenue Project improperly seeks to use public streets and other public spaces as part of its FAR calculation. Without this improper use of non-developed areas the FAR cap in the Bunker Hill Redevelopment Plan will be violated.

The CRA has consistently under-counted development square footage in the Bunker Hill Project Area to evade the maximum density limits in the Redevelopment Plan. The 1970 Redevelopment Plan includes standards for FAR which are not being followed by the CRA and City staffs. Changes in FAR calculation formulas made by the City in other land use documents occurred after 1970. These were not changes to the FAR standards in the 1970 Redevelopment Plan. Later FAR standards and amended FAR formulas may NOT be utilized to judge compliance with the 1970 standards in the Redevelopment Plan. The City and CRA staffs are using 2007 square footage techniques and standards to dishonestly claim compliance with the 1970 standards. There has never been an amendment to the 1970 FAR standards in the Bunker Hill Redevelopment Plan. The 1970 standards must be used to judge compliance with the 1970 Redevelopment Plan's FAR limits.

Grand Avenue Project

The Central District Community Plan and the CRA's Redevelopment Implementation Plan both noted several years ago that the maximum limits established in Bunker Hill Redevelopment Plan were already being approached. The Planning Commission and City Council are failing to consider these limits contained in the 1970 Bunker Hill Redevelopment Plan and acknowledged in the Community Plan and the CRA's 5-year Implementation Plan.

The dwelling unit and FAR limits in the 1970 Redevelopment Plan cannot be amended by simple actions by the City Council, CRA Board or Planning Commission. A formal plan amendment is required by state law. The City and CRA staffs have falsely stated that a mere technical adjustment can be achieved by less than a formal plan amendment. In any event, **this future adjustment has not yet occurred** and CPC Case Nos. 2006-9702 and TTMs 67490, 67491, and 67492 are before the City Council today. Even under the staffs' suggestion any consideration of these actions must wait until this so-called "technical adjustment" is in fact completed.

The lot coverage at each development site is limited by the Bunker Hill Redevelopment Plan to a maximum of 40% for residential uses and 50% for non-residential and commercial uses. The proposed Grand Avenue Project described in CPC-2006-9702 and TTMs 67490, 67491, and 67492 together exceeds the Redevelopment Plan's maximum lot coverage requirements. In addition, there is a Project Area overall lot coverage limit, and the Grand Avenue Project will cause the Project Area to exceed those limits as well.

Section 816 of the Redevelopment Plan sets a minimum number of off-street parking spaces for residential and non-residential developments. At each development site, there must be not less than one off-street parking space per dwelling unit, and not less than one off-street parking space for every 800 square feet of commercial and office space development. The Grand Avenue Project as described in CPC-2006-9702 and TTMs 67490, 67491, and 67492, violates these minimum parking requirements set forth in the Bunker Hill Redevelopment Plan at Section 816.

Section 811 of the Bunker Hill Redevelopment Plan established a maximum of 3100 dwelling units, with some adjustment in special circumstances. The residential units in areas designated as "commercial" by the Redevelopment Plan may not exceed 900 dwelling units. There are already around 3,000 dwelling units in the Redevelopment Area. No change or adjustment of these maximum limits may be processed except by formal amendment to the Bunker Hill Redevelopment Plan. Such an amendment would have to occur BEFORE any City Council consideration of CPC Case Nos. CPC-2006-9702 or TTMs 67490, 67491, or 67492.

Parcels Q and W-1 and W-2 are designated for commercial uses in the Redevelopment Plan. The residential units on these parcels proposed in the Grand Avenue Project by CPC-2006-9702 will cause the Redevelopment Area to exceed the 900 unit maximum specified in Redevelopment Plan section 811 for non-residential land use areas. This will directly harm the Bonaventure. In 2006, the Bonaventure received City approval for 219 new residential condominiums, but the Bonaventure will need CRA final approval for the needed building permits. By adding new residential units above the maximum allowed in the Redevelopment Plan the City is threatening the future CRA approval of Bonaventure's new residential units. This violates the 2005 settlement between the Bonaventure and the City and CRA regarding its prior challenges to the Staples Arena subsidized hotel project.

Parcels L and M are designated for residential uses in the Redevelopment Plan. The residential units on these parcels proposed in the Grand Avenue Project by CPC-2006-9702 will cause the Redevelopment Area to exceed the 3100 unit maximum specified in Redevelopment Plan section 811 for residential areas.

Overall, the dwelling units allowed in the Grand Avenue Project as proposed by CPC-2006-9702 and TTMs 67490, 67491, and 67492 will cause the Redevelopment Area to have over 5,660 dwelling units. There already exists about 3,000 dwelling units and the Grand Avenue Project under CPC-2006-9702 would add an additional 2660 new dwelling units. Thus, the Grand Avenue Project proposes to build over the maximum number of dwelling units, violating the 1970 Bunker Hill Redevelopment Plan land use standards. The City is failing to follow the mandatory amendment procedures in redevelopment law. See Health & Safety Code sections 33450 to 33458.

In addition, maximum limits on dwelling units within any redevelopment project area are mandated by state law and this law cannot be changed by the City Council or CRA. See, Health & Safety Code section 33333. Mandates by state law cannot be avoided with technical adjustments.

Parcels W-1 and W-2 are limited to office buildings and parking facilities by the Redevelopment Plan. The Grand Avenue Project fails to construct offices on parcels W-1 and W-2. Residential uses are not allowed in Block W to the extent planned in the Grand Avenue Project and proposed in CPC-2006-9702 and TTMs 67490, 67491, and 67492. The failure to comply with the Block W mandate for office uses in the Plan and the limits on residential uses there also violate the Bunker Hill Redevelopment Plan.

Block Q is primarily designated for office uses with only other incidental commercial uses in the Redevelopment Plan. The Grand Avenue Project violates this restriction by having primarily residential and hotel uses. The failure to comply with the Block Q mandate for office uses in the Plan also violates the Bunker Hill Redevelopment Plan.

The Bunker Hill Redevelopment Plan as approved in 1970 by the City Council **acting as a state agency under a specific state law** wholly pre-empts and overrules any contrary merely local land use standards of the City. The City has no **purely local** authority to approve any plan or agreement violating the Bunker Hill Redevelopment Plan. Section 409 of the Redevelopment Plan renders the City's policies merely advisory to the binding land use policies in the Redevelopment Plan which pre-empt all other local policies. CPC-2006-9702 and TTMs 67490, 67491, and 67492 each violate the Redevelopment Plan.

**California Health & Safety Code section 33336** in the Redevelopment Law reads as follows:

Every redevelopment plan shall:

- (a) Contain adequate safeguards that the work of redevelopment will be carried out pursuant to the plan.
- (b) Provide for the retention of controls and the establishment of any restrictions or covenants running with land sold or leased for private use for such periods of time and under such conditions as the legislative body deems necessary to effectuate the purposes of this part. The establishment of such controls is a public purpose under the provisions of this part.

**California Health & Safety Code section 33339** in the Redevelopment law reads as follows:

Every redevelopment plan shall provide for participation in the redevelopment of property in the project area by the owners of all or part of such property if the owners agree to participate in the redevelopment in conformity with the redevelopment plan adopted by the legislative body for the area.

Thus, CPC-2006-9702 and TTMs 67490, 67491, and 67492 each violate state law by allowing the developer to take actions which violate the land use standards and limits on development contained in the Bunker Hill Redevelopment Plan.

### **3. IMPROPER ATTEMPT TO AMEND BUNKER HILL REDEVELOPMENT PLAN**

The Grand Avenue Project and CPC-2006-9702 and TTMs 67490, 67491, and 67492 each contemplate a number of zone changes, municipal code text changes, zoning variances, and a "statutory development agreement." Taken together, these are an improper and illegal attempt to amend the Bunker Hill Redevelopment Plan by means other than the exclusive method set forth in California Community Redevelopment Law at Health & Safety Code sections 33450 to 33458. This includes a right of referendum at sections 33378 and 33450. By using improper variances the City is attempting to circumvent the referendum rights of the Westin Bonaventure Hotel and all residents of Los Angeles as guaranteed by state law.

The proposed tract maps, zone changes, variances, use permits, development agreement rights seek large deviations from the mandatory provisions of the Bunker Hill Redevelopment Plan. Such actions are void and pre-empted by the supremacy of all redevelopment plans and the Community Redevelopment Law over all merely local enactments such as zoning. See, Gibbs v. City of Napa (1976) 59 Cal.App.3d 148, Kehoe v. City of Berkeley (1977) 67 Cal.App.3d 666, Redevelopment Agency v. City of Berkeley (1978) 80 Cal.App.3d 158, and Walker v. City of Salinas (1976) 56 Cal.App.3d 711. CPC-2006-9702 and TTMs 67490, 67491, and 67492 are each an invalid attempt to amend the Redevelopment Plan.

When the City and the Mayor settled the 2005 lawsuit, it agreed to allow Bonaventure to convert one third of its 1354 guest rooms into commercial and residential condominiums. The tentative tract map for these conversions was approved by the City in 2006. See, Tentative Tract No. 65986 and Staff Report by Daryll Mackey dated July 12, 2006. The 2005 settlement and the 2006 tract map were an admission by the City that there existed and would continue to exist a surplus of hotel rooms in and near downtown Los Angeles. Yet CPC-2006-9702 proposes more subsidized hotel rooms. It was patently obvious - - given the 2005 settlement and 2006 tract map approval - - that the Bonaventure would be directly and permanently harmed by the development proposals in CPC-2006-9702 and TTMs 67490, 67491, and 67492. In obtaining approval of Tract Map 65986 the Bonaventure detrimentally relied on the Mayor's and the City's prior settlement promises.

### **4. VIOLATION OF 1974-75 BONAVENTURE HOTEL DEVELOPMENT AGREEMENTS BARRING FURTHER HOTEL DEVELOPMENT IN BUNKER HILL PROJECT AREA**

In 1974 and 1975 the City and Redevelopment Agency entered into a development agreements for the hotel that later became the Westin Bonaventure Hotel. Those agreements continue today

to bind the City the and the Agency. That hotel was to be the **ONLY** hotel within the Bunker Hill Redevelopment Project Area, unless formal written agreement and waivers were granted by the owners of the Bonaventure. It appears that the approval and waiver process has not been followed regarding the hotel to be developed with City and Agency subsidies at 2<sup>nd</sup> and Grand. This failure to follow the process appears to be a breach of the development agreements for what is now the Westin Bonaventure Hotel.

The Bonaventure demands that the City and Agency cease any and all actions or proposed actions which violate its rights under the original development agreements covering Block G of the Bunker Hill Redevelopment Project Area where the Bonaventure still operates. Planning Commission case number CPC-2006-9702 cannot be approved because it violates the prior agreements.

**5. VIOLATIONS OF STATE CONFLICT OF INTEREST LAWS**

On August 10, 2007, a First Amended Verified Complaint in the Bonaventure's second pending lawsuit was filed with the L.A. Superior Court. As outlined therein, City Council member Jan Perry is alleged to have multiple, indirect and direct conflicts of interests violating Government Code §§1090 et seq., 87100 et seq., and 91000 et seq. The City, the CRA, and the Grand Avenue Joint Powers Authority are contracting parties in the Grand Avenue Project. Jan Perry's alleged indirect and direct economic interest in the governmental contracts on which she voted allegedly occurred as a Council member and as an appointed Board member of the Grand Avenue Joint Powers Authority. Government Code sections 1090 et seq., 87100 et seq., and 91000 et seq. could disqualify both individual decision-makers and entire government agencies from rendering any decision on Case Nos. CPC-2006-9702 and TTM's 67490, 67491, and 67492 as inter-related and mutually inter-dependent land use decisions with those contracts. Until and unless all alleged conflicts of interest are eliminated, the City as a whole must not even consider these land use matters. See, Kunec v. Brea Redevelopment Agency (1997) 55 Cal.App.4th 511; Schaefer V. Berinstein (1960) 180 Cal.App.2d 107; People v. Honig (1996) 48 Cal.App.4th 289; Thorpe v. Long Beach Community College District (2000) 83 Cal.App.4th 655; Thompson v. Call (1987) 38 Cal.3d 633; and Carson Redevelopment Agency v. Padilla (2006) 140 Cal.App.4th 1323.

**6. CONCLUSION:**

Please instruct the Planning Commission to rescind its approvals of the Grand Avenue Project, Case Nos. CPC-2006-9702 and Tentative Tract Map Nos. 67490, 67491, and 67492. Unless these listed violations of law are corrected, the City Council must refuse to hear or must vote **NO** on the Grand Avenue Project, Case Nos. CPC-2006-9702 and TTM's 67490, 67491, and 67492.

Sincerely,



**Christopher Sutton**  
**Attorney for Westin Bonaventure Hotel**



**LOS ANGELES CITY PLANNING COMMISSION**  
200 N. Spring Street, Room 532, Los Angeles, CA 90012-4801 (213) 978-1300  
[www.lacity.org/PLN/index.htm](http://www.lacity.org/PLN/index.htm)

**Determination Mailing Date:** AUG 14 2007

**Case No.: Tentative Tract No. 67492-1A**  
**CEQA: ENV-2006-6051-MND**

**Council District: 9**  
**Location: Various**  
**Plan Area: Central City**

**Applicant:** The Related Companies; Beatrice Hsu  
**Representative:** Psomas; Jennifer Yakubik

**Appellant:** Christopher Sutton; Today's IV Inc., dba Westin Bonaventure Hotel

**At its meeting of July 26, 2007, the City Planning Commission took the following action:**

1. **Denied the appeal.**
2. **Sustained** the Deputy Advisory Agency's **approval** of **Tentative Tract Map No. 67492**, (Parcels L and M-2) for the merger and re-subdivision of one lot and one portion of a lot to permit a two-master lot subdivision and 13 airspace lots for a new 680-unit residential condominium, 170 affordable apartment units with 50% at very low and 50% at low income levels, and 101,000 square feet of commercial/retail with 1,570 total parking spaces on a 2.20 net acre site in the R5-4D zone; also, haul route approval. The proposed project is located at 100, 221, 225, and 237 S. Grand Avenue; 121, 129, and 135 S. Hill Street; 220 and 236 S. Hope Street; 111, 121, 130, 134, 138, 141, 145, 151, and 161 S. Olive Street; 400 and 440 W. 1<sup>st</sup> Street; 411, 417, 419, 419, 421, 425, 427, 429, and 431 W. 2<sup>nd</sup> Street; and 630 and 635 W. General Thaddeus Kosciuszko Way.
3. **Adopted** the attached Conditions of Approval, as modified.
4. **Adopted** the attached Findings.
4. **Adopted** ENV-2006-6998-MND.

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

This action was taken by the following vote:

**Moved:** Roschen  
**Seconded:** Woo  
**Ayes:** Freer, Kezios, Usher  
**Absent:** Cardoso, Kay, Montanez -  
**Recuse:** Hughes  
**Vote:** 5-0

  
Gabriele Williams, Commission Executive Assistant II  
City Planning Commission

**Effective Date/Appeals:** This action of the City Planning Commission will be final within 10 days from the mailing date on this determination unless an appeal is filed within that time to the City Council. All appeals shall be filed on forms provided at the Planning Department's public Counters at 201 North Figueroa Street, Third Floor, Los Angeles, or at 6262 Van Nuys Boulevard, Room 251, Van Nuys. Forms are also available online at [www.lacity.org/pln](http://www.lacity.org/pln).

**FINAL APPEAL DATE** AUG 24 2007

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/Findings

**cc:** Notification List  
Maya Zaitzevsky, Planning

In accordance with provisions of Section 17.03 of the Los Angeles Municipal Code, the Advisory Agency approved Tentative Tract Map No. 67492 composed of two-master lots and 13 air space lots located at 225 South Grand Avenue for a new maximum **680-unit residential condominium, 170 affordable apartment with 50% at very low and 50% at low income levels, and 101,000 square feet of commercial/retail space** as shown on map stamp-dated December 21, 2006 in the Central City Community Plan. This unit density is based on the proposed C2 Zone and the approval of Case No. CPC-2006-9702-ZC-CU-CUB-ZV-DA. An approved Equivalency Program described in the Grand Avenue Final Environmental Impact Report (State Clearinghouse No. 2005091041), allows for modifications to land uses and square footages within and between Tentative Tract Map Nos. 67490, 67491, and 67492. All permitted project land use increases can be exchanged for corresponding decreases of other land uses under the approved Equivalency Program. Any modifications to land uses and square footages shall be within the constraints and limitations of the Equivalency Program. Furthermore, pursuant to the Disposition and Development Agreement ("DDA") approved by the Grand Avenue Joint Powers Authority, twenty percent (20%) of all residential units in this tentative tract map (TT-67492) shall be affordable. The subdivider is hereby advised that the Municipal Code may not permit this maximum approved density. Therefore, verification should be obtained from the Department of Building and Safety, which will legally interpret the Zoning code as it applies to this particular property. For an appointment with the Advisory Agency or a City Planner call (213) 978-1414. The Advisory Agency's approval is subject to the following conditions:

**NOTE** on clearing conditions: When two or more **agencies** must clear a condition, subdivider should follow the sequence indicated in the condition. For the benefit of the applicant, subdivider shall maintain record of all conditions cleared, including all material supporting clearances and be prepared to present copies of the clearances to each reviewing agency as may be required by its staff at the time of its review.

#### **BUREAU OF ENGINEERING - SPECIFIC CONDITIONS**

1. That a 33-foot wide and variable width strip of land be dedicated for the existing upper 2<sup>nd</sup> Street improvements adjoining the subdivision to align with the lower 2<sup>nd</sup> Street underground easement line and also the back of the existing sidewalk along the subdivision, together with suitable corner cut or property line radius at the intersections with Grand Avenue and Hope Street all satisfactory to the City Engineer.
2. That all the existing public streets and subsurface street easements within the subdivision be delineated on the final map satisfactory to the City Engineer.
3. That two copies of a parking area and driveway plan be submitted to the Central District Office of the Bureau of Engineering for review and approval or that a Covenant and Agreement be recorded agreeing to do the same prior to the



issuance of a building permit.

4. That a Covenant and Agreement be recorded advising all future owners and builders that prior to issuance of a building permit, a Notice of Acknowledgment of Easement be recorded, and an application to do work in any sanitary sewer and drainage easements and to construct over the existing sanitary sewer and drainage facilities shall be submitted to the City Engineer for approval.
5. That a portion of General Thaddeus Kosciusko Way, a public street between Grand Avenue and Hope Street, proposed for airspace merger above the height of 20 feet measured from the top of the curb of the street pavement and below 14 feet below the finished street grade, as determined by the City Engineer, be permitted to be merged with the remainder of the subdivision pursuant to Section 66499.20-1/2 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 airspace area 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.
6. That confirmations be obtained and submitted to the Central Engineering District of the Bureau of Engineering from all public utility agencies that might have certain rights in the area being merged below General Thaddeus Kosciusko Way that there are not planned uses in the area that will conflict with such merger. The proposed subsurface merger may not be approved if substantial utility needs are identified.

Note: The Advisory Agency hereby finds that the airspace area to be merged is unnecessary for present or prospective public purposes and all owners of the interest in the real property within the subdivision have or will have consented to the merger prior to the recordation of the final map.
7. That a complete set of detailed drawings of the airspace parcel map be submitted to the City Engineer for review showing the following:
  - a. Plan view at different elevations.
  - b. Isometric views.
  - c. Elevation views.
  - d. Section cuts at all locations where air space lot boundaries change.

8. That the owners of the property record an agreement satisfactory to the City

Engineer stating that they will grant the necessary 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 a safe condition for use at all times.

9. That a Covenant and Agreement be recorded satisfactory to the City Engineer binding the subdivider and all successors to the followings:
  - a. That the owners shall be required to maintain all elements of the structure above and below the limited General Thaddeus Kosciuszko Way rights-of-way being provided in a safe and usable condition to the satisfaction of the City Engineer. The City shall be given reasonable access to the structure within and adjacent to the limited General Thaddeus Kosciuszko Way right-of-way area for any necessary inspection, upon request during normal business hours. The City may request the owners to repair or replace damaged, defective or unsafe structural elements or to correct unacceptable conditions at the owner's expense if owner elects not to do so. Owner shall grant reasonable access to City's contractor to make said repairs.
  - b. The owners shall obtain a B-Permit from the City Engineer for any substantial structural modification above or below the General Thaddeus Kosciuszko Way right-of-way area and for any structural elements outside said areas which provide lateral or vertical support to structures within the areas.
10. That the subdivider execute and record an agreement satisfactory to the City Engineer to waive any right to make or prosecute any claims or demands against the City for any damage that may occur to the proposed structures adjacent to the public right-of-way dedication area being provided in connection with the use, construction and maintenance operations within said General Thaddeus Kosciuszko Way right-of-way.
11. That a Waiver of Damages Agreement and an Indemnification Agreement Covenant to run with the land, be executed by the owners and submitted to the Bureau of Engineering for approval, and subsequently be recorded relieving the City of any liability arising from the construction, maintenance and use of the proposed airspace subdivision areas being proposed. This waiver and indemnity statement shall be also included in the final map.
12. That proper excavation permits be obtained from the City Engineer and shoring and/or lateral support plans be submitted for review and approval all satisfactory to the City Engineer.
13. That plans for new structural design crossing General Thaddeus Kosciuszko Way between Hope Street and Grand Avenue be reviewed and approved satisfactory to the City Engineer.

14. That the subdivider make a request to the Central District Office of the Bureau of Engineering to determine the capacity of the existing sewers in this area.
15. That a soil and geology report be submitted to the Geotechnical Engineering Group of the Bureau of Engineering for their review and approval which may add additional relevant conditions.
16. That a revised map be submitted for information purposes satisfactory to the City Engineer and Advisory Agency showing the exact locations, including upper and lower elevations, of merger areas. This revised map will be used for the final map checking process and should show only one master lot.

**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 March 27, 2007 attached to the case file for Tract No. 67492.

**DEPARTMENT OF BUILDING AND SAFETY, ZONING DIVISION**

18. That 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. Parking is required for the existing structures and uses to remain. Show location of all parking spaces and access driveways. Dimension all parking spaces.
  - b. Provide copy of building permit records, plot plan, certificate of occupancy for all the existing buildings on the lot to clarify the last legal use and the required parking spaces. Records can be obtained at 201 North Figueroa Street Room 110, Los Angeles, CA 90012.
  - c. Show all street dedication(s) 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.
  - d. Indicate the type of construction and building dimensions for the buildings on the site.
  - e. 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.

- f. Submit a revised map that dimensions each air space lot with a finite width, length, and upper and lower elevations. The final map shall be based upon a site plan which accurately describes the location of such lots.
- g. Provide a copy of [D] condition(s). Show compliance with the above condition(s) as applicable or Department of City Planning approval is required.
- h. Provide a copy of affidavits PKG 51, AFF-62546 and AFF-90-1241757. Show compliance with all the conditions/requirements of the above affidavit(s) as applicable. Termination of above affidavit(s) may be required after map has been recorded. Obtain approval from the Department, on the termination form, prior to recording.

Notes:

The existing or proposed building plans have not been checked for Building or Zoning Code requirements. Any vested approvals for parking layouts, open space, required yards or building height, should be "to the satisfaction of the Department of Building and Safety at the time of Plan Check." If the proposed development does not comply with the current Zoning Code, all zoning violations shall be indicated on the map.

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 Cabrera at (213) 482-0474 to schedule an appointment.

#### DEPARTMENT OF TRANSPORTATION

- 19. That prior to recordation of the final map, satisfactory arrangements shall be made with the Department of Transportation to assure:
  - a. The applicant complies with Traffic Impact Assessment report for the proposed Grand Avenue Project as stated in the September 8, 2006 DOT letter to Martha Welborne, Los Angeles Grand Avenue Authority.
  - b. A minimum of 60-foot and 40-foot reservoir space(s) be provided between any ingress security gate(s) and the property line when driveway is serving more than 300 and 100 parking spaces respectively.
  - c. Parking stalls shall be designed so that a vehicle is not required to back into or out of any public street or sidewalk.
  - d. 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 Suite 400, Station 3.

## **FIRE DEPARTMENT**

20. That prior to the recordation of the final map, a suitable arrangement shall be made satisfactory to the Fire Department, binding the subdivider and all successors to the following:
- a. Submittal of plot plans for Fire Department review and approval prior to recordation of Tract Map Action.
  - b. 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.
  - c. No building or portion of a building shall be constructed more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane.
  - d. Where access for a given development requires accommodation of Fire Department apparatus, overhead clearance shall not be less than 14 feet.
  - e. Adequate public and private fire hydrants shall be required.
  - f. Access for Fire Department apparatus and personnel to and into all structures shall be required.
  - g. The Fire Department may require additional vehicular access where buildings exceed 28 feet in height.
  - h. 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.

## **DEPARTMENT OF WATER AND POWER**

21. 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).)

**BUREAU OF SANITATION**

22. Satisfactory arrangements shall be made with the Bureau of Sanitation, Wastewater Collection Systems Division for compliance with its sewer system review and requirements. Upon compliance with its conditions and requirements, the Bureau of Sanitation, Wastewater Collection Systems Division will forward the necessary clearances to the Bureau of Engineering. (This condition shall be deemed cleared at the time the City Engineer clears Condition No. S-1. (d).)

**INFORMATION TECHNOLOGY AGENCY**

23. That satisfactory arrangements be made in accordance with the requirements of the Information Technology Agency to assure that cable television facilities will be installed in the same manner as other required improvements. Refer to the Los Angeles Municipal Code Section 17.05N. Written evidence of such arrangements must be submitted to the Information Technology Agency, 200 N. Main Street, 12<sup>th</sup> Floor, Los Angeles, CA 90012, (213) 922.8363.

**DEPARTMENT OF RECREATION AND PARKS**

24. That the Quimby fee be based on the R5 zone.

**DEPARTMENT OF CITY PLANNING-SITE SPECIFIC CONDITIONS**

25. Prior to 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 a maximum of 680 residential condominium units, 170 residential apartment units with 50% at very low and 50% at low income levels and 101,000 square feet of commercial/retail space. If the affordable units are provided as for-sale units, the affordability levels shall be consistent with the requirements of the Disposition and Development Agreement for the Grand Avenue Project.

Provide a minimum ratio of 1.5 parking spaces per market rate residential unit and a minimum of 1 space per affordable residential unit. Unless an attendant is provided at all times: (a) All guest spaces shall be readily accessible, conveniently located, specifically reserved for guest parking, posted and maintained satisfactory to the Department of Building and Safety; (b) Directions to guest parking spaces shall be clearly posted; and (c) Tandem parking spaces shall not be used for guest parking. If guest parking spaces are gated, a voice response system shall be installed at the gate. Provide a minimum of 1 parking space for each 1,000 square feet of

commercial/retail use.

- b. In addition, prior to the issuance of a building permit, a parking plan showing off-street parking spaces, as required by the Advisory Agency, be submitted for review and approval by the Department of City Planning (200 No. Spring Street, Room 750).
  - c. In accordance with the Equivalency Program contained in the Final EIR (State Clearinghouse No. 2005091041) for the project, land uses can be exchanged for certain other permitted land uses within and between Tentative Tract Maps 67490, 67491, 67492 so long as the limitations of the Equivalency Program are satisfied and no additional environmental impacts occur. All permitted land use increases can also be exchanged for corresponding decreases of other land uses. The Department of City Planning shall be the implementing agency for the Program.
  - d. The applicant shall install an air filtration system(s) to reduce the effects of diminished air quality on occupants of the project.
  - e. That a solar access report shall be submitted to the satisfaction of the Advisory Agency prior to obtaining a grading permit.
  - f. 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.
  - g. Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material.
  - h. The applicant shall install shielded lighting to reduce any potential illumination affecting adjacent properties.
  - i. Prior to the clearance of any tract map conditions, the applicant shall show proof that all fees have been paid to the Department of City Planning, Expedited Processing Section.
26. That prior to the issuance of the building permit or the recordation of the final map, a copy of the **CPC-2006-9702-ZC-CU-CUB-CUX-ZV-DA** shall be submitted to the satisfaction of the Advisory Agency. In the event that **CPC-2006-9702-ZC-CU-CUB-CUX-ZV-DA** is not approved, the subdivider shall submit a tract modification.
27. That the subdivider shall make suitable arrangements for clearance with the Community Redevelopment Agency for the Bunker Hill Redevelopment Project area.

**DEPARTMENT OF CITY PLANNING-ENVIRONMENTAL MITIGATION MEASURES**

28. That prior to the recordation of the final map, the subdivider will prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770) in a manner satisfactory to the Planning Department, requiring the subdivider to identify mitigation monitors who shall provide periodic status reports to the implementation of mitigation items required by Mitigation Condition Nos. 29 of the Tract's approval satisfactory to the Advisory Agency. The mitigation monitors shall be identified as to their areas of responsibility, and phase of intervention (pre-construction, construction, post-construction/maintenance) to ensure continued implementation of the above mentioned mitigation items. Subject to review and approval by the Planning Department/Advisory Agency, the subdivider may satisfy this requirement by submitting the Mitigation Monitoring Program previously approved by the Joint Powers Authority, as further described at page 158, Section 1.9 of this Report.
29. Prior to recordation of the final map, the subdivider will 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:

Aesthetics and Visual Resources

- MM-1 During Project construction, the Developer, with regard to the five development parcels, shall ensure, through appropriate postings and daily visual inspections, that no unauthorized materials remain posted on any temporary construction barriers or temporary pedestrian walkways, and that any such temporary barriers and walkways are maintained in a visually attractive manner throughout the construction period. The City's Department of Building and Safety or other appropriate City agency or department, shall determine compliance with this measure with regard to construction associated with the five development parcels.
- MM-2 Prior to the start of each construction work phase, the developer, with regard to the five development parcels, shall prepare and implement a tree replacement plan should mature trees along Grand Avenue be impacted by Project construction. Existing mature trees shall be replaced at a ratio of not less than 1:1, to the extent consistent with the final streetscape design. The City's Department of Building and Safety or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels.
- MM-3 Prior to the start of each construction work phase, the developer, with regard to the five development parcels, shall schedule and coordinate sidewalk construction with the development of the adjacent parcels to reduce the duration and visual impact of construction activities. Scheduling of construction activities



for the five development parcels shall be reviewed and approved by the Authority and implemented by the responsible parties.

- MM-4 Prior to the start of each construction work phase, the developer, with regard to the five development parcels, shall submit a design plan and technical analysis prepared by the Project's architect as part of the building permit submission that demonstrates that the final selection of building materials for the five development parcels shall not create a significant glare impact on any offsite sensitive uses, including line-of-sight glare on any street or commercial, residential, or cultural use. The approved design plan shall be implemented by the developer with regard to the five development parcels. The design plan and technical study shall be reviewed and approved by the Authority.
- MM-5 Prior to each construction phase, the developer with regard to the five development parcels, shall prepare, and, thereafter, implement plans and specifications to ensure that architectural lighting is directed onto the building surfaces and have low reflectivity in accordance with Illuminating Engineers Society (IES) standards to minimize glare and limit light onto adjacent properties.
- MM-6 Prior to the start of each construction work phase, the developer, with regard to the five development parcels, shall submit to the Authority or other appropriate agency, for review and approval, building plans and specifications that demonstrate that all ventilation, heating and air conditioning ducts, tubes, and other such mechanical equipment shall be screened from the line-of-sight from the street. Approved building plans and specifications shall be implemented by the responsible parties.
- MM-7 Prior to the start of each construction work phase, the developer, with regard to the five development parcels, shall submit design plans that demonstrate that all utility lines and connections are constructed underground. Approved utility plans and connections with regard to the five development parcels shall be reviewed and approved by the Authority. Approved utility lines and connections shall be implemented by the responsible parties.
- MM-8 Prior to construction, the developer, with regard to the five development parcels, shall submit design plans for trash collection areas to the Authority for review and approval. Trash collection areas shall be screened from line of sight from the street. Approved design plans shall be implemented by the developer.
- MM-9 Prior to the start of each construction work phase, the developer, with regard to the five development parcels shall prepare architectural plans that shall be reviewed and approved by the Authority such that all ground-level building fixtures, including, but not limited to, security gates, landscape light fixtures, pedestrian lights, air intake shafts, and other appurtenances are integrated into the

architectural theme and/or design of the respective Project components. Approved architectural plans shall be implemented by the developer and the responsible parties.

#### Air Quality

MM-10 During each construction phase, the developer, with regard to the five development parcels, shall implement a fugitive dust control program pursuant to the provisions of SCAQMD Rule 403. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with SCAQMD Rule 403 during construction with regard to construction associated with the five development parcels. The SCAQMD retains jurisdiction to enforce this measure in the case of non-compliance. Compliance with the applicable provisions of Rule 403 shall include, but not be limited to, using best available control measures listed in Table 1 of Rule 403 to minimize fugitive dust emissions from each fugitive dust source type within active operations, and will include at least the following specific best management practices (BMPs):

- Water soils daily and not more than 15 minutes prior to earth moving activities;
- Water surfaces two times per day or more in order to maintain a surface crust to prevent soil erosion;
- Apply soil conditioners or vegetative cover to areas that will be exposed for an extended duration;
- Apply chemical stabilizers within five working days of ceasing grading;
- Install approved trackout prevention devices and provide street sweeping within the Project area;
- Securely cover truck loads with a tarp;
- Cease grading activities when wind speeds exceed 25 miles per hour; and
- Permanently seal exposed surfaces as soon as possible after grading is finished; and
- Provide temporary wind fencing, consisting of wrapped chain link or solid fencing, around the sites that are being graded/excavated to reduce dirt/dust from being blown over to adjoining properties.

MM-11 During each construction phase, the developer, with regard to the five development parcels, shall utilize coatings and solvents that are consistent with applicable SCAQMD rules and regulations. The City's Department of Building and Safety, or other appropriate City agency or department, shall provide oversight with regard to compliance with this measure with regard to construction associated with the five development parcels. The SCAQMD retains jurisdiction to enforce this measure in the case of non-compliance.

- MM-12 During each construction phase, the developer, with regard to the five development parcels, shall comply with SCAQMD Rule 402 to reduce potential nuisance impacts due to odors from construction activities. The City's Department of Building and Safety, or other appropriate City agency or department, shall provide oversight with regard to compliance with this measure with regard to construction associated with the five development parcels. The SCAQMD retains jurisdiction to enforce this measure in the case of non-compliance.
- MM-13 During each construction phase, the developer, with regard to the five development parcels, shall ensure that all haul truck tires shall be cleaned at the time these vehicles exit the Project site. The City's Department of Building and Safety, or other appropriate City agency or department, shall provide oversight with regard to compliance with this measure with regard to construction associated with the five development parcels. The SCAQMD retains jurisdiction to enforce this measure in the case of non-compliance.
- MM-14 During each construction phase, the developer, with regard to the five development parcels, shall ensure that all export material carried by haul trucks shall be covered by a tarp or other means. The City's Department of Building and Safety, or other appropriate City agency or department, shall provide oversight with regard to compliance with this measure with regard to construction associated with the five development parcels. The SCAQMD retains jurisdiction to enforce this measure in the case of non-compliance.
- MM-15 During each construction phase, the developer, with regard to the five development parcels, shall ensure that all construction equipment shall be properly tuned and maintained in accordance with manufacturer's specifications. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to construction associated with the five development parcels.
- MM-16 During each construction phase, the developer, with regard to the five development parcels, shall ensure that construction equipment is maintained and operated so as to minimize exhaust emissions. During construction, trucks and vehicles in loading and unloading queues shall turn off their engines, when not in use, to reduce vehicle emissions. Construction emissions shall be phased and scheduled to avoid emissions peaks and discontinued during second-stage smog alerts. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to construction activities associated with the five development parcels.
- MM-17 During each construction phase, the developer, with regard to the five development parcels, shall ensure that electricity rather than temporary diesel-

or gasoline-powered generators shall be used to the extent feasible. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to construction associated with the five development parcels.

- MM-18 During each construction phase, the developer, with regard to the five development parcels, shall ensure that all construction vehicles shall be prohibited from idling in excess of five minutes, both on- and off-site. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to construction associated with the five development.
- MM-19 During each construction phase, the developer, with regard to the five development parcels, shall ensure that heavy-duty construction equipment shall use alternative clean fuels, such as low sulfur diesel or compressed natural gas with oxidation catalysts or particulate traps, to the extent feasible. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels.
- MM-20 During each construction phase, the developer, with regard to the five development parcels shall ensure that shuttle service shall be provided to construction workers who are required to park in offsite parking lots if such lots are not within a walking distance of 1,100 feet from the respective construction sites. CRA/LA shall determine compliance with this measure with regard to construction associated with the five development parcels.
- MM-21 During each construction phase, the developer, with regard to the five development parcels, shall equip major earth moving equipment, haul trucks, and excavation equipment with particulate filters and catalytic converters. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to construction associated with the five development parcels.
- MM-22 During each construction phase, the developer with regard to the five development parcels, shall ensure that building materials, architectural coatings and cleaning solvents shall comply with all applicable SCAQMD rules and regulations. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to construction associated with the five development parcels. The SCAQMD shall be responsible for the enforcement of this measure for all Project components in the case of non-compliance.
- MM-23 During Project operations, the developer, with regard to the five development

parcels, shall, to the extent feasible, ensure that deliveries are scheduled during off-peak traffic periods to encourage the reduction of trips during the most congested periods. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure, with regard to construction associated with the five development parcels.

- MM-24 During Project operations, the developer, with regard to the five development parcels, shall coordinate with the MTA and the Los Angeles Department of Transportation to provide information to Project employees, residents and guests with regard to local bus and rail services. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to construction associated with the five development parcels.
- MM-25 Provide the appropriate number of bicycle racks located at convenient locations in the Project site. The developer shall implement this measure with regard to the five development parcels prior to initial building occupancy for each construction phase. The City's Department of Safety shall review and approve the number and location of the bicycle racks with regard to the five development parcels.
- MM-26 The developer, with regard to the five development parcels, shall provide convenient pedestrian access throughout the Project site. The Developer shall implement this measure with regard to the five development parcels prior to initial building occupancy for each construction phase. Pedestrian access plans shall be submitted to the Authority, for review and approval. Approved pedestrian access plans shall be implemented by the responsible parties.
- MM-27 During on-going Project operations, the developer, with regard to the five development parcels, shall ensure that all fixtures used for lighting of exterior common areas shall be regulated by automatic devices to turn off lights when they are not needed, but a minimum level of lighting should be provided for safety. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this mitigation measure with regard to the five development parcels.
- MM-28 During Project operations, the developer, with regard to the five development parcels, shall ensure that all point source facilities shall obtain all required permits from the SCAQMD. The issuance of these permits by the SCAQMD shall require the operators of these facilities to implement Best Available Control Technology and other required measures that reduce emissions of criteria air pollutants. Proof of permit issuance by the SCAQMD shall be provided to the City's Department of Building and Safety, or other appropriate City agency or department, with regard to the five development parcels. Compliance with point

source permits shall be enforced by the SCAQMD for all Project components.

- MM-29 During Project operations, the developer, with regard to the five development parcels, shall ensure that commercial businesses located within the Project site shall be limited to those that do not emit high levels of potentially toxic air contaminants or odors (e.g., dry cleaners with on-site processing plants that handle toxic chemicals). The City's Department of Building and Safety, or other appropriate City agency or department, shall be responsible for the enforcement of this measure with regard to the five development parcels.
- MM-30 Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall prepare and implement building plans and specifications that ensure that all residential and non-residential buildings shall, at a minimum, meet the California Title 24 Energy Efficiency standards for water heating, space heating and cooling. Approved building plans shall be implemented by the developer and the responsible parties. Building plans and specifications with regard to the five development parcels shall be reviewed and approved by the City's Department of Building and Safety, or other appropriate City agency or department.
- MM-31 During each construction phase, the Developer with regard to the five development parcels, shall ensure that building materials, architectural coatings and cleaning solvents shall comply with all applicable SCAQMD rules and regulations. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to construction associated with the five development parcels. The SCAQMD retains enforcement of this measure for all Project components in the case on non-compliance.

#### Fire Protection and Related Services

- MM-32 During demolition activities occurring during each construction phase, the developer, with regard to the five development parcels, shall ensure sure that emergency access shall remain clear and unobstructed. The LAFD shall determine compliance with this measure with regard to the five development parcels.
- MM-33 Prior to each construction phase, the developer, with regard to the five development parcels, shall prepare, and thereafter implement, plans and specifications to ensure that the construction contractor is apprised of the requirement to maintain access to sub-surface parking structures associated with the Civic Center Mall, the Music Center, and the Colburn School for

Performing Arts. The LAFD shall determine compliance with this measure with regard to the five development parcels.

- MM-34 During each construction phase, the developer, with regard to the five development parcels, shall maintain access for emergency response personnel to the Kenneth Hahn Hall of Administration, the Paseo de los Pobladores de Los Angeles, the County Courthouse, the Colburn School for Performing Arts, and the Walt Disney Concert Hall. The LAFD shall determine compliance with this measure with regard to construction in the five development parcels.
- MM-35 Prior to each construction phase, the developer, with regard to the five development parcels, shall prepare, and thereafter implement, a plan to ensure that emergency evacuation from the northwest side of the County Mall and Colburn School for Performing Arts, the southeast side of the Music Center and the Walt Disney Concert Hall would not be impeded by construction of the individual Project elements. With respect to the plan for the Mall, it must be prepared to coordinate with emergency evacuation plans for the Courthouse and the Hall of Administration. The LAFD shall determine compliance with this measure with regard to the five development parcels.
- MM-36 During each construction phase, the developer, with regard to the five development parcels, shall ensure that sufficient fire hydrants shall remain accessible at all times during Project construction. The LAFD shall determine compliance with this measure with regard to the five development parcels.
- MM-37 Prior to the start of each construction phase and during Project operations, the developer, with regard to the five development parcels shall comply with all applicable State and local codes and ordinances, and the guidelines found in the Fire Protection and Fire Prevention Plan, and the Safety Plan, both of which are elements of the General Plan of the City of Los Angeles (C.P.C. 19708). The City of Los Angeles Fire Department (LAFD) shall determine compliance with this measure with regard to the five development parcels.
- MM-38 During Project operations, the developer, with regard to the five development parcels shall maintain all access roads, including fire lanes, in an unobstructed manner, and removal of obstructions shall be at the owner's expense. The entrance to all required fire lanes or required private driveways shall be posted with a sign no less than three square feet in area in accordance with Section 57.09.05 of the Los Angeles Municipal Code. The LAFD shall determine compliance with this measure with regard to the five development parcels.
- MM-39 Prior to the start of each construction phase, the Developer, with regard to the

five development parcels, shall prepare, and thereafter implement, plans and specifications in accordance with LAFD requirements, and requirements for necessary permits shall be satisfied prior to commencement of construction on any portion of the five development parcels. The LAFD shall determine compliance with this measure with regard to the five development parcels.

- MM-40 Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall prepare, and thereafter implement, a plan that will assure that any required fire hydrants that are installed shall be fully operational and accepted by the Fire Department prior to any building construction. The LAFD shall determine compliance with this measure with regard to the five development parcels.
- MM-41 Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall submit plot plans indicating access roads and turning areas to the LAFD for review and approval. The developer, with regard to the five development parcels shall implement the approved plot plans. The LAFD shall determine compliance with this measure.
- MM-42 Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall prepare, and thereafter implement, engineering plans that show adequate fire flow and placement of adequate and required public and private fire hydrants. The LAFD shall determine compliance with this measure with regard to the five development parcels.
- MM-43 During each construction phase, the developer, with regard to the five development parcels, shall provide emergency access for Fire Department apparatus and personnel to and into all structures. The LAFD shall determine compliance with this measure with regard to the five development parcels.
- MM-44 Prior to the start of each construction phase, the developer, with regard to the five development parcels shall prepare, and thereafter implement, a plan that will provide that any private roadways for general access use and fire lanes shall not be less than 20 feet wide and clear to the sky. The LAFD shall determine compliance with this measure with regard to the five development parcels.
- MM-45 Prior to the start of each construction phase, the developer, with regard to the five development parcels shall prepare, and thereafter implement, a plan that will provide that any fire lanes and dead end streets shall terminate in a cul-de-sac or other approved turning area. No dead end street or fire lane shall be greater than 700 feet in length or secondary access shall be required. The LAFD shall determine compliance with this measure with regard to the five development parcels.



- MM-46 Prior to the start of each construction phase, the developer, with regard to the five development parcels shall prepare, and thereafter implement, a plan that designs any proposed development utilizing cluster, group, or condominium design not more than 150 feet from the edge of the roadway of an improved street, access road, or designated fire lane. The LAFD shall determine compliance with this measure with regard to the five development parcels.
- MM-47 Prior to the start of each construction phase, the developer, with regard to the five development parcels shall prepare, and thereafter implement, a plan that designs fire lanes to be not less than 28 feet in width. 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. The LAFD shall determine compliance with this measure with regard to the five development parcels.
- MM-48 Prior to the start of each construction phase, the developer, with regard to the five development parcels, where above ground floors are used for residential purposes, shall prepare, and thereafter implement, a plan that interprets the access requirement as being the horizontal travel distance from the street, driveway, alley, or designated fire lane to the main entrance of the residential units. The LAFD shall determine compliance with this measure.
- MM-49 Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall prepare, and thereafter implement, a plan that designs the entrance or exit of all ground level residential units to be no more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane. The LAFD shall determine compliance with this measure.
- MM-50 Prior to the start of each construction phase, the developer, with regard to the five development parcels shall prepare, and thereafter implement, a plan that provides access that requires the accommodation of Fire Department apparatus, shall design the minimum outside radius of the paved surface to be 35 feet. An additional six feet of clear space must be maintained beyond the outside radius to a vertical point 13 feet 6 inches above the paved surface of the roadway. The LAFD shall determine compliance with this measure with regard to the five development parcels.
- MM-51 Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall not construct any building or portion of a building to be more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane. The LAFD shall determine compliance with this measure with regard to the five development parcels.
- MM-52 Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall prepare, and thereafter implement, a plan that

provides for access that requires accommodation of Fire Department apparatus, a design for overhead clearances to be not less than 14 feet. The LAFD shall determine compliance with this measure with regard to the five development parcels.

- MM-53 Prior to the start of each construction phase, the developer, with regard to the five development parcels shall prepare, and thereafter implement, a plan that provides for additional vehicular access required by the Fire Department, where buildings exceed 28 feet in height. The LAFD shall determine compliance with this measure with regard to the five development parcels.
- MM-54 Prior to the start of each construction phase, the developer, with regard to the five development parcels shall prepare, and thereafter implement, a plan that provides, where fire apparatus shall be driven onto the road level surface of the subterranean parking structure, for the structure to be engineered to withstand a bearing pressure of 8,600 pounds per square foot. The LAFD shall determine compliance with this measure with regard to the five development parcels.
- MM-55 Prior to the start of each construction phase, the developer, with regard to the five development parcels shall record any private streets as Private Streets and Fire Lanes. All private street plans shall show the words "Private Street and Fire Lane" within the private street easement. The LAFD shall determine compliance with this measure with regard to the five development parcels.
- MM-56 During operation of the Project, the developer, with regard to the five development parcels, shall provide that all electric gates approved by the Fire Department shall be tested by the Fire Department prior to Building and Safety, or other appropriate City agency or department, granting a Certificate of Occupancy. The LAFD shall determine compliance with this measure.
- MM-57 Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall prepare, and thereafter implement, a plan that would not construct any building or portion of a building more than 300 feet from an approved fire hydrant. Distance shall be computed along path of travel with the exception that dwelling unit travel distance shall be computed to the front door of the unit. The LAFD shall determine compliance with this measure with regard to the five development parcels.
- MM-58 Prior to the start of each construction phase, the developer, with regard to the five development parcels shall submit plans to the Fire Department for review and approval. Where rescue window access is required, the developer, with regard to the five development parcels, shall incorporate conditions and improvements necessary to meet accessibility standards as determined by the LAFD. The LAFD shall determine compliance with this measure.

- MM-59 During operations of the Project, the developer, with regard to the five development parcels shall have the curbs of all public street and fire lane cul-de-sacs painted red and/or be posted "No Parking at Any Time" prior to the issuance of a Certificate of Occupancy or Temporary Certificate of Occupancy for any structures adjacent to the cul-de-sac. The LAFD shall determine compliance with this measure with regard to the five development parcels.
- MM-60 Prior to the start of each construction phase, the developer, with regard to the five development parcels shall submit building plans to the LAFD for review and approval that demonstrate that automatic fire sprinklers shall be installed in all structures. The LAFD shall determine compliance with this measure.

#### Hazards and Hazardous Materials

- MM-61 Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall properly decommission all unused groundwater monitoring wells, per applicable regulations. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels. The Regional Water Quality Control Board shall enforce compliance with this measure.
- MM-62 Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall test for the presence or absence of hydrogen sulfide and methane beneath the site by subsurface sampling. Should the sampling result in the discovery of hydrogen sulfide and/or methane, appropriate health and safety measures shall be implemented, in accordance with applicable regulations. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure.
- MM-63 Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall take fill samples from each of the five parcels, and shall analyze these samples for contaminants at elevated concentrations. Should elevated contaminant concentrations be discovered, appropriate measures shall be implemented, in accordance with applicable regulations. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure.
- MM-64 Prior to the start of any demolition activities or renovation on any painted surfaces at the Project site, the developer, with regard to the five development parcels, shall conduct a survey of lead based paint (LBP) to determine the level of risk posed to maintenance personnel, construction workers, facility staff, and patrons from exposure to the paints present at the site. Any recommendations made in that survey related to the paints present at the

Project site shall be implemented prior to the demolition or renovation of said painted surfaces. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels.

### Historical Resources

### Noise

- MM-65 To reduce any impact on nearby venues that may be noise sensitive receptors, such as the Music Center, Disney Concert Hall, and the County Courthouse, the following Measures G-1 and G-2 shall be implemented as follows: During each construction phase, the developer, with regard to the five development parcels, shall limit (i) construction activities utilizing heavy equipment to Monday through Friday from 7:00 a.m. to 8:00 p.m., and (ii) interior construction work inside building shells and construction activities not utilizing heavy equipment to 7:00 a.m. to 9:00 p.m. Monday through Friday. Saturday construction shall be limited to 8:00 a.m. to 6 p.m. No exterior construction activities shall be permitted on Sundays or holidays per applicable City regulations. Construction noise measures shall also be implemented, which may include the use of noise mufflers on construction equipment used within 100 feet of these buildings. The City's Department of Building and Safety or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels.
- MM-66 During each construction phase, the developer, with regard to the five development parcels shall not use heavy equipment within (to the maximum extent practicable) 100 feet of the County Courthouse building while Court is in session. Construction contracts must specify that all construction equipment shall be in proper operating condition and fitted with standard factory silencing features and other applicable attenuation devices such as mufflers. The City's Department of Building and Safety or other appropriate City agency or department shall determine compliance with this measure with regard to the five development parcels.
- MM-67 During the initial stage of each construction phase (site demolition and site preparation/excavation) for each Project parcel and when construction activities are within 200 feet of noise sensitive land uses, the developer, with regard to the five development parcels, shall erect a temporary, 8-foot, ½-inch-thick plywood fence along the boundaries of each construction site adjacent to noise sensitive uses such that the "line of sight" between on-site construction activities and the residential or other sensitive uses is blocked, where feasible. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the

five development parcels.

- MM-68 During each construction phase, the developer, with regard to the five development parcels, shall ensure that pile drivers within the individual activity/development site under construction at that time shall be equipped with noise control devices having a minimum quieting factor of 10 dBA. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to construction in the five development parcels.
- MM-69 During each construction phase, the developer, with regard to the five development parcels, shall, except as otherwise permitted by applicable agreements, ensure that construction loading and staging areas shall be located on the Project site within each respective construction site and away from noise-sensitive uses to the extent feasible. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to construction in the five development parcels.
- MM-70 Prior to the issuance of grading permits for each construction phase, the developer, with regard to the five development parcels, shall prepare, and thereafter implement, plans and specifications that include a requirement to route pedestrians (to the maximum extent practicable) 50 feet away from the construction area when heavy equipment such as hydraulic excavators are in use. Such routing may include the posting of signs at adjacent intersections. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels.
- MM-71 During each construction phase, the developer, with regard to the five development parcels, shall designate a construction relations officer to serve as a liaison with surrounding property owners who is responsible for responding to any concerns regarding construction noise. The liaison shall coordinate with the Project construction manager(s) to implement remedial measures in the shortest time feasible. The liaison's telephone number(s) shall be prominently displayed at multiple locations along the perimeter of each construction site. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels.
- MM-72 The developer, with regard to the five development parcels, shall prepare and implement building plans that ensure prior to the start of each construction phase which includes residential development, that all exterior walls, floor-ceiling assemblies (unless within a unit), and windows having a line of sight (30 degrees measured from the horizontal plane) of Grand Avenue, Hill

Street, Hope Street, First Street, and Second Street of such residential development shall be constructed with double-paned glass or an equivalent and in a manner to provide an airborne sound insulation system achieving a lab-tested Sound Transmission Class of 30, subject to field testing, as defined in UBC Standard No. 35-1, 1982 edition. Sign off by the City's Department of Building and Safety, or other appropriate City agency or department, shall be required prior to obtaining a building permit. The developer, as an alternative, may retain an engineer registered in the State of California with expertise in acoustical engineering, who shall submit a signed report for an alternative means of sound simulation satisfactory to the City's Department of Building and Safety, or other appropriate City agency or department. Examples of alternative means may include, but are not limited to, the following: (1) acoustical seals for doors and windows opening to the exterior; (2) consideration of the type, location, and size of windows; and (3) sealing or baffling of openings and vents. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure.

#### Parks and Recreation

- MM-73 Prior to the issuance of a certificate of occupancy, the developer, with regard to the five development parcels, shall: (1) dedicate additional parkland such that the Project would provide a total of 3 acres per 1,000 Project residents; (2) pay in-lieu fees for any land dedication requirement shortfall; or (3) a combination of the above. The City's Department of Building and Safety, or other appropriate City agency or department shall determine compliance with this measure.

#### Police Protection Services

- MM-74 During each construction phase, the developer, with regard to the five development parcels, shall provide clear and unobstructed LAPD access to the construction site. The LAPD shall determine compliance with this measure with regard to the five development parcels.
- MM-75 During ongoing construction, the developer, with regard to the five development parcels shall provide security features on the construction site(s), such as guards, fencing, and locked entrances. The LAPD shall determine compliance with this measure.
- MM-76 Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall submit plot plans for all proposed development to the Los Angeles Police Department's Crime Prevention Section for review and comment. Security features subsequently recommended by the LAPD shall be implemented by the developer to the extent feasible.

- MM-77 At the completion of each construction phase, the developer, with regard to the five development parcels shall file as-built building plans with the LAPD Central Area Commanding Officer. Plans shall include access routes, floor plans, and any additional information that might facilitate prompt and efficient police response. The LAPD shall determine compliance with this measure.
- MM-78 During Project operations, the developer, with regard to the five development parcels shall install alarms and/or locked gates on doorways providing public access to commercial facilities. The LAPD shall determine compliance with this measure with regard to the five development parcels.
- MM-79 During Project operations, the developer, with regard to the five development parcels shall not plant landscaping in a way that could provide cover for persons tampering with doors or windows of commercial facilities, or for persons lying in wait for pedestrians or parking garage users. The LAPD shall determine compliance with this measure with regard to the five development parcels.
- MM-80 Additional lighting shall be installed where appropriate, including on the Project site and in parking garages, as determined in consultation with the LAPD with regard to the five development parcels. The developer shall implement this measure with regard to the five development parcels prior to initial building occupancy for each construction phase.
- MM-81 Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall prepare, and thereafter implement, a plan that incorporates safety features into the Project's design to assure pedestrian safety, assist in controlling pedestrian traffic flows, and avoid pedestrian/vehicular conflicts on-site. Safety measures may include the provision of security personnel; clearly designated, well-lighted pedestrian walkways on-site; special street and pedestrian-level lighting; physical barriers (e.g., low walls, landscaping), particularly around the perimeter of the parking garages, to direct pedestrians to specific exit locations that correspond to designated crosswalk locations on adjacent streets. The LAPD shall determine compliance with this measure with regard to the five development parcels.
- MM-82 Prior to the issuance of a certificate of occupancy for each construction phase and during Project operations, the developer, with regard to the five development parcels, shall develop, and thereafter implement, a new or modified Security Plan to minimize the potential for on-site crime and the need for LAPD services. The plan would outline the security services and features to be implemented, as determined in consultation with the LAPD. The LAPD shall determine compliance with this measure with regard to the five development parcels.

The following shall be included in the plan:

1. Provision of an on-site security force that would monitor and patrol the Project site. During operational hours, security officers shall perform pedestrian, vehicular, and/or bicycle patrols.
2. Implementation of a video camera surveillance system and/or a closed-circuit television system;
3. Additional security features shall be incorporated into the design of proposed parking facilities, including "spotters" for parking areas, and ensuring the availability of sufficient parking either on- or off-site for all building employees and anticipated patrons and visitors;
4. Security lighting incorporating good illumination and minimum dead space in the design of entryways, seating areas, lobbies, elevators, service areas, and parking areas to eliminate areas of concealment. Security lighting shall incorporate full cutoff fixtures which minimize glare from the light source and provide light downward and inward to structures to maximize visibility;
5. Provision of lockable doors at appropriate Project entryways, offices, retail stores, and restaurants;
6. Installation of alarms at appropriate Project entryways and ancillary commercial structures;
7. All businesses desiring to sell or allow consumption of alcoholic beverages are subject to the issuance of a Conditional Use Permit by the City;
8. Accessibility for emergency service personnel and vehicles into each structure, and detailed diagram(s) of the Project site, including access routes, unit numbers, and any information that would facilitate police response shall be provided to the Central Area Commanding Officer.
9. In addition, security procedures regarding initial response, investigation, detainment of crime suspects, LAPD notification, crowd and traffic control, and general public assistance shall be outlined in the Security Plan. The plan would be subject to review by the LAPD, and any provisions pertaining to access would be subject to approval by the Los Angeles Department of Transportation.

MM-83 Prior to the issuance of a certificate of occupancy for each construction phase and on-going during operations, the developer, with regard to the five development parcels, shall develop, and thereafter implement, an Emergency Procedures Plan to address emergency concerns and practices. The plan shall be subject to review by the LAPD with regard to the five development parcels and any provisions pertaining to access would be subject to approval by LADOT.

#### School Services



- MM-84 Prior to the issuance of each building permit, the developer, with regard to the five development parcels, shall pay school mitigation fees pursuant to the provisions of California Government Code Section 65995. The City's Department of Building and Safety, or other appropriate City agency or department shall determine compliance with this measure.

Solid Waste

- MM-85 Prior to the issuance of a certificate of occupancy for each construction phase, and thereafter during Project operations, the developer, with regard to the five development parcels, shall comply with the provisions of City of Los Angeles Ordinance No. 171687 with regard to all new structures constructed as part of the five development parcels. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure.
- MM-86 Prior to the issuance of each certificate of occupancy, the developer, with regard to the five development parcels, shall prepare, and thereafter implement, a plan that designs all structures constructed or uses established within any part of the proposed Project site to be permanently equipped with clearly marked, durable, source sorted recyclable bins at all times to facilitate the separation and deposit of recyclable materials. The City's Department of Public Works, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels.
- MM-87 Prior to the issuance of each certificate of occupancy, the developer, with regard to the five development parcels, shall prepare, and thereafter implement, a plan that designs primary collection bins to facilitate mechanized collection of such recyclable wastes for transport to on- or off-site recycling facilities. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels.
- MM-88 During Project operations, the developer, with regard to the five development parcels, shall continuously maintain in good order for the convenience of businesses, patrons, employees and park visitors clearly marked, durable and separate bins on the same lot, or parcel to facilitate the commingled recyclables and deposit of recyclable or commingled waste metal, cardboard, paper, glass, and plastic therein; maintain accessibility to such bins at all times, for collection of such wastes for transport to on- or off-site recycling plants; and require waste haulers to utilize local or regional material recovery facilities as feasible and appropriate. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels.
- MM-89 During each construction phase, the developer, with regard to the five

development parcels, shall implement a demolition and construction debris recycling plan, with the explicit intent of requiring recycling during all phases of site preparation and building construction. The City's Department of Building and Safety, or other appropriate City agency or department, shall review and approve the plan with regard to the five development parcels.

#### Traffic, Circulation and Parking

- MM-90 The developer with regard to the five development parcels, shall prepare, prior to the start of each construction work phase, a Construction Traffic Control/Management Plan ("Plan") to be approved by the City of Los Angeles Department of Transportation ("LADOT") and implemented by the responsible party. The Plan shall include, but not be limited to, Project scheduling, the location and timing of any temporary land closures, traffic detours, haul routes, temporary roadway striping, and signage for traffic flow, as necessary, as well as the identification and signage of alternative pedestrian routes in the immediate vicinity of the Project, if necessary. The Plan should also provide for the coordination of construction areas, and for safe pedestrian movement throughout the Project Area such that adequate and safe pedestrian movement access is maintained to adjacent uses including the Walt Disney Concert Hall, the Music Center, the County Courthouse, and the Metro Red Line station portals (on Parcel W-2 and on the Court of Flags).
- MM-91 After approval of the Construction Traffic Control/Management Plan(s) required under MM-110 and prior to the start of each construction work phase, the developer with regard to the five development parcels, shall submit a copy of the Plan(s) to the Authority or other appropriate agency, and/or the City Chief Administrative Officer or designee, and the County of Los Angeles Chief Administrative Officer. Following receipt of the Plan(s), the County Chief Administrative Officer shall distribute that information to all County properties on Grand Avenue, including the Hall of Administration, County Courthouse, the Walt Disney Concert Hall, and the Music Center, for further distribution of information to employees and visitors on construction schedules, alternative travel routes, and land and sidewalk closure information, as appropriate, and the Authority or other appropriate agency, or the City, shall distribute to the appropriate City departments for the same purpose.
- MM-92 Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall enter into one or more temporary arrangements with parking garages in the area of the Project, or with surface lot operators elsewhere in downtown or its periphery, to provide a sufficient supply of off-street spaces for the construction workers during Project construction, and will require all construction workers to use these designated parking spaces. These temporary arrangements shall be to the satisfaction of (i) CRA/LA or (ii) the County's CAO or its designee.

- MM-93 If the Project proceeds with the County office building option, the County, on an on-going basis following initial occupancy, shall fund and implement a Transportation Demand Management (TDM) program for the proposed County office use in Parcel W-1/W-2. The County's Chief Administrative Officer shall ensure the County's review and approval of this TDM program. The TDM program could, for example, include an onsite transportation coordinator, post information on transit, and provide logistical support for the formation of carpools and vanpools, and other incentives to use transit and rideshare.
- MM-94 The developer, with regard to the five development parcels, shall implement ATCS in conjunction with the area-wide ATCS program, if not otherwise implemented, prior to the completion of the first phase of development at the intersections identified by LADOT, although the implementation of this measure will provide mitigation to all three Project phases. Implementation of ATCS shall occur in the northern part of downtown, north of Eighth Street, at the locations identified by LADOT. LADOT has determined that implementation of the ATCS mitigation improvements in the area surrounding the Project would comprise the following: (1) upgrades to Model 2070 traffic signal controllers at 35 intersections; (2) installation of 58 ATSAC/ATCS system vehicle detectors at 9 intersections; and (3) installation of CCTV cameras to provide video information to the ATSAC Center at eight locations. Subject to a final determination by LADOT of the improvements required for the Project, ATCS shall also include LADOT's Transit Priority System (TPS).
- MM-95 The following menu of MMs have been developed to further reduce the Project's potential traffic and circulation impacts. The term "menu" refers to the various ways that each of the following measures can be implemented to achieve trip reduction. Selection shall be coordinated with the LADOT, who shall determine which of the MMs are to be implemented.
1. Provide enhanced walking connections along the Project street frontages to transit service (to bus stops and to the Red Line station portals at First Street and Hill Street). These could comprise pedestrian amenities along the Project's street frontages, including landscaped sidewalks, wider crosswalks where feasible at key intersections, improved lighting for pedestrian safety at nighttime, and pedestrian wayfinding signage, to facilitate walking in the Project area. The developer shall implement this measure with regard to the five development parcels prior to initial building occupancy for each development phase.
  2. The developer, as determined by LADOT and prior to initial building occupancy for each development phase, shall provide enhanced bus stops on the street frontages of the five development parcels. These enhanced bus stops may include bus shelters with passenger amenities

such as benches, shaded areas, and transit information that could be integrated into the overall urban design/landscaping of the Project.

3. Provide transit information kiosks at various strategic locations on the Project site. The developer shall implement this measure with regard to the five development parcels prior to initial building occupancy for each development phase.
4. The developer, with regard to the five development parcels, shall participate, to the extent feasible, in an on-going basis during Project operations, in a Share-Car program (e.g., Flexcar) that makes cars available to registered members. It is anticipated that up to three on-street parking spaces, subject to a determination of feasibility by LADOT, could be provided at key locations adjacent to the Project frontage for up to three Share-Cars. The Share-Cars could be available to both Project and non-Project users as long as they were members of the Share-Car program. The Project shall support a Share-Car organization's application to the City, and following any implementation of such application shall promote the Share-Car concept and encourage its usage with Project residents and tenants.
5. Provide improved vehicular directional signage on surface streets approaching and within the Project area to direct vehicles to specific destinations and parking locations, as appropriate, to minimize vehicles circulating in the Project area. Such signage should be approved to the satisfaction of LADOT. The developer shall implement this measure with regard to the five development parcels prior to initial building occupancy for each development phase.

MM-96 The Developer, with regard to the five development parcels, shall re-stripe the westbound approach of the Third Street and Hill Street intersection from the existing configuration of one left turn lane, one through lane, and one shared through/right-turn lane to a future configuration of one left turn lane, two through lanes, and one exclusive right-turn lane. This improvement would require a slight widening of Third Street west of Hill Street before the entrance to the tunnel within the public right-of-way. The final lane configuration of this intersection shall be to the satisfaction of the City of Los Angeles Department of Transportation. In addition, any street widening and construction activities shall be coordinated with the City of Los Angeles Department of Public Works, Bureau of Engineering.

#### Wastewater

MM-97 Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall comply with City ordinances limiting

connections to the City sewer system, in accordance with City Bureau of Sanitation procedures. The City's Department of Public Works, Sanitation Bureau or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels.

- MM-98 Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall prepare, and thereafter implement, building plan specifications for the installation of low-flow water fixtures and further encourage reduction of water consumption to minimize wastewater flow to the sewer system, in accordance with applicable water conservation requirements. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels.

#### Water Supply

- MM-99 Prior to initial occupancy of the buildings within Parcels L and W-1/W-2, the developer shall install new water lines along Second Street, from Olive Street to Hill Street to serve Parcels W-1/W-2, and from Hope Street to Lower Grand Avenue to serve Parcel L. The City's Department of Public Works shall review and approve all plans related to these new water lines. The developer shall be responsible for the implementation of these improvements.
- MM-100 Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall call DIG-ALERT to identify and mark on the ground surface the locations of existing underground utilities. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels.
- MM-101 Prior to the start off each construction phase, the developer, with regard to the five development parcels, shall perform potholing of existing water and gas mains to verify the depth of cover. If the depth of cover over the lines is shallow and the total street pavement section is thick (around 24 inches), then the temporary cover over the lines during construction may be reduced to 12 inches or less. Under these circumstances, protective measures shall be implemented to prevent damage or breakage of the lines during the pavement sub-grade preparation process, notices of service interruption, if necessary, shall be provided to customers in accordance with DWP-Water and ACG requirements. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels.
- MM-102 Prior to issuance of building permits for each construction phase, the developer, with regard to the five development parcels, shall pay the

appropriate fees as may be imposed by the City's Department of Building and Safety, or other appropriate City agency or department. A percentage of building permit fees is contributed to the fire hydrant fund, which provides for citywide fire protection improvements. Compliance with this measure shall be determined by the City's Department of Building and Safety, or other appropriate City agency or department.

- MM-103 Prior the issuance of building permits for each construction phase, the developer, with regard to the five development parcels shall coordinate with the Los Angeles Department of Water and Power to conduct a flow test to confirm that the existing water system meets fire flow requirements imposed by the LAFD for the Project. The developer, with regard to the five development parcels shall undertake and complete required improvements as identified by the LADWP, based on the findings of the flow test. The City's Department of Public Works, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels.
- MM-104 During Project operations, the developer, with regard to the five development parcels, shall incorporate Phase I of the City of Los Angeles' Emergency Water Conservation Plan into all privately operated parcels. The Plan prohibits hose watering of driveways and associated walkways, mandates decorative fountains to use recycled water, mandates drinking water in restaurants to be served upon request only, and provides that water leaks are repaired in a timely manner. The City's Department of Public Works, or other appropriate City agency or department, shall determine compliance with this measure.
- MM-105 During Project operations, incorporate Los Angeles County water conservation policies into the County Office Building, if the Project proceeds with the County office building option. The County with regard to the County Office Building, if the Project proceeds with the County office building option, shall be responsible for implementing this measure. The implementation of this measure shall be subject to the review and approval of the County's CAO or its designee.
- MM-106 During Project operations, the developer, with regard to the five development parcels, and the County Office Building operator shall comply with any additional mandatory water use restrictions imposed as a result of drought conditions. The City's Department of Public Works, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels.
- MM-107 During Project operations, the developer, with regard to the five development parcels, shall install automatic sprinkler systems to irrigate landscaping during morning hours or during the evening to reduce water losses from evaporation, and sprinklers shall be reset to water less often in cooler months

and during the rainfall season so that water is not wasted by excessive landscape irrigation. The City's Department of Public Works, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels.

#### DEPARTMENT OF CITY PLANNING-STANDARD CONDOMINIUM CONDITIONS

C-1. That approval of this tract constitutes approval of model home uses, including a sales office and off-street parking. Where the existing zoning is (T) or (Q) for multiple residential use, no construction or use of model homes shall be permitted until the final map has recorded or the proper zone has been effectuated. If models are constructed under this tract approval, the following conditions shall apply:

1. Prior to recordation of the final map, the subdivider shall submit a plot plan for approval by the Division of Land Section of the Department of City Planning showing the location of the model dwellings, sales office and off-street parking. The sales office must be within one of the model buildings.
2. All other conditions applying to Model Dwellings under Section 12.22A, 10 and 11 and Section 17.05 O of the Code shall be fully complied with satisfactory to the Department of Building and Safety.

C-2. Prior to the recordation of the final map, the subdivider shall pay or guarantee the payment of a park and recreation fee based on the latest fee rate schedule applicable. The amount of said fee to be established by the Advisory Agency in accordance with LAMC Section 17.12 and to be paid and deposited in the trust accounts of the Park and Recreation Fund.

C-3. That a landscape plan, prepared by a licensed landscape architect, be submitted to and approved by the Advisory Agency in accordance with CP-6730 prior to obtaining any grading or building permits before the recordation of the final map.

In the event the subdivider decides not to request a permit before the recordation of the final map, a covenant and agreement satisfactory to the Advisory Agency guaranteeing the submission of such plan before obtaining any permit shall be recorded.

C-4. In order to expedite the development, the applicant may apply for a building permit for an apartment building. However, prior to issuance of a building permit for apartments, 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 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.

OR

If a building permit for apartments will not be requested, the project civil engineer, architect or licensed land surveyor must certify in a letter to the Advisory Agency that the applicant will not request a permit for apartments and intends to acquire a building permit for a condominium building(s). Such letter is sufficient to clear this condition.

#### **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 Municipal Code.
- (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%.
- (l) That any necessary additional street dedications be provided to comply with the Americans with Disabilities Act (ADA) of 1990.

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 Traffic 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 Engineer.

- (b) Construct any necessary drainage facilities.
- (c) Install street lighting facilities to serve the tract as required by the Bureau of Street Lighting. The quantity of street lights identified may be modified slightly during the plan check process based on illumination calculations and equipment selection. Conditions set: 1) in compliance with a Specific Plan, 2) by LADOT, or 3) by other legal instrument excluding the Bureau of Engineering condition S-3 (i), requiring an improvement that will change the geometrics of the public roadway may require additional or the reconstruction of street lighting improvements as part of that 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 Street Tree 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 1990.
- (i) That the following improvements be either constructed prior to recordation of the final map or that the construction be suitably guaranteed:
  - a. Improve General Thaddeus Kosciusko Way adjoining the subdivision by:
    - 1. Constructing an integral concrete curb and gutter, a 12-foot wide concrete sidewalk.
    - 2. Constructing suitable surfacing to join the existing pavement and to complete a 56-foot complete roadway.
    - 3. Removing and reconstructing the existing improvements as necessary.
    - 4. Constructing the necessary transitions to join the existing improvements all satisfactory to the City Engineer.

- b. Construct the necessary off-site and on-site mainline sewers satisfactory to the City Engineer.

**NOTES:**

The Advisory Agency approval is the maximum number of units permitted under the tract action, unless modified pursuant to the Equivalency Program contained in the Final EIR (State Clearinghouse No. 2005091041. However the existing or proposed zoning may not permit this number of units.

Approval from Board of Public Works may be necessary before removal of any street trees in conjunction with the improvements in this tract map through Bureau of Street Services Urban Forestry Division.

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 Section 17.05N of the Los Angeles Municipal Code.

The final map must record within 36 months of this approval, unless a time extension is granted before the end of such period or unless the life of the tentative map is extended under an approved Development Agreement.

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.

**Indemnification.** The applicant shall defend, indemnify and hold harmless the City, its agents, officers, or employees from any claim, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void or annul this approval which action is brought within the applicable limitation period. The City shall promptly notify the applicant of any claim, action, or proceeding and the City shall cooperate fully in the defense. If the City fails to promptly notify the applicant of any claim action or proceeding, or if the City fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the City.

**FINDINGS OF FACT (CEQA)**

On November 20, 2006, the Los Angeles Grand Avenue Authority (Authority) adopted the Grand Avenue Final Environmental Impact Report (FEIR) (State Clearinghouse No. 2005091041), dated November 2006, and also adopted the necessary Resolutions and made findings required under California Public Resources Code Section 21081 and State CEQA Guideline 15091 (the "Authority's CEQZ Findings") stating the FEIR was completed in compliance with the California Environmental Quality Act Public Resources Code Section 21000 *et seq.*, the CEQA Guidelines, all applicable local guidelines concerning the application and implementation of that statute, and all applicable case law concerning that statute and the CEQA Guidelines (collectively, "CEQA"). The Authority, which is an independent public agency established through a Joint Exercise of Powers Agreement (The "JPA Agreement") between the Community Redevelopment Agency of the City of Los Angeles ("CRA/LA") and the County of Los Angeles ("County"), was responsible for the preparation of the FEIR. The County and the CRA/LA have served as "Responsible Agencies" for the Project as that term is defined under CEQA Guidelines 15096 and 15381. As Responsible Agencies, the County and CRA/LA have worked closely with the Authority in ensuring the FEIR has examined all potential environmental impacts.

These agencies, as well as the City of Los Angeles reviewed and approved the Grand Avenue Implementation Plan, which formulated the framework of the project description evaluated in the EIR prepared by the Authority for the mixed use development. That plan generally described the location of the Project, its proposed uses and other elements. The governing bodies for the Authority, County, the CRA/LA and the City of Los Angeles each approved the Implementation Plan in 2005.

The Advisory Agency is a Responsible Agency, pursuant to State CEQA Guidelines Sections 15096, and must make those findings with respect to the project required under Public Resources Code Section 21081 and State CEQA Guidelines Sections 15091. The recommended actions implement and further the purposes of CEQA. In making the decision to approve Tentative Tract Map No. 67492, the Advisory Agency of the City of Los Angeles certifies that it has reviewed and considered the information contained in EIR No. SCH 2005091041. The Advisory Agency hereby adopts the Findings and certifies the EIR, consistent with the action of the Authority.

Staff for the Authority and its member agencies, the County and the CRA/LA independently reviewed, analyzed and required changes to all of the documents comprising the Draft Environmental Impact (DEIR), dated June 2006, and the FEIR prior to the publication of those documents. The DEIR which was circulated for public comment as well as the Final EIR reflect the independent judgment of the Authority. Therefore, in accordance with the applicable provisions of CEQA, the Authority hereby made findings and certified that:

- (a) The FEIR has been completed in compliance with CEQA.

- (b) The FEIR has been presented to the governing body of the Authority ("Board"), and the Board has independently reviewed and analyzed the information contained in the FEIR prior to acting on the Project.
- (c) The FEIR reflects the Authority's independent judgment and analysis.

The FEIR for the proposed Grand Avenue Project concluded that certain significant effects may occur as a result of the proposed Project, or may occur on a cumulative basis in conjunction with the development of the Project and other past, present, or reasonably foreseeable future projects. In addition to reviewing the Project's potential environmental impacts, these Findings also provide the Authority's analysis and conclusions regarding the applicability of possible alternatives and mitigation measures to reduce any significant environmental effects.

These Findings address the potentially significant environmental effects examined in the FEIR. The FEIR analyzed the environmental impacts at a project-specific level and on a "cumulative" impact basis. A cumulative impact is defined by CEQA Guidelines 15130 and 15355 as an impact which is created as a result of the combination of impacts of the project evaluated in the EIR and closely related past, present and reasonable foreseeable probable future projects (commonly known as "related projects"). The FEIR identified 93 related projects in the relevant geographic area. The inclusion of those 93 related projects in the cumulative impact analysis resulted in a conservative analysis since it is not likely that all of those projects will be developed.

The following environmental impacts have been determined to be less than significant in light of, among other reasons, the imposition of mitigation measures, regulatory measure and/or project design features:

Light and glare impacts; visual quality; noise impacts during Project operations; impact on parks and other recreational uses during Project operations; library services (project-specific); population, housing and employment impacts; hazardous materials; fire protection services; school services; water supply; wastewater; solid waste; police services (project-specific impact); shade and shadow impacts (project-specific impact), and land use compatibility and consistency with land use plans and policies.

The following environmental impacts were determined to be significant and unavoidable even after the imposition of all feasible mitigation measures, regulatory measures and project design features:

Land use and zoning impacts; traffic impacts during Project construction and operation; parking impacts due to inability to comply with certain City residential parking policies; view impacts; historical resources; air quality impacts during Project construction and operation; noise impacts during Project construction; police services (cumulative basis only); shade and shadow impacts (cumulative basis only); library services (cumulative basis only); and impact on parks and recreational uses during Project construction. The first seven

identified impacts and the last impact are significant and unavoidable on a project-specific and cumulative basis.

**Potential Environmental Impacts Studied in the Initial Study But Not Analyzed Further in the Draft Environmental Impact Report**

In accordance with CEQA Guideline 15063, the Authority prepared an Initial Study, which is included as Appendix A to the DEIR. The Initial Study determined which potentially significant effects may be caused by the Project and needed to be further examined in the DEIR, and which environmental effects would not be caused by the Project and, therefore, required no analysis in the DEIR. Based on that Initial Study and other substantial evidence, the Authority determined that the Project would not have the potential to cause significant impacts in the following areas: (1) agricultural resources, (2) biological resources, (3) geology and soils, (4) hydrology and water quality, and (5) mineral resources, and that it was appropriate that no further analysis of those five impact issues was included in the DEIR. The Authority further determined that the rationale provided in the Initial Study that no significant impacts would occur respecting these five impact areas satisfies the requirement of CEQA Guideline 15128. Thus, the Authority has no evidence before it to indicate that the Project could have any potential for an adverse effect on fish and wildlife resources or the habitat upon which the fish and wildlife depends.

The FEIR contained Regulatory Measure A-1, which related to impacts to the Civic Park. The park is not under the jurisdiction of the Advisory Agency. As such, this measure has been deleted. The Advisory Agency does not have the authority to approve or carry out this measure since this measure is not applicable to the subject tract. Pursuant to Section 15091 of CEQA Guidelines, 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 adopted by such other agency or can and should be adopted by such other agency.

During the public review process, a comment was raised as to whether the DEIR should have undertaken an additional analysis of the Project's potential energy impacts. No such analysis is warranted for a number of reasons. First, the Initial Study identified the Project's specific amounts of electricity and natural gas consumption, and based on those amounts, concluded that the Project's energy demands would fall within the projected energy demands for the Los Angeles Department of Water and Power (LADWP) and the Southern California Gas Company (SCGC). Accordingly, the Initial Study determined that no further analysis of this issue in the DEIR was warranted.

Second, the Project's sustainability, energy conservation, and efficiency is reflected throughout the EIR and in the DDA. For example, a number of the Project objectives emphasize the pedestrian and public transit opportunities that will be created by the Project, as well as its linkages between pedestrian, public transit and other public roadways. The Project will also promote energy efficiency through reduced reliance on the

automobiles, an improvement of jobs/housing balance, and the encouragement of the use of public transportation to and from the downtown area.

Third, the Project's energy demands were disclosed in the DEIR (in addition to the Initial Study attached to the DEIR). For example, the Project's air quality analysis addresses emissions from fuel consumption by motor vehicles as well as consumption of natural gas and electricity during Project operations. That analysis provided a quantification of the Project's energy consumption.

Fourth, the incorporation of "Title 24" (the State's Energy Code) requirements into the Project is reflected in Regulatory Measure F-2, which states: "all residential and non-residential buildings shall, at minimum, meet the California Title 24 Energy Efficiency Standards for water heating, space heating and cooling." Thus, the Project will comply with all requirements of Title 24 applicable to the residential and commercial components. California's Title 24 is the most restrictive energy code in the nation, and imposes strict standards in order to achieve energy efficiency. With regard to comments suggesting the inclusion of Leadership in Energy and Environmental Design (LEED), as the Project's final building designs have not been developed as of this date, a commitment to specific LEED building design measures would be premature and, therefore, any further discussion of specific energy design features would be speculative.

Lastly, because the Project will be in compliance with the Title 24 requirements, the Project complies with CEQA and the CEQA Guidelines, including Appendix F thereto. Appendix F speaks to a discussion of energy impacts and applicable mitigation measures only when a project will be energy inefficient or wasteful. Through compliance with Title 24, the Project will not be energy inefficient or wasteful. For all these reasons, the Authority finds that no additional analysis of the potential energy impacts of the Project is required under CEQA.

Finally, certain comments were raised during the public review process as to whether the Project may exacerbate or not alleviate local labor issues, homelessness and other social issues. CEQA generally provides that an EIR is required to evaluate only the environmental impacts of a project, and economic and social effects of a project are not treated as significant effects on the environment. Thus, economic or social effects of a Project need not be analyzed in an EIR unless they may directly cause a physical impact on the environment. While such matters are important, the Authority finds that the economic and social issues raised during the 50-day public review and comment process for the DEIR described in Section VI of these Findings will not cause any potentially significant "environmental" impacts that are not addressed in the FEIR.

## 1.1 PROJECT BACKGROUND AND THE ENVIRONMENTAL IMPACT REPORT PROCESS

Notice of Preparation (NOP): In accordance with the requirements of CEQA, the Authority circulated a Notice of Preparation (NOP) for the proposed project on September 6, 2005. The purpose of the NOP was to solicit comments on the proposed content of the Draft EIR.

The NOP was circulated for a period of 35 days, until October 10, 2005. The Parcels are identified by these letters in the Redevelopment Plan for the Bunker Hill Redevelopment Project Area.

During the following 35-day comment period, 14 letters were received. An open house and public scoping meeting for the Draft EIR was held on Tuesday, September 20, 2005. All NOP responses relating to the EIR were reviewed and the issues raised in those comments were addressed in the Draft EIR. The NOP, letters received during the NOP comment period, and scoping meeting transcript are included in Appendix A of the Draft EIR.

Notice of Completion (NOC): On June 14, 2006, the Authority prepared and distributed the Notice of Completion and Availability of the Draft EIR to all interested agencies, parties, organization, and persons. The Draft EIR was circulated for a 50-day review period, between June 14, 2006 and August 3, 2006.

The Authority received 17 letters from agencies, organization, and individual parties commenting on the Draft EIR. The Notice of Completion provided information of an open house and public meeting as an additional means to obtain information on the Project and to receive public comments on the content of the Draft EIR. The public meeting was held on Tuesday, July 18, 2006, between 6:00 p.m. and 8 p.m. at the Cathedral of Our Lady of the Angels, which is adjacent to the Project site. At the public meeting, thirteen speakers presented oral comments with regard to the content of the Draft EIR. In addition, one written comment form was submitted to the Authority. The written comments and transcript of the public meeting and responses to the comments are included in this Final EIR in Section V, Response to Comments.

The Authority finds no that no "new significant information" (as that term is defined in CEQA Guideline 15088.5 (a)) was added to the Draft EIR since the release of the Draft EIR that would warrant recirculation as provided in CEQA Guideline 15088.5. Among other reasons, the information added to the FEIR has not deprived the public of a meaningful opportunity to comment upon any significant environmental effect of the Project or any feasible way to mitigate or avoid such an effect. Instead, the new information that has been added to the FEIR merely clarifies information contained in the Draft EIR.

The FEIR consists of the DEIR, Responses to Comments, the Mitigation Monitoring Program sections entitled Preface, Introduction, Summary, and Corrections and Additions, and the appendices to these documents.

Location of Records: In accordance with CEQA Guideline 15091(e), the documents and materials that constitute the record of the proceedings concerning the Authority's decision to certify the FEIR and approve the Project and all associated agreements shall be kept and maintained by the Managing Director of the Grand Avenue Committee, whose offices are located at 445 South Figueroa Street, Suite 3400, Los Angeles, CA 90071, telephone



number (213) 413-4130. The Authority has the discretion to transfer or locate these records at the office of the County CAO Asset Management Division, located at 500 West Temple Street, 7th Floor, Los Angeles, CA 90012, and/or CRA/LA, located at 354 South Spring Street, Los Angeles, CA 90013.

## 1.2 PROJECT FINDINGS INTRODUCTION

The Findings made by the Advisory Agency, pursuant to PRC Section 21081, and CEQA Guidelines Section 15091 are presented below. All significant environmental effects of the project identified in the Final EIR are included herein and are organized according to the area of potential impact. The Findings in this document apply only to this tract and are supported by information and analysis from the Final EIR. Where applicable, these Findings note the documents that contain the substantiation for each Finding.

CEQA and the CEQA Guidelines provide that no public agency shall approve or carry out a project for which an environmental impact report has been certified which identifies one or more significant effects on the environment that would occur if the project is approved or carried out, unless, for each significant impact, the public agency makes one or more of the following findings, as appropriate in accordance with PRC Section 21081 and CEQA Guidelines Section 15091:

- i. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR;
- ii. Such changes or alternatives are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency;
- iii. Specific economic, legal, social, technological and/or other considerations make infeasible the mitigation measures or project alternatives identified in the Final EIR.

A narrative of supporting facts follows the appropriate Finding. For many of the impacts, one or more of the Findings above have been made. Whenever Finding iii above is made, the Advisory Agency has determined that there will be, even after mitigation, an unavoidable significant level of impact due to the project and sufficient mitigation is not available to reduce the impact to a less than significant level. Such impacts are always specifically identified in the supporting discussions. The Statement of Overriding Considerations applies to all such unavoidable significant impacts, as required by Sections 15092 and 15093 of the CEQA Guidelines.

## 1.3 DESCRIPTION OF PROPOSED PROJECT

The Project consists of three major components: (1) the creation of the 16-acre Civic Park that builds upon and expands the Civic Mall, and when completed, will connect the Los

Angeles City Hall to Grand Avenue; (2) streetscape improvements along Grand Avenue from Fifth Street to Cesar E. Chavez Avenue; and (3) the development of five parcels which are referred to as Parcels Q, W-1, W-2, L and M-2. Parcels Q and W-2 are currently owned by the County, Parcels L and M-2 are currently owned by CRA/LA, and Parcel W-1 is owned by a private third party. (While the developer is pursuing the acquisition of Parcel W-1, the development of the other parcels and components of the Project may proceed even if the developer does not acquire Parcel W-1.) The Parcels are identified by these letters in the Redevelopment Plan for the Bunker Hill Redevelopment Project Area. The Project currently consists of two development options, referred to in the Findings and the FEIR, as the "Project with County Office Building Option," and the "Project with Additional Residential Development Option." Under the Project with County Office Building Option, development of the five parcels will consist of up to 2,060 residential units, 20 percent of which (up to 412 units) would be provided as affordable housing; up to 275 hotel rooms, up to 449,000 square feet of retail space and up to 681,000 square feet of County office space. Under the Project with Additional Residential Development Option, the 681,000 square feet of County office space would be replaced with up to 600 additional residential units, 20 percent (up to 120 units) would be provided as affordable housing. All other components of the Project would be the same under this option, and would include 275 hotel rooms, and 449,000 square feet of retail space. The proposed County office space under the Project with County Office Building Option would be constructed in the third phase of the Project when parcels W-1 and W-2 are developed. The proposed residential units under the Project with Additional Residential Development Option would be developed on parcel W-2 of the Project. Under that certain Disposition and Development Agreement between the Authority and Related (the "DDA"), recommended to be approved subsequent to consideration and certification of the FEIR, the County's option for development of a public office building during the third phase of development expires on a specific date in the future. If the County does not exercise this option, the developer may develop the Project consistent with the Additional Residential Development Option.

Parking for the Project would be provided in podium and subterranean parking structures. 5,035 parking spaces would be provided under the County Office Building Option, and 5,255 parking spaces would be provided under the Additional Residential Development Option.

In addition to the development of the five parcels, the Project will revitalize and expand the existing Civic Center Mall through a new design. The main purpose of this new design is to facilitate a program of ongoing and special civic events and activities to take place in the new Civic Park. The current conceptual plan for the Civic Park maintains the existing organization of space in the Park, with the intent that specified areas would accommodate particular programmed uses and also work in unison for larger events. Under this plan, different sections of the Park would be developed for cultural and entertainment uses, a garden space for smaller scale uses, and civic and community activities.

The Project will also entail streetscape improvements along Grand Avenue from Fifth Street to Cesar E. Chavez Avenue. Streetscape improvements are anticipated to include

widened shaded sidewalks where feasible, landscaping, as well as a range of street furnishings, including benches and chairs.

In order to fully respond to the future needs and demands of the Southern California economy, the proposed Project includes an Equivalency Program that would allow the composition of on-site development to be modified to respond to future needs in a manner that would not increase the Project's impacts on the environment. The Equivalency Program would provide flexibility for modifications to land uses and square footages within the five parcels. Within this framework, land uses can be exchanged for certain other permitted land uses so long as the limitations of the Equivalency Program are adhered to, which limitations were designed so no additional environmental impacts would occur. Thus, all permitted Project land use increases can be exchanged for corresponding decreases of other land uses under the proposed Equivalency Program without any further CEQA review.

This equivalency program was analyzed in the FEIR to confirm that exchange of Project uses set forth in the program can occur without the need for subsequent CEQA analysis. Proposed exchanges under the equivalency program would be implemented through the City of Los Angeles Planning Department procedures.

#### 1.4 FINDINGS OF FACT

After reviewing the Final EIR and the public record on the project, pursuant to Section 15091 of the CEQA Guidelines, the Advisory Agency hereby makes the Findings set forth below in this document regarding the significant effects of the Proposed Project. Except to the extent they conflict with the findings and determinations set forth for project impacts significant environmental effects that cannot be reduced to a less than significant level below, the analysis and conclusions of the Final EIR, including but not limited to the responses to comments, are incorporated herein by reference and are hereby adopted as findings. The Advisory Agency certifies that the Final EIR reflects the independent judgment and analysis of the City of Los Angeles.

##### Cumulative Impacts

Except as expressly provided to the contrary for significant effects that cannot be reduced to a less than significant level, all effects of the Project on the environment are hereby found to be not significant. Cumulative impacts of the Project in conjunction with other past, present and reasonably foreseeable future projects have been addressed where applicable and will not be significant after mitigation.

#### 1.5 POTENTIAL ENVIRONMENTAL EFFECTS ANALYZED IN FEIR

##### A. Land Use (Consistency With Land Use Plans and Compatibility With Surrounding Uses)

- i. Potential Impacts – The Project may have a significant land use in the areas of consistency with land use plans and compatibility with surrounding uses impact if:
  - a. The Project development would be incompatible with surrounding land uses or land use patterns in relation to scale, use, or intensity.
  - b. The Project would not be consistent with any applicable land use plan or policy of an agency with jurisdiction over the Project adopted for the purpose of avoiding or mitigating an environmental effect.
- ii. Findings – The Project will not have a significant impact concerning consistency with land use plans or compatibility with surrounding uses. Therefore, no mitigation measures are required or were identified in the FEIR.
- iii. Supportive Evidence and Rationale – The Project's potential land use impacts concerning consistency with land use plans and compatibility with surrounding uses are analyzed in detail in Section IV.A. of the DEIR. The Project would be compatible with the adjacent and surrounding existing land uses and, as such, the Project would not create a division or disruption of an established community. Further, the Project's scale and mix of uses complement, and will be consistent with, the surrounding commercial and residential uses in the downtown area. In addition, the Project would be consistent with adopted land use plans, including the City's General Plan Framework, the Central City Community Plan, the Bunker Hill Redevelopment Plan, and the Southern California Association of Governments' Regional Comprehensive Plan and Guide. Thus, the Project would result in less than significant impacts relative to land use compatibility and adopted land use plans.
- iv. Cumulative Impacts – The 93 related projects that are planned or are under construction in the Project area are anticipated to occur in accordance with adopted land use plans and regulations. It is reasonable to assume that the projects under consideration in the area surrounding the Project would implement and support important local and regional planning goals and policies. It is also anticipated that any new projects would be subject to an environmental review process and would incorporate any mitigation measures necessary to reduce potential land use impacts. Therefore, no significant impacts with regard to adopted land use plans would occur.

B. Land Use (Zoning)

- i. Potential Impacts – The Project may have a significant zoning impact if:

- a. The Project is not consistent with any land use or zoning law or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect.
- ii. Findings – The Project will cause a significant and unavoidable land use impact relative to the zoning regulations of the City of Los Angeles on a project-specific and cumulative basis. The Authority makes the following finding for this impact:
  - a. This impact can be mitigated to a level of less than significant if the City approves certain land use entitlements that have been applied for by the developer, which application is still pending as of the date of these Findings. Accordingly, the Authority finds that measures, such changes or alterations to the Project necessary to mitigate this impact are within the responsibility and jurisdiction of another public agency and not the Authority. The Authority further finds that such measures, changes or alterations should be adopted by such other agency.
  - b. For the reasons set forth in the Statement of Overriding Considerations adopted concurrently by the Authority, the Authority finds that the significant impact identified in this Section is acceptable in light of the Project's overall benefits.
- iii. Supportive Evidence and Rationale – The FEIR analyzed in detail the Project's land use impact relative to zoning in Section IV.A of the DEIR. The County Office Building Option and the Additional Residential Development Option would require zone changes and variances to permit the proposed development of five development parcels. With the granting of such zone changes and variances, which may be granted only after certification of the Final EIR by the Lead Agency and concurrently with action on the entitlements requested from the City by the developer, there would be no significant zoning impact. However, since the Project, under both Project Options, would be acted on by the Lead Agency (the Authority) prior to the City's decision on such zoning requests, the Project would not be in compliance with the current zoning provisions at the time of the Authority's approval of the Project. Therefore, it is conservatively concluded that, for purposes of CEQA, there would be a significant impact relative to zoning. No mitigation within the jurisdiction of the Authority exists to address non-compliance with the City's existing zoning regulations. The necessary change required in order to avoid this significant impact lies not with the Authority, but rather with the City of Los Angeles.
- iv. Cumulative Impact – Since the Project would create a significant impact with respect to the City's zoning and regulations, and related projects may require a variety of variances and zone changes, it is conservatively concluded that

cumulative zoning impacts would be significant and unavoidable.

C. Traffic, Circulation and Parking (Traffic, Construction)

- i. Potential Impacts – The construction of the Project would cause a significant traffic impact due to (1) hauling activities; (2) temporary lane closures; (3) reconstruction of Civic Mall Ramps, (4) pedestrian access; (5) bus stop relocation; and (6) construction worker parking if:
  - a. The Project construction causes substantial delays and disruption of existing traffic and pedestrian flow.
  - b. The Project causes temporary relocation of existing bus stops to more than one-quarter mile from their existing stops.
- ii. Findings – The Project will not cause a significant traffic impact with respect to pedestrian access, bus stop relocation and construction worker parking due to, among other reasons, the adoption of the measures identified in this Section XI-B(a) of the Findings. The construction of the Project will cause a significant and unavoidable traffic impact with respect to hauling activities, temporary lane closures, and reconstruction of the Civic Mall's parking ramps on a project-specific and cumulative basis. With respect to those significant and unavoidable impacts, the Authority makes the following findings:
  - a. All feasible measures, changes and alterations have been required in, or incorporated into, the Project, which will lessen such significant environmental effects.
  - b. For the reasons set forth in the Statement of Overriding Considerations adopted concurrently by the Authority, the Authority finds that the significant impact identified in this Section XI-B(a) is acceptable in light of the Project's overall benefits.

Although the following mitigation measures aimed at reducing these significant and unavoidable traffic impacts during Project construction have been adopted, these mitigation measures will not reduce those impacts to a level of insignificance:

**Mitigation Measure B-1:** The developer with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements, shall prepare, prior to the start of each construction work phase, a Construction Traffic Control/Management Plan ("Plan") to be approved by the City of Los Angeles Department of Transportation ("LADOT") and implemented by the

responsible party. The Plan shall include, but not be limited to, Project scheduling, the location and timing of any temporary land closures, traffic detours, haul routes, temporary roadway striping, and signage for traffic flow, as necessary, as well as the identification and signage of alternative pedestrian routes in the immediate vicinity of the Project, if necessary. The Plan should also provide for the coordination of construction areas, and for safe pedestrian movement throughout the Project Area such that adequate and safe pedestrian movement access is maintained to adjacent uses including the Walt Disney Concert Hall, the Music Center, the County Courthouse, and the Metro Red Line station portals (on Parcel W-2 and on the Court of Flags).

**Mitigation Measure B-2:** After approval of the Construction Traffic Control/Management Plan(s) required under Mitigation Measure B-1 and prior to the start of each construction work phase, the developer with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements, shall submit a copy of the Plan(s) to the Authority or other appropriate agency, the City Chief Administrative Officer or designee, and the County of Los Angeles Chief Administrative Officer ("County CAO"). Following receipt of the Plan(s), the County CAO shall distribute that information to all County properties on Grand Avenue, including the Hall of Administration, County Courthouse, the Walt Disney Concert Hall, and the Music Center, for further distribution of information to employees and visitors on construction schedules, alternative travel routes, and land and sidewalk closure information, as appropriate, and the Authority or other appropriate agency, or the City, shall distribute to the appropriate City departments for the same purpose.

**Mitigation Measure B-3:** Prior to the start of each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements, shall enter into one or more temporary arrangements with parking garages in the area of the Project, or with surface lot operators elsewhere in downtown or its periphery, to provide a sufficient supply of off-street spaces for the construction workers during Project construction, and will require all construction workers to use these designated parking spaces. These temporary arrangements shall be to the satisfaction of (i) CRA/LA or (ii) the County's CAO or its designee.

- iii. Supportive Evidence and Rationale – The EIR analyzed in detail the potential traffic impacts caused by Project construction in Section IV.B of the DEIR. No significant impacts on pedestrian circulation during construction would occur, and a less than significant impact will result to bus stop relocation. Although sidewalk closures may occur, one side of the street will continue to

be available. Any potential increase in walking distance for pedestrians would not amount to a significant impact. Further, the temporary relocation of bus stops would be within two blocks of the Project site and within one-quarter mile of the original stop location, which is a distance that will not cause a significant impact. Also, with the implementation of Mitigation Measure B-3, no significant impact will result due to construction worker parking. The FEIR also evaluated the impact of construction trucks on A.M. peak hour traffic on roadways. During more than half of the Project's construction period, construction would generate approximately 40 trips a day, which would have minimal effect on peak hour roadway conditions. The highest number of daily truck trips would occur during the Project's peak excavation phases, and would range from approximately 130 to 300 haul trucks a day. As these trips would also be distributed throughout the day, the actual number of haul truck trips that would occur during the A.M. peak hour period would be relatively low. In addition, consistent with standard industry practice, the hauling of over-weight or over-size equipment during construction would largely occur prior to the A.M. peak hour period. With respect to the probably low number of truck trips that would occur during the A.M. peak period, the Project shall comply with the requirements of the City of Los Angeles with regard to haul truck trips attributable to the construction of the Project, as will be established in connection with LADOT's review and approval of the Project's Construction Traffic Control/Management Plan and/or conditions of approval by the City in the various land use entitlements applied for by the Developer. However, it is conservatively concluded that because a portion of the construction truck trips could occur during peak hauling periods, including during the A.M. peak hour, a potentially significant and unavoidable short-term traffic impact may occur. Also, during the reconstruction of the Grand Avenue and Hill Street ramps to the existing Civic Center Mall garage, the diversion of traffic to alternate garage entrances would affect streets in the immediate vicinity of the County Garage block and potentially create a short-term significant and unavoidable traffic impact. Finally, complete closures of any streets are not expected during construction. However, such closures could occur due to unforeseen circumstances, in which case, they would cause temporary significant impacts. It is expected that, at most, one traffic or parking lane adjacent to the curb may need to be closed at certain locations for periods of up to 4 to 6 months, or up to approximately 18 to 24 months, depending on the stage of construction. Although temporary in nature, such closures would cause significant traffic impacts during such periods of time.

iv. Cumulative Impacts

- a. **Hauling.** The Project's highest periods of haul truck activity would be in the initial six to eight months of construction for each parcel, when trucks would carry excavated material from the site. During those



periods a peak of 300 trucks a day are estimated. Because some of these trips could occur in the A.M. peak hour, haul truck trip periods could cause short-term, significant cumulative traffic impacts. Hauling required for the construction of some of the 93 related projects would potentially overlap with the initial six to eight months of construction for each of the Project's development parcels. Therefore, haul truck impacts would be cumulatively significant.

- b. **Closure of Civic Mall Ramps.** In order to facilitate the development of the new Civic Park, the ramps to/from the County Mall parking garage on Grand Avenue will be reconfigured. Such work would require the ramps to be shut down for a period of time during the reconstruction. The diversion of traffic to alternate garage entrances would only affect streets in the immediate vicinity of the County Garage block, but could potentially create temporary and short-term cumulatively significant traffic impacts. The temporary closure of access to related project sites would not impact the same streets adjacent to the County Garage block. However, other temporary access closures at any of the other sites, particularly the 15 related projects located on Grand Avenue, Olive Street, and Hill Street, would cumulatively contribute to congestion and, as such, would be cumulatively significant.
- c. **Temporary Lane Closures.** Complete closures of any streets are not expected during construction. However, such lane closures could occur due to unforeseen circumstances, in which case they would cause temporary cumulatively significant impacts. The construction of any of the related projects has the potential to require temporary lane closures. Therefore, the impact of the Project and related projects, particularly the 15 related projects located on Grand Avenue, Olive Street, and Hill Street, would cumulatively contribute to congestion impacts resulting from temporary lane closures and such impacts are found to be cumulatively significant.
- d. **Construction Workers.** The 93 related projects would draw upon a construction workforce from all parts of the Los Angeles region. However, since the majority of construction workers are anticipated to arrive and depart the individual construction sites during off peak hours, cumulative traffic impacts due to construction workers trips are concluded to be less than significant.

C. Traffic, Circulation and Parking (Traffic, Operations)

- i. Impacts – Operation of the Project may cause a significant traffic impact relative to (1) intersection capacity; (2) the County-wide Congestion

Management Plan for Regional Highways ("CMP"); (3) driveway access; and (4) transit capacity.

- a. An intersection would be significantly impacted with an increase in V/C ratio equal to or greater than 0.04 for intersections operating at LOS C; an increase in V/C ratio equal to or greater than 0.02 for intersections operating at LOS D; and V/C ratio equal to or greater than 0.01 for intersections operating at LOS E or F, after the addition of related projects, ambient growth, and Project traffic.
  - b. A significant driveway access impact would occur if:
    - (1) Intersections at the primary site access locations would operate at LOS F during the A.M. or P.M. peak hours; and
    - (2) The design features or physical configurations of the Project would affect the visibility of pedestrians and bicyclists to drivers entering and exiting the site, and the visibility of cars to pedestrians and bicyclists so as to create a hazardous condition.
  - c. Under the CMP, a significant traffic impact would occur if a project increases the demand to capacity ratio (D/C) of a freeway segment of 2 percent or more (D/C ratio increase greater than or equal to 0.02), which causes or worsens LOS F conditions.
  - d. A significant impact would occur if projected transit riders substantially exceed available transit capacity.
- ii. Findings – The Project will not cause a significant traffic impact relative to driveway access, transit capacity and certain intersections due to, among other reasons, the adoption of the measures identified in this Section XI-B(b) of the Findings. The Project will cause a significant and unavoidable traffic impact with respect to certain intersections and, under the County Office Building Option, the CMP, on a project – specific and cumulative basis. With respect to those significant and unavoidable impacts, the Authority makes the following findings for this impact:
- a. All feasible measures, changes and alterations have been required in, or incorporated into, the Project, which will lessen such significant environmental effects.
  - b. For the reasons set forth in the Statement of Overriding Considerations adopted concurrently by the Authority, the Authority finds that the significant impact identified in this Section XI-B(b) is acceptable in light of the Project's overall benefits.

Although the following mitigation measures are aimed at reducing these significant and unavoidable traffic impacts attributable to Project operations, these mitigation measures will not reduce those significant impacts:

**Mitigation Measure B-4:** If the Project proceeds with the County office building option, the County, on an on-going basis following initial occupancy, shall fund and implement a Transportation Demand Management (TDM) program for the proposed County office use in Parcel W-1/W-2. The County's CAO shall ensure the County's review and approval of this TDM program. The TDM program could, for example, include an onsite transportation coordinator, post information on transit, and provide logistical support for the formation of carpools and vanpools, and other incentives to use transit and rideshare.

**Mitigation Measure B-5:** The developer, with regard to the five development parcels, shall implement ATCS in conjunction with the area-wide ATCS program, if not otherwise implemented, prior to the completion of the first phase of development at the intersections identified by LADOT, although the implementation of this measure will provide mitigation to all three Project phases. Implementation of ATCS shall occur in the northern part of downtown, north of Eighth Street, at the locations identified by LADOT. LADOT has determined that implementation of the ATCS mitigation improvements in the area surrounding the Project would comprise the following: (1) upgrades to Model 2070 traffic signal controllers at 35 intersections; (2) installation of 58 ATSAC/ATCS system vehicle detectors at 9 intersections; and (3) installation of CCTV cameras to provide video information to the ATSAC Center at eight locations. Subject to a final determination by LADOT of the improvements required for the Project, ATCS shall also include LADOT's Transit Priority System (TPS).

**Mitigation Measure B-6:** The following menu of mitigation measures have been developed to further reduce the Project's potential traffic and circulation impacts. The term "menu" refers to the various ways that each of the following measures can be implemented to achieve trip reduction. Selection shall be coordinated with the LADOT, who shall determine which of the mitigation measures are to be implemented.

1. Provide enhanced walking connections along the Project street frontages to transit service (to bus stops and to the Red Line station portals at First Street and Hill Street). These could comprise pedestrian amenities along the Project's street frontages, including landscaped sidewalks, wider crosswalks where feasible at key intersections, improved lighting for pedestrian safety at nighttime, and pedestrian wayfinding signage, to facilitate walking in the Project area. The developer shall implement this measure with regard to the five development parcels prior to initial building occupancy for each

development phase; while, the responsible parties for the implementation of the Civic Park and Streetscape Program, under the applicable agreements, shall implement these measures prior to the completion of construction for each of these Project components.

2. The developer, as determined by LADOT and prior to initial building occupancy for each development phase, shall provide enhanced bus stops on the street frontages of the five development parcels. These enhanced bus stops may include bus shelters with passenger amenities such as benches, shaded areas, and transit information that could be integrated into the overall urban design/landscaping of the Project.
3. Provide transit information kiosks at various strategic locations on the Project site. The developer shall implement this measure with regard to the five development parcels prior to initial building occupancy for each development phase; while, the responsible parties for the implementation of the Civic Park and Streetscape Program, under the applicable agreements, shall implement these measures prior to the completion of construction for each of those Project components.
4. The developer, with regard to the five development parcels, shall participate in an on-going basis during Project operations, in a Share-Car program (e.g., Flexcar) that makes cars available to registered members. It is anticipated that up to three on-street parking spaces, subject to a determination of feasibility by LADOT, could be provided at key locations adjacent to the Project frontage for up to three Share-Cars. The Share-Cars could be available to both Project and non-Project users as long as they were members of the Share-Car program. The Project shall support a Share-Car organization's application to the City, and following any implementation of such application shall promote the Share-Car concept and encourage its usage with Project residents and tenants.
5. Provide improved vehicular directional signage on surface streets approaching and within the Project area to direct vehicles to specific destinations and parking locations, as appropriate, to minimize vehicles circulating in the Project area. Such signage should be approved to the satisfaction of LADOT. The developer shall implement this measure with regard to the five development parcels prior to initial building occupancy for each development phase; while, the responsible parties for the implementation of the Civic Park under the applicable agreements, shall implement these measures prior to the completion of construction for the Civic Park.

**Mitigation Measure B-7:** The Developer, with regard to the five development parcels, shall re-stripe the westbound approach of the Third Street and Hill Street intersection from the existing configuration of one left turn lane, one through lane, and one shared through/right-turn lane to a future configuration of one left turn lane, two through lanes, and one exclusive right-turn lane. This improvement would require a slight widening of Third Street west of Hill Street before the entrance to the tunnel within the public right-of-way. The final lane configuration of this intersection shall be to the satisfaction of the City of Los Angeles Department of Transportation. In addition, any street widening and construction activities shall be coordinated with the City of Los Angeles Department of Public Works, Bureau of Engineering.

iii. Supportive Evidence and Rationale – The FEIR analyzed in detail the potential traffic impacts that may be caused by Project operation in Section IV.B of the DEIR. Specifically:

- a. Intersections: The Project with County Office Building Option would generate approximately 1,551 A.M. peak hour trips and 2,464 P.M. peak hour trips. This Option would result in significant traffic impacts at seven intersections in the A.M. peak hour and in significant traffic impacts at seventeen intersections in the P.M. peak hour. The Project with Additional Residential Development Option would generate approximately 1,019 trips in the A.M. peak hour and 2,003 trips in the P.M. peak hour. This Option would result in a significant traffic impact at six intersections in the A.M. peak hour and seventeen intersections in the P.M. peak hour. With the implementation of all the mitigation measures, including the ATCS and the intersection mitigation measures, one intersection in the A.M. peak hour and 12 intersections in the P.M. peak hour would be significantly and unavoidably impacted under the Project with County Office Building Option. With the implementation of all the mitigation measures, including ATCS and intersection mitigation measures, no intersections in the A.M. peak hour and 7 intersections in the P.M. peak hour would be significantly and unavoidably impacted under the Project with Additional Residential Development Option.
- b. Access: No driveway intersection approach under either Project Option would exceed LOS D. Therefore, the Project would not cause any significant traffic impacts at proposed driveway locations.
- c. Freeway/CMP Impacts. The Project with County Office Building Option would cause two significant traffic impacts on the freeway system, one of which would occur at a CMP monitoring location (US-101 Hollywood Freeway north of Vignes Street). However, the Project with Additional Residential Development Option would cause no

significant freeway traffic impacts. The Project with County Office Building Option's significant impacts on the US-101 Hollywood Freeway between Grand Avenue and Hill Street, and on the US-101 Hollywood Freeway north of Vignes Street (a CMP location) would be reduced to a less than significant level through the implementation of the proposed mitigation measures. Freeway/CMP impacts under the Project with Additional Residential Development Option would be less than significant.

- d. Transit: Because Project transit trips would represent a very small proportion of the overall transit system capacity, it is concluded that the Project will result in a less than significant impact to the existing transit systems serving the Project area and downtown.
- e. Civic Park: Early evening events in the Civic Park, or events associated with concerts/programs at the Music Center and the Walt Disney Concert Hall, may worsen traffic conditions in the Project area during the P.M. peak hour. The number of such events would be infrequent and would not occur on a regular basis. Although Civic Park traffic impacts would be temporary in nature, impacts may, on occasion, be significant in magnitude. Annual events, festivals, and holiday events could also potentially have temporary and short-term (one-time) traffic impacts. Therefore, on occasion, the size of the event and other factors may cause Civic Park traffic impacts to be significant and unavoidable.

iv. Cumulative Impacts

- a. Intersections: The cumulative traffic impacts associated with the 93 related projects and ambient growth have been considered for the purpose of assessing the Project's traffic impacts. In conjunction with the significant Project impacts after mitigation, cumulative traffic impacts on certain intersections would be significant.
- b. Civic Park: Early evening events in the Civic Park may worsen traffic conditions in the P.M. peak hour. The number of such events would be infrequent and would not occur on a regular basis. Although Civic Park traffic impacts would be temporary in nature, impacts may, on occasion, be significant in magnitude. As such, traffic impacts associated with such short-term activities would be considered cumulatively significant in conjunction with other projects' traffic.
- c. Driveway Access: None of the 93 related projects share conjoining or adjacent access points. Therefore, no significant cumulative impacts relative to access would occur since none of the related projects could

cause problems in accessing the Project site. Similarly, the Project would cause no problems in the accessibility of the related projects.

- d. Transit: The employees, visitors, and residents of the 93 related projects would use overlapping transit systems, as would be the case with the Project. Under the City of Los Angeles transportation and land use policies, this effect is positive (i.e., the concentration of new employment and housing projects in close proximity to transit services). Further, the increased usage of transit system by users at the related projects would not cause exceedance of the capacity of existing transit systems. Consequently, the cumulative impacts relative to transit systems are concluded to be less than significant.
- e. CMP: The Project with County Office Building Option would cause an incremental increase in the D/C ratio of 0.021 at the US-101 Hollywood Freeway between Grand Avenue and Hill Street, and an incremental increase of the D/C ratio of 0.020 at the US-101 Hollywood Freeway north of Vignes Street, both in the P.M. peak hour. Since that increase would be at or slightly above the threshold of significance, it is concluded that the Project with County Office Building Option would cause two significant traffic impacts on the freeway system, one of which would occur at a CMP monitoring location (US-101 Hollywood Freeway north of Vignes Street). Since related projects would also contribute to freeway traffic levels, the combination of the Project's traffic with the related projects' traffic is considered to be cumulatively significant. The Project with Additional Residential Development Option would not exceed D/C threshold ratios, and cumulative impacts are considered to be less than significant under this option.

D. Traffic, Circulation and Parking (Parking Impacts)

- i. Potential Impacts – The Project may create a significant parking impact if:
  - a. The Project would be inconsistent with adopted parking codes, parking plans, or policies.
- ii. Findings – The Project will not cause significant and unavoidable parking impacts, except for the one project-specific and cumulative impact discussed in subsection iii. and iv., below. With respect to that impact, the Authority makes the following findings:
  - a. This impact can be mitigated to a level of less than significant if the City approves a certain land use entitlement that has been applied for by the developer, which application is still pending as of the date of these Findings. Accordingly, the Authority finds that the measures,

such changes or alterations to the Project necessary to mitigate this impact are within the responsibility and jurisdiction of another public agency and not the Authority. The Authority further finds that such measures, changes or alterations should be adopted by such other agency.

- b. For the reasons set forth in the Statement of Overriding Considerations adopted concurrently by the Authority, the Authority finds that the significant impact identified in this Section XI-B(c) is acceptable in light of the Project's overall benefits.
- iii. Supportive Evidence and Rationale – The FEIR analyzed in detail the Project's potential parking impacts in Section IV.B of the DEIR. Under both the Project with County Office Building Option and the Project with Additional Residential Development Option, commercial and residential parking would be consistent with the parking requirements of the LAMC. However, neither Option would meet the requirements of the Deputy Advisory Agency Residential Policy (DAARP), which requires 2.5 parking spaces per dwelling unit. As part of its entitlement application to the City, the developer will be seeking approval of a variance from the DAARP. The reasons for seeking a deviation from this policy are provided in Section IV.B, Traffic, Circulation and Parking, of the DEIR. If approved by the City, there would be no significant impact for this issue. However, using a worst-case perspective, a significant and unavoidable impact in regard to this policy is assumed. Should the variance be granted by the City, which would occur only after certification of the FEIR by the Lead Agency and concurrently with action on the entitlements requested from the City, there would be no significant residential parking impacts. However, until the exception is granted, it is conservatively concluded that, for purposes of CEQA, there would be a significant impact.

The Project's total parking supply will meet projected Project demand and also exceed many of the requirements of the City's parking requirements (except for the DAARP). For example, the first phase of development on the five development parcels will provide the approximately 1,129 parking spaces which is 155 parking spaces more than that is required by City Code. Further, an additional 381 spaces will be provided due to the use of mechanical lifts, valet operations and other parking strategies.

A minor change in the Project's parking arrangements for this first phase of development has been proposed by the developer since publication of the DEIR. This change would cause up to 227 parking spaces to be provided off-site up to two blocks from the Project site. However, there would be no significant parking impacts associated with this parking strategy. During evenings and weekends, there are sufficient spaces available in the Civic



Center/Bunker Hill area as office buildings are closed. During the daytime, the most likely location sufficient spaces in the Walt Disney Hall Concert Hall garage would be available, even with the relocation of existing spaces from Parcel Q and Parcel W-1/W-2 due to the Project. Further, because these spaces would be provided within one or two blocks of Parcel Q, and because they would represent only 4% of the total Project parking supply, it is not expected that the distribution patterns of Project traffic would be significantly different from the patterns analyzed in the FEIR. Accordingly, the Authority finds that this minor potential change in the Project will not cause a significant new environmental impact.

Finally, the Project would eliminate 1,818 parking spaces (of which 1,604 are usable) in the lots existing on the five development parcels. Existing County facilities would absorb up to 1,074 of these spaces at such facilities as the Walt Disney Concert Hall garage and the Civic Center and in the Civic Center, where excess parking spaces are now available. Further, under the proposed Civic Park conceptual design plan, the Court of Flags garage (Lot 10) would be repaired and would add 325 usable parking spaces this parking supply. In addition to those available spaces, the analysis in the FEIR concluded that excess space exists in the twenty-one other parking facilities in the general vicinity of the Project Area.

- iv. Cumulative Impacts – It is assumed that the related development projects would satisfy their demand for commercial and residential parking, as is the case with the Project. However, since the Project would not comply with the DAARP for residential uses, as may also be the case with one or more of the related projects, non-compliance with the DAARP is considered cumulatively significant.

E. Aesthetics and Visual Resources (Visual Quality, Construction)

- i. Potential Impacts – The Project may cause a significant visual quality impact if:
  - a. The Project would substantially alter, degrade or eliminate the existing visual character of the area, including visually prominent existing features or other valued resources.
  - b. The Project features would substantially contrast with the visual character of the surrounding area and its aesthetic image.
  - c. The implementation of the Project would preclude the attainment of existing aesthetics regulations or applicable plans.

- ii. **Findings** - A potentially significant visual quality impact due to construction of the Project is identified in the EIR. However, with the implementation of a mitigation measure, a regulatory measure, and project design features, this potentially significant impact will be reduced to a less than significant impact.

**Mitigation Measure C-1:** During Project construction, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements, shall ensure, through appropriate postings and daily visual inspections, that no unauthorized materials remain posted on any temporary construction barriers or temporary pedestrian walkways, and that any such temporary barriers and walkways are maintained in a visually attractive manner throughout the construction period. The City's Department of Building and Safety or other appropriate City agency or department, shall determine compliance with this measure with regard to construction associated with the five development parcels and the Streetscape Program. The County's CAO or its designee shall determine compliance with this measure with regard to construction of the Civic Park.

**Regulatory Measure C-1:** Prior to the start of each construction work phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Streetscape Program under the applicable agreements, shall prepare and implement a tree replacement plan should mature trees along Grand Avenue be impacted by Project construction. Existing mature trees shall be replaced at a ratio of not less than 1:1, to the extent consistent with the final streetscape design. The City's Department of Building and Safety or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels and the Streetscape Program.

**Project Design Feature C-1:** Prior to the start of construction along the east side of Grand Avenue, between First and Temple Streets, the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements shall coordinate construction of park improvements in the westerly Civic Park sector with any installation of streetscape and other improvements on Grand Avenue between First and Temple Streets to reduce the duration and visual impact of construction activities. Scheduling of construction activities for the Civic Park and the Streetscape Program shall be reviewed and approved by the Authority and shall be implemented by the responsible parties.

**Project Design Feature C-2:** Prior to the start of each construction work phase, the developer, with regard to the five development parcels, and the

responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements, shall schedule and coordinate sidewalk construction with the development of the adjacent parcels to reduce the duration and visual impact of construction activities. Scheduling of construction activities for the five development parcels, the Civic Park and the Streetscape Program shall be reviewed and approved by the Authority and implemented by the responsible parties.

- iii. Supportive Evidence and Rationale – The FEIR analyzed in detail the potential visual quality impacts associated with the construction of the Project in Section IV.C of the DEIR. Construction activities may be detrimental to the aesthetic value of the Project area. In addition, the potential removal or relocation of mature landscaping in the existing Civic Center Mall in order to create the Civic Park would contrast and detract from the existing visual character of the park. Mature trees would be preserved or relocated to the extent feasible. However, construction activities that would contrast with the aesthetic image of the area would cease at the completion of the construction phases. Due to the short-term nature of these activities, construction impacts on aesthetic resources are concluded to be less than significant. Further, the visual quality impacts generated by construction activities would be reduced to a less than significant level through the implementation of Mitigation Measure C-1, Regulatory Measure C-1, and Project Design Features C-1 and C-2.
- iv. Cumulative Impact – The related projects would not be located close enough to the Project's development parcels to be within the same field of view as the Project as to create any potentially significant visual quality impact attributable to cumulative construction activities. Further, the construction of such other related projects will likely comply with the mitigation measures described in this Section XI-C(a). Therefore, this cumulative impact will be less than significant.

E. Aesthetics and Visual Resources (Visual Quality, Operation)

- i. Impacts – The Project may cause a significant visual quality impact if:
  - a. The Project would substantially alter, degrade or eliminate the existing visual character of the area, including visually prominent existing features or other valued resources.
  - b. The Project features would substantially contrast with the visual character of the surrounding area and its aesthetic image.
  - c. The implementation of the Project would preclude the attainment of existing aesthetics regulations or applicable plans.

- ii. Findings - A less than significant visual quality impact due to operation of the Project is identified in the FEIR. However, the following regulatory measures, and a project design feature are identified in the FEIR to ensure a less than significant impact.

**Regulatory Measure C-4:** Prior to the start of each construction work phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park under the applicable agreements shall submit to the Authority or other appropriate agency, for review and approval, building plans and specifications that demonstrate that all ventilation, heating and air conditioning ducts, tubes, and other such mechanical equipment shall be screened from the line-of-sight from the street. Approved building plans and specifications shall be implemented by the responsible parties.

**Regulatory Measure C-5:** Prior to the start of each construction work phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements shall submit design plans that demonstrate that all utility lines and connections are constructed underground. Approved utility plans and connections with regard to the five development parcels shall be reviewed and approved by the Authority, whereas the City's Department of Building and Safety or other appropriate City agency or department, shall review and approve with regard to the Streetscape program. Approved utility lines and connections shall be implemented by the responsible parties.

**Regulatory Measure C-6:** Prior to construction, the developer, with regard to the five development parcels, shall submit design plans for trash collection areas to the Authority for review and approval. Trash collection areas shall be screened from line of sight from the street. Approved design plans shall be implemented by the developer.

**Project Design Feature C-3:** Prior to the start of each construction work phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements, shall prepare architectural plans that shall be reviewed and approved by the Authority such that all ground-level building fixtures, including, but not limited to, security gates, landscape light fixtures, pedestrian lights, air intake shafts, and other appurtenances are integrated into the architectural theme and/or design of the respective Project components. Approved architectural plans shall be implemented by the developer and the responsible parties.

- iii. Supportive Evidence and Rationale – The FEIR discusses the less than significant visual quality impact caused by Project operations in Section IV.C of the DEIR. The Grand Avenue streetscape program would improve the aesthetic quality and ambience of Grand Avenue and would create an appealing pedestrian environment. Existing visual and pedestrian access into the Civic Park would be improved and the extension of the Civic Park to Spring Street would enhance the aesthetic context of Los Angeles' City Hall. The Project's towers would contribute to the visual continuity of the tall and varied structures comprising the City's skyline and would be consistent with the aesthetic components that represent downtown's aesthetic image. The Project is anticipated to be consistent with the urban design policies that call for the shaping of a skyline that parallels and accentuates the topography of Bunker Hill, the integration of street-front retail with the streetscape, and the addition of public art into the Grand Avenue right-of-way. As such, the Project's visual quality impacts would be less than significant.
- iv. Cumulative Impacts - The related development projects identified in the FEIR as Nos. 9, 27, 88, and 92 are located in close proximity to the Project site and, as such, have the potential to cumulatively contribute to the visual quality of the area. It is anticipated, however, that all of the related projects would be constructed with high-quality materials and architectural design and would be consistent in scale with the surrounding buildings. In addition, it is anticipated that the related projects would contribute to sidewalk and streetscape improvements and, therefore, would improve the visual quality of the downtown area. Therefore, cumulative impacts relative to the aesthetics and visual quality would be less than significant.

F. Aesthetics and Visual Resources (Views)

- i. Impacts – The Project may cause a significant impact if:
  - a. Project development would substantially obstruct an existing view of a visually prominent resource as viewed from a public street, sidewalk, park, community cultural center, trail, public vantage point, or residential use.
- ii. Findings – The Project would cause significant and unavoidable view impacts (1) to the residents' views from the Grand Promenade Tower residential building; (2) the view from Olive Street; and (3) to the residents' view from the Museum Tower residential building. These three view impacts are identified in the FEIR, and the Authority makes the following findings for these impacts:
  - a. For the reasons set forth in the Statement of Overriding Considerations adopted concurrently by the Authority, the Authority finds that the significant impact identified in this Section XI-C(c) is

acceptable in light of the Project's overall benefits.

- b. No feasible mitigation measures exist to mitigate these significant view impacts. The issue of project alternatives that may mitigate those view impacts is addressed in Section XI-C(c) of these Findings.
- iii. Supportive Evidence and Rationale – The FEIR discusses the significant and unavoidable view impacts in Section IV.C. The Project would obstruct views of the Walt Disney Concert Hall and distant vistas to the north, possibly including the San Gabriel Mountains, from the Grand Promenade Tower, a 28-story residential building located immediately south of Parcel M-2. Development on Parcels W-1/W-2 would substantially block views of City Hall from Olive Street, a public street, under both Project Options. In addition, development on Parcel Q would block distant vistas to the north, possibly including the San Gabriel Mountains, from the upper stories of the Museum Tower residential building located south of Parcel Q and east of MOCA. Therefore, view impacts on the Grand Promenade Tower, Olive Street, and Museum Tower would be significant. There are no feasible mitigation measures to reduce the significant and unavoidable view impacts to the Promenade Tower, the view from Olive Street, and the view from the Museum Tower. As described in Section XII of these Findings, certain elements of Alternative No. 4 avoid the significant view impact to the residents' views from the Grand Promenade Tower.
- iv. Cumulative Impacts - Related project No. 88 will be located to the east of Angelus Plaza and would potentially block some easterly views from the existing Angelus Plaza residential use toward Los Angeles City Hall. The blockage of views of City Hall would be considered potentially significant, and since the development in parcels W-1 and W-2 would also block views of City Hall from Olive Street, cumulative impacts relative to the views of City Hall are found to be significant.

G. Aesthetics and Visual Resources (Light and Glare)

- i. Potential Impacts – The Project may cause a significant impact if:
  - a. Lighting would alter the character of the off-site areas surrounding the Project; or
  - b. Lighting would substantially interfere with the performance of an off-site activity.
- ii. Findings – A potential significant glare impact from reflected light on building surfaces is identified in the EIR. However, this potential significant impact will

be reduced to a level of less than significance with the implementation of two identified mitigation measures and one regulatory measure.

**Mitigation Measure C-2:** Prior to the start of each construction work phase, the developer, with regard to the five development parcels, shall submit a design plan and technical analysis prepared by the Project's architect as part of the building permit submission that demonstrates that the final selection of building materials for the five development parcels shall not create a significant glare impact on any offsite sensitive uses, including line-of-sight glare on any street or commercial, residential, or cultural use. The approved design plan shall be implemented by the developer with regard to the five development parcels. The design plan and technical study shall be reviewed and approved by the Authority.

**Mitigation Measure C-3:** Prior to each construction phase, the developer with regard to the five development parcels, shall prepare, and, thereafter, implement plans and specifications to ensure that architectural lighting is directed onto the building surfaces and have low reflectivity in accordance with Illuminating Engineers Society (IES) standards to minimize glare and limit light onto adjacent properties.

**Regulatory Measure C-3:** Prior to the completion of final plans and specifications, the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements, shall prepare lighting plans and specifications for the design type of light fixtures, height of light standards, and orientation of light fixtures and standards within the public right-of-way to ensure that all light fixtures do not interfere with the activities occurring within these areas. Lighting plans with regard to the Streetscape Program shall be submitted to the City's Department of Building and Safety or other appropriate City agency or department, for review and approval. Lighting plans with regard to the Civic Park shall be submitted to the County CAO or its designee for review and approval. Approved lighting plans shall be implemented by the responsible parties.

- iii. Supportive Evidence and Rationale – The FEIR analyzed in detail the potential glare impact from reflected light on building surfaces in Section IV.C of the DEIR. The Project would increase ambient light and artificial glare through the implementation street lighting, illuminated signs, architectural lighting, light spillage from the windows of high-rise buildings, special events lighting and security lighting. Since the Project's lighting would be similar to adjacent businesses (i.e., the nearby residential and office towers), it would not significantly impact the environment, which is currently characterized by high levels of ambient light. The increase in ambient light and artificial glare would not be great enough to interfere with activities at nearby residential, office and cultural uses. Natural sunlight reflected from building surfaces

and windows have the potential to create glare. Further, special events lighting in the Civic Park has the potential to create a significant impact. However, with the implementation of Mitigation Measures C-2 and C-3, the potential light and glare impacts associated with special events lighting and reflected sunlight would be reduced to less than significant levels.

- iv. Cumulative Impact – The Project and 93 related projects would increase ambient light in downtown Los Angeles. However, the context of the downtown environment, illuminated signage associated with street front retail uses and restaurants would not substantially alter the character of the surrounding area. The related projects Nos. 27 and 92, which are located in the same line-of-sight as the Project, as viewed from adjacent westbound and northbound streets, respectively, have the potential to contribute to glare impacts. With the implementation of the recommended mitigation measures, which require a technical glare analysis of, and, if necessary, modification to, the Project's building materials, the Project's potentially significant glare impact would be reduced to a less than significant level. Since it is assumed that the related projects would be subject to the same measure concerning their potential glare impacts, cumulative impacts would be less than significant.

H. Aesthetics and Visual Resources (Shade and Shadow)

- i. Potential Impacts – The Project may cause a significant shade/shadow impact if:
  - a. The Project would shade currently unshaded off-site, shadow-sensitive uses more than three hours between the hours of 9:00 A.M. and 3:00 P.M. PST, between late October and early April, or more than four hours between the hours of 9:00 A.M. and 5:00 P.M. PDT between early April and late October.
- ii. Findings – A less than significant shade/shadow impact is identified in the FEIR. No mitigation measures are identified for this impact.
- iii. Supportive Evidence and Rationale – The Project's potential shade/shadow impact is analyzed in detail in Section IV.C of the DEIR. During certain seasons, the Project's towers have the potential to shade sensitive offsite uses, including the future Central Los Angeles Performing Arts Senior High School (currently under construction), the Bunker Hill Towers open space, and Angelus Plaza, depending on the season and hour of the day. However, shading would not exceed three hours between the hours of 9:00 A.M. and 3:00 P.M. during the winter solstice or spring equinox, or four hours between the hours of 8:00 A.M. and 5:00 P.M. during the summer solstice or fall



equinox. Accordingly, the Project would have a less than significant shade/shadow impact.

- iv. Cumulative Impact - The combined morning shading from the Project and related project Nos. 9 and 27, with shading later in the day from related project No. 88, would create a potentially significant shade/shadow impact on the Angelus Plaza site, during the summer solstice only. No feasible mitigation measures exist for this cumulative impact due to the proposed location of these related projects. Although related project No. 92 would generate considerable shading of the Angelus Plaza site, substantially shading from related project No. 92 is not anticipated during the summer solstice. No other related projects would contribute to cumulative shading impacts.

I. Historical Resources

- i. Impacts – The Project may cause a significant historical resources impact if:
  - a. The Project will cause a substantial adverse change in the significance of a historical resource. A substantial adverse change means physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of a historical resource would be materially impaired.
- ii. Findings – The Project will cause significant and unavoidable historical resources impact on a project-specific and cumulative basis. The Authority makes the following findings for this impact:
  - a. All feasible measures, changes and alterations have been required in, or incorporated into, the Project, which will lessen such significant environmental effects.
  - b. For the reasons set forth in the Statement of Overriding Considerations adopted concurrently by the Authority, the Authority finds that the significant impact identified in this Section XI-D is acceptable in light of the Project's overall benefits.

Although the following mitigation measures aimed at reducing this significant and impact to historical resources have been adopted, these mitigation measures will not reduce this significant impact to a level of insignificance:

**Mitigation Measure D-1: Potential Los Angeles Civic Center Historic District.** Prior to the start of each construction phase, the responsible

parties for implementation of the Streetscape Program under the applicable agreements shall submit plans to the Authority, for review and approval to ensure that impacts to the potential eligibility of the potential Los Angeles Civic Center Historic District are reduced to the maximum extent practicable through implementation of the following measures:

1. **Grand Avenue Streetscape Program Design Features.** If the Streetscape Program is implemented in substantial conformance to that set forth in the Project's Conceptual Plan, then the following mitigation measure is not required since such Plan is consistent with the Secretary of Interior's Standards for Rehabilitation of Historic Buildings and the Guidelines for the Treatment of Cultural Landscapes (collectively referred to as the "Standards"). However, should the final design for the Grand Avenue streetscape improvements not be implemented in substantial conformance with the Project's Conceptual Plan, then the landscape and hardscape features proposed as part of the Grand Avenue Streetscape Program shall respect the linear qualities of the street and sidewalks in respect to the adjacent historic resource. Such landscape treatments shall be unified and planted in a manner as to not obscure the sight lines to the facades of those properties identified as contributors to the potential Los Angeles Civic Center Historic District from the public right-of-ways. The design of the Project's streetscape improvements shall consider their height, width, and spatial placement and include a program of selective pruning of trees to retain sight lines on a regular basis.

**Mitigation Measure D-2: Music Center:** No mitigation measures are required if the Grand Avenue streetscape improvements are implemented in substantial conformance to that set forth in the Project's Conceptual Plan, as determined by the Authority, since such Plan is consistent with the Secretary of Interior's Standards for Rehabilitation of Historic Buildings and the Guidelines for the Treatment of Cultural Landscapes (collectively referred to as the "Standards"). However, should the final design for the Grand Avenue streetscape improvements not be implemented in substantial conformance with the Project's Conceptual Plan, then prior to the start of each construction phase, the entity responsible for implementing the Project's streetscape program under the applicable agreements shall submit plans to the Authority for review and approval to ensure that impacts to the potential eligibility of the Music Center are reduced to the maximum extent practicable through implementation of the following mitigation measure:

1. Prior to implementation, the final design plans for the Grand Avenue streetscape improvements shall be reviewed by a qualified architectural historian or historic preservation consultant who satisfies

the Secretary of the Interior's Professional Qualification Standards for History or Architectural History to assure that the final design for the streetscape improvements does not materially alter the Music Center's potential historic significance. This evaluation shall be conducted in accordance with the Secretary of the Interior's Standards for the Rehabilitation of Historic Buildings.

**Mitigation Measure D-3: Cathedral of Our Lady of the Angels.** No mitigation measures are required if the Grand Avenue streetscape improvements are implemented in substantial conformance to that set forth in the Project's Conceptual Plan, as determined by the Authority, since such Plan is consistent with the Secretary of Interior's Standards for Rehabilitation of Historic Buildings and the Guidelines for the Treatment of Cultural Landscapes (collectively referred to as the "Standards"). However, should the final design for the Grand Avenue streetscape improvements not be implemented in substantial conformance with the Project's Conceptual Plan, then prior to the start of each construction phase, the entity responsible for implementing the Project's streetscape program under the applicable agreements shall submit plans to the Authority, for review and approval to ensure that impacts to the potential eligibility of the Cathedral of Our Lady of the Angels are reduced to the maximum extent practicable through implementation of the following mitigation measure:

1. Prior to implementation, the final design plans for the Grand Avenue streetscape improvements shall be reviewed by a qualified architectural historian or historic preservation consultant who satisfies the Secretary of the Interior's Professional Qualification Standards for History or Architectural History to assure that the final design for the streetscape improvements does not materially alter the Cathedral of Our Lady of the Angels' potential historic significance. This evaluation shall be conducted in accordance with the Secretary of the Interior's Standards.

**Mitigation Measure D-4: Kenneth Hahn Hall of Administration.** No mitigation measures are required if the final design for the Civic Park and the Grand Avenue streetscape improvements are in substantial conformance to that set forth in the Project's Conceptual Plan, as determined by the Authority, since such Plan is consistent with the Secretary of Interior's Standards for Rehabilitation of Historic Buildings and the Guidelines for the Treatment of Cultural Landscapes (collectively referred to as the "Standards"). However, should the final design for the Civic Park and the streetscape improvements not be implemented in substantial conformance with the Project's Conceptual Plan, prior to the start of each construction phase, the responsible parties for implementation of the Civic Park and Streetscape Program, under the applicable agreements, shall submit plans

to the Authority, for review and approval to ensure that impacts to the potential eligibility of the Kenneth Hahn Hall of Administration as a contributing property to the potentially eligible Los Angeles Civic Center Historic District are reduced to the maximum extent practicable through implementation of the following mitigation measure:

1. Prior to implementation, the final design plans for the Civic Park and the Grand Avenue streetscape improvements shall be reviewed by a qualified architectural historian or historic preservation consultant who satisfies the Secretary of the Interior's Professional Qualification Standards for History or Architectural History to assure that the final designs for the Civic Park and streetscape improvements do not materially alter the Kenneth Hahn Hall of Administration's potential historic significance. This evaluation shall be conducted in accordance with the Secretary of the Interior's Standards. The County's CAO or its designee shall determine compliance for the Civic Park and the City's Department of Building and Safety shall determine compliance for the Streetscape Program.

**Mitigation Measure D-5: Civic Center Mall (El Paseo de los Pobladores de Los Angeles).** Prior to the start of each construction phase, the responsible parties for implementation of the Civic Park under the applicable agreements shall submit plans to the Authority, for review and approval to ensure that impacts to the potential eligibility of the Civic Center Mall for listing in the California Register is reduced to the maximum extent practicable. However, in the event that any one or more of the following occurs: (1) the water feature (both the fountain and pools) no longer serves as a focal point for the park; (2) many of the pink granite clad planters, pink granite clad retaining walls, and concrete benches are not retained and reused in-place or within the reconfigured park preferably near the water feature and adjacent to the civic buildings; (3) the existing elevator shaft structures are removed in their totality, or (4) many of the light poles with saucer-like canopies and the "hi-fi" speaker poles with saucer-like canopies are not retained in-place or relocated adjacent to or integrated along with the water feature, benches, retaining walls, and planter boxes, then the Standards shall be utilized to ensure that rehabilitation work to the four character-defining features of the park referenced in this Mitigation Measure D-5 does not impair the historic characteristics that convey the Civic Center Mall's historical significance as an individual resource and as a contributing property to the potentially eligible Los Angeles Civic Center Historic District. If such compliance with such Standards cannot be achieved, then the following measures shall apply to the applicable character-defining features identified in this Measure:

1. **Recordation.** Prior to the issuance of a demolition permit for the

Civic Center Mall and its associated features, a Historic American Building Survey (HABS) Level II-like recordation document shall be prepared for the Civic Center Mall. A qualified architectural historian or historic preservation consultant who satisfies the Secretary of the Interior's Professional Qualification Standards for History or Architectural History shall prepare this document. The HABS-like document shall record the existing landscape and hardscape features of the Civic Center Mall, including the four character-defining features identified in this measure. The report shall also document the history and architectural significance of the property and its contextual relationship with the surrounding civic buildings and environment. Its physical composition and condition, both historic and current, should also be noted in the document through the use of site plans, historic maps and photographs, and large-format photographs, newspaper articles, and written text. A sufficient number of large-format photographs shall be taken of the resource to visually capture its historical and architectural significance through general views and detail shots. Field photographs (35mm or digital format) may also be included in the recordation package. All document components and photographs should be completed in accordance with the Secretary of the Interior's Standards and Guidelines for Architectural and Engineering Documentation. Archival copies of the report, including the original photographs, shall be submitted to the California Office of Historic Preservation and the Huntington Library. Non-archival copies of the report and photographs shall be submitted to the County of Los Angeles, the City of Los Angeles Planning Division, the Los Angeles Public Library (Main Branch), and the Los Angeles Conservancy Modern Committee.

2. **Salvage and Reuse of Key Park Features.** Prior to the removal of the four character-defining features identified in this Measure, an inventory of significant landscape and hardscape elements shall be made by a qualified preservation consultant and landscape architect. Where feasible, these materials and elements shall be itemized, mapped, photographed, salvaged, and incorporated into the new design of the park, wherever possible. To the extent salvageable materials cannot be reused on-site, they shall be disposed of in accordance with applicable county surplus procedures.

**Mitigation Measure D-6: Hall of Records.** No mitigation measures are required if the final design for the Civic Park is in substantial conformance to that set forth in the Project's Conceptual Plan, as determined by the Authority, since such Plan is consistent with the Secretary of Interior's Standards for Rehabilitation of Historic Buildings and the Guidelines for the Treatment of Cultural Landscapes (collectively referred to as the

"Standards"). However, should the final design for the Civic Park not be implemented in substantial conformance with the Project's Conceptual Plan, prior to the start of each construction phase, the responsible parties for implementation of the Civic Park under the applicable agreements shall submit plans to the Authority, for review and approval to ensure that impacts to the potential eligibility of the Hall of Records building as a contributing property to the potentially eligible Los Angeles Civic Center Historic District are reduced to the maximum extent practicable through implementation of the following mitigation measure:

1. Prior to implementation, the final design plans for the Civic Park shall be reviewed by a qualified architectural historian or historic preservation consultant who satisfies the Secretary of the Interior's Professional Qualification Standards for History or Architectural History to assure that the proposed Civic Park design does not materially alter the Hall of Records' potential historic significance. This evaluation shall be conducted in accordance with the Secretary of the Interior's Standards for the Rehabilitation of Historic Building.

**Mitigation Measure D-7: Court of Flags.** No mitigation measures are required if the final design for the Civic Park is in substantial conformance to that set forth in the Project's Conceptual Plan, as determined by the Authority, since such Plan is consistent with the Secretary of Interior's Standards for Rehabilitation of Historic Buildings and the Guidelines for the Treatment of Cultural Landscapes (collectively referred to as the "Standards"). However, should the final design for the Civic Park not be implemented in substantial conformance with the Project's Conceptual Plan, prior to the start of each construction phase, the responsible parties for implementation of the Civic Park under the applicable agreements shall submit plans to the Authority for review and approval to ensure that impacts to the potential eligibility of the Court of Flags as a contributing property to the potentially eligible Los Angeles Civic Center Historic District are reduced to the maximum extent practicable through implementation of the following mitigation measure:

1. Prior to implementation, the final design plans for the Civic Park shall be reviewed by a qualified architectural historian or historic preservation consultant who satisfies the Secretary of the Interior's Professional Qualification Standards for History or Architectural History to assure that the proposed Civic Park design does not materially alter the Court of Flag's potential historic significance. This evaluation shall be conducted in accordance with the Secretary to Interior's Standards.

**Mitigation Measure D-8: Clara Shortridge Foltz Criminal Justice Center.**

No mitigation measures are required if the final design for the Civic Park is in substantial conformance to that set forth in the Project's Conceptual Plan, as determined by the Authority, since such Plan is consistent with the Secretary of Interior's Standards for Rehabilitation of Historic Buildings and the Guidelines for the Treatment of Cultural Landscapes (collectively referred to as the "Standards"). However, should the final design for the Civic Park not be implemented in substantial conformance with the Project's Conceptual Plan, prior to the start of each construction phase, the responsible parties for implementation of the Civic Park under the applicable agreements shall submit plans to the Authority, for review and approval to ensure that impacts to the potential eligibility of the Clara Shortridge Foltz Criminal Justice Center as a contributing property to the potentially eligible Los Angeles Civic Center Historic District are reduced to the maximum extent practicable through implementation of the following mitigation measure:

1. Prior to implementation the final design plans for the Civic Park shall be reviewed by a qualified architectural historian or historic preservation consultant who satisfies the Secretary of the Interior's Professional Qualification Standards for History or Architectural History to assure that the proposed Civic Park does not materially alter the Clara Shortridge Foltz Criminal Justice Center's potential historic significance. This evaluation shall be conducted in accordance with the Secretary of the Interior's Standards.

**Mitigation Measure D-9: Los Angeles City Hall.** No mitigation measures are required if the final design for the Civic Park is in substantial conformance to that set forth in the Project's Conceptual Plan, as determined by the Authority, since such Plan is consistent with the Secretary of Interior's Standards for Rehabilitation of Historic Buildings and the Guidelines for the Treatment of Cultural Landscapes (collectively referred to as the "Standards"). However, should the final design for the Civic Park not be implemented in substantial conformance with the Project's Conceptual Plan, prior to the start of each construction phase, the responsible parties for implementation of the Civic Park under the applicable agreements shall submit plans to the Authority, for review and approval to ensure that impacts to those historic characteristics that make the Los Angeles City Hall building historically significant as a designated resource and as a contributing property to the potentially eligible Los Angeles Civic Center Historic District, are reduced to the maximum extent practicable through implementation of the following mitigation measure:

1. Prior to implementation the final design plans for the Civic Park shall be reviewed by a qualified architectural historian or historic preservation consultant who satisfies the Secretary of the Interior's

Professional Qualification Standards for History or Architectural History to assure that the proposed Civic Park design does not materially alter the historic significance of the Los Angeles City Hall. This evaluation shall be conducted in accordance with the Secretary of the Interior's Standards.

**Mitigation Measure D-10: Los Angeles County Law Library.** No mitigation measures are required if the final design for the Civic Park is in substantial conformance to that set forth in the Project's Conceptual Plan, as determined by the Authority, since such Plan is consistent with the Secretary of Interior's Standards for Rehabilitation of Historic Buildings and the Guidelines for the Treatment of Cultural Landscapes (collectively referred to as the "Standards"). However, should the final design for the Civic Park not be implemented in substantial conformance with the Project's Conceptual Plan, prior to the start of each construction phase, the responsible parties for implementation of the Civic Park under the applicable agreements shall submit plans to the Authority, for review and approval to ensure that impacts to the potential eligibility of the potentially eligible Los Angeles County Law Library as a contributing property to the Los Angeles Civic Center Historic District are reduced to the maximum extent practicable through implementation of the following mitigation measure:

1. Prior to implementation, the final design plans for the Civic Park shall be reviewed by a qualified architectural historian or historic preservation consultant who satisfies the Secretary of the Interior's Professional Qualification Standards for History or Architectural History to assure that the proposed Civic Park design does not materially alter the Los Angeles County Law Library's potential historic significance. This evaluation shall be conducted in accordance with the Secretary of the Interior's Standards.

**Mitigation Measure D-11: Los Angeles County Courthouse.** No mitigation measures are required if the final design for the Civic Park and the Grand Avenue streetscape improvements are in substantial conformance to that set forth in the Project's Conceptual Plan, as determined by the Authority, since such Plan is consistent with the Secretary of Interior's Standards for Rehabilitation of Historic Buildings and the Guidelines for the Treatment of Cultural Landscapes (collectively referred to as the "Standards"). However, should the final design for the Civic Park and the streetscape improvements not be implemented in substantial conformance with the Project's Conceptual Plan, prior to the start of each construction phase, the responsible parties for implementation of the Civic Park and the Streetscape Program under the applicable agreements shall submit plans to the Authority, for review and approval to ensure that impacts to the potential eligibility of the Los Angeles County Courthouse as a contributing property to



the potentially eligible Los Angeles Civic Center Historic District are reduced to the maximum extent practicable through implementation of the following mitigation measure:

1. Prior to implementation, the final design plans for the Civic Park and the Grand Avenue streetscape improvements shall be reviewed by a qualified architectural historian or historic preservation consultant who satisfies the Secretary of the Interior's Professional Qualification Standards for History or Architectural History to assure that the proposed final designs for the Civic Park and streetscape improvements do not materially alter the Los Angeles County Courthouse's potential historic significance. This evaluation shall be conducted in accordance with the Secretary of the Interior's Standards. The County's CAO or its designee shall determine compliance for the Civic Park and the City's Department of Building and Safety shall determine compliance for the Streetscape Program.

**Mitigation Measure D-12: Southern California Edison (One Bunker Hill) Building.** No mitigation measures are required if the Grand Avenue streetscape improvements are implemented in substantial conformance to that set forth in the Project's Conceptual Plan, as determined by the Authority, since such Plan is consistent with the Standards. However, should the final design for the Grand Avenue streetscape improvements are not implemented in substantial conformance with the Project's Conceptual Plan, the responsible parties for implementation of the Streetscape Program under the applicable agreements shall submit plans to the Authority, for review and approval to ensure that impacts to the historic characteristics that convey the Southern California Edison building's (One Bunker Hill) significance are reduced to the maximum extent practicable through implementation of the following mitigation measure:

1. Prior to implementation, the final design plans for the Grand Avenue streetscape improvements shall be reviewed by a qualified architectural historian or historic preservation consultant who satisfies the Secretary of the Interior's Professional Qualification Standards for History or Architectural History to assure that the final design for the proposed streetscape improvements does not materially alter the Southern California Edison's (One Bunker Hill) Building's historic significance. This evaluation shall be conducted in accordance with Secretary of the Interior's Standards.

- iii. Supportive Evidence – The FEIR identifies a significant and unavoidable historical resources impact in Section IV.D of the DEIR. Under CEQA, implementation of the recommended mitigation measures would reduce all of the identified significant impacts to a less than significant level, with the

exception of one impact associated with the Civic Center Mall. The Mall is individually eligible for listing on the California Register of Historic Resources and would be a contributory feature of the Civic Center since the Center is eligible as a California Register Historic District. The actual extent of that significant impact is dependent upon the Civic Park's final design. Significant impacts to the Park would result if one or more the following occurs: (1) the water feature (both the fountain and pools) no longer serves as a focal point for the park; (2) many of the pink granite clad planters, pink granite clad retaining walls, and concrete benches are not retained and reused in-place or within the reconfigured park preferably near the water feature and adjacent to the civic buildings; (3) the existing elevator shaft structures are removed in their totality, or (4) many of the light poles with saucer-like canopies and the "hi-fi" speaker poles with saucer-like canopies are not retained in-place or relocated adjacent to or integrated along with the water feature, benches, retaining walls, and planter boxes. The Standards should be utilized to ensure that rehabilitation work for the Civic Park does not impair those qualities and historic characteristics of these four key character-defining features. If these character-defining features were retained and reused in a manner consistent with the Standards as discussed in the EIR, then a significant impact to this resource would not occur. However, since the final design of the Park has not been completed, and, therefore, consistency with the Standards is not known at this time, it is conservatively assumed that a significant impact will occur.

Based on the analysis in the FEIR, the Authority finds that the Civic Mall is not eligible for listing in the National Register of Historic Places since the necessary criteria for such a listing are not satisfied. However, during the public review process, a comment was raised as to the need for the Civic Center Mall to be listed in the National Register in addition to the California Register of historic resources. For CEQA purposes, a resource need only be recognized at the local or state level in order to be afforded full protection as a historical resource. Thus, whether the Civic Center Mall is listed in the National Register or the California Register, it would be afforded the same protections. Accordingly, the Authority finds that there is no additional impact associated with the Civic Mall's potential eligibility for the National Register.

- iv. Cumulative Impacts - The development of one or more related projects in the downtown area has the potential to affect listed or eligible historical resources. Each of the related projects having the potential to impact historical resources would be subject to CEQA review and it is anticipated that any potential impacts on historical resources would be addressed and reduced to less than significant levels through the CEQA process. However, as the Project may result in a potentially significant impact with regard to the Civic Center Mall on an individual basis as well as a contributor to the potential Civic Center historic district, the Project and the related projects

may also have the potential to cause a significant cumulative impact on historical resources.

J. Population, Housing and Employment

- i. Potential Impact – The Project may cause a significant impact with regard to population, housing and employment if:
  - a. The Project would cause population or housing growth in Southern California Association of Governments (“SCAG”) City of Los Angeles subregion to exceed SCAG’s 2015 projections.
  - b. The Project would cause growth that is not compatible with adopted population and housing policies, including jobs/housing balance, as set forth in the Central City Community Plan, the City’s General Plan Housing Element, the General Plan Framework, and SCAG’s Regional Comprehensive Plan and Guide (RCPG).
- ii. Findings – The Project will not cause a significant impact with regard to population, housing and employment.
- iii. Supportive Evidence and Rationale – The FEIR analyzed in detail the Project’s potential impacts associated with population, housing and employment in Section IV-E of the DEIR. Project development would not exceed SCAG’s adopted projections for the City of Los Angeles Subregion. The Project would also be consistent with adopted policies, including jobs/housing balance, as set forth in the Central City Community Plan, the City’s General Plan Housing Element, the General Plan Framework, and SCAG’s Regional Comprehensive Plan and Guide. Therefore, the Project would result in less than significant environmental impacts to housing, employment and population. Thus, no mitigation measures are required.
- iv. Cumulative Impact – Additional growth from the 93 related projects would generate 28,952 estimated residents and 61,158 estimated employees. When combined with the Project with County Office Building Option, the estimated population growth would be 31,877 residents and 65,364 employees. Under the Project with Additional Residential Development Option, cumulative population growth would be 32,729 residents and 62,364 employees. According to SCAG forecasts for the City of Los Angeles Subregion, cumulative growth under both Project Options would represent approximately 18 percent of the forecasted residential growth and 29 percent of the forecasted employment growth. This level of cumulative growth would not exceed projections and would therefore be less than significant. The related projects are also anticipated to be consistent with SCAG and Los Angeles policies for development of the downtown area as a dense activity

center and, as such, would not cause a significant cumulative impact in this area.

K. Air Quality (Project Construction)

- i. Impacts – The construction of the Project may cause a significant and unavoidable air quality impact if:
  - a. The Project's emission of "regional" air pollutants from both direct and indirect sources would exceed any of the following South Coast Air Quality Management District ("SCAQMD") prescribed threshold levels: (1) 75 pounds per day (lbs/day) for VOC; (2) 100 lbs/day for NO<sub>x</sub>; (3) 550 lbs/day for CO; and (4) 150 lbs/day for PM<sub>10</sub> or SO<sub>x</sub>.
  - b. Project-related fugitive dust and construction equipment emissions cause an incremental increase in localized PM<sub>10</sub> concentrations of 10.4 µg/m<sup>3</sup> or cause a violation of NO<sub>2</sub> or CO ambient air quality standards.
- ii. Findings – A significant and unavoidable air quality impact caused by construction of the Project will occur on a project-specific and cumulative basis. The Authority makes the following findings for this impact:
  - a. All feasible measures, changes and alterations have been required in, or incorporated into, the Project, which will lessen such significant environmental effects.
  - b. For the reasons set forth in the Statement of Overriding Considerations adopted concurrently by the Authority, the Authority finds that the significant impact identified in this Section XI-F(a) is acceptable in light of the Project's overall benefits.

Although the following mitigation measures aimed at reducing these significant and unavoidable air quality impacts associated with Project construction have been adopted, these mitigation measures will not reduce those significant impacts to a level of insignificance:

**Mitigation Measure F-1:** During each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements shall implement a fugitive dust control program pursuant to the provisions of SCAQMD Rule 403. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with SCAQMD Rule 403 during construction with regard to construction associated with the five development parcels and the Grand Avenue Streetscape Program. The County's CAO or its designee

shall determine compliance with regard to the Civic Park. The SCAQMD retains jurisdiction to enforce this measure in the case of non-compliance. Compliance with the applicable provisions of Rule 403 shall include, but not be limited to, using best available control measures listed in Table 1 of Rule 403 to minimize fugitive dust emissions from each fugitive dust source type within active operations, and will include at least the following specific best management practices (BMPs):

1. Water soils daily and not more than 15 minutes prior to earth moving activities;
2. Water surfaces two times per day or more in order to maintain a surface crust to prevent soil erosion;
3. Apply soil conditioners or vegetative cover to areas that will be exposed for an extended duration;
4. Apply chemical stabilizers within five working days of ceasing grading;
5. Install of approved trackout prevention devices and provide street sweeping within the Project area;
6. Securely cover truck loads with a tarp;
7. Cease grading activities when wind speeds exceed 25 miles per hour; and
8. Permanently seal exposed surfaces as soon as possible after grading is finished.
9. Provide temporary wind fencing, consisting of wrapped chain links or solid fencing, around the sites that are being graded/excavated to reduce dirt/dust from being blown over to adjoining properties.

**Mitigation Measure F-2:** During each construction phase, the developer, with regard to the five development parcels and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements, shall utilize coatings and solvents that are consistent with applicable SCAQMD rules and regulations. The City's Department of Building and Safety, or other appropriate City agency or department, shall provide oversight with regard to compliance with this measure with regard to construction associated with the five development parcels and the Streetscape Program. The County's CAO or its designee shall determine compliance with regard to the Civic Park. The SCAQMD retains jurisdiction to enforce this measure in the case of non-compliance.

**Mitigation Measure F-3:** During each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements, shall comply with SCAQMD Rule 402 to reduce potential nuisance impacts due to odors from construction activities. The City's Department of Building and Safety, or other appropriate City agency or department, shall provide oversight with regard to compliance with this measure with regard to construction associated with the five development parcels and the Streetscape Program. The County's CAO or its designee shall provide oversight with regard to compliance with this measure with regard to the Civic Park. The SCAQMD retains jurisdiction to enforce this measure if it is not being complied with.

**Mitigation Measure F-4:** During each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements shall ensure that all haul truck tires shall be cleaned at the time these vehicles exit the Project site. The City's Department of Building and Safety, or other appropriate City agency or department, shall provide oversight with regard to compliance with this measure with regard to construction associated with the five development parcels and the Streetscape Program. The County's CAO or its designee shall provide oversight with regard to compliance with this measure with regard to the Civic Park. The SCAQMD retains jurisdiction to enforce this measure in the case of non-compliance.

**Mitigation Measure F-5:** During each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements shall ensure that all export material carried by haul trucks shall be covered by a tarp or other means. The City's Department of Building and Safety, or other appropriate City agency or department, shall provide oversight with regard to compliance with this measure with regard to construction associated with the five development parcels and the Streetscape Program. The County's CAO or its designee shall provide oversight with regard to compliance with this measure with regard to the Civic Park. The SCAQMD retains jurisdiction to enforce this measure in the case of non-compliance.

**Mitigation Measure F-6:** During each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements shall ensure that all construction equipment shall be properly tuned and maintained in accordance with manufacturer's specifications. The City's Department of Building and Safety, or other

appropriate City agency or department, shall determine compliance with this measure with regard to construction associated with the five development parcels and the Streetscape Program. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.

**Mitigation Measure F-7:** During each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements shall ensure that construction equipment is maintained and operated so as to minimize exhaust emissions. During construction, trucks and vehicles in loading and unloading queues shall turn off their engines, when not in use, to reduce vehicle emissions. Construction emissions shall be phased and scheduled to avoid emissions peaks and discontinued during second-stage smog alerts. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to construction activities associated with the five development parcels and the Streetscape Program. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.

**Mitigation Measure F-8:** During each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements shall ensure that electricity rather than temporary diesel- or gasoline-powered generators shall be used to the extent feasible. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to construction associated with the five development parcels and the Streetscape Program. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.

**Mitigation Measure F-9:** During each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements shall ensure that all construction vehicles shall be prohibited from idling in excess of five minutes, both on- and off-site. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to construction associated with the five development parcels and the Streetscape Program. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.

**Mitigation Measure F-10:** During each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the

applicable agreements shall ensure that heavy-duty construction equipment shall use alternative clean fuels, such as low sulfur diesel or compressed natural gas with oxidation catalysts or particulate traps, to the extent feasible.

The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels and the Streetscape Program. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.

**Mitigation Measure F-11:** During each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements shall ensure that shuttle service shall be provided to construction workers who are required to park in offsite parking lots if such lots are not within a walking distance of 1100 feet from the respective construction sites. CRA/LA shall determine compliance with this measure with regard to construction associated with the five development parcels and the Streetscape Program. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.

**Mitigation Measure F-12:** During each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements shall equip major earth moving equipment, haul trucks, and excavation equipment with particulate filters and catalytic converters. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to construction associated with the five development parcels and the Streetscape Program. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.

**Project Design Feature F-2:** The developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park under the applicable agreements shall provide convenient pedestrian access throughout the Project site. The Developer shall implement this measure with regard to the five development parcels prior to initial building occupancy for each construction phase, while the responsible parties for the implementation of the Civic Park and Streetscape Program, under the applicable agreements, shall implement these measures prior to the completion of construction for each of these Project components. Pedestrian access plans shall be submitted to the Authority, for review and approval. Approved pedestrian access plans shall be implemented by the responsible parties

**Regulatory Measure F-2:** Prior to the start of each construction phase, the



developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park, under the applicable agreements, shall prepare and implement building plans and specifications that ensure that all residential and non-residential buildings shall, at a minimum, meet the California Title 24 Energy Efficiency standards for water heating, space heating and cooling. Approved building plans shall be implemented by the developer and the responsible parties. Building plans and specifications with regard to the five development parcels shall be reviewed and approved by the City's Department of Building and Safety, or other appropriate City agency or department. Building plans and specifications with regard to the Civic Park shall be reviewed and approved by the County's CAO or its designee.

**Regulatory Measure F-3:** During each construction phase, the developer with regard to the five development parcels, and the responsible parties for implementation of the Civic Park under the applicable agreements shall ensure that building materials, architectural coatings and cleaning solvents shall comply with all applicable SCAQMD rules and regulations. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to construction associated with the five development parcels. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park. The SCAQMD shall be responsible for the enforcement of this measure for all Project components in the case of non-compliance.

- iii. Supportive Evidence and Rationale – The FEIR discusses the Project's potentially significant air quality impacts in Section IV.F of the DEIR. With implementation of the above regulatory measures and mitigation measures, heavy-duty construction equipment emissions would be reduced by a minimum of 5 percent and fugitive dust emissions would be reduced by an additional 16 percent. However, regional construction activities would still exceed the SCAQMD daily emission thresholds for regional NO<sub>x</sub>, CO and VOC after implementation of all feasible mitigation measures. Therefore, construction of the Project would have a significant and unavoidable impact on regional air quality. Construction activities would also still exceed the SCAQMD daily localized emission threshold for PM<sub>10</sub> and NO<sub>2</sub> after implementation of all feasible mitigation measures. Therefore, construction of the Project would also have a significant and unavoidable impact on localized emissions.
- iv. Cumulative Impact - Buildout of those related development projects identified in the FEIR that would be constructed within a similar time frame as the Project would increase short-term emissions for concurrent activities during the Project's construction period. Since emissions of criteria pollutants under

peak construction activities are concluded to be significant, any additional construction activities as part of any related project occurring during this time and in the vicinity of the Project site would be adding additional air pollutant emissions to these significant levels. As a result, a significant and unavoidable cumulative impact with respect to construction emissions would occur.

L. Air Quality (Project Operation)

i. Potential Impacts –Project operations may cause a significant air quality impact if:

- a. Operation emissions exceed any of the daily thresholds presented below:

| Pollutant | Significance Threshold<br>(lbs/day) |
|-----------|-------------------------------------|
| VOC       | 55                                  |
| NOx       | 55                                  |
| CO        | 550                                 |
| PM10      | 150                                 |
| SOx       | 150                                 |

ii. Findings – A significant and unavoidable air quality impact caused by Project operations will occur on a project-specific and cumulative basis. The Authority makes the following findings for this impact:

- a. All feasible measures, changes and alterations have been required in, or incorporated into, the Project, which will lessen such significant environmental effects.
- b. For the reasons set forth in the Statement of Overriding Considerations adopted concurrently by the Authority, the Authority finds that the significant impact identified in this Section XI-F(b) is acceptable in light of the Project's overall benefits.

Although the following mitigation measures aimed at reducing these

significant and unavoidable air quality impacts during Project operations have been adopted, these mitigation measures will not reduce those significant impacts to a level of insignificance:

**Mitigation Measure F-13:** During Project operations, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park under the applicable agreements shall, to the extent feasible, ensure that deliveries are scheduled during off-peak traffic periods to encourage the reduction of trips during the most congested periods. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure, with regard to construction associated with the five development parcels. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.

**Mitigation Measure F-14:** During Project operations, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park, under the applicable agreements, shall coordinate with the MTA and the LADOT to provide information to Project employees, residents and guests with regard to local bus and rail services. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to construction associated with the five development parcels and the Streetscape Program. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.

**Mitigation Measure F-15:** Provide the appropriate number of bicycle racks located at convenient locations in the Project site. The developer shall implement this measure with regard to the five development parcels prior to initial building occupancy for each construction phase, while the responsible parties for the implementation of the Civic Park, under the applicable agreements, shall implement these measures prior to the completion of each construction phase. The City's Department of Safety shall review and approve the number and location of the bicycle racks with regard to the five development parcels. The County's CAO or its designee shall perform the same function with regard to the Civic Park.

**Mitigation Measure F-16:** During on-going Project operations, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park, under the applicable agreements, shall ensure that all fixtures used for lighting of exterior common areas shall be regulated by automatic devices to turn off lights when they are not needed, but a minimum level of lighting should be provided for safety. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this mitigation measure with regard to the five development parcels. The County's CAO or

its designee shall determine compliance with this measure with regard to the Civic Park.

**Regulatory Measure F-1:** During Project operations, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park under the applicable agreements shall ensure that all point source facilities shall obtain all required permits from the SCAQMD. The issuance of these permits by the SCAQMD shall require the operators of these facilities to implement Best Available Control Technology and other required measures that reduce emissions of criteria air pollutants. Proof of permit issuance by the SCAQMD shall be provided to the City's Department of Building and Safety, or other appropriate City agency or department, with regard to the five development parcels, and the County's CAO or its designee with regard to the Civic Park. Compliance with point source permits shall be enforced by the SCAQMD for all Project components.

**Project Design Feature F-3:** During Project operations, the developer, with regard to the five development parcels, shall ensure that commercial businesses located within the Project site shall be limited to those that do not emit high levels of potentially toxic air contaminants or odors (e.g., dry cleaners with on-site processing plants that handle toxic chemicals). The City's Department of Building and Safety, or other appropriate City agency or department, shall be responsible for the enforcement of this measure with regard to the five development parcels.

- iii. Supportive Evidence and Rationale – The FEIR discusses the Project's potentially significant air quality impacts in Section IV.F of the DEIR. As with the analysis of air quality impacts due to construction of the Project, the analysis used to determine the air quality impacts attributable to Project operations employed protocol established by the SCAQMD. Potential impacts associated with the CO hot spots, toxic air contaminants, and regional air pollutants were analyzed in the FEIR. The analysis conservatively assumed that if any "screening" threshold set by the SCAQMD would be exceeded, then a significant impact would occur. Further, it was assumed that such an impact applied to the entire community surrounding the Project area, and, accordingly, no particular group of sensitive receptors was excluded. Under that analysis, operational emissions of "regional" air pollutants from the Project would exceed the SCAQMD daily emission threshold for regional CO, VOC, PM<sub>10</sub>, and NO<sub>x</sub> after implementation of all feasible mitigation measures. Therefore, operation of the Project would have a significant and unavoidable impact on regional air quality. In addition, regional operational emissions would still exceed SCAQMD daily thresholds for CO, VOC, PM<sub>10</sub>, and NO<sub>x</sub> after implementation of all feasible mitigation measures. Therefore, operation of

the Project would have a significant and unavoidable impact on regional air quality.

During the public review process, a comment was raised regarding the inclusion of a mitigation measure that would encourage water-based coatings or coatings with a lower volatile organic compound (VOC) content than 100 grams per liter. In addition, the comment suggested the mitigation measure restrict the number of gallons of coatings used per day and mandate the use of materials that do not need to be painted, or that can be painted and, then, transported to the site. This mitigation measure, however is not necessary since Rule 1113 of the South Coast Air Quality Management District (SCAQMD) already applies to this issue. The SCAQMD imposes the strictest rules in the nation with regard to the application of architectural paints and coatings. District Rule 1113 restricts VOCs in virtually all types of paints and coatings, including but not limited to, wood finishes, lacquers, concrete-curing compounds, fire-proofing exterior coatings, paints, floor coatings, coatings for signs, mastic coatings, roof coatings, rust preventative coatings, stains, swimming pool coatings, wood preservatives, and water-proofing sealers. This rule reflects the most stringent industry-wide standards achievable in practice. Accordingly, and for the reasons stated in the FEIR, the Authority finds that such a mitigation measure is infeasible.

- iv. Cumulative Impact – Implementation of the Project would result in an increase in ongoing operational emissions, which would contribute to region-wide emissions on a cumulative basis. Accordingly, the Project's cumulative air quality impacts are also concluded to be significant. In such cases, the SCAQMD recommends that all projects, employ all feasible mitigation measures, which has been done with regard to the Project.

M. Noise (Construction)

- i. Impacts – The construction of the Project may cause a significant noise impact if:
  - a. Construction activities lasting more than 10 days in a three-month period would exceed existing ambient exterior noise levels by 5 dBA or more at a noise sensitive use;
  - b. Construction activities would exceed the ambient noise level by 5 dBA at a noise sensitive use between the hours of 9:00 P.M. and 7:00 A.M. Monday through Friday, before 8:00 A.M. or after 6 P.M. on Saturday, or at anytime on Sunday.
- ii. Findings – The Project will cause a significant and unavoidable noise impact

during construction of the Project on a project-specific and cumulative basis. The Authority makes the following findings for this impact:

- a. All feasible measures, changes and alterations have been required in, or incorporated into, the Project on a project-specific and cumulative basis, which will lessen such significant environmental effects.
- b. For the reasons set forth in the Statement of Overriding Considerations adopted concurrently by the Authority, the Authority finds that the significant impact identified in this Section XI-G(a) is acceptable in light of the Project's overall benefits.

Although the following mitigation measures aimed at reducing these significant and unavoidable noise impacts associated with Project construction have been adopted, these mitigation measures will not reduce those significant impacts to a level of insignificance:

**Mitigation Measure G-1:** To reduce any impact on nearby venues that may be noise sensitive receptors, such as the Music Center, Disney Concert Hall, and the County Courthouse, the following Measures G-1 and G-2 shall be implemented as follows: During each construction phase, the developer, with regard to the five development parcels and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements shall limit (i) construction activities utilizing heavy equipment to Monday through Friday from 7:00 a.m. to 8:00 p.m., and (ii) interior construction work inside building shells and construction activities not utilizing heavy equipment to 7:00 a.m. to 9 p.m. Monday through Friday. Saturday construction shall be limited to 8:00 a.m. to 6 p.m. No exterior construction activities shall be permitted on Sundays or holidays per applicable City regulations. Construction noise measures shall also be implemented, which may include the use of noise mufflers on construction equipment used within 100 feet of these buildings. The City's Department of Building and Safety or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels and the Streetscape Program. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.

**Mitigation Measure G-2:** During each construction phase, the developer, with regard to the five development parcels and the responsible parties for implementation of the Streetscape Program shall not use heavy equipment within (to the maximum extent practicable) 100 feet of the County Courthouse building while Court is in session. Construction contracts must specify that all construction equipment shall be in proper operating condition and fitted with standard factory silencing features and other applicable attenuation devices such as mufflers. The City's Department of Building and Safety or other appropriate City agency or department shall determine

compliance with this measure with regard to the five development parcels and the Streetscape Program. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.

**Mitigation Measure G-3:** During the initial stage of each construction phase (site demolition and site preparation/excavation) for each Project parcel and when construction activities are within 200 feet of noise sensitive land uses, the developer, with regard to the five development parcels, shall erect a temporary, 8-foot, ½-inch-thick plywood fence along the boundaries of each construction site adjacent to noise sensitive uses such that the "line of sight" between on-site construction activities and the residential or other sensitive uses is blocked, where feasible. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels.

**Mitigation Measure G-4:** During each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements shall ensure that pile drivers within the individual activity/development site under construction at that time shall be equipped with noise control devices having a minimum quieting factor of 10 dBA. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to construction in the five development parcels and the Streetscape Program. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.

**Mitigation Measure G-5:** During each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements shall, except as otherwise permitted by applicable agreements, ensure that construction loading and staging areas shall be located on the Project site within each respective construction site and away from noise-sensitive uses to the extent feasible. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to construction in the five development parcels and the Streetscape Program. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.

**Mitigation Measure G-6:** Prior to the issuance of grading permits for each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements, shall prepare, and thereafter implement, plans and specifications that include a requirement to

route pedestrians (to the maximum extent practicable) 50 feet away from the construction area when heavy equipment such as hydraulic excavators are in use. Such routing may include the posting of signs at adjacent intersections.

The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels and the Streetscape Program. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.

**Mitigation Measure G-7:** During each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements, shall designate a construction relations officer to serve as a liaison with surrounding property owners who is responsible for responding to any concerns regarding construction noise. The liaison shall coordinate with the Project construction manager(s) to implement remedial measures in the shortest time feasible. The liaison's telephone number(s) shall be prominently displayed at multiple locations along the perimeter of each construction site. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels and the Streetscape Program. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.

- c. Supportive Evidence and Rationale – The FEIR discusses the Project's potentially significant construction noise impacts in Section IV.G of the DEIR. The noise reduction measures prescribed in Mitigation Measure G-1 would achieve a minimum 5-dBA reduction along areas of sensitive receptors where the line-of-sight to ground-level construction activity that occurs on the Project site is broken. Regulatory Measure G-1 would preclude construction-period noise impacts from occurring during the noise-sensitive night time periods, or at any time on Sundays or holidays. In addition, the use of heavy construction equipment shall cease one hour earlier than otherwise allowed under City Code. Noise level reductions attributable to Mitigation Measures G-2 and G-3, and G-4, G-5, and G-6 (e.g., use of noise mufflers and on-site storage of construction equipment) are not easily quantifiable, but implementation of such measures would reduce the noise level impact associated with construction activities to the extent feasible. Further, construction noise from earthmoving equipment will be reduced since most of such equipment will sink below a surrounding soundwall as excavation proceeds during construction. Nevertheless, Project construction activities would intermittently increase the daytime noise levels at nearby sensitive land uses during construction activities by more than the 5-dBA



significance threshold. As such, noise impacts during construction are concluded to be significant and unavoidable.

- d. Cumulative Impact – Noise impacts during construction of the Project and each related development project (that has not already been built) would be limited to the duration of construction and would be localized. In addition, it is anticipated that each of the related projects would comply with the applicable provisions of the City's noise ordinance, as well as mitigation measures that may be prescribed by the City that require significant impacts be reduced to the extent feasible. However, since noise impacts due to construction of the proposed Project would be significant on its own, it is conservatively concluded that noise impacts due to construction of the Project in combination with any of the related projects would also be significant.

N. Noise (Operational)

- i. Potential Impacts – The Project's operations may cause a significant impact if:
  - a. The Project causes the ambient noise level measured at the property line of affected uses to increase by 3dBA in CNEL to or within the "normally unacceptable" or "clearly unacceptable" category or by 5dBA in CNEL within the "normally acceptable" or "conditionally acceptable" category.
  - b. Project-related operational (i.e., non-roadway) noise sources increase ambient noise by 5 dBA, thus causes a violation of the City's Noise Ordinance.
- ii. Findings – The potentially significant noise impact attributable to Project operations will be mitigated to a level of less than significance with the implementation of Mitigation Measure G-8:

**Mitigation Measure G-8:** The developer, with regard to the five development parcels, shall prepare and implement building plans that ensure prior to the start of each construction phase which includes residential development, that all exterior walls, floor-ceiling assemblies (unless within a unit), and windows having a line of sight (30 degrees measured from the horizontal plane) of Grand Avenue, Hill Street, Hope Street, First Street, and Second Street of such residential development shall be constructed with double-paned glass or an equivalent and in a manner to provide an airborne sound insulation system achieving a lab-tested Sound Transmission Class of 30, subject to field testing, as defined in UBC Standard No. 35-1, 1982 edition. Sign off by the City's Department of Building and Safety, or other appropriate City

agency or department, shall be required prior to obtaining a building permit. The developer, as an alternative, may retain an engineer registered in the State of California with expertise in acoustical engineering, who shall submit a signed report for an alternative means of sound simulation satisfactory to the City's Department of Building and Safety, or other appropriate City agency or department. Examples of alternative means may include, but are not limited to, the following: (1) acoustical seals for doors and windows opening to the exterior; (2) consideration of the type, location, and size of windows; and (3) sealing or baffling of openings and vents. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure.

- iii. Supportive Evidence and Rationale – The FEIR discusses the Project's potential noise impact attributable to Project operations in Section IV.G of the DEIR. Project development would not result in any significant noise impacts to off-site receptors during long-term Project operations. With implementation of Mitigation Measure G-8, on-site residents would not be exposed to inappropriately high noise levels from off-site activities (e.g., vehicle traffic on adjacent roadways), and thus the potential noise impact caused during Project operations will be less than significant.
- iv. Cumulative Impact – Cumulative traffic volumes would result in a maximum increase of 2.5 dBA CNEL along Second Street, between Grand Avenue and Olive Street. As this noise level increase would be below the 3 dBA CNEL significance threshold, roadway noise impacts due to cumulative traffic volumes would be less than significant. Los Angeles Municipal Code limits stationary-source noise from items such as roof-top mechanical equipment and emergency generators, would maintain noise to less than significant levels at the property lines of the related projects. Therefore, on-site noise produced by any related project would not be additive to Project-related noise levels. Accordingly, cumulative stationary-source noise impacts attributable to cumulative development would also be less than significant.

O. Hazards and Hazardous Materials

- i. Potential Impacts – The Project may a significant impact with regard to hazards and hazardous materials if:
  - a. Project activities would involve the disturbance, removal, storage, or disposal of hazardous materials; or
  - b. The Project would expose people or structures to substantial risk resulting from the release of a hazardous material, or from exposure to a health hazard, in excess of regulatory standards.

- ii. Findings – The Project will not cause a significant impact with regard to hazards and hazardous material. Notwithstanding, the following regulatory measures have been identified to ensure the Project's less than significant impact concerning this issue:

**Regulatory Measure H-1:** Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall properly decommission all unused groundwater monitoring wells, per applicable regulations. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels. The Regional Water Quality Control Board shall enforce compliance with this measure.

**Regulatory Measure H-2:** Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall test for the presence or absence of hydrogen sulfide and methane beneath the site by subsurface sampling. Should the sampling result in the discovery of hydrogen sulfide and/or methane, appropriate health and safety measures shall be implemented, in accordance with applicable regulations. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure.

**Regulatory Measure H-3:** Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall take fill samples from each of the five parcels, and shall analyze these samples for contaminants at elevated concentrations. Should elevated contaminant concentrations be discovered, appropriate measures shall be implemented, in accordance with applicable regulations. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure.

**Regulatory Measure H-4:** Prior to the start of each construction phase, the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements, shall undertake an appropriate investigation to ascertain whether any hazardous conditions would occur as a function of implementing the streetscape improvements along Grand Avenue and/or the Civic Park. Should elevated concentrations of contaminants be identified, appropriate measures shall be implemented in accordance with applicable regulations. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the Streetscape Program. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.

**Regulatory Measure H-5:** Prior to demolition or renovation in the Civic

Center Mall, the responsible parties for implementation of the Civic Park under the applicable agreements shall perform an asbestos-sampling survey to determine the presence of asbestos containing materials. If such materials should be found, the responsible parties for implementation of the Civic Park shall prepare and implement an Operations and Maintenance Plan that meets all applicable federal, state and local requirements. This plan shall safely maintain asbestos containing materials that remain on the site. The County's CAO or its designee shall determine compliance with this measure.

**Regulatory Measure H-6:** Prior to the start of any demolition activities or renovation on any painted surfaces at the Project site, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park under the applicable agreements shall conduct a survey of lead based paint (LBP) to determine the level of risk posed to maintenance personnel, construction workers, facility staff, and patrons from exposure to the paints present at the site. Any recommendations made in that survey related to the paints present at the Project site shall be implemented prior to the demolition or renovation of said painted surfaces. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.

- iii. Supportive Evidence and Rationale – The Project's potential impacts attributable to hazards and hazardous materials were analyzed in detail in Section IV-H of the DEIR. According to the Phase I environmental assessments completed for the Project site, there are no potential recognized environmental conditions (RECs) within any of the five development parcels. In addition, there is no evidence at the Project site of asbestos, hazardous materials use, storage or waste, or hazardous air emissions. It is anticipated that hazardous materials, including fertilizers, herbicides and pesticides, would be used to maintain the landscaping within the Civic Park, the Grand Avenue streetscape program and the five development parcels. In addition, hazardous materials associated with maintenance activity within the five development parcels would be present at the Project site. However, since the transport, use and storage of these materials would be managed in accordance with applicable federal, state, and local regulations, these materials would not be expected to pose significant risks to the public or the environment. Consequently, construction and operation under both Project Options would not expose people to substantial risk resulting from the release of a hazardous material, or from exposure to a health hazard in excess of regulatory standards. Accordingly, construction and operation under both Project Options would not result in a

significant hazard to the public or the environment through the transport, use or disposal of hazardous materials, and impacts would be less than significant. Further, impacts associated with the potential discovery of hazardous and non-hazardous materials on the Project site would be reduced to a less than significant level with compliance with the above regulatory measures.

- iv. Cumulative Impact – In light of existing federal and state regulations, it is assumed that any potential hazardous materials located on any of the 93 related project sites would be identified and remediated prior to construction and operation of any habitable facility. As such, any groundwater or soil contamination occurring on the related project sites would be addressed in accordance with applicable regulations and mitigation measures during the permitting process by the applicable responsible agencies. Such remediation activities in accordance with federal, state, and local regulations would reduce any significant impacts associated with hazardous materials to less than significant levels. Therefore, with monitoring and compliance with federal, state and local regulations and procedures, the potential for cumulative impacts attributable to the Project's and related projects' transport, use or disposal of hazardous materials would be less than significant.

P. Fire Protection and Related Services

- i. Potential Impacts – The Project would cause a significant impact to Los Angeles Fire Department fire prevention and suppression services and/or emergency medical services if:
  - a. The Project would cause a substantial increase in emergency response times as a result of increased traffic congestion; or
  - b. The Project would exceed the capability of existing fire stations and emergency personnel to serve the Project site.
- ii. Findings – The Project will not cause a significant impact with regard to fire prevention or emergency medical services. Notwithstanding, the following regulatory measures and project design features have been identified to ensure the Project's less than significant impact concerning this issue:

**Regulatory Measure I.1-1:** During demolition activities occurring during each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements shall ensure sure that emergency access shall remain clear and unobstructed. The LAFD shall determine compliance with this measure with regard to the five development

parcels and the Streetscape Program. The County Fire Department (LACoFD) shall determine compliance with this measure with regard to the Civic Park.

**Regulatory Measure I.1-2:** Prior to each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park under the applicable agreements shall prepare, and thereafter implement, plans and specifications to ensure that the construction contractor is apprised of the requirement to maintain access to sub-surface parking structures associated with the Civic Center Mall, the Music Center, and the Colburn School for Performing Arts. The LAFD shall determine compliance with this measure with regard to the five development parcels. The LACoFD shall determine compliance with this measure with regard to the Civic Park.

**Regulatory Measure I.1-3:** During each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements shall maintain access for emergency response personnel to the Kenneth Hahn Hall of Administration, the Paseo de los Pobladores de Los Angeles, the County Courthouse, the Colburn School for Performing Arts, and the Walt Disney Concert Hall. The LAFD shall determine compliance with this measure with regard to construction in the five development parcels and the Streetscape Program. The LACoFD shall determine compliance with this measure with regard to the Civic Park.

**Regulatory Measure I.1-4:** Prior to each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements shall prepare, and thereafter implement, a plan to ensure that emergency evacuation from the northwest side of the County Mall and Colburn School for Performing Arts, the southeast side of the Music Center and the Walt Disney Concert Hall would not be impeded by construction of the individual Project elements. With respect to the plan for the Mall, it must be prepared to coordinate with emergency evacuation plans for the Courthouse and the Hall of Administration. The LAFD shall determine compliance with this measure with regard to the five development parcels and the Streetscape Program. The LACoFD shall determine compliance with this measure with regard to the Civic Park.

**Regulatory Measure I.1-5:** During each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements shall ensure that sufficient fire hydrants shall remain accessible at all times during Project construction. The LAFD shall

determine compliance with this measure with regard to the five development parcels and the Streetscape Program. The LACoFD shall determine compliance with this measure with regard to the Civic Park.

**Regulatory Measure I.1-6:** Prior to the start of each construction phase and during Project operations, the developer, with regard to the five development parcels shall comply with all applicable State and local codes and ordinances, and the guidelines found in the Fire Protection and Fire Prevention Plan, and the Safety Plan, both of which are elements of the General Plan of the City of Los Angeles (C.P.C. 19708). The City of Los Angeles Fire Department (LAFD) shall determine compliance with this measure with regard to the five development parcels.

**Regulatory Measure I.1-7:** During Project operations, the developer, with regard to the five development parcels shall maintain all access roads, including fire lanes, in an unobstructed manner, and removal of obstructions shall be at the owner's expense. The entrance to all required fire lanes or required private driveways shall be posted with a sign no less than three square feet in area in accordance with Section 57.09.05 of the Los Angeles Municipal Code. The LAFD shall determine compliance with this measure with regard to the five development parcels.

**Regulatory Measure I.1-8:** Prior to the start of each construction phase, Related, with regard to the five development parcels and the responsible parties for implementation of the Streetscape Program under the applicable agreements, shall prepare, and thereafter implement, plans and specifications in accordance with LAFD requirements, and requirements for necessary permits shall be satisfied prior to commencement of construction on any portion of the five development parcels or the Streetscape Program. The LAFD shall determine compliance with this measure with regard to the five development parcels and the Streetscape Program.

**Regulatory Measure I.1-9:** Prior to the start of each construction phase, the responsible parties for implementation of the Civic Park under the applicable agreements shall prepare, and thereafter implement, plans in accordance with LACoFD requirements, and requirements for necessary permits shall be satisfied prior to commencement of construction on any portion of the Civic Park. The LACoFD shall determine compliance with this measure with regard to the Civic Park.

**Regulatory Measure I.1-10:** Prior to the start of each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements shall prepare, and thereafter implement, a plan that will assure that any required fire hydrants that are

installed shall be fully operational and accepted by the Fire Department prior to any building construction. The LAFD shall determine compliance with this measure with regard to the five development parcels and the Streetscape Program. The LACoFD shall determine compliance with this measure with regard to the Civic Park.

**Regulatory Measure I.1-11:** Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall submit plot plans indicating access roads and turning areas to the LAFD for review and approval. The developer, with regard to the five development parcels shall implement the approved plot plans. The LAFD shall determine compliance with this measure.

**Regulatory Measure I.1-12:** Prior to the start of each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements shall prepare, and thereafter implement, engineering plans that show adequate fire flow and placement of adequate and required public and private fire hydrants. The LAFD shall determine compliance with this measure with regard to the five development parcels and the Streetscape Program. The LACoFD shall determine compliance with this measure with regard to the Civic Park.

**Regulatory Measure I.1-13:** During each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park under the applicable agreements shall provide emergency access for Fire Department apparatus and personnel to and into all structures. The LAFD shall determine compliance with this measure with regard to the five development parcels. The LACoFD shall determine compliance with this measure with regard to the Civic Park.

**Regulatory Measure I.1-14:** Prior to the start of each construction phase, the developer, with regard to the five development parcels shall prepare, and thereafter implement, a plan that will provide that any private roadways for general access use and fire lanes shall not be less than 20 feet wide and clear to the sky. The LAFD shall determine compliance with this measure with regard to the five development parcels.

**Regulatory Measure I.1-15:** Prior to the start of each construction phase, the developer, with regard to the five development parcels shall prepare, and thereafter implement, a plan that will provide that any fire lanes and dead end streets shall terminate in a cul-de-sac or other approved turning area. No dead end street or fire lane shall be greater than 700 feet in length or secondary access shall be required. The LAFD shall determine compliance



with this measure with regard to the five development parcels.

**Regulatory Measure I.1-16:** Prior to the start of each construction phase, the developer, with regard to the five development parcels shall prepare, and thereafter implement, a plan that designs any proposed development utilizing cluster, group, or condominium design not more than 150 feet from the edge of the roadway of an improved street, access road, or designated fire lane. The LAFD shall determine compliance with this measure with regard to the five development parcels.

**Regulatory Measure I.1-17:** Prior to the start of each construction phase, the developer, with regard to the five development parcels shall prepare, and thereafter implement, a plan that designs fire lanes to be not less than 28 feet in width. 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. The LAFD shall determine compliance with this measure with regard to the five development parcels.

**Regulatory Measure I.1-18:** Prior to the start of each construction phase, the developer, with regard to the five development parcels, where above ground floors are used for residential purposes, shall prepare, and thereafter implement, a plan that interprets the access requirement as being the horizontal travel distance from the street, driveway, alley, or designated fire lane to the main entrance of the residential units. The LAFD shall determine compliance with this measure.

**Regulatory Measure I.1-19:** Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall prepare, and thereafter implement, a plan that designs the entrance or exit of all ground level residential units to be no more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane. The LAFD shall determine compliance with this measure.

**Regulatory Measure I.1-20:** Prior to the start of each construction phase, the developer, with regard to the five development parcels shall prepare, and thereafter implement, a plan that provides access that requires the accommodation of Fire Department apparatus, shall design the minimum outside radius of the paved surface to be 35 feet. An additional six feet of clear space must be maintained beyond the outside radius to a vertical point 13 feet 6 inches above the paved surface of the roadway. The LAFD shall determine compliance with this measure with regard to the five development parcels.

**Regulatory Measure I.1-21:** Prior to the start of each construction phase,

the developer, with regard to the five development parcels, shall not construct any building or portion of a building to be more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane. The LAFD shall determine compliance with this measure with regard to the five development parcels.

**Regulatory Measure I.1-22:** Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall prepare, and thereafter implement, a plan that provides for access that requires accommodation of Fire Department apparatus, a design for overhead clearances to be not less than 14 feet. The LAFD shall determine compliance with this measure with regard to the five development parcels.

**Regulatory Measure I.1-23:** Prior to the start of each construction phase, the developer, with regard to the five development parcels shall prepare, and thereafter implement, a plan that provides for additional vehicular access required by the Fire Department, where buildings exceed 28 feet in height. The LAFD shall determine compliance with this measure with regard to the five development parcels.

**Regulatory Measure I.1-24:** Prior to the start of each construction phase, the developer, with regard to the five development parcels shall prepare, and thereafter implement, a plan that provides, where fire apparatus shall be driven onto the road level surface of the subterranean parking structure, for the structure to be engineered to withstand a bearing pressure of 8,600 pounds per square foot. The LAFD shall determine compliance with this measure with regard to the five development parcels.

**Regulatory Measure I.1-25:** Prior to the start of each construction phase, the developer, with regard to the five development parcels shall record any private streets as Private Streets and Fire Lanes. All private street plans shall show the words "Private Street and Fire Lane" within the private street easement. The LAFD shall determine compliance with this measure with regard to the five development parcels.

**Regulatory Measure I.1-26:** During operation of the Project, the developer, with regard to the five development parcels, shall provide that all electric gates approved by the Fire Department shall be tested by the Fire Department prior to Building and Safety, or other appropriate City agency or department, granting a Certificate of Occupancy. The LAFD shall determine compliance with this measure.

**Regulatory Measure I.1-27.** Prior to the start of each construction phase, the developer, with regard to the five development parcels, and the

responsible parties for implementation of the Civic Park under the applicable agreements, shall prepare, and thereafter implement, a plan that would not construct any building or portion of a building more than 300 feet from an approved fire hydrant. Distance shall be computed along path of travel with the exception that dwelling unit travel distance shall be computed to the front door of the unit. The LAFD shall determine compliance with this measure with regard to the five development parcels. The LACoFD shall determine compliance with this measure with regard to the Civic Park.

**Regulatory Measure I.1-28.** Prior to the start of each construction phase, the developer, with regard to the five development parcels shall submit plans to the Fire Department for review and approval. Where rescue window access is required, the developer, with regard to the five development parcels, shall incorporate conditions and improvements necessary to meet accessibility standards as determined by the LAFD. The LAFD shall determine compliance with this measure.

**Regulatory Measure I.1-29.** During operations of the Project, the developer, with regard to the five development parcels shall have the curbs of all public street and fire lane cul-de-sacs painted red and/or be posted "No Parking at Any Time" prior to the issuance of a Certificate of Occupancy or Temporary Certificate of Occupancy for any structures adjacent to the cul-de-sac. The LAFD shall determine compliance with this measure with regard to the five development parcels.

**Regulatory Measure I.1-30.** During operations of the Project, planning for large events at the Civic Park shall be implemented by the County or County Park Operator to reduce potential adverse affects on emergency access. As part of the planning process, representatives of the LACoFD, County Office of Public Safety, LAFD, LAPD and LADOT shall be advised of the activities and consulted to establish appropriate procedures for crowd and traffic control. Plans shall be submitted to the County Chief Administrative Officer for review and approval.

**Project Design Feature I.1-1:** Prior to the start of each construction phase, the developer, with regard to the five development parcels shall submit building plans to the LAFD for review and approval that demonstrate that automatic fire sprinklers shall be installed in all structures. The LAFD shall determine compliance with this measure.

- iii. Supportive Evidence and Rationale – The FEIR analyzed in detail the Project's potential impacts on fire protection and related services in Section IV-I(1) of the DEIR. Construction may result in temporary lane closures that would potentially affect emergency access. Temporary lane closures could increase the time for fire protection vehicles and emergency medical vehicles

responding to elderly or disabled residents in the downtown areas. However, the average response times for Fire Stations 3, 4, 9, and 10, which would serve the Project and currently serve the surrounding area are 5.3 minutes, 4.6 minutes, 4.8 minutes, and 4.9 minutes, respectively. Those response times are below the Citywide average response times of 5.5 minutes for EMS and 5.4 minutes for fire incidents, which indicates these existing services will be adequate to handle incidents during Project construction. To ensure adequate response times for these services, the LAFD would be notified of the scheduling of all Project construction in order to plan appropriate alternative response routes, if necessary. Public detour routes would be established where required to divert traffic from the affected street segments.

In addition, emergency vehicle access to adjoining and nearby properties would be required to be maintained at all times. Thus, due to the better than City-wide response times, the large number of fire stations in the Project area, the temporary and limited nature of the closures along roadways and the wide selection of alternative routes to and through the Project site, construction of the Project will not significantly impact the ability of the LAFD to respond to emergency incidents, as confirmed by the FEIR. With respect to Project operations, automatic fire sprinkler systems in all structures, fire hydrants installed to LAFD specifications, and supplemental fire protection devices would be incorporated into new Project structures, as required by the Fire Code. As the Project site is within the service area of four Task Force truck and engine companies, Project operations are anticipated to result in less than significant impacts to LAFD staff and equipment capabilities. In addition, the Project will comply with all fire safety regulations and the incorporation of regulatory measures. No significant impacts will occur with respect to fire protection and related services.

- iv. Cumulative Impact – The LAFD has determined that development of the Project, in conjunction with other approved and planned projects, may result in the need for the following: (1) increased staffing at existing facilities; (2) additional fire protection facilities; and (3) relocation of existing fire protection facilities. However, as related project applicants would be required to coordinate with the LAFD to ensure that related project construction and operations would not significantly impact LAFD services and facilities, no significant cumulative impacts are anticipated.

Q. Police Protection Services

- i. Potential Impacts – The Project may cause a significant impact on police protection services provided by the LAPD if:
  - a. The Project will generate demand for additional police protection services that substantially exceeds the capability of the LAPD to serve the Project site.

- b. The Project would cause a substantial increase in emergency response times as a result of increased traffic congestion and/or limited emergency access, during either construction or operation of the Project.
- ii. Findings - The Project will not cause a significant impact with regard to police services. Notwithstanding, the following regulatory measures have been identified to ensure a less than significant impact concerning this issue.

**Regulatory Measure I.2-1:** During each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements, shall provide clear and unobstructed LAPD access to the construction site. The LAPD shall determine compliance with this measure with regard to the five development parcels and the Streetscape Program. The County Office of Public Safety shall determine compliance with this measure with regard to the Civic Park.

**Regulatory Measure I.2-2:** During ongoing construction, the developer, with regard to the five development parcels shall provide security features on the construction site(s), such as guards, fencing, and locked entrances. The LAPD shall determine compliance with this measure.

**Regulatory Measure I.2-3:** Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall submit plot plans for all proposed development to the Los Angeles Police Department's Crime Prevention Section for review and comment. Security features subsequently recommended by the LAPD shall be implemented by the developer to the extent feasible.

**Regulatory Measure I.2-4:** Prior to the start of each construction phase, the responsible parties for implementation of the Civic Park under the applicable agreements shall submit plot plans for all proposed development to the County Office of Public Safety for review and comment. Security features subsequently recommended by the Office of Public Safety shall be implemented by the County or County Park Operator to the extent feasible.

**Regulatory Measure I.2-5:** At the completion of each construction phase, the developer, with regard to the five development parcels shall file as-built building plans with the LAPD Central Area Commanding Officer. Plans shall include access routes, floor plans, and any additional information that might facilitate prompt and efficient police response. The LAPD shall determine compliance with this measure.

**Regulatory Measure I.2-6:** During Project operations, the developer, with regard to the five development parcels and the responsible parties for

implementation of the Civic Park shall install alarms and/or locked gates on doorways providing public access to commercial facilities. The LAPD shall determine compliance with this measure with regard to the five development parcels. The County Office of Public Safety shall determine compliance with this measure with regard to the Civic Park.

**Regulatory Measure I.2-7:** During Project operations, the developer, with regard to the five development parcels shall not plant landscaping in a way that could provide cover for persons tampering with doors or windows of commercial facilities, or for persons lying in wait for pedestrians or parking garage users. The LAPD shall determine compliance with this measure with regard to the five development parcels and the Streetscape Program.

**Regulatory Measure I.2-8:** Additional lighting shall be installed where appropriate, including on the Project site and in parking garages, as determined in consultation with the LAPD with regard to the five development parcels and the County Office of Public Safety with regard to the Civic Park. The developer shall implement this measure with regard to the five development parcels prior to initial building occupancy for each construction phase, while the responsible parties for the implementation of the Civic Park and Streetscape Program under the applicable agreements shall implement these measures prior to the completion of construction for each of those Project components.

**Regulatory Measure I.2-9:** Prior to the start of each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements, shall prepare, and thereafter implement, a plan that incorporates safety features into the Project's design to assure pedestrian safety, assist in controlling pedestrian traffic flows, and avoid pedestrian/vehicular conflicts on-site. Safety measures may include the provision of security personnel; clearly designated, well-lighted pedestrian walkways on-site; special street and pedestrian-level lighting; physical barriers (e.g., low walls, landscaping), particularly around the perimeter of the parking garages, to direct pedestrians to specific exit locations that correspond to designated crosswalk locations on adjacent streets. The LAPD shall determine compliance with this measure with regard to the five development parcels. The County Office of Public Safety shall determine compliance with this measure with regard to the Civic Park.

**Regulatory Measure I.2-10:** Prior to the issuance of a certificate of occupancy for each construction phase and during Project operations, the developer, with regard to the five development parcels, shall develop, and thereafter implement, a new or modified Security Plan to minimize the potential for on-site crime and the need for LAPD services. The plan would

outline the security services and features to be implemented, as determined in consultation with the LAPD. The LAPD shall determine compliance with this measure with regard to the five development parcels.

The following shall be included in the plan:

1. Provision of an on-site security force that would monitor and patrol the Project site. During operational hours, security officers shall perform pedestrian, vehicular, and/or bicycle patrols.
2. Implementation of a video camera surveillance system and/or a closed-circuit television system;
3. Additional security features shall be incorporated into the design of proposed parking facilities, including "spotters" for parking areas, and ensuring the availability of sufficient parking either on- or off-site for all building employees and anticipated patrons and visitors;
4. Security lighting incorporating good illumination and minimum dead space in the design of entryways, seating areas, lobbies, elevators, service areas, and parking areas to eliminate areas of concealment. Security lighting shall incorporate full cutoff fixtures which minimize glare from the light source and provide light downward and inward to structures to maximize visibility;
5. Provision of lockable doors at appropriate Project entryways, offices, retail stores, and restaurants;
6. Installation of alarms at appropriate Project entryways and ancillary commercial structures;
7. All businesses desiring to sell or allow consumption of alcoholic beverages are subject to the issuance of a Conditional Use Permit by the City;
8. Accessibility for emergency service personnel and vehicles into each structure, and detailed diagram(s) of the Project site, including access routes, unit numbers, and any information that would facilitate police response shall be provided to the Central Area Commanding Officer.
9. In addition, security procedures regarding initial response, investigation, detainment of crime suspects, LAPD notification, crowd and traffic control, and general public assistance shall be outlined in the Security Plan. The plan would be subject to review by the LAPD,

and any provisions pertaining to access would be subject to approval by the LADOT.

**Regulatory Measure I.2-11:** Prior to the issuance of a certificate of occupancy for each construction phase and on-going during operations, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park under the applicable agreements, shall develop, and thereafter implement, a Emergency Procedures Plan to address emergency concerns and practices. The plan shall be subject to review by the LAPD with regard to the five development parcels and the County Office of Public Safety with regard to the Civic Park, and any provisions pertaining to access would be subject to approval by LADOT.

- iii. Supportive Evidence and Rationale – The FEIR analyzed in detail the Project's potential impacts on police protection and related services in Section IV-I(2) of the DEIR. The Project's impacts on police protection services or response times would continue to be less than significant. Project construction may result in temporary lane closures that would potentially affect emergency access. Given notification to the LAPD of all construction scheduling, the temporary nature of any closures, and the availability of alternative routes, the Project would not significantly affect emergency access or response times. Furthermore, during construction, traffic management personnel (flag persons) would be trained to assist in emergency response, and on-site security measures would reduce theft and other demands on police services. Therefore, construction activities are not expected to significantly affect the capacity of the LAPD to adequately serve the Project site. With regard to Project operation, it is anticipated that activity in the Civic Park would increase on both a daily basis and during special events. As the current Civic Center Mall is currently used extensively on a daily basis, the additional increase in activity on a daily basis is not anticipated to increase to such an extent so as to exceed the capabilities of the County Office of Public Safety. During special events, when the numbers of people using the park would increase substantially, the park operator would employ private security personnel to supplement police services during these events and, therefore, reduce the demand on police services created by these large events. The use of additional security staff would be commensurate with the size of the event. Access to the park would be governed by a set of rules that are consistent with those used throughout public parks in the area. Those who comply with the posted rules will not be denied access to the park, whereas on the other hand, those individuals who chose not to comply with the rules would, out of courtesy to others, be required to leave the park. The Project's combined residential and employment population would reduce the officer per resident ratio and, assuming the same number of officers in the LAPD Central Area station as



under existing conditions, the ratio of crimes that are handled by each officer would increase from approximately 20 to 23.4. This level of increased demand in the context of occurring over an entire year would not substantially exceed LAPD's capacity. Accordingly, the Project's impact to police services would be less than significant.

- iv. Cumulative Impact – Although the operation of Project would have a less-than-significant impact on police services, because the list of related projects is extensive and, if all related projects were built, the combined Project and related projects would have a significant cumulative impact with regard to police protection services. This level of increased demand would substantially exceed the LAPD's capacity to provide services from the Central Area station. For example, under the County Office Building Option, if the current 337 officers in the area were to remain constant at 337 officers, the ratio of population to officers would increase from 130 persons for each officer to 382 persons for each officer. If the per capita crime rate were to remain constant at 154 crimes per 1,000 population, there would be 19,849 additional crimes, and the crimes that would need to be handled by each officer would increase from 20 to 59. However, if the City added police resources in response to such growth, then the cumulative impact to police services would be less than significant. Yet, it is conservatively assumed that the City may not be able to add such resources commensurate with such population growth, and, therefore, the cumulative impact to police services is determined to be significant.

R. School Services

- i. Potential Impacts – The Project may cause a significant impact on Los Angeles Unified School District ("LAUSD") schools if:
  - a. The demand for school services anticipated at the time of Project build out exceeds the expected level of service available; or
  - b. The increased demand would require the construction of new facilities, a major reorganization of students or classrooms, major revisions to the school calendar (i.e., multi-track calendar), or other actions that would create a temporary or permanent impact on the school(s) serving the Project site.
- ii. Findings – Through compliance with Mitigation Measure I.3.1 and Government Code Section 65995, the Project will not cause a significant impact on schools, and no other mitigation measures are required.

**Mitigation Measure I.3-1:** Prior to the issuance of each building permit, the developer, with regard to the five development parcels, shall pay school

mitigation fees pursuant to the provisions of California Government Code Section 65995. Compliance with this measure shall be determined by the City's Department of Building and Safety, or other appropriate City agency or department.

- iii. Supportive Evidence and Rationale – The FEIR analyzed in detail the Project's potential impacts on schools in Section IV-I(3) of the DEIR. Pursuant to the provisions of Government Code Section 65995, a project's impact on school facilities is fully mitigated through the payment of the requisite school facility development fees current at the time building permits are issued. As the developer is required to pay school facility development fees, impacts under the Project are concluded to be less than significant.
- iv. Cumulative Impact – The middle and high school students that would be generated by the 93 related projects would when combined with the Project's students, be dispersed throughout the attendance boundaries of both the existing and the newly constructed schools. As a result, sufficient capacity would be available at the middle and high school level to accommodate the students generated by the Project in conjunction with all of the related projects and a less than significant cumulative impact would occur. In contrast, the students generated by the related projects combined with the Project's students could not be accommodated within the existing or future elementary school capacities. However, the Project and each related project would pay new school facility development fees and, under the provisions of Government Code Section 65995, the payment of these fees would constitute full mitigation. Thus, cumulative impacts on schools would be less than significant.

S. Parks and Recreation(Project Construction)

- i. Potential Impacts – The construction of the Project may cause a significant impact on parks and recreational facilities if:
  - a. The Project generates a demand for park or recreational facilities that cannot be adequately accommodated by existing or planned facilities and services.
- ii. Findings – The Project will not cause a significant impact to park and recreational facilities, except for a short-term significant and unavoidable impact during construction of the new Civic Park at the Civic Mall, which impact is a project-specific and cumulative impact. With respect to that latter impact, the Authority makes the following findings:
  - a. All feasible measures, changes and alterations have been required in, or incorporated into, the Project, which will lessen such significant environmental effects.

- b. For the reasons set forth in the Statement of Overriding Considerations adopted concurrently by the Authority, the Authority finds that the significant impact identified in this Section XI-L(a) is acceptable in light of the Project's overall benefits.
- iii. Supportive Evidence and Rationale – The FEIR discusses the Project's potentially significant impact to park and recreational facilities in Section IV.I.4 of the DEIR. Construction of the proposed improvements in Civic Park would require closure of the existing Civic Mall to implement those improvements. This would limit park availability and usage. Impacts on park usage would likely occur within the immediate area of construction activity and adjacent park areas that might be sensitive to construction activities. It is not known if the entire Park area would be affected at a single time, or if Park improvements would be implemented on a smaller basis (e.g., block by block). As the construction activities could adversely affect park usage, the Project is considered to have a significant, short-term impact on parks during construction of the Civic Park. Upon completion of the Project, the affected park areas would return to operations with an enhanced level of operation due to improvements that were implemented during the construction phase. Construction of the remainder of the Project, namely, the five development parcels and the Grand Avenue street improvements would not cause any significant impacts to parks and recreational facilities since those sites currently include no parks or recreational facilities.
- iv. Cumulative Impact – No related projects are known to affect the use or availability of those existing recreational resources that would be affected by the Project, either during their construction or operations phases. However, as the Project would prohibit the recreational use of the existing Civic Center Mall during the construction of the Project's Civic Park, it is conservatively concluded that cumulative impacts on recreational resources are considered significant.

T. Parks and Recreation (Project Operation)

- i. Potential Impacts – The operation of the Project may cause a potentially significant impact to parks and recreational facilities if:
  - a. The Project generates a demand for park or recreational facilities that cannot be adequately accommodated by existing or planned facilities and services.

- ii. Findings – The Project will not cause a significant impact to park and recreational services due to the implementation of Mitigation Measure I.4-1.

**Mitigation Measure I.4-1:** Prior to the issuance of a certificate of occupancy, the developer, with regard to the five development parcels, shall: (1) dedicate additional parkland such that the Project would provide a total of 3 acres per 1,000 Project residents; (2) pay in-lieu fees for any land dedication requirement shortfall; or (3) a combination of the above. Compliance with this measure shall be determined by the City's Department of Building and Safety or other appropriate City agency or department.

- iii. Supportive Evidence and Rationale – The EIR discusses the potential impact to park and recreation services caused by Project operations in Section IV.I.4 of the DEIR. Compliance with the mitigation measure for meeting park demand would reduce any impacts due to park dedication shortfalls to less than significant levels. The required dedication of parkland from a project is determined by the number of residents within the project. Under the Quimby Act, which is implemented through the City's Municipal Code, three acres per 1,000 residents are required. The Project with County Office Building Option is anticipated to generate approximately 2,925 residents and would be required to provide approximately 8.8 acres of park/recreation space. The Additional Residential Development Option is anticipated to generate approximately 3,777 residents and would be required to provide approximately 11.33 acres of park/recreation space. Since these requirements would not be fully achievable on-site, the developer would be required to either dedicate additional parkland or pay in-lieu fees per the Quimby Act. If in lieu fees are paid, such fees would be used by the City to enhance park and recreational facilities in the appropriate geographic areas. Compliance with the Quimby Act would offset the Project's park and recreational facility shortfall and would avoid a significant impact.
- iv. Cumulative Impact -- As with the Project, compliance by related projects with the Quimby Act to either dedicate additional parkland or pay in-lieu fees would offset the park/recreation demands of such related projects and, therefore, avoid a significant cumulative impact.

U. Library Services

- i. Potential Impacts – The Project may cause a significant impact on library services caused by the Project. A Project could have a significant impact on library services if:
  - a. The Project would generate a demand for library facilities or services that would cause an increase in the community population that would

exceed Los Angeles Public Library ("LAPL") defined target service population.

- ii. Findings – The Project will not cause significant impacts on library services, and no mitigation measures are required.
- iii. Supportive Evidence and Rationale – The FEIR analyzed in detail the Project's potential impacts on libraries in Section IV-I(5) of the DEIR. The increase in residential population, employees and patrons associated under the Project would increase demand on LAPL facilities in this area, including the Central Library, the Little Tokyo and Chinatown Branch Libraries. However, the Project is not expected to cause an increase in the community population that would exceed the LAPL-defined service target population. The LAPL has indicated in comments to the NOP for the EIR that the Project should pay a fee of \$200 per capita to offset the increase in library service demand. However, the detailed analysis provided in the EIR demonstrates that the Project would not cause a significant impact on library services, and the LAPL did not provide any data in its NOP response letter to the contrary. In addition, the LAPL did not provide any comments on the DEIR. Further, it should be noted that the LAPL has not taken the necessary legal steps to impose a mitigation fee on all new development projects in its jurisdiction.
- iv. Cumulative Impacts – Population increases created by the 93 related projects in combination with the Project would increase the demand for LAPL services within the Project area. If a large number of these related projects are eventually developed and such future development causes a demand on library services beyond the capacity of the then existing libraries, then the LAPL may take the necessary steps to adopt an impact fee program that would adequately mitigate that cumulative impact on library services. However, since the LAPL has not adopted such a fee program, the Authority conservatively determines that the cumulative impact on library services will be significant.

## V. Water Supply

- i. Potential Impacts – The Project may cause a significant impact on the water supply if:
  - a. The public water system's total projected water supplies available during normal, single dry and multiple dry water years during the current 20-year projection would not meet the projected water demand associated with the proposed Project, as well as all other

future uses, including agricultural and manufacturing uses.

- b. The estimated water demand for the Project would exceed the available capacity within the distribution infrastructure that would serve the Project site.
  - c. The construction of a new or upgraded water distribution infrastructure would result in substantial obstruction of vehicle and/or pedestrian access.
- ii. **Findings** – With the implementation of Mitigation Measure J.1-1, the Project's potentially significant impact on water supply will be reduced to a less than significant level. In addition, a series of regulatory measures are identified that would result in reducing the water demand attributable to the Project.

**Mitigation Measure J.1-1:** Prior to initial occupancy of the buildings within Parcels L and W-1/W-2, the developer shall install new water lines along Second Street, from Olive Street to Hill Street to serve Parcels W-1/W-2, and from Hope Street to Lower Grand Avenue to serve Parcel L. The City's Department of Public Works shall review and approve all plans related to these new water lines. The developer shall be responsible for the implementation of these improvements.

**Regulatory Measure J.1-1:** Prior to the start of each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements, shall call DIG-ALERT to identify and mark on the ground surface the locations of existing underground utilities. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels and the Streetscape Program. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.

**Regulatory Measure J.1-2:** Prior to the start off each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements shall perform potholing of existing water and gas mains to verify the depth of cover. If the depth of cover over the lines is shallow and the total street pavement section is thick (around 24 inches), then the temporary cover over the lines during construction may be reduced to 12 inches or less. Under these circumstances, protective measures shall be implemented to prevent damage or breakage of the lines during the pavement sub-grade preparation process. Notices of service interruption, if necessary, shall be provided to customers in accordance with

DWP-Water and ACG requirements. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels and the Streetscape Program. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.

**Regulatory Measure J.1-3:** Prior to issuance of building permits for each construction phase, the developer, with regard to the five development parcels, shall pay the appropriate fees as may be imposed by the City's Department of Building and Safety, or other appropriate City agency or department. A percentage of building permit fees is contributed to the fire hydrant fund, which provides for citywide fire protection improvements. Compliance with this measure shall be determined by the City's Department of Building and Safety, or other appropriate City agency or department.

**Regulatory Measure J.1-4:** Prior the issuance of building permits for each construction phase, the developer, with regard to the five development parcels and the responsible parties for implementation of the Civic Park Plan under the applicable agreements, shall coordinate with the Los Angeles Department of Water and Power to conduct a flow test to confirm that the existing water system meets fire flow requirements imposed by the LAFD for the Project. The developer, with regard to the five development parcels and the responsible parties for implementation of the Civic Park Plan under the applicable agreements, shall undertake and complete required improvements as identified by the LADWP, based on the findings of the flow test. The City's Department of Public Works, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels. The County's CAO Department of shall determine compliance with this measure with regard to the Civic Park.

**Regulatory Measure J.1-5:** During Project operations, the developer, with regard to the five development parcels, shall incorporate Phase I of the City of Los Angeles' Emergency Water Conservation Plan into all privately operated parcels. The Plan prohibits hose watering of driveways and associated walkways, mandates decorative fountains to use recycled water, mandates drinking water in restaurants to be served upon request only, and provides that water leaks are repaired in a timely manner. The City's Department of Public Works, or other appropriate City agency or department, shall determine compliance with this measure.

**Regulatory Measure J.1-6:** During Project operations, incorporate Los Angeles County water conservation policies into the operation of the Civic Park, and the County Office Building, if the Project proceeds with the County office building option. The responsible parties for the implementation of the Civic Park under the applicable agreements, and the County with regard to

the County Office Building, if the Project proceeds with the County office building option, shall be responsible for implementing this measure. The implementation of this measure shall be subject to the review and approval of the County's CAO or its designee.

**Regulatory Measure J.1-7:** During Project operations, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements and the County Office Building operator shall comply with any additional mandatory water use restrictions imposed as a result of drought conditions. The City's Department of Public Works, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels and the Streetscape Program. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.

**Regulatory Measure J.1-8:** During Project operations, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements, shall install automatic sprinkler systems to irrigate landscaping during morning hours or during the evening to reduce water losses from evaporation, and sprinklers shall be reset to water less often in cooler months and during the rainfall season so that water is not wasted by excessive landscape irrigation. The City's Department of Public Works, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels and the Streetscape Program. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.

- iii. Supportive Evidence and Rationale – The Project's potentially significant impact on the water supply is analyzed in Section IV.J.1 of the DEIR. Based on a Water Supply Assessment certified by the Los Angeles Department of Water and Power ("LADWP"), the total estimated water demand for the Project at build-out is not expected to exceed available supplies during normal, single dry and multiple dry water years during the 20-year planning period projection. Further, the Project is not anticipated to exceed the available capacity within the distribution infrastructure that would serve the Project site. Other than connections from the Project site to the water mains and the installation of new water lines along Second Street, the construction of a new or upgraded distribution and conveyance infrastructure would not be required. With regulatory compliance and incorporation of the mitigation measures discussed above, impacts to water supply associated with the Project would be less than significant.
- iv. Cumulative Impact – Development of the 93 related projects would



cumulatively contribute, in conjunction with the Project to the water demand in the Project area. Related projects are anticipated to be developed in compliance with all applicable water conservation regulations and within the build-out scenario of the Community Plans and the City of Los Angeles General Plan elements. Further, the LADWP Water Supply Assessment concluded that there are adequate water supplies to meet all existing and future water demands for the next 20 years. As such, impacts associated with cumulative water demand would be less than significant.

W. Wastewater

- i. Potential Impacts – The Project may cause a significant impact on wastewater conveyance and treatment facilities if:
  - a. The Project's additional wastewater flows would substantially or incrementally exceed the future scheduled capacity of the Hyperion Treatment Plant ("HTP").
  - b. The Project would cause a measurable increase in wastewater flows at a point where, and a time when, a sewer's capacity is already constrained or that would cause a sewer's capacity to become constrained.
  - c. The construction of new or upgraded wastewater distribution infrastructure would result in a substantial obstruction of vehicle and/or pedestrian access.
- ii. Findings – The Project will not cause a significant impact with regard to wastewater service. Notwithstanding, the following regulatory measures have been identified to ensure the Project's less than significant impact concerning this issue.

**Regulatory Measure J.2-1:** Prior to the start of each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park shall comply with City ordinances limiting connections to the City sewer system, in accordance with City Bureau of Sanitation procedures. The City's Department of Public Works, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels. The County's CAO or its designee shall ensure compliance with this measure.

**Regulatory Measure J.2-2:** Prior to the start of each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park Plan, shall prepare,

and thereafter implement, building plan specifications for the installation of low-flow water fixtures and further encourage reduction of water consumption to minimize wastewater flow to the sewer system, in accordance with applicable water conservation requirements. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels. The County's CAO or its designee shall ensure compliance with this measure.

- iii. Supportive Evidence and Rationale – The FEIR analyzed in detail the Project's potential impact on wastewater facilities in Section IV-J(2) of the DEIR. The operation of the Project under the County Office Building Option would generate 631,650 gallons per day (gpd) of wastewater and a peak flow of 1,073,805 gpd. The Project under the Additional Residential Development Option would generate 592,070 gpd on average and a peak flow of 1,006,519 gpd. By complying with the provisions of the City's Sewer Allocation Ordinance, wastewater generation resulting from operation of the Project would not substantially exceed the future scheduled capacity of the HTP. Nor, would the Project cause a measurable increase in wastewater flows at a point where, and a time when, a sewer's capacity is already constrained or would cause a sewer's capacity to become constrained. Therefore, implementation of the Project would result in a less than significant impact to wastewater facilities.
- iv. Cumulative Impact – Development of the 93 related projects, in conjunction with the Project would cumulatively contribute to wastewater generation in the Project area. The Project with Additional Residential Option would generate nearly seven percent less wastewater than that of the proposed Project with County Office Building Option. The wastewater anticipated to be discharged by the related projects along with the Project with County Office Building Option is 7.3 million gpd, which represents approximately 1.6 percent of the HTP's full capacity of 450 million gpd. Each of the individual related projects would be subject to the LADWP's determination of whether there is allotted sewer capacity available prior to the formal acceptance of plans and specifications by the Department of Building and Safety. Therefore, cumulative impacts to the local and regional sewer system for the Project, in conjunction with the related projects, would be less than significant.

X. Solid Waste

- i. Potential Impacts – The Project may cause a significant impact concerning solid waste if:
  - a. The Project generates solid waste at a level that exceeds the

available capacity of the existing and/or planned landfills.

- b. The Project conflicts with diversion and recycling goals set forth in the City of Los Angeles Solid Waste Management Policy Plan (CiSWMPP) and Source Reduction and Recycling Element (SRRE).
- ii. Findings - The Project will not cause a less than significant impact with regard to solid waste services. Notwithstanding, the following regulatory measures have been identified to ensure the Project's less than significant impact concerning this matter.

**Regulatory Measure J.3-1:** Prior to the issuance of a certificate of occupancy for each construction phase, and thereafter during Project operations, the developer, with regard to the five development parcels, shall comply with the provisions of City of Los Angeles Ordinance No. 171687 with regard to all new structures constructed as part of the five development parcels. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure.

**Regulatory Measure J.3-2:** Prior to the issuance of each certificate of occupancy, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements, shall prepare, and thereafter implement, a plan that designs all structures constructed or uses established within any part of the proposed Project site to be permanently equipped with clearly marked, durable, source sorted recyclable bins at all times to facilitate the separation and deposit of recyclable materials. The City's Department of Public Works, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels and the Streetscape Program. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.

**Regulatory Measure J.3-3:** Prior to the issuance of each certificate of occupancy, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park under the applicable agreements, shall prepare, and thereafter implement, a plan that designs primary collection bins to facilitate mechanized collection of such recyclable wastes for transport to on- or off-site recycling facilities. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.

**Regulatory Measure J.3-4:** During Project operations, the developer, with regard to the five development parcels, and the responsible parties for

implementation of the Civic Park and Streetscape Program under the applicable agreements, shall continuously maintain in good order for the convenience of businesses, patrons, employees and park visitors clearly marked, durable and separate bins on the same lot, or parcel to facilitate the commingled recyclables and deposit of recyclable or commingled waste metal, cardboard, paper, glass, and plastic therein; maintain accessibility to such bins at all times, for collection of such wastes for transport to on- or off-site recycling plants; and require waste haulers to utilize local or regional material recovery facilities as feasible and appropriate. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels and the Streetscape Program. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.

**Regulatory Measure J.3-5:** During each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements, shall implement a demolition and construction debris recycling plan, with the explicit intent of requiring recycling during all phases of site preparation and building construction. The City's Department of Building and Safety, or other appropriate City agency or department, shall review and approve the plan with regard to the five development parcels and the Streetscape Program. The County's CAO or its designee shall review and approve the plan with regard to the Civic Park.

- iii. Supportive Evidence and Rationale – The FEIR analyzed in detail the Project's potential impact on solid waste facilities in Section IV-J(3) of the DEIR. The Project would not cause the available capacity of the existing and/or planned landfills to be exceeded, and impacts due to construction and operations would be less than significant. Nonetheless, regulatory mitigation measures have been identified concerning compliance with existing plans, programs and policies promoting recycling, waste reduction and waste diversion.
- iv. Cumulative Impact – Development of the 93 related projects would generate solid waste during their respective construction periods and on an on-going basis following the completion of construction. The total cumulative construction debris from the related projects and proposed Project would total 63,000 tons. This would comprise approximately 0.1 percent of the remaining inert landfill disposal capacity of 69.94 million tons and, as such, cumulative impacts on inert landfill capacity would be less than significant. During operation, the total cumulative solid waste generation is estimated to be 112,015 tons per year under the Project with County Office Building

Option and 107,660 tons per year under the Project with Additional Residential Development Option. These levels of cumulative annual solid waste generation represent approximately 1.2 percent of the total solid waste generated in Los Angeles County in 2003. Based on these small percentages, and the County's forecast of 15 years of landfill availability, cumulative impacts on municipal landfill capacity are concluded to be less than significant.

## 1.6 FINDINGS REGARDING ALTERNATIVES TO THE PROPOSED PROJECT

CEQA Guideline 15126.6 requires an EIR to (1) describe a range of reasonable alternatives to the proposed project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project; and (2) evaluate the comparative merits of the alternatives. In analyzing the feasibility of an alternative, the CEQA Guidelines list the following factors: site suitability; economic viability; infrastructure viability; social, legal and technological issues; and jurisdictional boundaries. The purpose of the consideration and discussion of alternatives to the proposed project is to identify ways to mitigate or avoid the significant effects that a project may have on the environment. In doing so, CEQA Guideline 15126.6 directs that the analysis of alternatives be limited to alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of project objectives, or would be more costly.

The selection and discussion of alternatives to the project is intended to foster meaningful public participation and informed decision-making. An EIR need not consider an alternative whose effect cannot be reasonably ascertained and whose implementation is remote or speculative. CEQA Guideline 15126.6 also requires the analysis of a "No Project" alternative and the identification of an "Environmentally Superior Alternative." If the environmentally superior alternative is the No Project Alternative, then the EIR is required to identify an environmentally superior alternative among the remaining alternatives.

Finally, CEQA Guideline 15126.6 requires an EIR to identify any alternatives that were considered by the lead agency but were rejected as infeasible during the scoping process and briefly explain the reasons underlying the lead agency's determination of such infeasibility.

### Alternatives Considered But Rejected

Two alternatives were identified but subsequently rejected from further analysis in the FEIR. The first such rejected alternative was the Alternative Location Alternative. With respect to alternative sites for any proposed project, CEQA Guideline 15126.6(f)(2)(A) provides that: "The key question and first step in analysis

is whether any of the significant effects of the project would be avoided or substantially lessened by putting the project in another location. Only locations that would avoid or substantially lessen any of the significant effects of the project need be considered for inclusion in the EIR."

Based on substantial evidence, the Authority determined that the relocation of the Project to another location would not substantially reduce the Project's primary significant impacts relative to traffic, air quality, and noise, and would likely have a greater impact regarding land use compatibility, visual context and scale since it is specific to a highly urbanized environment. Although an alternative location may eliminate potentially significant historical and specific view impacts, it would likely cause view impacts in an alternative location due to the size of the proposed buildings. Further, since the Project location is specific to the Civic Center Mall, Grand Avenue, and the Bunker Hill Redevelopment Project parcels, it would not be feasible to expand and renovate of the Civic Center Mall or develop the Grand Avenue streetscape improvements between Fifth Street and Cesar E. Chavez Avenue in another location. For all these reasons, the Alternative Location Analysis was properly rejected.

The second rejected alternative was the development of institutional uses, such schools and hospitals, in the remaining Bunker Hill Redevelopment Project parcels, Parcels Q, W-1/W-2, L and M-2. This alternative was rejected since it would have a significant land use impact in relation to the implementation of the policies of adopted plans and policies, including housing policies of the General Plan Framework; policies of the Central City Community Plan to encourage a mix of uses which create a 24-hour downtown environment; policies of the Bunker Hill Redevelopment Plan to provide convenient and efficient living accommodations for downtown employees and a range of housing types, including affordable housing; the policies of the existing Bunker Hill Design for Development which call for a mix of commercial and residential uses in these parcels; and policies of the Downtown Strategic Plan, which recognize the need to substantially increase the residential presence in the downtown community. Such an alternative would also not implement the jobs/housing balance goals of SCAG's Regional Comprehensive Plan and Guide or the goals of that plan to place high-density multi-family uses within urban centers in close proximity to transit and other multi-modal transportation opportunities. This alternative would also not meet the basic objectives of the Project to provide a mixed-use development with a mix of uses that are economically viable. For all these reasons, this alternative was properly rejected.

Finally, a commentator during the public review process suggested that the Project should be modified to include a higher percentage of affordable housing units. However, the developer has committed to 20 percent of the overall housing units in the Project being affordable units, and substantial evidence supports the conclusion that additional subsidies from the LACRA or others for an even greater number of affordable housing units in the Project are not available or feasible, and that key

Project objectives would not be achieved if more financial resources of the Project are devoted to additional affordable housing units, including the use of funds to improve and extend the existing County Mall into a Civic Park that can serve as a public gathering place for the entire region. Accordingly, the Authority finds that such an alternative to the Project is not feasible within the meaning of CEQA.

#### The Five Alternatives Evaluated in the FEIR

The following alternatives were analyzed in detail in the FEIR since they could (i) meet some of the Project Objectives and avoid or lessen some impacts or (ii) were required to be analyzed by the applicable provisions of CEQA (namely, the No Project Alternative):

- Alternative 1: No Project "A" – The Project site remains in its existing conditions.
- Alternative 2: No Project "B" – Development on Parcels Q and W-2 would occur per the provisions of the 1991 Owner Participation Agreement applicable to those parcels, while development on Parcels W-1, L, and M-2 would occur per current City zoning. Under the No Project "B" Alternative, the Grand Avenue streetscape program would be limited to only improvements along the frontage of Parcel Q, while no improvements to the existing Civic Center Mall would occur.
- Alternative 3: Reduced Density Alternative – Development on the five parcels would be reduced by 25 percent, as would proposed building heights. Improvements within the Civic Park as well as along the Grand Avenue streetscape program would be reduced commensurate with the reduced funding for Phase 1 that would be available from prepaid lease revenues.
- Alternative 4: Alternative Design Alternative – Two unrelated components of the Project would be changed under this Alternative – the Civic Park and the location of the towers on Parcels L and M-2. Under this Alternative, the existing Civic Center Mall's four character-defining features would remain as they exist today and in their current locations, or they would be retained and reused within the Civic Park in accordance with the Secretary of the Interior's Standards for the Rehabilitation of Historic Buildings. Also under this Alternative, the towers proposed for development on Parcels L and M-2 would be reversed, such that the tower proposed for the southeast corner of Parcels L and M-2 would be moved to the southwest corner, and the tower proposed for the northwest corner would be moved to the northeast corner.
- Alternative 5: Alternative land Use Alternative – development on all five development parcels would be residential supported by a limited amount of

retail development. The Civic Park and Grand Avenue streetscape program under this Alternative would be the same as the Project.

As described in this Section XII, the FEIR analyzed the issues of whether each of these alternatives (i) could achieve most of the Project Objectives and (ii) could reduce the Project's potentially significant impacts.

Alternative 1 - No Project "A"

a. Ability to Achieve Most of the Project Objectives

The No Project "A" Alternative would not meet the ultimate goal of the Project to provide an economically viable, architecturally distinguished community-oriented, mixed-use development with welcoming public open spaces or create, define, and celebrate the Civic and Cultural Center as a regional destination in downtown Los Angeles. In addition, the No Project "A" Alternative would also not meet any of the Project's priority objectives. This alternative would not meet the priority objective to create a vibrant 24-hour development that activates the Civic and Cultural Center through a mix of uses that complement each other, and that add to those that already exist on Bunker Hill; or meet the priority objective to implement the redevelopment plan objectives to permit a maximum density of development commensurate with the highest standards of architecture and landscape design. This alternative would also not meet the priority objective to generate at least \$50 million in funds from the Project itself, and at least \$45 million from Phase 1 by the lease of public land, and use these funds to improve and extend the existing Civic Center Mall into a Civic Park that can serve the entire region. This alternative would also not meet the priority objective of providing affordable units and it would not meet the priority objective to create a long-term stream of additional tax revenues for the City, the CRA/LA and the County. The No Project "A" Alternative would also not meet the additional objectives of the Project in that it would not generate specific public benefits; activate downtown Los Angeles, create a civic gathering place, enhance pedestrian connections, create distinguished architectural design, or facilitate achievement of redevelopment goals for the Bunker Hill District and the Central Business District.

b. Ability to Reduce the Project's Residual Significant Impacts

The No Project "A" Alternative would avoid the Project's significant and unavoidable impacts associated with compliance with existing zoning designations, construction hauling, periodic closures of the Grand Avenue and Hill Street ramps to the garage beneath the existing Civic Center Mall during their relocation, any temporary lane closures, intersection service thresholds, occasional traffic congestion during evening and large-scale events in the



Civic Park, DAARP residential parking requirements, view obstruction, character-defining features in the Civic Center Mall, air quality (constructions and operation), noise (construction), and parks and recreation (during construction of Civic Park), but would be less beneficial in relation to the implementation of existing land use plans and visual quality. The No Project "A" Alternative, however, would not eliminate significant, unavoidable traffic impacts that would occur under future baseline traffic conditions due to ambient growth and the development of other projects.

c. Determination of Infeasibility

Based on the findings set forth in this subsection, the analysis contained in the FEIR, and other substantial evidence in the record of the proceedings concerning the Project, the Authority finds that this alternative is not feasible within the meaning of CEQA.

Alternative 2 - No Project "B"

a. Ability to Achieve Most of the Project's Objectives

The No Project "B" Alternative would not meet the ultimate goal of the Project to provide an economically viable, community-oriented, mixed-use development. In addition, the No Project "B" Alternative would not meet any of the Project's priority objectives. The No Project "B" Alternative would not meet the Project's priority objective to establish Grand Avenue as a vibrant 24-hour urban place that activates the Civic and Cultural Center through a mix of uses and complement each other due to the substantial reduction of the Grand Avenue Streetscape Program, and no development of street front retail uses along Parcels L and M-2. This Alternative would not meet the Project's priority objective to generate at least \$50 million in funds from the Project itself, and at least \$45 million from Phase 1 by the lease of public land, and then using these funds to create the proposed Civic Park, nor implement the Grand Avenue Streetscape Program as envisioned. As such, it would not meet the Project objectives to create a civic gathering place and to enhance pedestrian connections. This Alternative would also not meet the priority objective of the Project to implement redevelopment plan objectives to permit a maximum density of development, since this Alternative would not maximize density on Parcels W-1/W-2, L and M.

Although the No Project "A" Alternative would meet the Project's priority objective to create a long-term stream of additional tax revenues for the City, the CRA/LA and the County, the magnitude of revenue generation would be substantially reduced under this Alternative as compared to the Project, since Parcels W-2/W-2, L and M-2 would not be developed to their full potential.

Furthermore, this Alternative would meet the priority objective to ensure that 20 percent of all residential units are affordable, since it would contain only a fraction of the number of affordable units that would be generated by the proposed Project's residential units.

b. Ability to Reduce the Project's Residual Significant Impact

The No Project "B" Alternative would reduce, but not completely avoid, the Project's significant and unavoidable impacts associated with construction hauling, lane closures, intersection service levels (although it would incrementally reduce peak hour traffic), DAARP residential parking requirements, view obstruction, air quality (construction and operation), and noise (construction). This alternative would be less beneficial than the Project in relation to the implementation of existing land use plans, which call for a greater mix of residential uses in the urban center and revitalization of the downtown. The No Project "B" Alternative would, however, avoid the Project's potential significant impacts associated with zoning compliance, periodic closures of the Grand Avenue and Hill Street ramps to the Civic Center mall during the reconstruction of the ramps, occasional traffic congestion during evening and large-scale events in the Civic Park, possible removal of historically significant character-defining features in the existing Civic Center Mall, and short-term recreational impacts associated with the closure of the existing Civic Center Mall during the construction of the Civic Park.

c. Determination of Infeasibility

Based on the findings set forth in this subsection, the analysis contained in the FEIR, and other substantial evidence in the record of the proceedings concerning the Project, the Authority finds that this alternative is not feasible within the meaning of CEQA.

Alternative 3 - Reduced Density Alternative

a. Ability to Achieve Most of Project's Objectives

The reduced Density Alternative may not meet the ultimate goal of the Project to provide an economically viable development since, with the reduction in scale, the Reduced Density Alternative would not be as economically viable as the Project. In addition, the Reduce Density Alternative would not meet the majority of the Project's priority objectives to create a vibrant, 24-hour development that activates the Civic and Cultural Center to the same extent as the Project. Furthermore, since the Alternative has less development than the Project, it would not meet the priority objective to implement redevelopment plan objectives to permit a maximum density of development. The Reduced density Alternative also would not implement the Project's

priority objective to generate at least \$50 million in funds from the Project itself, and at least \$45 million from Phase 1 by the lease of public land, and then to use these funds to improve and extend the existing Civic Center Mall into the proposed Civic Park. In addition, this Alternative would not implement the Grand Avenue Streetscape Program (except adjacent to Parcel Q), further reducing the ability of this Alternative to meet the objectives of the Project to create a civic gathering place and to enhance pedestrian connections.

The Reduce Density Alternative would meet the priority objectives to ensure that 20 percent of all residential units in the Project are affordable units; however, due to the reduction in residential units, this would provide 25 percent fewer affordable units than the Project. This Alternative would also meet the priority objective to create a long-term stream of additional tax revenues for the City, the CRA/LA and the County. However, since it would represent a reduction in scale, the stream of additional tax revenues would be incrementally less than under the Project.

The Reduced Density Alternative would meet the Project's objective to encourage public transit opportunities through the development of high-density residences in close proximity to existing transit systems. The Reduced Density Alternative would also meet the Project objective to provide residential densities in the Bunker Hill Redevelopment Project area as well as improve the jobs/housing balance downtown and establish a variety of housing types, although it would not maximize residential densities as well as the Project. The Reduced Density Alternative would also implement the redevelopment plan objectives to provide housing for workers who seek housing near their employment, but to a lesser degree than would occur under the Project.

b. Ability to Reduce the Project's Residual Significant Impacts

The Reduced Density Alternative would reduce, but not completely avoid, the Project's significant and unavoidable impacts associated with zoning compliance construction hauling, lane closures, periodic closures of the Grand Avenue and Hill Street ramps to the garage beneath the Civic Center Mall during their reconstruction, operation traffic, occasional traffic congestion during evening and large-scale events in the Civic Park, DAARP residential parking requirements, view obstruction, air quality (construction and operation), and noise (construction). Additionally, this Alternative may possibly reduce impacts associated with the possible removal of the historically significant character-defining features in the Civic Center Mall, and short-term recreational impacts associated with the closure of Civic Center Mall during the Civic Park's construction phase, if the scope of the development in the Civic Park were reduced.

c. Determination of Infeasibility

Based on the findings set forth in this subsection, the analysis contained in the FEIR, and other substantial evidence in the record of the proceedings concerning the Project, the Authority finds that this alternative is not feasible within the meaning of CEQA.

Alternative 4 - Alternative Design Alternative

a. Ability to Achieve Most of Project Objectives

As with the Project, the Alternative Design Alternative would meet the ultimate goal of the Project to provide an economically viable, architecturally distinguished, community-oriented, mixed-use development with notable public open spaces that would create, define, and celebrate the Civic and Cultural Center as a regional destination. In addition, the Alternative Design Alternative would meet all the Project's priority objectives. This Alternative would meet all of the Project's specific objectives that are intended to ensure that the proposed development would generate specific public benefits, activate downtown Los Angeles, create a civic gathering place, enhance pedestrian connections, create distinguished architectural design, facilitate achievement of redevelopment goals for the Bunker Hill District and the amended Central Business District Redevelopment Plans.

b. Ability to Reduce the Project's Residual Significant Impacts

Through the retention of historically significant character-defining features, the Alternative Design Alternative would avoid the Project's potential significant impact on the historic resources present within the existing Civic Center Mall. However, the feasibility of retaining those elements of Civic Center Mall is not known at this time since the final design of Civic Park has not been completed. Due to, among other considerations, that final design may call for not retaining all of those features because of economic factors or planning objectives inherent in the Civic Park program.

This alternative would also reduce the Project's significant view impact for the residents of the Grand Promenade Tower building that have northerly views to a less than significant level. However, the Alternative Design Alternative would not avoid the Project's significant and unavoidable impacts associated with zoning compliance, construction hauling, lane closures, periodic closures of the Civic Mall Garage's Grand Avenue and Hill Street ramps to the garage beneath the existing Civic Center Mall during their reconstruction, intersection service levels, DAARP residential parking requirements, views from locations other than the Grand Promenade Tower apartments, air quality (construction and operation), noise (construction). This Alternative would avoid the

Project's potentially significant impacts on character-defining features in the existing Civic Center Mall.

c. Determination of Infeasibility

Based on the findings set forth in this subsection, the analysis contained in the FEIR, and other substantial evidence in the record of the proceedings concerning the Project, the Authority finds that (i) the component of this alternative concerning mandatory retention of the character-defining features of the Civic Center Mall is not feasible within the meaning of CEQA since the final design of the Civic Park is not known at this time, and (ii) the component of this alternative that concerns the reversal of the location of the two towers on Parcels L and M-2 is feasible.

Alternative 5 - Alternative Land Use Alternative

a. Ability to Achieve Most of Project Objectives

The Alternative Land Use Alternative, which would not provide a mixture of hotel and retail uses with the proposed residential uses, would not meet the ultimate goal of the Project to provide an economically viable, community-oriented, mixed-use development. Additionally, since this Alternative would not provide a hotel and would provide a limited amount of street-front retail uses and restaurants, this Alternative would not meet the priority objective of the Project to the same extent as the Project to create a vibrant, 24-hour development that activates the Civic and Cultural Center by attracting both residents and visitors through a mix of uses that complement each other. Although this Alternative anticipates implementation of the Grand Avenue Streetscape Program, with the absence of street-front retail uses and restaurants, this Alternative would not meet the priority objective to create a pleasant living and working environment to the same degree as the Project. This Alternative would meet the priority objective to generate at least \$50 million in funds from the Project itself, and at least \$45 million from Phase 1 by the lease of public land, and use these funds to improve and extend the existing Civic Center Mall into the proposed Civic Park. This Alternative would also meet the priority objective to ensure that 20 percent of all residential units in the Project are affordable units for low-income residents. This objective would also meet the priority objective to create a long-term stream of additional tax revenues for the City, the CRA/LA and the County. However, since taxes on residences are less than on commercial uses, this Alternative would not meet this objective to the same extent as the Project.

b. Ability to Reduce the Project's Residual Impacts

The Alternative Land Use Alternative would not avoid the Project's significant and unavoidable impacts associated with zoning compliance (due to residential uses in existing C2 zones), construction hauling, lane closures, periodic closures of the Grand Avenue and Hill Street ramps to the garage beneath the existing Civic Center Garage's during their reconstruction, intersection service levels, occasional traffic congestion during evening and large-scale events in the Civic Park, and DAARP residential parking requirements. However, the Alternative Land Use Alternative would incrementally reduce peak hour traffic. This Alternative would also not avoid the Project's potential significant impacts associated with air quality (construction and operation), noise (construction), and short-term recreational impacts associated with the closure of the existing Civic Center Mall during the construction of the proposed Civic Park.

c. Determination of Infeasibility

Based on the findings set forth in this subsection, the analysis contained in the FEIR, and other substantial evidence in the record of the proceedings concerning the Project, the Authority finds that this alternative is not feasible within the meaning of CEQA.

The Environmentally Superior Alternative

CEQA Guideline 15126.6 requires the identification of an environmentally superior alternative to the proposed Project and, if the environmentally superior alternative is the "No Project Alternative," the identification of an environmentally superior alternative from among the remaining alternatives. An environmentally superior alternative is an alternative that would reduce and/or eliminate the significant, unavoidable environmental impacts associated with a project without creating other significant impacts and without substantially reducing and/or eliminating the environmental benefits attributable to the Project. Accordingly, selection of an environmentally superior alternative is based on an evaluation of the extent to which the alternatives reduce or eliminate the significant impacts associated with the Project, and on a comparison of the remaining environmental impacts of each alternative. The determination of the environmentally superior alternative is not based on any assessment of the Alternative's ability to meet the Project objectives.

In this matter, the No Project "A" Alternative (Alternative 1) would be the environmentally superior alternative as this alternative would have less impact relative to the Project than the other evaluated alternatives. CEQA requires that when the No Project Alternative is the environmentally superior alternative, another alternative needs to be selected as environmentally superior. Based on the findings set forth in this section XII and the analysis contained in the FEIR, the Authority determines that the Reduced Density Alternative would be the environmentally

superior alternative, since it may reduce the Project's impacts more broadly than the other Project alternatives.

## 1.7 STATEMENT OF OVERRIDING CONSIDERATIONS

CEQA Guideline 15093(a) and (b) provides that:

- (a) CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered 'acceptable.'
- (b) When the lead agency approves a project which will result in the occurrence of significant effects which are identified in the final EIR but are not avoided or substantially lessened, the agency shall state in writing the specific reasons to support its action based on the final EIR and/or other information in the record."

The Authority adopts and makes this Statement of Overriding Considerations ("SOC") concerning the Project's unavoidable significant impacts to explain why the Project's benefits override and outweigh its unavoidable environmental impacts. Based on substantial evidence in the record, the Authority finds that each benefit of the Project set forth in this SOC constitutes an overriding consideration warranting approval of the Project, despite the unavoidable impacts.

1. The Project will create a vibrant, 24-hour development that activates the Civic and Cultural Center by attracting both residents and visitors, day and night, through a mix of uses that are economically viable, that complement each other, and that add to those that already exist on Bunker Hill.
2. The Project will provide substantial economic benefits for the entire region, generating an estimated \$252 million annually in direct business revenues and over \$362 million in indirect (off-site) business revenues throughout the County, for a total of \$615 million in direct and indirect revenues generated by the Project each year.
3. The business activity generated by the Project is estimated to create up to 5,900 permanent jobs, both on-site and throughout the region. These workers will earn an estimated \$165 million in pre-tax wages and salaries. All jobs generated on the Project site will comply with the CRA/LA's Living Wage Policy.
4. The Project will also create a significant number of construction jobs. Over

the life of the construction of the Project, approximately 29,000 direct and indirect construction jobs will be created. These workers will earn over \$1 billion in wages and salaries. All on-site construction jobs will comply with the Prevailing Wage law.

5. Significant tax revenues, an estimated \$105 million, will be generated annually by the Project. These tax revenues will be shared by all levels of government. Approximately \$74 million will go to the federal government, \$21 million to the State government, \$5.7 million to the County government, and approximately \$4.1 million to local governments, all on an on-going, annual basis.
6. The Project will generate at least \$50 million in funds from the earlier phases of the Project itself, and at least \$45 million from Phase 1 of the overall development, through the lease of public land. These funds will be used to improve and extend the existing Los Angeles County Mall into a Civic Park that can serve as a public gathering place for the entire region. The ground lease of the development parcels was structured in a manner to ensure completion of the new Civic Park by the time Phase 1 of the development is completed.
7. The Project will revitalize, expand upon and activate the existing Los Angeles County Mall by developing it into a Civic Park stretching from the Music Center to City Hall. The new Civic Park will be operated to serve as an active, welcoming setting for daily activity as well as a gathering place for community celebrations, cultural and ethnic celebrations, festivals, holiday events, political gatherings and the like. The new Civic Park will be designed to accommodate a variety of sizes of community events and to encourage use of the Metro Red Line, which passes underground through the park at Hill Street.
8. The Project will provide a substantial amount of affordable housing units for low-income and very low income residents. The number of affordable units will equal 20 percent of the total number of housing units developed in the Project, which could yield up to 532 affordable units under the Additional Residential Development Option at full build-out. Long-term affordability covenants to guarantee the availability of such units to such qualified residents will be imposed.
9. The Project will develop a substantial number of housing units in the downtown, up to a total number of 2,660 units under the Additional Residential Development Option. This mix of additional housing units will greatly expand the diversity of downtown living options.
10. The Project will encourage and accommodate pedestrian activity by improving the streetscape along Grand Avenue between Fifth Street and



Cesar Chavez Avenue. Streetscape improvements will include the strategic use of landscaping, benches and lighting, improved paving, and wider sidewalks where feasible. Such improvements will create an urban street that will foster pedestrian activity without comprising the functional requirements of vehicular circulation.

11. The Project will create new public spaces on the development parcels that are open and accessible to the public, including plaza areas, outdoor terraces and other gathering places, all with seating areas and landscaping.
12. The Project will increase the value of the four publicly owned, underutilized development parcels, while minimizing public investment in the Project. The value of these uniquely located public parcels will be further increased by the synergistic combination of the parcels into a unified development.
13. The Project will maintain the potential for a new County office building within the later phases of the Project.
14. The Project will create a northern anchor for the downtown area, complementing the southern anchor at "LA Live" to create a more diverse and vibrant downtown core.
15. The Project will enhance the use of public transit by creating easy access to the Metro Red Line at its Civic Center station, and easy access to the many local and commuter bus lines that surround the Project site.
16. The Project will improve pedestrian access from transit stops to the many regional attractions on Grand Avenue, including the Music Center, the Walt Disney Concert Hall, the Colburn School, and the Museum of Contemporary Art. Public access through the Project site will be facilitated by escalators, elevators, and a bridge over Olive Street, all assisting the pedestrian in transitioning the steep slope of Bunker Hill from Hill Street (where the Metro Red Line station exists) to Grand Avenue.
17. The Project will improve the jobs/housing balance in downtown, an area considered to be a "jobs rich" environment. By increasing the amount of housing available in a jobs rich area, there is a greater likelihood that people will work and live in areas in close proximity, thereby reducing traffic congestion and improving air quality when compared to traditional commuting patterns where the residence and job locations are separated by great distances.
18. The Project will comply with the CRA/LA's public art policy, which will facilitate the placement and maintenance of more public art in the downtown

- area.
19. The Project will create a job outreach and training program that will provide opportunities for local and low-income residents to secure jobs generated by the construction and operation of the Project through, among other ways, hiring and apprentice goals, coordination with the applicable unions, and on-the-job training requirements for such resident workers.
  20. The Project will implement and satisfy numerous objectives of the Bunker Hill Redevelopment Plan (as listed in greater detail in Section V of the Findings and hereby incorporated into this SOC), including, but not limited to, the development of a project with a maximum density commensurate with the highest standards of architecture and landscape design aimed at creating a pleasant living and working environment.

## 1.9 MITIGATION MONITORING AND REPORTING PROGRAM

In accordance with CEQA Guideline 15091(d), the Authority adopts the Mitigation Monitoring Program that is included as part of the FEIR (the "MMP"). The MMP describes each of the Mitigation Measures identified in the FEIR, the entities responsible for implementing and monitoring each of those measures, and anticipated schedules for completion of those measures. Those measures and implementing program set forth in the MMP have been made enforceable through conditions in the DDA.

## 2.0 GENERAL CONSIDERATIONS

Each and all of the findings and determinations contained herein are based on the competent and substantial evidence, both oral and written, contained in the entire record relating to the FEIR. All of the language included in these Findings constitutes findings by the Authority, whether or not any particular sentence or clause includes a statement to that effect. All summaries of information in these Findings are based on the entire record of the proceedings, and the absence of any particular fact from any such summary herein is not an indication that a particular finding is not based, in part, on that fact.

The Authority's analysis and evaluation of the FEIR and the Project is based on the best information currently available. This practical limitation is acknowledged in CEQA Guideline 15151, which provides that "the sufficiency of an EIR is to be reviewed in light of what is feasible."

## FINDINGS OF FACT (SUBDIVISION MAP ACT)

In connection with the approval of Vesting Tentative Tract Map No. 67492 the Advisory Agency of the City of Los Angeles, pursuant to Sections 66473.1, 66474.60, .61 and .63 of

the State of California Government Code (the Subdivision Map Act), makes the prescribed findings as follows:

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

The Tentative Tract Map was prepared by a licensed land surveyor and contains the required components, dimensions, area, notes, legal description, ownership, applicant and site address information as required by the Los Angeles Municipal Code and Subdivision Map Act. The Tentative Tract Map describes and illustrates land uses consistent with those described in the "Grand Avenue Final Environmental Impact Report" (State Clearinghouse Number 2005 091041) for Parcel L/M-2 and the proposed entitlements described in the City Planning Commission Case No. CPC-2006-9702-ZC-CU-CUB-CUX-ZV-DA. Approval of the Tentative Tract Map for this subdivision is contingent upon the decision of the City Planning Commission and/or the City Council for the proposed entitlements directly associated with Parcel L/M-2 and any other applicable agreements, contracts and necessary approval processes executed by the Grand Avenue Authority, the Community Redevelopment Agency, the County of Los Angeles and the City of Los Angeles. Therefore, as proposed, the map is substantially consistent with the applicable General and Specific Plans affecting the project site and demonstrates compliance with Section 17.01 et. seq. and Section 17.05 (C) of the Los Angeles Municipal Code.

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

Pursuant to Section 66418 of the Subdivision Map Act, "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.

The proposed subdivision demonstrates through its design, compliance with Section 17.05 (C) of the Los Angeles Municipal Code and Section 66418 of the Subdivision Map Act. Section 17.05(C) of the Los Angeles Municipal Code enumerates design standards for Subdivisions and requires that each Tentative Tract Map be designed in compliance with the zoning applying to the subject property. The proposed Tentative Tract Map demonstrates such compliance as follows:

The Central City Community Plan designates the subject property for Regional Center Commercial land uses with the corresponding R5-4D zone. The project proposes a Zone Change for the overall Grand Avenue project site area including Parcel L/M-2 from R5-4D to C2-4D, consistent with the Regional Center Commercial Land Use Designation. Parcel L/M-2 contains approximately 2.20 net acres (95,830 net square feet after required dedication) and would contain two master lots and 13 airspaces lots for the construction of 850 residential condominium units, 20% of which will be affordable (50% of those will be set aside for very low income and 50% will be set aside for low-income levels) and 101,000 square feet of commercial/retail space. A total of 1,570 parking spaces would be provided. In consideration of the concurrent City Planning Commission case (recordation of the Final Map is contingent upon the recommendation of the City Planning Commission and final approval by the City of Los Angeles' City Council), the project is consistent with the land use designation and proposed zoning for Parcel L/M-2. The project be subject to the conditions and requirements of the Lead Agency and Responsible Agencies identified in the Grand Avenue Environmental Impact Report and would be further bond to the Conditions of Approval required by the Advisory Agency and to the to the provisions of the Development Agreement.

The project is also subject to other conditions involving the design and improvement conditions (e.g., street dedications, improvements, street lighting, sewer connection, infrastructure improvements, etc.) as listed under the Tract's Conditions of Approval. Performance of certain conditions must be demonstrated prior to the recordation of the Final Tract Map while others are demonstrated prior to a specific permit or Certificate of Occupancy. Therefore, as conditioned, the design and improvement of the proposed subdivision would be consistent with the intent and purpose of the applicable General and Specific Plans as expressed in Section 17.05(C) of the Los Angeles Municipal Code.

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

Parcel L/M-2 contains approximately 179,388 gross square feet of land and would result in a net area of 95,830 square feet after required street dedications. The site is within the Hillside Grading District and would be subject to numerous geological measures required by the Department of Building and Safety, Grading Division, to satisfy the City's Grading Regulations as enumerated under Section 91.3000 of the Los Angeles Municipal Code (Division 70 of the Building Code).

The subject site lies within Flood Zone "C" which is identified as an area of minimal flood as shown on Flood Insurance Rate Map Community Panel No. 060137 004C. The project site is not subject to the Specific Plan for the Management of Flood Hazards (floodways, floodplains, mud prone area, coastal high-hazard and flood-related erosion hazard areas).

The project was subject to an Environmental Impact Report ("EIR") conducted by

the Grand Avenue Authority (State Clearinghouse Number 2005 091041). The environmental analysis contained in the EIR establishes that the physical characteristics of the site and surrounding area is conducive for the type of development relative to the site's existing urban character, applicable land use regulations and zoning. The EIR identifies that the physical implementation of the project would cause substantial impacts on the environment. However, Mitigation Measures identified in the FEIR are incorporated into the project's conditions of approval to minimize the environmental impacts to less than significant levels. Said Mitigation Measures have been adopted by the Advisory Agency as indicated in the CEQA Findings ("Findings of Fact (CEQA)) of this decision.

The proposed Project includes an Equivalency Program that would allow the composition of on-site development to be modified to respond to future needs in a manner that would not increase the project's impacts on the environment. The Equivalency Program would provide flexibility for modifications to land uses and square footages for Parcel L/M-2 relative to the other three tract maps that are part of the whole project defined as "The Grand Avenue Project" (Tentative Tract Numbers 67490, 67491, and 67492). Within this framework, land uses can be exchanged for corresponding decreases of other land uses under the proposed Equivalency Program without any further CEQA review.

The equivalency program was analyzed in the FEIR to confirm that the exchange of Project uses set from I the program can occur without the need for subsequent CEQA analysis. Proposed Exchanges under the equivalency program would be implemented through the City of Los Angeles, Department of City Planning procedures. These procedures ensure that any exchanges occurring in the future are within the scope of the FEIR's Equivalency Program. Therefore, material evidence supports that the project site is 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 applying to subject sites throughout the City, are allocated based on the type of land use, physical suitability and population growth that is expected to occur. The proposed C2-4D Zone affecting the project site permits the proposed densities as follows: There are no minimum lot area requirements for the C2 Zone where commercial uses are proposed. However, residential uses permitted in the C2 Zone are subject to lot area requirements. Section 12.22-A, 18(a) of the Los Angeles Municipal Code provides that any land use permitted in the R5 Zone be permitted on project site where the General Plan Land Use Designation is identified as Regional Center Commercial or within any Redevelopment Project Area within the Central City Community Plan.

The density of 680 residential condominiums and 170 residential apartment units will be consistent with the provisions and area requirements of the Planning and Zoning Code pursuant to Section 12.22 A.25 Affordable Housing Incentives/Density Bonuses and will be contingent upon an approval of the Conditional Use Permit pursuant to section 12.24 U.26. The project's proposed 101,000 square feet of commercial space is also consistent with the general provisions of the Planning and Zoning Code (Section 12.14 et. seq. of the Los Angeles Municipal Code). Additionally, the project falls within the scope of those uses analyzed in the Grand Avenue Environmental Impact Report and as adopted by the City Council.

The proposed Project includes an Equivalency Program that would allow the composition of on-site development to be modified to respond to future needs in a manner that would not increase the Project's impacts on the environment. The Equivalency Program would provide flexibility for modifications to land uses and square footages within the five parcels. Within this framework, land uses can be exchanged for certain other permitted land uses so long as the limitations of the Equivalency Program are adhered to, which limitations were designed so no additional environmental impacts would occur. Thus, all permitted Project land use increases can be exchanged for corresponding decreases of other land uses under the proposed Equivalency Program without any further CEQA review.

This equivalency program was analyzed in the FEIR to confirm that the exchange of Project uses set forth in the program can occur without the need for subsequent CEQA analysis. Proposed exchanges under the equivalency program would be implemented through the City of Los Angeles, Department of City Planning procedures.

Based on the density proposed, land uses in the vicinity and the environmental impact report, the subdivision would be consistent with the General Plan and proposed zoning for the development. There are no known physical impediments or hazards that would be materially detrimental to the public welfare or injurious to the property or improvements in the same zone or vicinity in which the property is located as a result of the project's proposed density. Therefore, the site is physically suitable for the proposed density of development.

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

On November 20, 2006, the Los Angeles Grand Avenue Authority (Authority) certified the Grand Avenue Final Environmental Impact Report (FEIR) (State

Clearinghouse No. 2005091041), stating the FEIR was completed in compliance with the California Environmental Quality Act, Public Resources Code Section 21000 et seq., the CEQA Guidelines, and all applicable local guidelines concerning the application and implementation of that statute.

The Grand Avenue Final Environmental Impact Report prepared for the proposed project identifies no potential adverse impacts to fish or wildlife resources as far as earth, air, water, plant life, animal life, or risk of upset are concerned. Furthermore, the project site is presently developed with a surface parking lot and other typical structures for associated with urban uses. Such uses do not provide for a natural habitat for fish or wildlife.

With regards to impact categories identified in the environmental impact report as having a potentially significant impact, Mitigated Measures have been identified to mitigate potentially significant impacts to less than, or no impact levels. Said measures are incorporated into the project's conditions of approval. Mitigation Monitoring and other procedures and processes have been identified ensuring the implementation of all required mitigation measures. Appropriate CEQA Findings have been established that reflect the independent judgment of the Lead Agency relative to the adequacy of the environmental impact report, validity of the environmental analyses, and the mitigation measures to be used to minimize the project's impact on the environment. Therefore, in light of the whole record, the proposed project would not cause substantial environmental damage or substantially and unavoidably injure fish or wildlife of their habitat.

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

The Grand Avenue Environmental Impact Report establishes that no potential public health problems would be caused by the design or improvement of the proposed subdivision. The project is subject to setback and yard requirements, the Fire Code, and other health and safety related requirements as mandated by law.

The development is required to be connected to the City's sanitary sewer system, where the sewage will be directed to the LA Hyperion Treatment Plant, which is currently being upgraded to meet Statewide ocean discharge standards. The Bureau of Engineering has reported that the proposed subdivision does not violate the existing California Water Code because the subdivision will be connected to the public sewer system and will have only a minor incremental impact on the quality of the effluent from the Hyperion Treatment Plant. Therefore, the design of the subdivision and the proposed improvements are not likely to cause serious public health problems.

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

LARGE FOR ACCESS THROUGH OR USE OF PROPERTY WITHIN THE PROPOSED SUBDIVISION.

Along the northeasterly boundary of the project site along Second Street, there are easements of the City of Los Angeles for public street purposes. Separate from that there are no recorded instruments identifying easements encumbering the project site for the purpose of requiring access by the public at large. The project site contains legally recorded lots as identified by the Assessor Parcel Record and Assessor Parcel Map – Map Nos. 5151-004-908 and 5151-015-914. The site is surrounded by private and public properties that adjoin improved public streets and sidewalks designed and required by the City of Los Angeles to provide public access throughout the area. The project site does not adjoin or provide access to a public resource, natural habitat, public park or any officially recognized public recreation area. The project design encourages pedestrian oriented uses, including public amenities and a public park. Therefore, the design of the subdivision and the proposed improvements would not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.

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

In assessing the feasibility of passive or natural heating or cooling opportunities in the proposed subdivision design, the applicant has prepared and submitted materials which consider the local climate, contours, configuration of the parcel(s) to be subdivided and other design and improvement requirements.

Providing for passive or natural heating or cooling opportunities will not result in reducing allowable densities or the percentage of a lot which may be occupied by a building or structure under applicable planning and zoning in effect at the time the tentative map was filed.

The lot layout of the subdivision has taken into consideration the maximizing of the north/south orientation.

The topography of the site has been considered in the maximization of passive or natural heating and cooling opportunities.

In addition, prior to obtaining a building permit, the subdivider shall consider building construction techniques, such as overhanging eaves, location of windows, insulation, exhaust fans; planting of trees for shade purposes and the height of the buildings on the site in relation to adjacent development.

These findings shall apply to both the tentative and final maps for Tract Map No. 67492.



S. Gail Goldberg, AICP  
Advisory Agency

MAYA ZAITZEVSKY  
Deputy Advisory Agency

MZ:MS:jh

Note: If you wish to file an appeal, it must be filed within 10 calendar days from the decision date as noted in this letter. For an appeal to be valid to the City Planning Commission, it must be accepted as complete by the City Planning Department and appeal fees paid, prior to expiration of the above 10-day time limit. Such appeal must be submitted on Master Appeal Form No. CP-7769 at the Department's Public Offices, located at:

Figueroa Plaza  
201 N. Figueroa St., 4<sup>th</sup> Floor  
Los Angeles, CA 90012  
213.482.7077

Marvin Braude San Fernando  
Valley Constituent Service Center  
6262 Van Nuys Blvd., Room 251  
Van Nuys, CA 91401  
818.374.5050

Forms are also available on-line at [www.lacity.org/pln](http://www.lacity.org/pln).

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.

If you have any questions, please call Subdivision staff at (213) 978-1362.

RECEIVED  
AUG 16 2007

BY:.....



**LOS ANGELES CITY PLANNING COMMISSION**  
200 N. Spring Street, Room 532, Los Angeles, CA 90012-4801 (213) 978-1300  
[www.lacity.org/PLN/index.htm](http://www.lacity.org/PLN/index.htm)

**Determination Mailing Date:** AUG 14 2007

**Case No.:** Tentative Tract No. 67492-1A  
**CEQA:** ENV-2006-6051-MND

**Council District:** 9  
**Location:** Various  
**Plan Area:** Central City

**Applicant:** The Related Companies; Beatrice Hsu  
**Representative:** Psomas; Jennifer Yakubik

**Appellant:** Christopher Sutton; Today's IV Inc., dba Westin Bonaventure Hotel

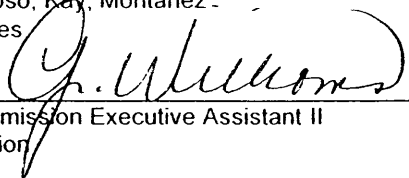
**At its meeting of July 26, 2007, the City Planning Commission took the following action:**

1. **Denied the appeal.**
2. **Sustained** the Deputy Advisory Agency's **approval** of **Tentative Tract Map No. 67492**, (Parcels L and M-2) for the merger and re-subdivision of one lot and one portion of a lot to permit a two-master lot subdivision and 13 airspace lots for a new 680-unit residential condominium, 170 affordable apartment units with 50% at very low and 50% at low income levels, and 101,000 square feet of commercial/retail with 1,570 total parking spaces on a 2.20 net acre site in the R5-4D zone; also, haul route approval. The proposed project is located at 100, 221, 225, and 237 S. Grand Avenue; 121, 129, and 135 S. Hill Street; 220 and 236 S. Hope Street; 111, 121, 130, 134, 138, 141, 145, 151, and 161 S. Olive Street; 400 and 440 W. 1<sup>st</sup> Street; 411, 417, 419, 419, 421, 425, 427, 429, and 431 W. 2<sup>nd</sup> Street; and 630 and 635 W. General Thaddeus Kosciuszko Way.
3. **Adopted** the attached Conditions of Approval, as modified.
4. **Adopted** the attached Findings.
4. **Adopted** ENV-2006-6998-MND.

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

This action was taken by the following vote:

**Moved:** Roschen  
**Seconded:** Woo  
**Ayes:** Freer, Kezios, Usher  
**Absent:** Cardoso, Kay, Montanez  
**Recuse:** Hughes  
**Vote:** 5-0

  
Gabriele Williams, Commission Executive Assistant II  
City Planning Commission

**Effective Date/Appeals:** This action of the City Planning Commission will be final within 10 days from the mailing date on this determination unless an appeal is filed within that time to the City Council. All appeals shall be filed on forms provided at the Planning Department's public Counters at 201 North Figueroa Street, Third Floor, Los Angeles, or at 6262 Van Nuys Boulevard, Room 251, Van Nuys. Forms are also available online at [www.lacity.org/pln](http://www.lacity.org/pln)

**FINAL APPEAL DATE** AUG 24 2007

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/Findings

**cc:** Notification List  
Maya Zaitzevsky, Planning

In accordance with provisions of Section 17.03 of the Los Angeles Municipal Code, the Advisory Agency approved Tentative Tract Map No. 67492 composed of two-master lots and 13 air space lots located at 225 South Grand Avenue for a new maximum **680-unit residential condominium, 170 affordable apartment with 50% at very low and 50% at low income levels, and 101,000 square feet of commercial/retail space** as shown on map stamp-dated December 21, 2006 in the Central City Community Plan. This unit density is based on the proposed C2 Zone and the approval of Case No. CPC-2006-9702-ZC-CU-CUB-ZV-DA. An approved Equivalency Program described in the Grand Avenue Final Environmental Impact Report (State Clearinghouse No. 2005091041), allows for modifications to land uses and square footages within and between Tentative Tract Map Nos. 67490, 67491, and 67492. All permitted project land use increases can be exchanged for corresponding decreases of other land uses under the approved Equivalency Program. Any modifications to land uses and square footages shall be within the constraints and limitations of the Equivalency Program. Furthermore, pursuant to the Disposition and Development Agreement ("DDA") approved by the Grand Avenue Joint Powers Authority, twenty percent (20%) of all residential units in this tentative tract map (TT-67492) shall be affordable. The subdivider is hereby advised that the Municipal Code may not permit this maximum approved density. Therefore, verification should be obtained from the Department of Building and Safety, which will legally interpret the Zoning code as it applies to this particular property. For an appointment with the Advisory Agency or a City Planner call (213) 978-1414. The Advisory Agency's approval is subject to the following conditions:

**NOTE** on clearing conditions: When two or more **agencies** must clear a condition, subdivider should follow the sequence indicated in the condition. For the benefit of the applicant, subdivider shall maintain record of all conditions cleared, including all material supporting clearances and be prepared to present copies of the clearances to each reviewing agency as may be required by its staff at the time of its review.

#### **BUREAU OF ENGINEERING - SPECIFIC CONDITIONS**

1. That a 33-foot wide and variable width strip of land be dedicated for the existing upper 2<sup>nd</sup> Street improvements adjoining the subdivision to align with the lower 2<sup>nd</sup> Street underground easement line and also the back of the existing sidewalk along the subdivision, together with suitable corner cut or property line radius at the intersections with Grand Avenue and Hope Street all satisfactory to the City Engineer.
2. That all the existing public streets and subsurface street easements within the subdivision be delineated on the final map satisfactory to the City Engineer.
3. That two copies of a parking area and driveway plan be submitted to the Central District Office of the Bureau of Engineering for review and approval or that a Covenant and Agreement be recorded agreeing to do the same prior to the

issuance of a building permit.

4. That a Covenant and Agreement be recorded advising all future owners and builders that prior to issuance of a building permit, a Notice of Acknowledgment of Easement be recorded, and an application to do work in any sanitary sewer and drainage easements and to construct over the existing sanitary sewer and drainage facilities shall be submitted to the City Engineer for approval.
5. That a portion of General Thaddeus Kosciusko Way, a public street between Grand Avenue and Hope Street, proposed for airspace merger above the height of 20 feet measured from the top of the curb of the street pavement and below 14 feet below the finished street grade, as determined by the City Engineer, be permitted to be merged with the remainder of the subdivision pursuant to Section 66499.20-1/2 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 airspace area 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.
6. That confirmations be obtained and submitted to the Central Engineering District of the Bureau of Engineering from all public utility agencies that might have certain rights in the area being merged below General Thaddeus Kosciusko Way that there are not planned uses in the area that will conflict with such merger. The proposed subsurface merger may not be approved if substantial utility needs are identified.

Note: The Advisory Agency hereby finds that the airspace area to be merged is unnecessary for present or prospective public purposes and all owners of the interest in the real property within the subdivision have or will have consented to the merger prior to the recordation of the final map.
7. That a complete set of detailed drawings of the airspace parcel map be submitted to the City Engineer for review showing the following:
  - a. Plan view at different elevations.
  - b. Isometric views.
  - c. Elevation views.
  - d. Section cuts at all locations where air space lot boundaries change.
8. That the owners of the property record an agreement satisfactory to the City

Engineer stating that they will grant the necessary 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 a safe condition for use at all times.

9. That a Covenant and Agreement be recorded satisfactory to the City Engineer binding the subdivider and all successors to the followings:
  - a. That the owners shall be required to maintain all elements of the structure above and below the limited General Thaddeus Kosciusko Way rights-of-way being provided in a safe and usable condition to the satisfaction of the City Engineer. The City shall be given reasonable access to the structure within and adjacent to the limited General Thaddeus Kosciusko Way right-of-way area for any necessary inspection, upon request during normal business hours. The City may request the owners to repair or replace damaged, defective or unsafe structural elements or to correct unacceptable conditions at the owner's expense if owner elects not to do so. Owner shall grant reasonable access to City's contractor to make said repairs.
  - b. The owners shall obtain a B-Permit from the City Engineer for any substantial structural modification above or below the General Thaddeus Kosciusko Way right-of-way area and for any structural elements outside said areas which provide lateral or vertical support to structures within the areas.
10. That the subdivider execute and record an agreement satisfactory to the City Engineer to waive any right to make or prosecute any claims or demands against the City for any damage that may occur to the proposed structures adjacent to the public right-of-way dedication area being provided in connection with the use, construction and maintenance operations within said General Thaddeus Kosciusko Way right-of-way.
11. That a Waiver of Damages Agreement and an Indemnification Agreement Covenant to run with the land, be executed by the owners and submitted to the Bureau of Engineering for approval, and subsequently be recorded relieving the City of any liability arising from the construction, maintenance and use of the proposed airspace subdivision areas being proposed. This waiver and indemnity statement shall be also included in the final map.
12. That proper excavation permits be obtained from the City Engineer and shoring and/or lateral support plans be submitted for review and approval all satisfactory to the City Engineer.
13. That plans for new structural design crossing General Thaddeus Kosciusko Way between Hope Street and Grand Avenue be reviewed and approved satisfactory to the City Engineer.

14. That the subdivider make a request to the Central District Office of the Bureau of Engineering to determine the capacity of the existing sewers in this area.
15. That a soil and geology report be submitted to the Geotechnical Engineering Group of the Bureau of Engineering for their review and approval which may add additional relevant conditions.
16. That a revised map be submitted for information purposes satisfactory to the City Engineer and Advisory Agency showing the exact locations, including upper and lower elevations, of merger areas. This revised map will be used for the final map checking process and should show only one master lot.

**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 March 27, 2007 attached to the case file for Tract No. 67492.

**DEPARTMENT OF BUILDING AND SAFETY, ZONING DIVISION**

18. That 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. Parking is required for the existing structures and uses to remain. Show location of all parking spaces and access driveways. Dimension all parking spaces.
  - b. Provide copy of building permit records, plot plan, certificate of occupancy for all the existing buildings on the lot to clarify the last legal use and the required parking spaces. Records can be obtained at 201 North Figueroa Street Room 110, Los Angeles, CA 90012.
  - c. Show all street dedication(s) 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.
  - d. Indicate the type of construction and building dimensions for the buildings on the site.
  - e. 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.

- f. Submit a revised map that dimensions each air space lot with a finite width, length, and upper and lower elevations. The final map shall be based upon a site plan which accurately describes the location of such lots.
- g. Provide a copy of [D] condition(s). Show compliance with the above condition(s) as applicable or Department of City Planning approval is required.
- h. Provide a copy of affidavits PKG 51, AFF-62546 and AFF-90-1241757. Show compliance with all the conditions/requirements of the above affidavit(s) as applicable. Termination of above affidavit(s) may be required after map has been recorded. Obtain approval from the Department, on the termination form, prior to recording.

Notes:

The existing or proposed building plans have not been checked for Building or Zoning Code requirements. Any vested approvals for parking layouts, open space, required yards or building height, should be "to the satisfaction of the Department of Building and Safety at the time of Plan Check." If the proposed development does not comply with the current Zoning Code, all zoning violations shall be indicated on the map.

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 Cabrera at (213) 482-0474 to schedule an appointment.

## DEPARTMENT OF TRANSPORTATION

- 19. That prior to recordation of the final map, satisfactory arrangements shall be made with the Department of Transportation to assure:
  - a. The applicant complies with Traffic Impact Assessment report for the proposed Grand Avenue Project as stated in the September 8, 2006 DOT letter to Martha Welborne, Los Angeles Grand Avenue Authority.
  - b. A minimum of 60-foot and 40-foot reservoir space(s) be provided between any ingress security gate(s) and the property line when driveway is serving more than 300 and 100 parking spaces respectively.
  - c. Parking stalls shall be designed so that a vehicle is not required to back into or out of any public street or sidewalk.
  - d. 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 Suite 400, Station 3.

## **FIRE DEPARTMENT**

20. That prior to the recordation of the final map, a suitable arrangement shall be made satisfactory to the Fire Department, binding the subdivider and all successors to the following:
- a. Submittal of plot plans for Fire Department review and approval prior to recordation of Tract Map Action.
  - b. 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.
  - c. No building or portion of a building shall be constructed more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane.
  - d. Where access for a given development requires accommodation of Fire Department apparatus, overhead clearance shall not be less than 14 feet.
  - e. Adequate public and private fire hydrants shall be required.
  - f. Access for Fire Department apparatus and personnel to and into all structures shall be required.
  - g. The Fire Department may require additional vehicular access where buildings exceed 28 feet in height.
  - h. 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.

## **DEPARTMENT OF WATER AND POWER**

21. 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).)



**BUREAU OF SANITATION**

22. Satisfactory arrangements shall be made with the Bureau of Sanitation, Wastewater Collection Systems Division for compliance with its sewer system review and requirements. Upon compliance with its conditions and requirements, the Bureau of Sanitation, Wastewater Collection Systems Division will forward the necessary clearances to the Bureau of Engineering. (This condition shall be deemed cleared at the time the City Engineer clears Condition No. S-1. (d).)

**INFORMATION TECHNOLOGY AGENCY**

23. That satisfactory arrangements be made in accordance with the requirements of the Information Technology Agency to assure that cable television facilities will be installed in the same manner as other required improvements. Refer to the Los Angeles Municipal Code Section 17.05N. Written evidence of such arrangements must be submitted to the Information Technology Agency, 200 N. Main Street, 12<sup>th</sup> Floor, Los Angeles, CA 90012, (213) 922.8363.

**DEPARTMENT OF RECREATION AND PARKS**

24. That the Quimby fee be based on the R5 zone.

**DEPARTMENT OF CITY PLANNING-SITE SPECIFIC CONDITIONS**

25. Prior to 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 a maximum of 680 residential condominium units, 170 residential apartment units with 50% at very low and 50% at low income levels and 101,000 square feet of commercial/retail space. If the affordable units are provided as for-sale units, the affordability levels shall be consistent with the requirements of the Disposition and Development Agreement for the Grand Avenue Project.

Provide a minimum ratio of 1.5 parking spaces per market rate residential unit and a minimum of 1 space per affordable residential unit. Unless an attendant is provided at all times: (a) All guest spaces shall be readily accessible, conveniently located, specifically reserved for guest parking, posted and maintained satisfactory to the Department of Building and Safety; (b) Directions to guest parking spaces shall be clearly posted; and (c) Tandem parking spaces shall not be used for guest parking. If guest parking spaces are gated, a voice response system shall be installed at the gate. Provide a minimum of 1 parking space for each 1,000 square feet of

commercial/retail use.

- b. In addition, prior to the issuance of a building permit, a parking plan showing off-street parking spaces, as required by the Advisory Agency, be submitted for review and approval by the Department of City Planning (200 No. Spring Street, Room 750).
  - c. In accordance with the Equivalency Program contained in the Final EIR (State Clearinghouse No. 2005091041) for the project, land uses can be exchanged for certain other permitted land uses within and between Tentative Tract Maps 67490, 67491, 67492 so long as the limitations of the Equivalency Program are satisfied and no additional environmental impacts occur. All permitted land use increases can also be exchanged for corresponding decreases of other land uses. The Department of City Planning shall be the implementing agency for the Program.
  - d. The applicant shall install an air filtration system(s) to reduce the effects of diminished air quality on occupants of the project.
  - e. That a solar access report shall be submitted to the satisfaction of the Advisory Agency prior to obtaining a grading permit.
  - f. 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.
  - g. Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material.
  - h. The applicant shall install shielded lighting to reduce any potential illumination affecting adjacent properties.
  - i. Prior to the clearance of any tract map conditions, the applicant shall show proof that all fees have been paid to the Department of City Planning, Expedited Processing Section.
26. That prior to the issuance of the building permit or the recordation of the final map, a copy of the **CPC-2006-9702-ZC-CU-CUB-CUX-ZV-DA** shall be submitted to the satisfaction of the Advisory Agency. In the event that **CPC-2006-9702-ZC-CU-CUB-CUX-ZV-DA** is not approved, the subdivider shall submit a tract modification.
27. That the subdivider shall make suitable arrangements for clearance with the Community Redevelopment Agency for the Bunker Hill Redevelopment Project area.

**DEPARTMENT OF CITY PLANNING-ENVIRONMENTAL MITIGATION MEASURES**

28. That prior to the recordation of the final map, the subdivider will prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770) in a manner satisfactory to the Planning Department, requiring the subdivider to identify mitigation monitors who shall provide periodic status reports to the implementation of mitigation items required by Mitigation Condition Nos. 29 of the Tract's approval satisfactory to the Advisory Agency. The mitigation monitors shall be identified as to their areas of responsibility, and phase of intervention (pre-construction, construction, post-construction/maintenance) to ensure continued implementation of the above mentioned mitigation items. Subject to review and approval by the Planning Department/Advisory Agency, the subdivider may satisfy this requirement by submitting the Mitigation Monitoring Program previously approved by the Joint Powers Authority, as further described at page 158, Section 1.9 of this Report.
29. Prior to recordation of the final map, the subdivider will 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:

Aesthetics and Visual Resources

- MM-1 During Project construction, the Developer, with regard to the five development parcels, shall ensure, through appropriate postings and daily visual inspections, that no unauthorized materials remain posted on any temporary construction barriers or temporary pedestrian walkways, and that any such temporary barriers and walkways are maintained in a visually attractive manner throughout the construction period. The City's Department of Building and Safety or other appropriate City agency or department, shall determine compliance with this measure with regard to construction associated with the five development parcels.
- MM-2 Prior to the start of each construction work phase, the developer, with regard to the five development parcels, shall prepare and implement a tree replacement plan should mature trees along Grand Avenue be impacted by Project construction. Existing mature trees shall be replaced at a ratio of not less than 1:1, to the extent consistent with the final streetscape design. The City's Department of Building and Safety or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels.
- MM-3 Prior to the start of each construction work phase, the developer, with regard to the five development parcels, shall schedule and coordinate sidewalk construction with the development of the adjacent parcels to reduce the duration and visual impact of construction activities. Scheduling of construction activities

for the five development parcels shall be reviewed and approved by the Authority and implemented by the responsible parties.

- MM-4 Prior to the start of each construction work phase, the developer, with regard to the five development parcels, shall submit a design plan and technical analysis prepared by the Project's architect as part of the building permit submission that demonstrates that the final selection of building materials for the five development parcels shall not create a significant glare impact on any offsite sensitive uses, including line-of-sight glare on any street or commercial, residential, or cultural use. The approved design plan shall be implemented by the developer with regard to the five development parcels. The design plan and technical study shall be reviewed and approved by the Authority.
- MM-5 Prior to each construction phase, the developer with regard to the five development parcels, shall prepare, and, thereafter, implement plans and specifications to ensure that architectural lighting is directed onto the building surfaces and have low reflectivity in accordance with Illuminating Engineers Society (IES) standards to minimize glare and limit light onto adjacent properties.
- MM-6 Prior to the start of each construction work phase, the developer, with regard to the five development parcels, shall submit to the Authority or other appropriate agency, for review and approval, building plans and specifications that demonstrate that all ventilation, heating and air conditioning ducts, tubes, and other such mechanical equipment shall be screened from the line-of-sight from the street. Approved building plans and specifications shall be implemented by the responsible parties.
- MM-7 Prior to the start of each construction work phase, the developer, with regard to the five development parcels, shall submit design plans that demonstrate that all utility lines and connections are constructed underground. Approved utility plans and connections with regard to the five development parcels shall be reviewed and approved by the Authority. Approved utility lines and connections shall be implemented by the responsible parties.
- MM-8 Prior to construction, the developer, with regard to the five development parcels, shall submit design plans for trash collection areas to the Authority for review and approval. Trash collection areas shall be screened from line of sight from the street. Approved design plans shall be implemented by the developer.
- MM-9 Prior to the start of each construction work phase, the developer, with regard to the five development parcels shall prepare architectural plans that shall be reviewed and approved by the Authority such that all ground-level building fixtures, including, but not limited to, security gates, landscape light fixtures, pedestrian lights, air intake shafts, and other appurtenances are integrated into the

architectural theme and/or design of the respective Project components. Approved architectural plans shall be implemented by the developer and the responsible parties.

#### Air Quality

MM-10 During each construction phase, the developer, with regard to the five development parcels, shall implement a fugitive dust control program pursuant to the provisions of SCAQMD Rule 403. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with SCAQMD Rule 403 during construction with regard to construction associated with the five development parcels. The SCAQMD retains jurisdiction to enforce this measure in the case of non-compliance. Compliance with the applicable provisions of Rule 403 shall include, but not be limited to, using best available control measures listed in Table 1 of Rule 403 to minimize fugitive dust emissions from each fugitive dust source type within active operations, and will include at least the following specific best management practices (BMPs):

- Water soils daily and not more than 15 minutes prior to earth moving activities;
- Water surfaces two times per day or more in order to maintain a surface crust to prevent soil erosion;
- Apply soil conditioners or vegetative cover to areas that will be exposed for an extended duration;
- Apply chemical stabilizers within five working days of ceasing grading;
- Install approved trackout prevention devices and provide street sweeping within the Project area;
- Securely cover truck loads with a tarp;
- Cease grading activities when wind speeds exceed 25 miles per hour; and
- Permanently seal exposed surfaces as soon as possible after grading is finished; and
- Provide temporary wind fencing, consisting of wrapped chain link or solid fencing, around the sites that are being graded/excavated to reduce dirt/dust from being blown over to adjoining properties.

MM-11 During each construction phase, the developer, with regard to the five development parcels, shall utilize coatings and solvents that are consistent with applicable SCAQMD rules and regulations. The City's Department of Building and Safety, or other appropriate City agency or department, shall provide oversight with regard to compliance with this measure with regard to construction associated with the five development parcels. The SCAQMD retains jurisdiction to enforce this measure in the case of non-compliance.

- MM-12 During each construction phase, the developer, with regard to the five development parcels, shall comply with SCAQMD Rule 402 to reduce potential nuisance impacts due to odors from construction activities. The City's Department of Building and Safety, or other appropriate City agency or department, shall provide oversight with regard to compliance with this measure with regard to construction associated with the five development parcels. The SCAQMD retains jurisdiction to enforce this measure in the case of non-compliance.
- MM-13 During each construction phase, the developer, with regard to the five development parcels, shall ensure that all haul truck tires shall be cleaned at the time these vehicles exit the Project site. The City's Department of Building and Safety, or other appropriate City agency or department, shall provide oversight with regard to compliance with this measure with regard to construction associated with the five development parcels. The SCAQMD retains jurisdiction to enforce this measure in the case of non-compliance.
- MM-14 During each construction phase, the developer, with regard to the five development parcels, shall ensure that all export material carried by haul trucks shall be covered by a tarp or other means. The City's Department of Building and Safety, or other appropriate City agency or department, shall provide oversight with regard to compliance with this measure with regard to construction associated with the five development parcels. The SCAQMD retains jurisdiction to enforce this measure in the case of non-compliance.
- MM-15 During each construction phase, the developer, with regard to the five development parcels, shall ensure that all construction equipment shall be properly tuned and maintained in accordance with manufacturer's specifications. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to construction associated with the five development parcels.
- MM-16 During each construction phase, the developer, with regard to the five development parcels, shall ensure that construction equipment is maintained and operated so as to minimize exhaust emissions. During construction, trucks and vehicles in loading and unloading queues shall turn off their engines, when not in use, to reduce vehicle emissions. Construction emissions shall be phased and scheduled to avoid emissions peaks and discontinued during second-stage smog alerts. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to construction activities associated with the five development parcels.
- MM-17 During each construction phase, the developer, with regard to the five development parcels, shall ensure that electricity rather than temporary diesel-

or gasoline-powered generators shall be used to the extent feasible. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to construction associated with the five development parcels.

- MM-18 During each construction phase, the developer, with regard to the five development parcels, shall ensure that all construction vehicles shall be prohibited from idling in excess of five minutes, both on- and off-site. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to construction associated with the five development.
- MM-19 During each construction phase, the developer, with regard to the five development parcels, shall ensure that heavy-duty construction equipment shall use alternative clean fuels, such as low sulfur diesel or compressed natural gas with oxidation catalysts or particulate traps, to the extent feasible. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels.
- MM-20 During each construction phase, the developer, with regard to the five development parcels shall ensure that shuttle service shall be provided to construction workers who are required to park in offsite parking lots if such lots are not within a walking distance of 1,100 feet from the respective construction sites. CRA/LA shall determine compliance with this measure with regard to construction associated with the five development parcels.
- MM-21 During each construction phase, the developer, with regard to the five development parcels, shall equip major earth moving equipment, haul trucks, and excavation equipment with particulate filters and catalytic converters. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to construction associated with the five development parcels.
- MM-22 During each construction phase, the developer with regard to the five development parcels, shall ensure that building materials, architectural coatings and cleaning solvents shall comply with all applicable SCAQMD rules and regulations. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to construction associated with the five development parcels. The SCAQMD shall be responsible for the enforcement of this measure for all Project components in the case of non-compliance.
- MM-23 During Project operations, the developer, with regard to the five development

parcels, shall, to the extent feasible, ensure that deliveries are scheduled during off-peak traffic periods to encourage the reduction of trips during the most congested periods. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure, with regard to construction associated with the five development parcels.

- MM-24 During Project operations, the developer, with regard to the five development parcels, shall coordinate with the MTA and the Los Angeles Department of Transportation to provide information to Project employees, residents and guests with regard to local bus and rail services. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to construction associated with the five development parcels.
- MM-25 Provide the appropriate number of bicycle racks located at convenient locations in the Project site. The developer shall implement this measure with regard to the five development parcels prior to initial building occupancy for each construction phase. The City's Department of Safety shall review and approve the number and location of the bicycle racks with regard to the five development parcels.
- MM-26 The developer, with regard to the five development parcels, shall provide convenient pedestrian access throughout the Project site. The Developer shall implement this measure with regard to the five development parcels prior to initial building occupancy for each construction phase. Pedestrian access plans shall be submitted to the Authority, for review and approval. Approved pedestrian access plans shall be implemented by the responsible parties.
- MM-27 During on-going Project operations, the developer, with regard to the five development parcels, shall ensure that all fixtures used for lighting of exterior common areas shall be regulated by automatic devices to turn off lights when they are not needed, but a minimum level of lighting should be provided for safety. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this mitigation measure with regard to the five development parcels.
- MM-28 During Project operations, the developer, with regard to the five development parcels, shall ensure that all point source facilities shall obtain all required permits from the SCAQMD. The issuance of these permits by the SCAQMD shall require the operators of these facilities to implement Best Available Control Technology and other required measures that reduce emissions of criteria air pollutants. Proof of permit issuance by the SCAQMD shall be provided to the City's Department of Building and Safety, or other appropriate City agency or department, with regard to the five development parcels. Compliance with point



source permits shall be enforced by the SCAQMD for all Project components.

- MM-29 During Project operations, the developer, with regard to the five development parcels, shall ensure that commercial businesses located within the Project site shall be limited to those that do not emit high levels of potentially toxic air contaminants or odors (e.g., dry cleaners with on-site processing plants that handle toxic chemicals). The City's Department of Building and Safety, or other appropriate City agency or department, shall be responsible for the enforcement of this measure with regard to the five development parcels.
- MM-30 Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall prepare and implement building plans and specifications that ensure that all residential and non-residential buildings shall, at a minimum, meet the California Title 24 Energy Efficiency standards for water heating, space heating and cooling. Approved building plans shall be implemented by the developer and the responsible parties. Building plans and specifications with regard to the five development parcels shall be reviewed and approved by the City's Department of Building and Safety, or other appropriate City agency or department.
- MM-31 During each construction phase, the Developer with regard to the five development parcels, shall ensure that building materials, architectural coatings and cleaning solvents shall comply with all applicable SCAQMD rules and regulations. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to construction associated with the five development parcels. The SCAQMD retains enforcement of this measure for all Project components in the case on non-compliance.

#### Fire Protection and Related Services

- MM-32 During demolition activities occurring during each construction phase, the developer, with regard to the five development parcels, shall ensure sure that emergency access shall remain clear and unobstructed. The LAFD shall determine compliance with this measure with regard to the five development parcels.
- MM-33 Prior to each construction phase, the developer, with regard to the five development parcels, shall prepare, and thereafter implement, plans and specifications to ensure that the construction contractor is apprised of the requirement to maintain access to sub-surface parking structures associated with the Civic Center Mall, the Music Center, and the Colburn School for

Performing Arts. The LAFD shall determine compliance with this measure with regard to the five development parcels.

- MM-34 During each construction phase, the developer, with regard to the five development parcels, shall maintain access for emergency response personnel to the Kenneth Hahn Hall of Administration, the Paseo de los Pobladores de Los Angeles, the County Courthouse, the Colburn School for Performing Arts, and the Walt Disney Concert Hall. The LAFD shall determine compliance with this measure with regard to construction in the five development parcels.
- MM-35 Prior to each construction phase, the developer, with regard to the five development parcels, shall prepare, and thereafter implement, a plan to ensure that emergency evacuation from the northwest side of the County Mall and Colburn School for Performing Arts, the southeast side of the Music Center and the Walt Disney Concert Hall would not be impeded by construction of the individual Project elements. With respect to the plan for the Mall, it must be prepared to coordinate with emergency evacuation plans for the Courthouse and the Hall of Administration. The LAFD shall determine compliance with this measure with regard to the five development parcels.
- MM-36 During each construction phase, the developer, with regard to the five development parcels, shall ensure that sufficient fire hydrants shall remain accessible at all times during Project construction. The LAFD shall determine compliance with this measure with regard to the five development parcels.
- MM-37 Prior to the start of each construction phase and during Project operations, the developer, with regard to the five development parcels shall comply with all applicable State and local codes and ordinances, and the guidelines found in the Fire Protection and Fire Prevention Plan, and the Safety Plan, both of which are elements of the General Plan of the City of Los Angeles (C.P.C. 19708). The City of Los Angeles Fire Department (LAFD) shall determine compliance with this measure with regard to the five development parcels.
- MM-38 During Project operations, the developer, with regard to the five development parcels shall maintain all access roads, including fire lanes, in an unobstructed manner, and removal of obstructions shall be at the owner's expense. The entrance to all required fire lanes or required private driveways shall be posted with a sign no less than three square feet in area in accordance with Section 57.09.05 of the Los Angeles Municipal Code. The LAFD shall determine compliance with this measure with regard to the five development parcels.
- MM-39 Prior to the start of each construction phase, the Developer, with regard to the

five development parcels, shall prepare, and thereafter implement, plans and specifications in accordance with LAFD requirements, and requirements for necessary permits shall be satisfied prior to commencement of construction on any portion of the five development parcels. The LAFD shall determine compliance with this measure with regard to the five development parcels.

- MM-40 Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall prepare, and thereafter implement, a plan that will assure that any required fire hydrants that are installed shall be fully operational and accepted by the Fire Department prior to any building construction. The LAFD shall determine compliance with this measure with regard to the five development parcels.
- MM-41 Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall submit plot plans indicating access roads and turning areas to the LAFD for review and approval. The developer, with regard to the five development parcels shall implement the approved plot plans. The LAFD shall determine compliance with this measure.
- MM-42 Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall prepare, and thereafter implement, engineering plans that show adequate fire flow and placement of adequate and required public and private fire hydrants. The LAFD shall determine compliance with this measure with regard to the five development parcels.
- MM-43 During each construction phase, the developer, with regard to the five development parcels, shall provide emergency access for Fire Department apparatus and personnel to and into all structures. The LAFD shall determine compliance with this measure with regard to the five development parcels.
- MM-44 Prior to the start of each construction phase, the developer, with regard to the five development parcels shall prepare, and thereafter implement, a plan that will provide that any private roadways for general access use and fire lanes shall not be less than 20 feet wide and clear to the sky. The LAFD shall determine compliance with this measure with regard to the five development parcels.
- MM-45 Prior to the start of each construction phase, the developer, with regard to the five development parcels shall prepare, and thereafter implement, a plan that will provide that any fire lanes and dead end streets shall terminate in a cul-de-sac or other approved turning area. No dead end street or fire lane shall be greater than 700 feet in length or secondary access shall be required. The LAFD shall determine compliance with this measure with regard to the five development parcels.

- MM-46 Prior to the start of each construction phase, the developer, with regard to the five development parcels shall prepare, and thereafter implement, a plan that designs any proposed development utilizing cluster, group, or condominium design not more than 150 feet from the edge of the roadway of an improved street, access road, or designated fire lane. The LAFD shall determine compliance with this measure with regard to the five development parcels.
- MM-47 Prior to the start of each construction phase, the developer, with regard to the five development parcels shall prepare, and thereafter implement, a plan that designs fire lanes to be not less than 28 feet in width. 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. The LAFD shall determine compliance with this measure with regard to the five development parcels.
- MM-48 Prior to the start of each construction phase, the developer, with regard to the five development parcels, where above ground floors are used for residential purposes, shall prepare, and thereafter implement, a plan that interprets the access requirement as being the horizontal travel distance from the street, driveway, alley, or designated fire lane to the main entrance of the residential units. The LAFD shall determine compliance with this measure.
- MM-49 Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall prepare, and thereafter implement, a plan that designs the entrance or exit of all ground level residential units to be no more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane. The LAFD shall determine compliance with this measure.
- MM-50 Prior to the start of each construction phase, the developer, with regard to the five development parcels shall prepare, and thereafter implement, a plan that provides access that requires the accommodation of Fire Department apparatus, shall design the minimum outside radius of the paved surface to be 35 feet. An additional six feet of clear space must be maintained beyond the outside radius to a vertical point 13 feet 6 inches above the paved surface of the roadway. The LAFD shall determine compliance with this measure with regard to the five development parcels.
- MM-51 Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall not construct any building or portion of a building to be more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane. The LAFD shall determine compliance with this measure with regard to the five development parcels.
- MM-52 Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall prepare, and thereafter implement, a plan that

provides for access that requires accommodation of Fire Department apparatus, a design for overhead clearances to be not less than 14 feet. The LAFD shall determine compliance with this measure with regard to the five development parcels.

- MM-53 Prior to the start of each construction phase, the developer, with regard to the five development parcels shall prepare, and thereafter implement, a plan that provides for additional vehicular access required by the Fire Department, where buildings exceed 28 feet in height. The LAFD shall determine compliance with this measure with regard to the five development parcels.
- MM-54 Prior to the start of each construction phase, the developer, with regard to the five development parcels shall prepare, and thereafter implement, a plan that provides, where fire apparatus shall be driven onto the road level surface of the subterranean parking structure, for the structure to be engineered to withstand a bearing pressure of 8,600 pounds per square foot. The LAFD shall determine compliance with this measure with regard to the five development parcels.
- MM-55 Prior to the start of each construction phase, the developer, with regard to the five development parcels shall record any private streets as Private Streets and Fire Lanes. All private street plans shall show the words "Private Street and Fire Lane" within the private street easement. The LAFD shall determine compliance with this measure with regard to the five development parcels.
- MM-56 During operation of the Project, the developer, with regard to the five development parcels, shall provide that all electric gates approved by the Fire Department shall be tested by the Fire Department prior to Building and Safety, or other appropriate City agency or department, granting a Certificate of Occupancy. The LAFD shall determine compliance with this measure.
- MM-57 Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall prepare, and thereafter implement, a plan that would not construct any building or portion of a building more than 300 feet from an approved fire hydrant. Distance shall be computed along path of travel with the exception that dwelling unit travel distance shall be computed to the front door of the unit. The LAFD shall determine compliance with this measure with regard to the five development parcels.
- MM-58 Prior to the start of each construction phase, the developer, with regard to the five development parcels shall submit plans to the Fire Department for review and approval. Where rescue window access is required, the developer, with regard to the five development parcels, shall incorporate conditions and improvements necessary to meet accessibility standards as determined by the LAFD. The LAFD shall determine compliance with this measure.

- MM-59 During operations of the Project, the developer, with regard to the five development parcels shall have the curbs of all public street and fire lane cul-de-sacs painted red and/or be posted "No Parking at Any Time" prior to the issuance of a Certificate of Occupancy or Temporary Certificate of Occupancy for any structures adjacent to the cul-de-sac. The LAFD shall determine compliance with this measure with regard to the five development parcels.
- MM-60 Prior to the start of each construction phase, the developer, with regard to the five development parcels shall submit building plans to the LAFD for review and approval that demonstrate that automatic fire sprinklers shall be installed in all structures. The LAFD shall determine compliance with this measure.

#### Hazards and Hazardous Materials

- MM-61 Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall properly decommission all unused groundwater monitoring wells, per applicable regulations. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels. The Regional Water Quality Control Board shall enforce compliance with this measure.
- MM-62 Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall test for the presence or absence of hydrogen sulfide and methane beneath the site by subsurface sampling. Should the sampling result in the discovery of hydrogen sulfide and/or methane, appropriate health and safety measures shall be implemented, in accordance with applicable regulations. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure.
- MM-63 Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall take fill samples from each of the five parcels, and shall analyze these samples for contaminants at elevated concentrations. Should elevated contaminant concentrations be discovered, appropriate measures shall be implemented, in accordance with applicable regulations. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure.
- MM-64 Prior to the start of any demolition activities or renovation on any painted surfaces at the Project site, the developer, with regard to the five development parcels, shall conduct a survey of lead based paint (LBP) to determine the level of risk posed to maintenance personnel, construction workers, facility staff, and patrons from exposure to the paints present at the site. Any recommendations made in that survey related to the paints present at the

Project site shall be implemented prior to the demolition or renovation of said painted surfaces. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels.

### Historical Resources

### Noise

- MM-65 To reduce any impact on nearby venues that may be noise sensitive receptors, such as the Music Center, Disney Concert Hall, and the County Courthouse, the following Measures G-1 and G-2 shall be implemented as follows: During each construction phase, the developer, with regard to the five development parcels, shall limit (i) construction activities utilizing heavy equipment to Monday through Friday from 7:00 a.m. to 8:00 p.m., and (ii) interior construction work inside building shells and construction activities not utilizing heavy equipment to 7:00 a.m. to 9:00 p.m. Monday through Friday. Saturday construction shall be limited to 8:00 a.m. to 6 p.m. No exterior construction activities shall be permitted on Sundays or holidays per applicable City regulations. Construction noise measures shall also be implemented, which may include the use of noise mufflers on construction equipment used within 100 feet of these buildings. The City's Department of Building and Safety or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels.
- MM-66 During each construction phase, the developer, with regard to the five development parcels shall not use heavy equipment within (to the maximum extent practicable) 100 feet of the County Courthouse building while Court is in session. Construction contracts must specify that all construction equipment shall be in proper operating condition and fitted with standard factory silencing features and other applicable attenuation devices such as mufflers. The City's Department of Building and Safety or other appropriate City agency or department shall determine compliance with this measure with regard to the five development parcels.
- MM-67 During the initial stage of each construction phase (site demolition and site preparation/excavation) for each Project parcel and when construction activities are within 200 feet of noise sensitive land uses, the developer, with regard to the five development parcels, shall erect a temporary, 8-foot, ½-inch-thick plywood fence along the boundaries of each construction site adjacent to noise sensitive uses such that the "line of sight" between on-site construction activities and the residential or other sensitive uses is blocked, where feasible. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the

five development parcels.

- MM-68 During each construction phase, the developer, with regard to the five development parcels, shall ensure that pile drivers within the individual activity/development site under construction at that time shall be equipped with noise control devices having a minimum quieting factor of 10 dBA. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to construction in the five development parcels.
- MM-69 During each construction phase, the developer, with regard to the five development parcels, shall, except as otherwise permitted by applicable agreements, ensure that construction loading and staging areas shall be located on the Project site within each respective construction site and away from noise-sensitive uses to the extent feasible. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to construction in the five development parcels.
- MM-70 Prior to the issuance of grading permits for each construction phase, the developer, with regard to the five development parcels, shall prepare, and thereafter implement, plans and specifications that include a requirement to route pedestrians (to the maximum extent practicable) 50 feet away from the construction area when heavy equipment such as hydraulic excavators are in use. Such routing may include the posting of signs at adjacent intersections. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels.
- MM-71 During each construction phase, the developer, with regard to the five development parcels, shall designate a construction relations officer to serve as a liaison with surrounding property owners who is responsible for responding to any concerns regarding construction noise. The liaison shall coordinate with the Project construction manager(s) to implement remedial measures in the shortest time feasible. The liaison's telephone number(s) shall be prominently displayed at multiple locations along the perimeter of each construction site. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels.
- MM-72 The developer, with regard to the five development parcels, shall prepare and implement building plans that ensure prior to the start of each construction phase which includes residential development, that all exterior walls, floor-ceiling assemblies (unless within a unit), and windows having a line of sight (30 degrees measured from the horizontal plane) of Grand Avenue, Hill



Street, Hope Street, First Street, and Second Street of such residential development shall be constructed with double-paned glass or an equivalent and in a manner to provide an airborne sound insulation system achieving a lab-tested Sound Transmission Class of 30, subject to field testing, as defined in UBC Standard No. 35-1, 1982 edition. Sign off by the City's Department of Building and Safety, or other appropriate City agency or department, shall be required prior to obtaining a building permit. The developer, as an alternative, may retain an engineer registered in the State of California with expertise in acoustical engineering, who shall submit a signed report for an alternative means of sound simulation satisfactory to the City's Department of Building and Safety, or other appropriate City agency or department. Examples of alternative means may include, but are not limited to, the following: (1) acoustical seals for doors and windows opening to the exterior; (2) consideration of the type, location, and size of windows; and (3) sealing or baffling of openings and vents. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure.

#### Parks and Recreation

- MM-73 Prior to the issuance of a certificate of occupancy, the developer, with regard to the five development parcels, shall: (1) dedicate additional parkland such that the Project would provide a total of 3 acres per 1,000 Project residents; (2) pay in-lieu fees for any land dedication requirement shortfall; or (3) a combination of the above. The City's Department of Building and Safety, or other appropriate City agency or department shall determine compliance with this measure.

#### Police Protection Services

- MM-74 During each construction phase, the developer, with regard to the five development parcels, shall provide clear and unobstructed LAPD access to the construction site. The LAPD shall determine compliance with this measure with regard to the five development parcels.
- MM-75 During ongoing construction, the developer, with regard to the five development parcels shall provide security features on the construction site(s), such as guards, fencing, and locked entrances. The LAPD shall determine compliance with this measure.
- MM-76 Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall submit plot plans for all proposed development to the Los Angeles Police Department's Crime Prevention Section for review and comment. Security features subsequently recommended by the LAPD shall be implemented by the developer to the extent feasible.

- MM-77 At the completion of each construction phase, the developer, with regard to the five development parcels shall file as-built building plans with the LAPD Central Area Commanding Officer. Plans shall include access routes, floor plans, and any additional information that might facilitate prompt and efficient police response. The LAPD shall determine compliance with this measure.
- MM-78 During Project operations, the developer, with regard to the five development parcels shall install alarms and/or locked gates on doorways providing public access to commercial facilities. The LAPD shall determine compliance with this measure with regard to the five development parcels.
- MM-79 During Project operations, the developer, with regard to the five development parcels shall not plant landscaping in a way that could provide cover for persons tampering with doors or windows of commercial facilities, or for persons lying in wait for pedestrians or parking garage users. The LAPD shall determine compliance with this measure with regard to the five development parcels.
- MM-80 Additional lighting shall be installed where appropriate, including on the Project site and in parking garages, as determined in consultation with the LAPD with regard to the five development parcels. The developer shall implement this measure with regard to the five development parcels prior to initial building occupancy for each construction phase.
- MM-81 Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall prepare, and thereafter implement, a plan that incorporates safety features into the Project's design to assure pedestrian safety, assist in controlling pedestrian traffic flows, and avoid pedestrian/vehicular conflicts on-site. Safety measures may include the provision of security personnel; clearly designated, well-lighted pedestrian walkways on-site; special street and pedestrian-level lighting; physical barriers (e.g., low walls, landscaping), particularly around the perimeter of the parking garages, to direct pedestrians to specific exit locations that correspond to designated crosswalk locations on adjacent streets. The LAPD shall determine compliance with this measure with regard to the five development parcels.
- MM-82 Prior to the issuance of a certificate of occupancy for each construction phase and during Project operations, the developer, with regard to the five development parcels, shall develop, and thereafter implement, a new or modified Security Plan to minimize the potential for on-site crime and the need for LAPD services. The plan would outline the security services and features to be implemented, as determined in consultation with the LAPD. The LAPD shall determine compliance with this measure with regard to the five development parcels.

The following shall be included in the plan:

1. Provision of an on-site security force that would monitor and patrol the Project site. During operational hours, security officers shall perform pedestrian, vehicular, and/or bicycle patrols.
2. Implementation of a video camera surveillance system and/or a closed-circuit television system;
3. Additional security features shall be incorporated into the design of proposed parking facilities, including "spotters" for parking areas, and ensuring the availability of sufficient parking either on- or off-site for all building employees and anticipated patrons and visitors;
4. Security lighting incorporating good illumination and minimum dead space in the design of entryways, seating areas, lobbies, elevators, service areas, and parking areas to eliminate areas of concealment. Security lighting shall incorporate full cutoff fixtures which minimize glare from the light source and provide light downward and inward to structures to maximize visibility;
5. Provision of lockable doors at appropriate Project entryways, offices, retail stores, and restaurants;
6. Installation of alarms at appropriate Project entryways and ancillary commercial structures;
7. All businesses desiring to sell or allow consumption of alcoholic beverages are subject to the issuance of a Conditional Use Permit by the City;
8. Accessibility for emergency service personnel and vehicles into each structure, and detailed diagram(s) of the Project site, including access routes, unit numbers, and any information that would facilitate police response shall be provided to the Central Area Commanding Officer.
9. In addition, security procedures regarding initial response, investigation, detainment of crime suspects, LAPD notification, crowd and traffic control, and general public assistance shall be outlined in the Security Plan. The plan would be subject to review by the LAPD, and any provisions pertaining to access would be subject to approval by the Los Angeles Department of Transportation.

MM-83 Prior to the issuance of a certificate of occupancy for each construction phase and on-going during operations, the developer, with regard to the five development parcels, shall develop, and thereafter implement, an Emergency Procedures Plan to address emergency concerns and practices. The plan shall be subject to review by the LAPD with regard to the five development parcels and any provisions pertaining to access would be subject to approval by LADOT.

#### School Services

- MM-84 Prior to the issuance of each building permit, the developer, with regard to the five development parcels, shall pay school mitigation fees pursuant to the provisions of California Government Code Section 65995. The City's Department of Building and Safety, or other appropriate City agency or department shall determine compliance with this measure.

Solid Waste

- MM-85 Prior to the issuance of a certificate of occupancy for each construction phase, and thereafter during Project operations, the developer, with regard to the five development parcels, shall comply with the provisions of City of Los Angeles Ordinance No. 171687 with regard to all new structures constructed as part of the five development parcels. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure.
- MM-86 Prior to the issuance of each certificate of occupancy, the developer, with regard to the five development parcels, shall prepare, and thereafter implement, a plan that designs all structures constructed or uses established within any part of the proposed Project site to be permanently equipped with clearly marked, durable, source sorted recyclable bins at all times to facilitate the separation and deposit of recyclable materials. The City's Department of Public Works, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels.
- MM-87 Prior to the issuance of each certificate of occupancy, the developer, with regard to the five development parcels, shall prepare, and thereafter implement, a plan that designs primary collection bins to facilitate mechanized collection of such recyclable wastes for transport to on- or off-site recycling facilities. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels.
- MM-88 During Project operations, the developer, with regard to the five development parcels, shall continuously maintain in good order for the convenience of businesses, patrons, employees and park visitors clearly marked, durable and separate bins on the same lot, or parcel to facilitate the commingled recyclables and deposit of recyclable or commingled waste metal, cardboard, paper, glass, and plastic therein; maintain accessibility to such bins at all times, for collection of such wastes for transport to on- or off-site recycling plants; and require waste haulers to utilize local or regional material recovery facilities as feasible and appropriate. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels.
- MM-89 During each construction phase, the developer, with regard to the five

development parcels, shall implement a demolition and construction debris recycling plan, with the explicit intent of requiring recycling during all phases of site preparation and building construction. The City's Department of Building and Safety, or other appropriate City agency or department, shall review and approve the plan with regard to the five development parcels.

#### Traffic, Circulation and Parking

- MM-90 The developer with regard to the five development parcels, shall prepare, prior to the start of each construction work phase, a Construction Traffic Control/Management Plan ("Plan") to be approved by the City of Los Angeles Department of Transportation ("LADOT") and implemented by the responsible party. The Plan shall include, but not be limited to, Project scheduling, the location and timing of any temporary land closures, traffic detours, haul routes, temporary roadway striping, and signage for traffic flow, as necessary, as well as the identification and signage of alternative pedestrian routes in the immediate vicinity of the Project, if necessary. The Plan should also provide for the coordination of construction areas, and for safe pedestrian movement throughout the Project Area such that adequate and safe pedestrian movement access is maintained to adjacent uses including the Walt Disney Concert Hall, the Music Center, the County Courthouse, and the Metro Red Line station portals (on Parcel W-2 and on the Court of Flags).
- MM-91 After approval of the Construction Traffic Control/Management Plan(s) required under MM-110 and prior to the start of each construction work phase, the developer with regard to the five development parcels, shall submit a copy of the Plan(s) to the Authority or other appropriate agency, and/or the City Chief Administrative Officer or designee, and the County of Los Angeles Chief Administrative Officer. Following receipt of the Plan(s), the County Chief Administrative Officer shall distribute that information to all County properties on Grand Avenue, including the Hall of Administration, County Courthouse, the Walt Disney Concert Hall, and the Music Center, for further distribution of information to employees and visitors on construction schedules, alternative travel routes, and land and sidewalk closure information, as appropriate, and the Authority or other appropriate agency, or the City, shall distribute to the appropriate City departments for the same purpose.
- MM-92 Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall enter into one or more temporary arrangements with parking garages in the area of the Project, or with surface lot operators elsewhere in downtown or its periphery, to provide a sufficient supply of off-street spaces for the construction workers during Project construction, and will require all construction workers to use these designated parking spaces. These temporary arrangements shall be to the satisfaction of (i) CRA/LA or (ii) the County's CAO or its designee.

- MM-93 If the Project proceeds with the County office building option, the County, on an on-going basis following initial occupancy, shall fund and implement a Transportation Demand Management (TDM) program for the proposed County office use in Parcel W-1/W-2. The County's Chief Administrative Officer shall ensure the County's review and approval of this TDM program. The TDM program could, for example, include an onsite transportation coordinator, post information on transit, and provide logistical support for the formation of carpools and vanpools, and other incentives to use transit and rideshare.
- MM-94 The developer, with regard to the five development parcels, shall implement ATCS in conjunction with the area-wide ATCS program, if not otherwise implemented, prior to the completion of the first phase of development at the intersections identified by LADOT, although the implementation of this measure will provide mitigation to all three Project phases. Implementation of ATCS shall occur in the northern part of downtown, north of Eighth Street, at the locations identified by LADOT. LADOT has determined that implementation of the ATCS mitigation improvements in the area surrounding the Project would comprise the following: (1) upgrades to Model 2070 traffic signal controllers at 35 intersections; (2) installation of 58 ATSAC/ATCS system vehicle detectors at 9 intersections; and (3) installation of CCTV cameras to provide video information to the ATSAC Center at eight locations. Subject to a final determination by LADOT of the improvements required for the Project, ATCS shall also include LADOT's Transit Priority System (TPS).
- MM-95 The following menu of MMs have been developed to further reduce the Project's potential traffic and circulation impacts. The term "menu" refers to the various ways that each of the following measures can be implemented to achieve trip reduction. Selection shall be coordinated with the LADOT, who shall determine which of the MMs are to be implemented.
1. Provide enhanced walking connections along the Project street frontages to transit service (to bus stops and to the Red Line station portals at First Street and Hill Street). These could comprise pedestrian amenities along the Project's street frontages, including landscaped sidewalks, wider crosswalks where feasible at key intersections, improved lighting for pedestrian safety at nighttime, and pedestrian wayfinding signage, to facilitate walking in the Project area. The developer shall implement this measure with regard to the five development parcels prior to initial building occupancy for each development phase.
  2. The developer, as determined by LADOT and prior to initial building occupancy for each development phase, shall provide enhanced bus stops on the street frontages of the five development parcels. These enhanced bus stops may include bus shelters with passenger amenities

such as benches, shaded areas, and transit information that could be integrated into the overall urban design/landscaping of the Project.

3. Provide transit information kiosks at various strategic locations on the Project site. The developer shall implement this measure with regard to the five development parcels prior to initial building occupancy for each development phase.
  4. The developer, with regard to the five development parcels, shall participate, to the extent feasible, in an on-going basis during Project operations, in a Share-Car program (e.g., Flexcar) that makes cars available to registered members. It is anticipated that up to three on-street parking spaces, subject to a determination of feasibility by LADOT, could be provided at key locations adjacent to the Project frontage for up to three Share-Cars. The Share-Cars could be available to both Project and non-Project users as long as they were members of the Share-Car program. The Project shall support a Share-Car organization's application to the City, and following any implementation of such application shall promote the Share-Car concept and encourage its usage with Project residents and tenants.
  5. Provide improved vehicular directional signage on surface streets approaching and within the Project area to direct vehicles to specific destinations and parking locations, as appropriate, to minimize vehicles circulating in the Project area. Such signage should be approved to the satisfaction of LADOT. The developer shall implement this measure with regard to the five development parcels prior to initial building occupancy for each development phase.
- MM-96 The Developer, with regard to the five development parcels, shall re-stripe the westbound approach of the Third Street and Hill Street intersection from the existing configuration of one left turn lane, one through lane, and one shared through/right-turn lane to a future configuration of one left turn lane, two through lanes, and one exclusive right-turn lane. This improvement would require a slight widening of Third Street west of Hill Street before the entrance to the tunnel within the public right-of-way. The final lane configuration of this intersection shall be to the satisfaction of the City of Los Angeles Department of Transportation. In addition, any street widening and construction activities shall be coordinated with the City of Los Angeles Department of Public Works, Bureau of Engineering.

#### Wastewater

- MM-97 Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall comply with City ordinances limiting

connections to the City sewer system, in accordance with City Bureau of Sanitation procedures. The City's Department of Public Works, Sanitation Bureau or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels.

- MM-98 Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall prepare, and thereafter implement, building plan specifications for the installation of low-flow water fixtures and further encourage reduction of water consumption to minimize wastewater flow to the sewer system, in accordance with applicable water conservation requirements. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels.

#### Water Supply

- MM-99 Prior to initial occupancy of the buildings within Parcels L and W-1/W-2, the developer shall install new water lines along Second Street, from Olive Street to Hill Street to serve Parcels W-1/W-2, and from Hope Street to Lower Grand Avenue to serve Parcel L. The City's Department of Public Works shall review and approve all plans related to these new water lines. The developer shall be responsible for the implementation of these improvements.
- MM-100 Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall call DIG-ALERT to identify and mark on the ground surface the locations of existing underground utilities. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels.
- MM-101 Prior to the start off each construction phase, the developer, with regard to the five development parcels, shall perform potholing of existing water and gas mains to verify the depth of cover. If the depth of cover over the lines is shallow and the total street pavement section is thick (around 24 inches), then the temporary cover over the lines during construction may be reduced to 12 inches or less. Under these circumstances, protective measures shall be implemented to prevent damage or breakage of the lines during the pavement sub-grade preparation process, notices of service interruption, if necessary, shall be provided to customers in accordance with DWP-Water and ACG requirements. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels.
- MM-102 Prior to issuance of building permits for each construction phase, the developer, with regard to the five development parcels, shall pay the



appropriate fees as may be imposed by the City's Department of Building and Safety, or other appropriate City agency or department. A percentage of building permit fees is contributed to the fire hydrant fund, which provides for citywide fire protection improvements. Compliance with this measure shall be determined by the City's Department of Building and Safety, or other appropriate City agency or department.

- MM-103 Prior the issuance of building permits for each construction phase, the developer, with regard to the five development parcels shall coordinate with the Los Angeles Department of Water and Power to conduct a flow test to confirm that the existing water system meets fire flow requirements imposed by the LAFD for the Project. The developer, with regard to the five development parcels shall undertake and complete required improvements as identified by the LADWP, based on the findings of the flow test. The City's Department of Public Works, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels.
- MM-104 During Project operations, the developer, with regard to the five development parcels, shall incorporate Phase I of the City of Los Angeles' Emergency Water Conservation Plan into all privately operated parcels. The Plan prohibits hose watering of driveways and associated walkways, mandates decorative fountains to use recycled water, mandates drinking water in restaurants to be served upon request only, and provides that water leaks are repaired in a timely manner. The City's Department of Public Works, or other appropriate City agency or department, shall determine compliance with this measure.
- MM-105 During Project operations, incorporate Los Angeles County water conservation policies into the County Office Building, if the Project proceeds with the County office building option. The County with regard to the County Office Building, if the Project proceeds with the County office building option, shall be responsible for implementing this measure. The implementation of this measure shall be subject to the review and approval of the County's CAO or its designee.
- MM-106 During Project operations, the developer, with regard to the five development parcels, and the County Office Building operator shall comply with any additional mandatory water use restrictions imposed as a result of drought conditions. The City's Department of Public Works, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels.
- MM-107 During Project operations, the developer, with regard to the five development parcels, shall install automatic sprinkler systems to irrigate landscaping during morning hours or during the evening to reduce water losses from evaporation, and sprinklers shall be reset to water less often in cooler months

and during the rainfall season so that water is not wasted by excessive landscape irrigation. The City's Department of Public Works, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels.

#### DEPARTMENT OF CITY PLANNING-STANDARD CONDOMINIUM CONDITIONS

- C-1. That approval of this tract constitutes approval of model home uses, including a sales office and off-street parking. Where the existing zoning is (T) or (Q) for multiple residential use, no construction or use of model homes shall be permitted until the final map has recorded or the proper zone has been effectuated. If models are constructed under this tract approval, the following conditions shall apply:
1. Prior to recordation of the final map, the subdivider shall submit a plot plan for approval by the Division of Land Section of the Department of City Planning showing the location of the model dwellings, sales office and off-street parking. The sales office must be within one of the model buildings.
  2. All other conditions applying to Model Dwellings under Section 12.22A, 10 and 11 and Section 17.05 O of the Code shall be fully complied with satisfactory to the Department of Building and Safety.
- C-2. Prior to the recordation of the final map, the subdivider shall pay or guarantee the payment of a park and recreation fee based on the latest fee rate schedule applicable. The amount of said fee to be established by the Advisory Agency in accordance with LAMC Section 17.12 and to be paid and deposited in the trust accounts of the Park and Recreation Fund.
- C-3. That a landscape plan, prepared by a licensed landscape architect, be submitted to and approved by the Advisory Agency in accordance with CP-6730 prior to obtaining any grading or building permits before the recordation of the final map.
- In the event the subdivider decides not to request a permit before the recordation of the final map, a covenant and agreement satisfactory to the Advisory Agency guaranteeing the submission of such plan before obtaining any permit shall be recorded.
- C-4. In order to expedite the development, the applicant may apply for a building permit for an apartment building. However, prior to issuance of a building permit for apartments, 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 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.

OR

If a building permit for apartments will not be requested, the project civil engineer, architect or licensed land surveyor must certify in a letter to the Advisory Agency that the applicant will not request a permit for apartments and intends to acquire a building permit for a condominium building(s). Such letter is sufficient to clear this condition.

#### **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 Municipal Code.
- (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%.
- (l) That any necessary additional street dedications be provided to comply with the Americans with Disabilities Act (ADA) of 1990.

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 Traffic 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 Engineer.

- (b) Construct any necessary drainage facilities.
- (c) Install street lighting facilities to serve the tract as required by the Bureau of Street Lighting. The quantity of street lights identified may be modified slightly during the plan check process based on illumination calculations and equipment selection. Conditions set: 1) in compliance with a Specific Plan, 2) by LADOT, or 3) by other legal instrument excluding the Bureau of Engineering condition S-3 (i), requiring an improvement that will change the geometrics of the public roadway may require additional or the reconstruction of street lighting improvements as part of that 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 Street Tree 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 1990.
- (i) That the following improvements be either constructed prior to recordation of the final map or that the construction be suitably guaranteed:
  - a. Improve General Thaddeus Kosciusko Way adjoining the subdivision by:
    - 1. Constructing an integral concrete curb and gutter, a 12-foot wide concrete sidewalk.
    - 2. Constructing suitable surfacing to join the existing pavement and to complete a 56-foot complete roadway.
    - 3. Removing and reconstructing the existing improvements as necessary.
    - 4. Constructing the necessary transitions to join the existing improvements all satisfactory to the City Engineer.

- b. Construct the necessary off-site and on-site mainline sewers satisfactory to the City Engineer.

**NOTES:**

The Advisory Agency approval is the maximum number of units permitted under the tract action, unless modified pursuant to the Equivalency Program contained in the Final EIR (State Clearinghouse No. 2005091041). However the existing or proposed zoning may not permit this number of units.

Approval from Board of Public Works may be necessary before removal of any street trees in conjunction with the improvements in this tract map through Bureau of Street Services Urban Forestry Division.

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 Section 17.05N of the Los Angeles Municipal Code.

The final map must record within 36 months of this approval, unless a time extension is granted before the end of such period or unless the life of the tentative map is extended under an approved Development Agreement.

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.

**Indemnification.** The applicant shall defend, indemnify and hold harmless the City, its agents, officers, or employees from any claim, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void or annul this approval which action is brought within the applicable limitation period. The City shall promptly notify the applicant of any claim, action, or proceeding and the City shall cooperate fully in the defense. If the City fails to promptly notify the applicant of any claim action or proceeding, or if the City fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the City.

**FINDINGS OF FACT (CEQA)**

On November 20, 2006, the Los Angeles Grand Avenue Authority (Authority) adopted the Grand Avenue Final Environmental Impact Report (FEIR) (State Clearinghouse No. 2005091041), dated November 2006, and also adopted the necessary Resolutions and made findings required under California Public Resources Code Section 21081 and State CEQA Guideline 15091 (the "Authority's CEQZ Findings") stating the FEIR was completed in compliance with the California Environmental Quality Act Public Resources Code Section 21000 et seq., the CEQA Guidelines, all applicable local guidelines concerning the application and implementation of that statute, and all applicable case law concerning that statute and the CEQA Guidelines (collectively, "CEQA"). The Authority, which is an independent public agency established through a Joint Exercise of Powers Agreement (The "JPA Agreement") between the Community Redevelopment Agency of the City of Los Angeles ("CRA/LA") and the County of Los Angeles ("County"), was responsible for the preparation of the FEIR. The County and the CRA/LA have served as "Responsible Agencies" for the Project as that term is defined under CEQA Guidelines 15096 and 15381. As Responsible Agencies, the County and CRA/LA have worked closely with the Authority in ensuring the FEIR has examined all potential environmental impacts.

These agencies, as well as the City of Los Angeles reviewed and approved the Grand Avenue Implementation Plan, which formulated the framework of the project description evaluated in the EIR prepared by the Authority for the mixed use development. That plan generally described the location of the Project, its proposed uses and other elements. The governing bodies for the Authority, County, the CRA/LA and the City of Los Angeles each approved the Implementation Plan in 2005.

The Advisory Agency is a Responsible Agency, pursuant to State CEQA Guidelines Sections 15096, and must make those findings with respect to the project required under Public Resources Code Section 21081 and State CEQA Guidelines Sections 15091. The recommended actions implement and further the purposes of CEQA. In making the decision to approve Tentative Tract Map No. 67492, the Advisory Agency of the City of Los Angeles certifies that it has reviewed and considered the information contained in EIR No. SCH 2005091041. The Advisory Agency hereby adopts the Findings and certifies the EIR, consistent with the action of the Authority.

Staff for the Authority and its member agencies, the County and the CRA/LA independently reviewed, analyzed and required changes to all of the documents comprising the Draft Environmental Impact (DEIR), dated June 2006, and the FEIR prior to the publication of those documents. The DEIR which was circulated for public comment as well as the Final EIR reflect the independent judgment of the Authority. Therefore, in accordance with the applicable provisions of CEQA, the Authority hereby made findings and certified that:

- (a) The FEIR has been completed in compliance with CEQA.

- (b) The FEIR has been presented to the governing body of the Authority ("Board"), and the Board has independently reviewed and analyzed the information contained in the FEIR prior to acting on the Project.
- (c) The FEIR reflects the Authority's independent judgment and analysis.

The FEIR for the proposed Grand Avenue Project concluded that certain significant effects may occur as a result of the proposed Project, or may occur on a cumulative basis in conjunction with the development of the Project and other past, present, or reasonably foreseeable future projects. In addition to reviewing the Project's potential environmental impacts, these Findings also provide the Authority's analysis and conclusions regarding the applicability of possible alternatives and mitigation measures to reduce any significant environmental effects.

These Findings address the potentially significant environmental effects examined in the FEIR. The FEIR analyzed the environmental impacts at a project-specific level and on a "cumulative" impact basis. A cumulative impact is defined by CEQA Guidelines 15130 and 15355 as an impact which is created as a result of the combination of impacts of the project evaluated in the EIR and closely related past, present and reasonable foreseeable probable future projects (commonly known as "related projects"). The FEIR identified 93 related projects in the relevant geographic area. The inclusion of those 93 related projects in the cumulative impact analysis resulted in a conservative analysis since it is not likely that all of those projects will be developed.

The following environmental impacts have been determined to be less than significant in light of, among other reasons, the imposition of mitigation measures, regulatory measure and/or project design features:

Light and glare impacts; visual quality; noise impacts during Project operations; impact on parks and other recreational uses during Project operations; library services (project-specific); population, housing and employment impacts; hazardous materials; fire protection services; school services; water supply; wastewater; solid waste; police services (project-specific impact); shade and shadow impacts (project-specific impact), and land use compatibility and consistency with land use plans and policies.

The following environmental impacts were determined to be significant and unavoidable even after the imposition of all feasible mitigation measures, regulatory measures and project design features:

Land use and zoning impacts; traffic impacts during Project construction and operation; parking impacts due to inability to comply with certain City residential parking policies; view impacts; historical resources; air quality impacts during Project construction and operation; noise impacts during Project construction; police services (cumulative basis only); shade and shadow impacts (cumulative basis only); library services (cumulative basis only); and impact on parks and recreational uses during Project construction. The first seven



identified impacts and the last impact are significant and unavoidable on a project-specific and cumulative basis.

### **Potential Environmental Impacts Studied in the Initial Study But Not Analyzed Further in the Draft Environmental Impact Report**

In accordance with CEQA Guideline 15063, the Authority prepared an Initial Study, which is included as Appendix A to the DEIR. The Initial Study determined which potentially significant effects may be caused by the Project and needed to be further examined in the DEIR, and which environmental effects would not be caused by the Project and, therefore, required no analysis in the DEIR. Based on that Initial Study and other substantial evidence, the Authority determined that the Project would not have the potential to cause significant impacts in the following areas: (1) agricultural resources, (2) biological resources, (3) geology and soils, (4) hydrology and water quality, and (5) mineral resources, and that it was appropriate that no further analysis of those five impact issues was included in the DEIR. The Authority further determined that the rationale provided in the Initial Study that no significant impacts would occur respecting these five impact areas satisfies the requirement of CEQA Guideline 15128. Thus, the Authority has no evidence before it to indicate that the Project could have any potential for an adverse effect on fish and wildlife resources or the habitat upon which the fish and wildlife depends.

The FEIR contained Regulatory Measure A-1, which related to impacts to the Civic Park. The park is not under the jurisdiction of the Advisory Agency. As such, this measure has been deleted. The Advisory Agency does not have the authority to approve or carry out this measure since this measure is not applicable to the subject tract. Pursuant to Section 15091 of CEQA Guidelines, 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 adopted by such other agency or can and should be adopted by such other agency.

During the public review process, a comment was raised as to whether the DEIR should have undertaken an additional analysis of the Project's potential energy impacts. No such analysis is warranted for a number of reasons. First, the Initial Study identified the Project's specific amounts of electricity and natural gas consumption, and based on those amounts, concluded that the Project's energy demands would fall within the projected energy demands for the Los Angeles Department of Water and Power (LADWP) and the Southern California Gas Company (SCGC). Accordingly, the Initial Study determined that no further analysis of this issue in the DEIR was warranted.

Second, the Project's sustainability, energy conservation, and efficiency is reflected throughout the EIR and in the DDA. For example, a number of the Project objectives emphasize the pedestrian and public transit opportunities that will be created by the Project, as well as its linkages between pedestrian, public transit and other public roadways. The Project will also promote energy efficiency through reduced reliance on the

automobiles, an improvement of jobs/housing balance, and the encouragement of the use of public transportation to and from the downtown area.

Third, the Project's energy demands were disclosed in the DEIR (in addition to the Initial Study attached to the DEIR). For example, the Project's air quality analysis addresses emissions from fuel consumption by motor vehicles as well as consumption of natural gas and electricity during Project operations. That analysis provided a quantification of the Project's energy consumption.

Fourth, the incorporation of "Title 24" (the State's Energy Code) requirements into the Project is reflected in Regulatory Measure F-2, which states: "all residential and non-residential buildings shall, at minimum, meet the California Title 24 Energy Efficiency Standards for water heating, space heating and cooling." Thus, the Project will comply with all requirements of Title 24 applicable to the residential and commercial components. California's Title 24 is the most restrictive energy code in the nation, and imposes strict standards in order to achieve energy efficiency. With regard to comments suggesting the inclusion of Leadership in Energy and Environmental Design (LEED), as the Project's final building designs have not been developed as of this date, a commitment to specific LEED building design measures would be premature and, therefore, any further discussion of specific energy design features would be speculative.

Lastly, because the Project will be in compliance with the Title 24 requirements, the Project complies with CEQA and the CEQA Guidelines, including Appendix F thereto. Appendix F speaks to a discussion of energy impacts and applicable mitigation measures only when a project will be energy inefficient or wasteful. Through compliance with Title 24, the Project will not be energy inefficient or wasteful. For all these reasons, the Authority finds that no additional analysis of the potential energy impacts of the Project is required under CEQA.

Finally, certain comments were raised during the public review process as to whether the Project may exacerbate or not alleviate local labor issues, homelessness and other social issues. CEQA generally provides that an EIR is required to evaluate only the environmental impacts of a project, and economic and social effects of a project are not treated as significant effects on the environment. Thus, economic or social effects of a Project need not be analyzed in an EIR unless they may directly cause a physical impact on the environment. While such matters are important, the Authority finds that the economic and social issues raised during the 50-day public review and comment process for the DEIR described in Section VI of these Findings will not cause any potentially significant "environmental" impacts that are not addressed in the FEIR.

## 1.1 PROJECT BACKGROUND AND THE ENVIRONMENTAL IMPACT REPORT PROCESS

Notice of Preparation (NOP): In accordance with the requirements of CEQA, the Authority circulated a Notice of Preparation (NOP) for the proposed project on September 6, 2005. The purpose of the NOP was to solicit comments on the proposed content of the Draft EIR.

The NOP was circulated for a period of 35 days, until October 10, 2005. The Parcels are identified by these letters in the Redevelopment Plan for the Bunker Hill Redevelopment Project Area.

During the following 35-day comment period, 14 letters were received. An open house and public scoping meeting for the Draft EIR was held on Tuesday, September 20, 2005. All NOP responses relating to the EIR were reviewed and the issues raised in those comments were addressed in the Draft EIR. The NOP, letters received during the NOP comment period, and scoping meeting transcript are included in Appendix A of the Draft EIR.

Notice of Completion (NOC): On June 14, 2006, the Authority prepared and distributed the Notice of Completion and Availability of the Draft EIR to all interested agencies, parties, organization, and persons. The Draft EIR was circulated for a 50-day review period, between June 14, 2006 and August 3, 2006.

The Authority received 17 letters from agencies, organization, and individual parties commenting on the Draft EIR. The Notice of Completion provided information of an open house and public meeting as an additional means to obtain information on the Project and to receive public comments on the content of the Draft EIR. The public meeting was held on Tuesday, July 18, 2006, between 6:00 p.m. and 8 p.m. at the Cathedral of Our Lady of the Angels, which is adjacent to the Project site. At the public meeting, thirteen speakers presented oral comments with regard to the content of the Draft EIR. In addition, one written comment form was submitted to the Authority. The written comments and transcript of the public meeting and responses to the comments are included in this Final EIR in Section V, Response to Comments.

The Authority finds that no "new significant information" (as that term is defined in CEQA Guideline 15088.5 (a)) was added to the Draft EIR since the release of the Draft EIR that would warrant recirculation as provided in CEQA Guideline 15088.5. Among other reasons, the information added to the FEIR has not deprived the public of a meaningful opportunity to comment upon any significant environmental effect of the Project or any feasible way to mitigate or avoid such an effect. Instead, the new information that has been added to the FEIR merely clarifies information contained in the Draft EIR.

The FEIR consists of the DEIR, Responses to Comments, the Mitigation Monitoring Program sections entitled Preface, Introduction, Summary, and Corrections and Additions, and the appendices to these documents.

Location of Records: In accordance with CEQA Guideline 15091(e), the documents and materials that constitute the record of the proceedings concerning the Authority's decision to certify the FEIR and approve the Project and all associated agreements shall be kept and maintained by the Managing Director of the Grand Avenue Committee, whose offices are located at 445 South Figueroa Street, Suite 3400, Los Angeles, CA 90071, telephone

number (213) 413-4130. The Authority has the discretion to transfer or locate these records at the office of the County CAO Asset Management Division, located at 500 West Temple Street, 7th Floor, Los Angeles, CA 90012, and/or CRA/LA, located at 354 South Spring Street, Los Angeles, CA 90013.

## 1.2 PROJECT FINDINGS INTRODUCTION

The Findings made by the Advisory Agency, pursuant to PRC Section 21081, and CEQA Guidelines Section 15091 are presented below. All significant environmental effects of the project identified in the Final EIR are included herein and are organized according to the area of potential impact. The Findings in this document apply only to this tract and are supported by information and analysis from the Final EIR. Where applicable, these Findings note the documents that contain the substantiation for each Finding.

CEQA and the CEQA Guidelines provide that no public agency shall approve or carry out a project for which an environmental impact report has been certified which identifies one or more significant effects on the environment that would occur if the project is approved or carried out, unless, for each significant impact, the public agency makes one or more of the following findings, as appropriate in accordance with PRC Section 21081 and CEQA Guidelines Section 15091:

- i. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR;
- ii. Such changes or alternatives are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency;
- iii. Specific economic, legal, social, technological and/or other considerations make infeasible the mitigation measures or project alternatives identified in the Final EIR.

A narrative of supporting facts follows the appropriate Finding. For many of the impacts, one or more of the Findings above have been made. Whenever Finding iii above is made, the Advisory Agency has determined that there will be, even after mitigation, an unavoidable significant level of impact due to the project and sufficient mitigation is not available to reduce the impact to a less than significant level. Such impacts are always specifically identified in the supporting discussions. The Statement of Overriding Considerations applies to all such unavoidable significant impacts, as required by Sections 15092 and 15093 of the CEQA Guidelines.

## 1.3 DESCRIPTION OF PROPOSED PROJECT

The Project consists of three major components: (1) the creation of the 16-acre Civic Park that builds upon and expands the Civic Mall, and when completed, will connect the Los

Angeles City Hall to Grand Avenue; (2) streetscape improvements along Grand Avenue from Fifth Street to Cesar E. Chavez Avenue; and (3) the development of five parcels which are referred to as Parcels Q, W-1, W-2, L and M-2. Parcels Q and W-2 are currently owned by the County, Parcels L and M-2 are currently owned by CRA/LA, and Parcel W-1 is owned by a private third party. (While the developer is pursuing the acquisition of Parcel W-1, the development of the other parcels and components of the Project may proceed even if the developer does not acquire Parcel W-1.) The Parcels are identified by these letters in the Redevelopment Plan for the Bunker Hill Redevelopment Project Area. The Project currently consists of two development options, referred to in the Findings and the FEIR, as the "Project with County Office Building Option," and the "Project with Additional Residential Development Option." Under the Project with County Office Building Option, development of the five parcels will consist of up to 2,060 residential units, 20 percent of which (up to 412 units) would be provided as affordable housing; up to 275 hotel rooms, up to 449,000 square feet of retail space and up to 681,000 square feet of County office space. Under the Project with Additional Residential Development Option, the 681,000 square feet of County office space would be replaced with up to 600 additional residential units, 20 percent (up to 120 units) would be provided as affordable housing. All other components of the Project would be the same under this option, and would include 275 hotel rooms, and 449,000 square feet of retail space. The proposed County office space under the Project with County Office Building Option would be constructed in the third phase of the Project when parcels W-1 and W-2 are developed. The proposed residential units under the Project with Additional Residential Development Option would be developed on parcel W-2 of the Project. Under that certain Disposition and Development Agreement between the Authority and Related (the "DDA"), recommended to be approved subsequent to consideration and certification of the FEIR, the County's option for development of a public office building during the third phase of development expires on a specific date in the future. If the County does not exercise this option, the developer may develop the Project consistent with the Additional Residential Development Option.

Parking for the Project would be provided in podium and subterranean parking structures. 5,035 parking spaces would be provided under the County Office Building Option, and 5,255 parking spaces would be provided under the Additional Residential Development Option.

In addition to the development of the five parcels, the Project will revitalize and expand the existing Civic Center Mall through a new design. The main purpose of this new design is to facilitate a program of ongoing and special civic events and activities to take place in the new Civic Park. The current conceptual plan for the Civic Park maintains the existing organization of space in the Park, with the intent that specified areas would accommodate particular programmed uses and also work in unison for larger events. Under this plan, different sections of the Park would be developed for cultural and entertainment uses, a garden space for smaller scale uses, and civic and community activities.

The Project will also entail streetscape improvements along Grand Avenue from Fifth Street to Cesar E. Chavez Avenue. Streetscape improvements are anticipated to include

widened shaded sidewalks where feasible, landscaping, as well as a range of street furnishings, including benches and chairs.

In order to fully respond to the future needs and demands of the Southern California economy, the proposed Project includes an Equivalency Program that would allow the composition of on-site development to be modified to respond to future needs in a manner that would not increase the Project's impacts on the environment. The Equivalency Program would provide flexibility for modifications to land uses and square footages within the five parcels. Within this framework, land uses can be exchanged for certain other permitted land uses so long as the limitations of the Equivalency Program are adhered to, which limitations were designed so no additional environmental impacts would occur. Thus, all permitted Project land use increases can be exchanged for corresponding decreases of other land uses under the proposed Equivalency Program without any further CEQA review.

This equivalency program was analyzed in the FEIR to confirm that exchange of Project uses set forth in the program can occur without the need for subsequent CEQA analysis. Proposed exchanges under the equivalency program would be implemented through the City of Los Angeles Planning Department procedures.

#### 1.4 FINDINGS OF FACT

After reviewing the Final EIR and the public record on the project, pursuant to Section 15091 of the CEQA Guidelines, the Advisory Agency hereby makes the Findings set forth below in this document regarding the significant effects of the Proposed Project. Except to the extent they conflict with the findings and determinations set forth for project impacts significant environmental effects that cannot be reduced to a less than significant level below, the analysis and conclusions of the Final EIR, including but not limited to the responses to comments, are incorporated herein by reference and are hereby adopted as findings. The Advisory Agency certifies that the Final EIR reflects the independent judgment and analysis of the City of Los Angeles.

##### Cumulative Impacts

Except as expressly provided to the contrary for significant effects that cannot be reduced to a less than significant level, all effects of the Project on the environment are hereby found to be not significant. Cumulative impacts of the Project in conjunction with other past, present and reasonably foreseeable future projects have been addressed where applicable and will not be significant after mitigation.

#### 1.5 POTENTIAL ENVIRONMENTAL EFFECTS ANALYZED IN FEIR

##### A. Land Use (Consistency With Land Use Plans and Compatibility With Surrounding Uses)

- i. Potential Impacts – The Project may have a significant land use in the areas of consistency with land use plans and compatibility with surrounding uses impact if:
    - a. The Project development would be incompatible with surrounding land uses or land use patterns in relation to scale, use, or intensity.
    - b. The Project would not be consistent with any applicable land use plan or policy of an agency with jurisdiction over the Project adopted for the purpose of avoiding or mitigating an environmental effect.
  - ii. Findings – The Project will not have a significant impact concerning consistency with land use plans or compatibility with surrounding uses. Therefore, no mitigation measures are required or were identified in the FEIR.
  - iii. Supportive Evidence and Rationale – The Project's potential land use impacts concerning consistency with land use plans and compatibility with surrounding uses are analyzed in detail in Section IV.A. of the DEIR. The Project would be compatible with the adjacent and surrounding existing land uses and, as such, the Project would not create a division or disruption of an established community. Further, the Project's scale and mix of uses complement, and will be consistent with, the surrounding commercial and residential uses in the downtown area. In addition, the Project would be consistent with adopted land use plans, including the City's General Plan Framework, the Central City Community Plan, the Bunker Hill Redevelopment Plan, and the Southern California Association of Governments' Regional Comprehensive Plan and Guide. Thus, the Project would result in less than significant impacts relative to land use compatibility and adopted land use plans.
  - iv. Cumulative Impacts – The 93 related projects that are planned or are under construction in the Project area are anticipated to occur in accordance with adopted land use plans and regulations. It is reasonable to assume that the projects under consideration in the area surrounding the Project would implement and support important local and regional planning goals and policies. It is also anticipated that any new projects would be subject to an environmental review process and would incorporate any mitigation measures necessary to reduce potential land use impacts. Therefore, no significant impacts with regard to adopted land use plans would occur.
- B. Land Use (Zoning)
- i. Potential Impacts – The Project may have a significant zoning impact if:

- a. The Project is not consistent with any land use or zoning law or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect.
- ii. Findings – The Project will cause a significant and unavoidable land use impact relative to the zoning regulations of the City of Los Angeles on a project-specific and cumulative basis. The Authority makes the following finding for this impact:
  - a. This impact can be mitigated to a level of less than significant if the City approves certain land use entitlements that have been applied for by the developer, which application is still pending as of the date of these Findings. Accordingly, the Authority finds that measures, such changes or alterations to the Project necessary to mitigate this impact are within the responsibility and jurisdiction of another public agency and not the Authority. The Authority further finds that such measures, changes or alterations should be adopted by such other agency.
  - b. For the reasons set forth in the Statement of Overriding Considerations adopted concurrently by the Authority, the Authority finds that the significant impact identified in this Section is acceptable in light of the Project's overall benefits.
- iii. Supportive Evidence and Rationale – The FEIR analyzed in detail the Project's land use impact relative to zoning in Section IV.A of the DEIR. The County Office Building Option and the Additional Residential Development Option would require zone changes and variances to permit the proposed development of five development parcels. With the granting of such zone changes and variances, which may be granted only after certification of the Final EIR by the Lead Agency and concurrently with action on the entitlements requested from the City by the developer, there would be no significant zoning impact. However, since the Project, under both Project Options, would be acted on by the Lead Agency (the Authority) prior to the City's decision on such zoning requests, the Project would not be in compliance with the current zoning provisions at the time of the Authority's approval of the Project. Therefore, it is conservatively concluded that, for purposes of CEQA, there would be a significant impact relative to zoning. No mitigation within the jurisdiction of the Authority exists to address non-compliance with the City's existing zoning regulations. The necessary change required in order to avoid this significant impact lies not with the Authority, but rather with the City of Los Angeles.
- iv. Cumulative Impact – Since the Project would create a significant impact with respect to the City's zoning and regulations, and related projects may require a variety of variances and zone changes, it is conservatively concluded that



cumulative zoning impacts would be significant and unavoidable.

C. Traffic, Circulation and Parking (Traffic, Construction)

- i. Potential Impacts – The construction of the Project would cause a significant traffic impact due to (1) hauling activities; (2) temporary lane closures; (3) reconstruction of Civic Mall Ramps, (4) pedestrian access; (5) bus stop relocation; and (6) construction worker parking if:
  - a. The Project construction causes substantial delays and disruption of existing traffic and pedestrian flow.
  - b. The Project causes temporary relocation of existing bus stops to more than one-quarter mile from their existing stops.
- ii. Findings – The Project will not cause a significant traffic impact with respect to pedestrian access, bus stop relocation and construction worker parking due to, among other reasons, the adoption of the measures identified in this Section XI-B(a) of the Findings. The construction of the Project will cause a significant and unavoidable traffic impact with respect to hauling activities, temporary lane closures, and reconstruction of the Civic Mall's parking ramps on a project-specific and cumulative basis. With respect to those significant and unavoidable impacts, the Authority makes the following findings:
  - a. All feasible measures, changes and alterations have been required in, or incorporated into, the Project, which will lessen such significant environmental effects.
  - b. For the reasons set forth in the Statement of Overriding Considerations adopted concurrently by the Authority, the Authority finds that the significant impact identified in this Section XI-B(a) is acceptable in light of the Project's overall benefits.

Although the following mitigation measures aimed at reducing these significant and unavoidable traffic impacts during Project construction have been adopted, these mitigation measures will not reduce those impacts to a level of insignificance:

**Mitigation Measure B-1:** The developer with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements, shall prepare, prior to the start of each construction work phase, a Construction Traffic Control/Management Plan ("Plan") to be approved by the City of Los Angeles Department of Transportation ("LADOT") and implemented by the

responsible party. The Plan shall include, but not be limited to, Project scheduling, the location and timing of any temporary land closures, traffic detours, haul routes, temporary roadway striping, and signage for traffic flow, as necessary, as well as the identification and signage of alternative pedestrian routes in the immediate vicinity of the Project, if necessary. The Plan should also provide for the coordination of construction areas, and for safe pedestrian movement throughout the Project Area such that adequate and safe pedestrian movement access is maintained to adjacent uses including the Walt Disney Concert Hall, the Music Center, the County Courthouse, and the Metro Red Line station portals (on Parcel W-2 and on the Court of Flags).

**Mitigation Measure B-2:** After approval of the Construction Traffic Control/Management Plan(s) required under Mitigation Measure B-1 and prior to the start of each construction work phase, the developer with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements, shall submit a copy of the Plan(s) to the Authority or other appropriate agency, the City Chief Administrative Officer or designee, and the County of Los Angeles Chief Administrative Officer ("County CAO"). Following receipt of the Plan(s), the County CAO shall distribute that information to all County properties on Grand Avenue, including the Hall of Administration, County Courthouse, the Walt Disney Concert Hall, and the Music Center, for further distribution of information to employees and visitors on construction schedules, alternative travel routes, and land and sidewalk closure information, as appropriate, and the Authority or other appropriate agency, or the City, shall distribute to the appropriate City departments for the same purpose.

**Mitigation Measure B-3:** Prior to the start of each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements, shall enter into one or more temporary arrangements with parking garages in the area of the Project, or with surface lot operators elsewhere in downtown or its periphery, to provide a sufficient supply of off-street spaces for the construction workers during Project construction, and will require all construction workers to use these designated parking spaces. These temporary arrangements shall be to the satisfaction of (i) CRA/LA or (ii) the County's CAO or its designee.

- iii. Supportive Evidence and Rationale – The EIR analyzed in detail the potential traffic impacts caused by Project construction in Section IV.B of the DEIR. No significant impacts on pedestrian circulation during construction would occur, and a less than significant impact will result to bus stop relocation. Although sidewalk closures may occur, one side of the street will continue to

be available. Any potential increase in walking distance for pedestrians would not amount to a significant impact. Further, the temporary relocation of bus stops would be within two blocks of the Project site and within one-quarter mile of the original stop location, which is a distance that will not cause a significant impact. Also, with the implementation of Mitigation Measure B-3, no significant impact will result due to construction worker parking. The FEIR also evaluated the impact of construction trucks on A.M. peak hour traffic on roadways. During more than half of the Project's construction period, construction would generate approximately 40 trips a day, which would have minimal effect on peak hour roadway conditions. The highest number of daily truck trips would occur during the Project's peak excavation phases, and would range from approximately 130 to 300 haul trucks a day. As these trips would also be distributed throughout the day, the actual number of haul truck trips that would occur during the A.M. peak hour period would be relatively low. In addition, consistent with standard industry practice, the hauling of over-weight or over-size equipment during construction would largely occur prior to the A.M. peak hour period. With respect to the probably low number of truck trips that would occur during the A.M. peak period, the Project shall comply with the requirements of the City of Los Angeles with regard to haul truck trips attributable to the construction of the Project, as will be established in connection with LADOT's review and approval of the Project's Construction Traffic Control/Management Plan and/or conditions of approval by the City in the various land use entitlements applied for by the Developer. However, it is conservatively concluded that because a portion of the construction truck trips could occur during peak hauling periods, including during the A.M. peak hour, a potentially significant and unavoidable short-term traffic impact may occur. Also, during the reconstruction of the Grand Avenue and Hill Street ramps to the existing Civic Center Mall garage, the diversion of traffic to alternate garage entrances would affect streets in the immediate vicinity of the County Garage block and potentially create a short-term significant and unavoidable traffic impact. Finally, complete closures of any streets are not expected during construction. However, such closures could occur due to unforeseen circumstances, in which case, they would cause temporary significant impacts. It is expected that, at most, one traffic or parking lane adjacent to the curb may need to be closed at certain locations for periods of up to 4 to 6 months, or up to approximately 18 to 24 months, depending on the stage of construction. Although temporary in nature, such closures would cause significant traffic impacts during such periods of time.

iv. Cumulative Impacts

- a. **Hauling.** The Project's highest periods of haul truck activity would be in the initial six to eight months of construction for each parcel, when trucks would carry excavated material from the site. During those

periods a peak of 300 trucks a day are estimated. Because some of these trips could occur in the A.M. peak hour, haul truck trip periods could cause short-term, significant cumulative traffic impacts. Hauling required for the construction of some of the 93 related projects would potentially overlap with the initial six to eight months of construction for each of the Project's development parcels. Therefore, haul truck impacts would be cumulatively significant.

- b. **Closure of Civic Mall Ramps.** In order to facilitate the development of the new Civic Park, the ramps to/from the County Mall parking garage on Grand Avenue will be reconfigured. Such work would require the ramps to be shut down for a period of time during the reconstruction. The diversion of traffic to alternate garage entrances would only affect streets in the immediate vicinity of the County Garage block, but could potentially create temporary and short-term cumulatively significant traffic impacts. The temporary closure of access to related project sites would not impact the same streets adjacent to the County Garage block. However, other temporary access closures at any of the other sites, particularly the 15 related projects located on Grand Avenue, Olive Street, and Hill Street, would cumulatively contribute to congestion and, as such, would be cumulatively significant.
- c. **Temporary Lane Closures.** Complete closures of any streets are not expected during construction. However, such lane closures could occur due to unforeseen circumstances, in which case they would cause temporary cumulatively significant impacts. The construction of any of the related projects has the potential to require temporary lane closures. Therefore, the impact of the Project and related projects, particularly the 15 related projects located on Grand Avenue, Olive Street, and Hill Street, would cumulatively contribute to congestion impacts resulting from temporary lane closures and such impacts are found to be cumulatively significant.
- d. **Construction Workers.** The 93 related projects would draw upon a construction workforce from all parts of the Los Angeles region. However, since the majority of construction workers are anticipated to arrive and depart the individual construction sites during off peak hours, cumulative traffic impacts due to construction workers trips are concluded to be less than significant.

C. Traffic, Circulation and Parking (Traffic, Operations)

- i. Impacts – Operation of the Project may cause a significant traffic impact relative to (1) intersection capacity; (2) the County-wide Congestion

Management Plan for Regional Highways ("CMP"); (3) driveway access; and (4) transit capacity.

- a. An intersection would be significantly impacted with an increase in V/C ratio equal to or greater than 0.04 for intersections operating at LOS C; an increase in V/C ratio equal to or greater than 0.02 for intersections operating at LOS D; and V/C ratio equal to or greater than 0.01 for intersections operating at LOS E or F, after the addition of related projects, ambient growth, and Project traffic.
  - b. A significant driveway access impact would occur if:
    - (1) Intersections at the primary site access locations would operate at LOS F during the A.M. or P.M. peak hours; and
    - (2) The design features or physical configurations of the Project would affect the visibility of pedestrians and bicyclists to drivers entering and exiting the site, and the visibility of cars to pedestrians and bicyclists so as to create a hazardous condition.
  - c. Under the CMP, a significant traffic impact would occur if a project increases the demand to capacity ratio (D/C) of a freeway segment of 2 percent or more (D/C ratio increase greater than or equal to 0.02), which causes or worsens LOS F conditions.
  - d. A significant impact would occur if projected transit riders substantially exceed available transit capacity.
- ii. Findings – The Project will not cause a significant traffic impact relative to driveway access, transit capacity and certain intersections due to, among other reasons, the adoption of the measures identified in this Section XI-B(b) of the Findings. The Project will cause a significant and unavoidable traffic impact with respect to certain intersections and, under the County Office Building Option, the CMP, on a project – specific and cumulative basis. With respect to those significant and unavoidable impacts, the Authority makes the following findings for this impact:
- a. All feasible measures, changes and alterations have been required in, or incorporated into, the Project, which will lessen such significant environmental effects.
  - b. For the reasons set forth in the Statement of Overriding Considerations adopted concurrently by the Authority, the Authority finds that the significant impact identified in this Section XI-B(b) is acceptable in light of the Project's overall benefits.

Although the following mitigation measures are aimed at reducing these significant and unavoidable traffic impacts attributable to Project operations, these mitigation measures will not reduce those significant impacts:

**Mitigation Measure B-4:** If the Project proceeds with the County office building option, the County, on an on-going basis following initial occupancy, shall fund and implement a Transportation Demand Management (TDM) program for the proposed County office use in Parcel W-1/W-2. The County's CAO shall ensure the County's review and approval of this TDM program. The TDM program could, for example, include an onsite transportation coordinator, post information on transit, and provide logistical support for the formation of carpools and vanpools, and other incentives to use transit and rideshare.

**Mitigation Measure B-5:** The developer, with regard to the five development parcels, shall implement ATCS in conjunction with the area-wide ATCS program, if not otherwise implemented, prior to the completion of the first phase of development at the intersections identified by LADOT, although the implementation of this measure will provide mitigation to all three Project phases. Implementation of ATCS shall occur in the northern part of downtown, north of Eighth Street, at the locations identified by LADOT. LADOT has determined that implementation of the ATCS mitigation improvements in the area surrounding the Project would comprise the following: (1) upgrades to Model 2070 traffic signal controllers at 35 intersections; (2) installation of 58 ATSAC/ATCS system vehicle detectors at 9 intersections; and (3) installation of CCTV cameras to provide video information to the ATSAC Center at eight locations. Subject to a final determination by LADOT of the improvements required for the Project, ATCS shall also include LADOT's Transit Priority System (TPS).

**Mitigation Measure B-6:** The following menu of mitigation measures have been developed to further reduce the Project's potential traffic and circulation impacts. The term "menu" refers to the various ways that each of the following measures can be implemented to achieve trip reduction. Selection shall be coordinated with the LADOT, who shall determine which of the mitigation measures are to be implemented.

1. Provide enhanced walking connections along the Project street frontages to transit service (to bus stops and to the Red Line station portals at First Street and Hill Street). These could comprise pedestrian amenities along the Project's street frontages, including landscaped sidewalks, wider crosswalks where feasible at key intersections, improved lighting for pedestrian safety at nighttime, and pedestrian wayfinding signage, to facilitate walking in the Project area. The developer shall implement this measure with regard to the five development parcels prior to initial building occupancy for each

development phase; while, the responsible parties for the implementation of the Civic Park and Streetscape Program, under the applicable agreements, shall implement these measures prior to the completion of construction for each of these Project components.

2. The developer, as determined by LADOT and prior to initial building occupancy for each development phase, shall provide enhanced bus stops on the street frontages of the five development parcels. These enhanced bus stops may include bus shelters with passenger amenities such as benches, shaded areas, and transit information that could be integrated into the overall urban design/landscaping of the Project.
3. Provide transit information kiosks at various strategic locations on the Project site. The developer shall implement this measure with regard to the five development parcels prior to initial building occupancy for each development phase; while, the responsible parties for the implementation of the Civic Park and Streetscape Program, under the applicable agreements, shall implement these measures prior to the completion of construction for each of those Project components.
4. The developer, with regard to the five development parcels, shall participate in an on-going basis during Project operations, in a Share-Car program (e.g., Flexcar) that makes cars available to registered members. It is anticipated that up to three on-street parking spaces, subject to a determination of feasibility by LADOT, could be provided at key locations adjacent to the Project frontage for up to three Share-Cars. The Share-Cars could be available to both Project and non-Project users as long as they were members of the Share-Car program. The Project shall support a Share-Car organization's application to the City, and following any implementation of such application shall promote the Share-Car concept and encourage its usage with Project residents and tenants.
5. Provide improved vehicular directional signage on surface streets approaching and within the Project area to direct vehicles to specific destinations and parking locations, as appropriate, to minimize vehicles circulating in the Project area. Such signage should be approved to the satisfaction of LADOT. The developer shall implement this measure with regard to the five development parcels prior to initial building occupancy for each development phase; while, the responsible parties for the implementation of the Civic Park under the applicable agreements, shall implement these measures prior to the completion of construction for the Civic Park.

**Mitigation Measure B-7:** The Developer, with regard to the five development parcels, shall re-stripe the westbound approach of the Third Street and Hill Street intersection from the existing configuration of one left turn lane, one through lane, and one shared through/right-turn lane to a future configuration of one left turn lane, two through lanes, and one exclusive right-turn lane. This improvement would require a slight widening of Third Street west of Hill Street before the entrance to the tunnel within the public right-of-way. The final lane configuration of this intersection shall be to the satisfaction of the City of Los Angeles Department of Transportation. In addition, any street widening and construction activities shall be coordinated with the City of Los Angeles Department of Public Works, Bureau of Engineering.

- iii. Supportive Evidence and Rationale – The FEIR analyzed in detail the potential traffic impacts that may be caused by Project operation in Section IV.B of the DEIR. Specifically:
  - a. Intersections: The Project with County Office Building Option would generate approximately 1,551 A.M. peak hour trips and 2,464 P.M. peak hour trips. This Option would result in significant traffic impacts at seven intersections in the A.M. peak hour and in significant traffic impacts at seventeen intersections in the P.M. peak hour. The Project with Additional Residential Development Option would generate approximately 1,019 trips in the A.M. peak hour and 2,003 trips in the P.M. peak hour. This Option would result in a significant traffic impact at six intersections in the A.M. peak hour and seventeen intersections in the P.M. peak hour. With the implementation of all the mitigation measures, including the ATCS and the intersection mitigation measures, one intersection in the A.M. peak hour and 12 intersections in the P.M. peak hour would be significantly and unavoidably impacted under the Project with County Office Building Option. With the implementation of all the mitigation measures, including ATCS and intersection mitigation measures, no intersections in the A.M. peak hour and 7 intersections in the P.M. peak hour would be significantly and unavoidably impacted under the Project with Additional Residential Development Option.
  - b. Access: No driveway intersection approach under either Project Option would exceed LOS D. Therefore, the Project would not cause any significant traffic impacts at proposed driveway locations.
  - c. Freeway/CMP Impacts. The Project with County Office Building Option would cause two significant traffic impacts on the freeway system, one of which would occur at a CMP monitoring location (US-101 Hollywood Freeway north of Vignes Street). However, the Project with Additional Residential Development Option would cause no



significant freeway traffic impacts. The Project with County Office Building Option's significant impacts on the US-101 Hollywood Freeway between Grand Avenue and Hill Street, and on the US-101 Hollywood Freeway north of Vignes Street (a CMP location) would be reduced to a less than significant level through the implementation of the proposed mitigation measures. Freeway/CMP impacts under the Project with Additional Residential Development Option would be less than significant.

- d. Transit: Because Project transit trips would represent a very small proportion of the overall transit system capacity, it is concluded that the Project will result in a less than significant impact to the existing transit systems serving the Project area and downtown.
- e. Civic Park: Early evening events in the Civic Park, or events associated with concerts/programs at the Music Center and the Walt Disney Concert Hall, may worsen traffic conditions in the Project area during the P.M. peak hour. The number of such events would be infrequent and would not occur on a regular basis. Although Civic Park traffic impacts would be temporary in nature, impacts may, on occasion, be significant in magnitude. Annual events, festivals, and holiday events could also potentially have temporary and short-term (one-time) traffic impacts. Therefore, on occasion, the size of the event and other factors may cause Civic Park traffic impacts to be significant and unavoidable.

iv. Cumulative Impacts

- a. Intersections: The cumulative traffic impacts associated with the 93 related projects and ambient growth have been considered for the purpose of assessing the Project's traffic impacts. In conjunction with the significant Project impacts after mitigation, cumulative traffic impacts on certain intersections would be significant.
- b. Civic Park: Early evening events in the Civic Park may worsen traffic conditions in the P.M. peak hour. The number of such events would be infrequent and would not occur on a regular basis. Although Civic Park traffic impacts would be temporary in nature, impacts may, on occasion, be significant in magnitude. As such, traffic impacts associated with such short-term activities would be considered cumulatively significant in conjunction with other projects' traffic.
- c. Driveway Access: None of the 93 related projects share conjoining or adjacent access points. Therefore, no significant cumulative impacts relative to access would occur since none of the related projects could

cause problems in accessing the Project site. Similarly, the Project would cause no problems in the accessibility of the related projects.

- d. Transit: The employees, visitors, and residents of the 93 related projects would use overlapping transit systems, as would be the case with the Project. Under the City of Los Angeles transportation and land use policies, this effect is positive (i.e., the concentration of new employment and housing projects in close proximity to transit services). Further, the increased usage of transit system by users at the related projects would not cause exceedance of the capacity of existing transit systems. Consequently, the cumulative impacts relative to transit systems are concluded to be less than significant.
- e. CMP: The Project with County Office Building Option would cause an incremental increase in the D/C ratio of 0.021 at the US-101 Hollywood Freeway between Grand Avenue and Hill Street, and an incremental increase of the D/C ratio of 0.020 at the US-101 Hollywood Freeway north of Vignes Street, both in the P.M. peak hour. Since that increase would be at or slightly above the threshold of significance, it is concluded that the Project with County Office Building Option would cause two significant traffic impacts on the freeway system, one of which would occur at a CMP monitoring location (US-101 Hollywood Freeway north of Vignes Street). Since related projects would also contribute to freeway traffic levels, the combination of the Project's traffic with the related projects' traffic is considered to be cumulatively significant. The Project with Additional Residential Development Option would not exceed D/C threshold ratios, and cumulative impacts are considered to be less than significant under this option.

D. Traffic, Circulation and Parking (Parking Impacts)

- i. Potential Impacts – The Project may create a significant parking impact if:
  - a. The Project would be inconsistent with adopted parking codes, parking plans, or policies.
- ii. Findings – The Project will not cause significant and unavoidable parking impacts, except for the one project-specific and cumulative impact discussed in subsection iii. and iv., below. With respect to that impact, the Authority makes the following findings:
  - a. This impact can be mitigated to a level of less than significant if the City approves a certain land use entitlement that has been applied for by the developer, which application is still pending as of the date of these Findings. Accordingly, the Authority finds that the measures,

such changes or alterations to the Project necessary to mitigate this impact are within the responsibility and jurisdiction of another public agency and not the Authority. The Authority further finds that such measures, changes or alterations should be adopted by such other agency.

- b. For the reasons set forth in the Statement of Overriding Considerations adopted concurrently by the Authority, the Authority finds that the significant impact identified in this Section XI-B(c) is acceptable in light of the Project's overall benefits.
- iii. Supportive Evidence and Rationale – The FEIR analyzed in detail the Project's potential parking impacts in Section IV.B of the DEIR. Under both the Project with County Office Building Option and the Project with Additional Residential Development Option, commercial and residential parking would be consistent with the parking requirements of the LAMC. However, neither Option would meet the requirements of the Deputy Advisory Agency Residential Policy (DAARP), which requires 2.5 parking spaces per dwelling unit. As part of its entitlement application to the City, the developer will be seeking approval of a variance from the DAARP. The reasons for seeking a deviation from this policy are provided in Section IV.B, Traffic, Circulation and Parking, of the DEIR. If approved by the City, there would be no significant impact for this issue. However, using a worst-case perspective, a significant and unavoidable impact in regard to this policy is assumed. Should the variance be granted by the City, which would occur only after certification of the FEIR by the Lead Agency and concurrently with action on the entitlements requested from the City, there would be no significant residential parking impacts. However, until the exception is granted, it is conservatively concluded that, for purposes of CEQA, there would be a significant impact.

The Project's total parking supply will meet projected Project demand and also exceed many of the requirements of the City's parking requirements (except for the DAARP). For example, the first phase of development on the five development parcels will provide the approximately 1,129 parking spaces which is 155 parking spaces more than that is required by City Code. Further, an additional 381 spaces will be provided due to the use of mechanical lifts, valet operations and other parking strategies.

A minor change in the Project's parking arrangements for this first phase of development has been proposed by the developer since publication of the DEIR. This change would cause up to 227 parking spaces to be provided off-site up to two blocks from the Project site. However, there would be no significant parking impacts associated with this parking strategy. During evenings and weekends, there are sufficient spaces available in the Civic

Center/Bunker Hill area as office buildings are closed. During the daytime, the most likely location sufficient spaces in the Walt Disney Hall Concert Hall garage would be available, even with the relocation of existing spaces from Parcel Q and Parcel W-1/W-2 due to the Project. Further, because these spaces would be provided within one or two blocks of Parcel Q, and because they would represent only 4% of the total Project parking supply, it is not expected that the distribution patterns of Project traffic would be significantly different from the patterns analyzed in the FEIR. Accordingly, the Authority finds that this minor potential change in the Project will not cause a significant new environmental impact.

Finally, the Project would eliminate 1,818 parking spaces (of which 1,604 are usable) in the lots existing on the five development parcels. Existing County facilities would absorb up to 1,074 of these spaces at such facilities as the Walt Disney Concert Hall garage and the Civic Center and in the Civic Center, where excess parking spaces are now available. Further, under the proposed Civic Park conceptual design plan, the Court of Flags garage (Lot 10) would be repaired and would add 325 usable parking spaces this parking supply. In addition to those available spaces, the analysis in the FEIR concluded that excess space exists in the twenty-one other parking facilities in the general vicinity of the Project Area.

- iv. Cumulative Impacts – It is assumed that the related development projects would satisfy their demand for commercial and residential parking, as is the case with the Project. However, since the Project would not comply with the DAARP for residential uses, as may also be the case with one or more of the related projects, non-compliance with the DAARP is considered cumulatively significant.

E. Aesthetics and Visual Resources (Visual Quality, Construction)

- i. Potential Impacts – The Project may cause a significant visual quality impact if:
  - a. The Project would substantially alter, degrade or eliminate the existing visual character of the area, including visually prominent existing features or other valued resources.
  - b. The Project features would substantially contrast with the visual character of the surrounding area and its aesthetic image.
  - c. The implementation of the Project would preclude the attainment of existing aesthetics regulations or applicable plans.

- ii. Findings - A potentially significant visual quality impact due to construction of the Project is identified in the EIR. However, with the implementation of a mitigation measure, a regulatory measure, and project design features, this potentially significant impact will be reduced to a less than significant impact.

**Mitigation Measure C-1:** During Project construction, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements, shall ensure, through appropriate postings and daily visual inspections, that no unauthorized materials remain posted on any temporary construction barriers or temporary pedestrian walkways, and that any such temporary barriers and walkways are maintained in a visually attractive manner throughout the construction period. The City's Department of Building and Safety or other appropriate City agency or department, shall determine compliance with this measure with regard to construction associated with the five development parcels and the Streetscape Program. The County's CAO or its designee shall determine compliance with this measure with regard to construction of the Civic Park.

**Regulatory Measure C-1:** Prior to the start of each construction work phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Streetscape Program under the applicable agreements, shall prepare and implement a tree replacement plan should mature trees along Grand Avenue be impacted by Project construction. Existing mature trees shall be replaced at a ratio of not less than 1:1, to the extent consistent with the final streetscape design. The City's Department of Building and Safety or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels and the Streetscape Program.

**Project Design Feature C-1:** Prior to the start of construction along the east side of Grand Avenue, between First and Temple Streets, the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements shall coordinate construction of park improvements in the westerly Civic Park sector with any installation of streetscape and other improvements on Grand Avenue between First and Temple Streets to reduce the duration and visual impact of construction activities. Scheduling of construction activities for the Civic Park and the Streetscape Program shall be reviewed and approved by the Authority and shall be implemented by the responsible parties.

**Project Design Feature C-2:** Prior to the start of each construction work phase, the developer, with regard to the five development parcels, and the

responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements, shall schedule and coordinate sidewalk construction with the development of the adjacent parcels to reduce the duration and visual impact of construction activities. Scheduling of construction activities for the five development parcels, the Civic Park and the Streetscape Program shall be reviewed and approved by the Authority and implemented by the responsible parties.

- iii. Supportive Evidence and Rationale – The FEIR analyzed in detail the potential visual quality impacts associated with the construction of the Project in Section IV.C of the DEIR. Construction activities may be detrimental to the aesthetic value of the Project area. In addition, the potential removal or relocation of mature landscaping in the existing Civic Center Mall in order to create the Civic Park would contrast and detract from the existing visual character of the park. Mature trees would be preserved or relocated to the extent feasible. However, construction activities that would contrast with the aesthetic image of the area would cease at the completion of the construction phases. Due to the short-term nature of these activities, construction impacts on aesthetic resources are concluded to be less than significant. Further, the visual quality impacts generated by construction activities would be reduced to a less than significant level through the implementation of Mitigation Measure C-1, Regulatory Measure C-1, and Project Design Features C-1 and C-2.
- iv. Cumulative Impact – The related projects would not be located close enough to the Project's development parcels to be within the same field of view as the Project as to create any potentially significant visual quality impact attributable to cumulative construction activities. Further, the construction of such other related projects will likely comply with the mitigation measures described in this Section XI-C(a). Therefore, this cumulative impact will be less than significant.

E. Aesthetics and Visual Resources (Visual Quality, Operation)

- i. Impacts – The Project may cause a significant visual quality impact if:
  - a. The Project would substantially alter, degrade or eliminate the existing visual character of the area, including visually prominent existing features or other valued resources.
  - b. The Project features would substantially contrast with the visual character of the surrounding area and its aesthetic image.
  - c. The implementation of the Project would preclude the attainment of existing aesthetics regulations or applicable plans.

- ii. Findings - A less than significant visual quality impact due to operation of the Project is identified in the FEIR. However, the following regulatory measures, and a project design feature are identified in the FEIR to ensure a less than significant impact.

**Regulatory Measure C-4:** Prior to the start of each construction work phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park under the applicable agreements shall submit to the Authority or other appropriate agency, for review and approval, building plans and specifications that demonstrate that all ventilation, heating and air conditioning ducts, tubes, and other such mechanical equipment shall be screened from the line-of-sight from the street. Approved building plans and specifications shall be implemented by the responsible parties.

**Regulatory Measure C-5:** Prior to the start of each construction work phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements shall submit design plans that demonstrate that all utility lines and connections are constructed underground. Approved utility plans and connections with regard to the five development parcels shall be reviewed and approved by the Authority, whereas the City's Department of Building and Safety or other appropriate City agency or department, shall review and approve with regard to the Streetscape program. Approved utility lines and connections shall be implemented by the responsible parties.

**Regulatory Measure C-6:** Prior to construction, the developer, with regard to the five development parcels, shall submit design plans for trash collection areas to the Authority for review and approval. Trash collection areas shall be screened from line of sight from the street. Approved design plans shall be implemented by the developer.

**Project Design Feature C-3:** Prior to the start of each construction work phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements, shall prepare architectural plans that shall be reviewed and approved by the Authority such that all ground-level building fixtures, including, but not limited to, security gates, landscape light fixtures, pedestrian lights, air intake shafts, and other appurtenances are integrated into the architectural theme and/or design of the respective Project components. Approved architectural plans shall be implemented by the developer and the responsible parties.

- iii. Supportive Evidence and Rationale – The FEIR discusses the less than significant visual quality impact caused by Project operations in Section IV.C of the DEIR. The Grand Avenue streetscape program would improve the aesthetic quality and ambience of Grand Avenue and would create an appealing pedestrian environment. Existing visual and pedestrian access into the Civic Park would be improved and the extension of the Civic Park to Spring Street would enhance the aesthetic context of Los Angeles' City Hall. The Project's towers would contribute to the visual continuity of the tall and varied structures comprising the City's skyline and would be consistent with the aesthetic components that represent downtown's aesthetic image. The Project is anticipated to be consistent with the urban design policies that call for the shaping of a skyline that parallels and accentuates the topography of Bunker Hill, the integration of street-front retail with the streetscape, and the addition of public art into the Grand Avenue right-of-way. As such, the Project's visual quality impacts would be less than significant.
- iv. Cumulative Impacts - The related development projects identified in the FEIR as Nos. 9, 27, 88, and 92 are located in close proximity to the Project site and, as such, have the potential to cumulatively contribute to the visual quality of the area. It is anticipated, however, that all of the related projects would be constructed with high-quality materials and architectural design and would be consistent in scale with the surrounding buildings. In addition, it is anticipated that the related projects would contribute to sidewalk and streetscape improvements and, therefore, would improve the visual quality of the downtown area. Therefore, cumulative impacts relative to the aesthetics and visual quality would be less than significant.

F. Aesthetics and Visual Resources (Views)

- i. Impacts – The Project may cause a significant impact if:
  - a. Project development would substantially obstruct an existing view of a visually prominent resource as viewed from a public street, sidewalk, park, community cultural center, trail, public vantage point, or residential use.
- ii. Findings – The Project would cause significant and unavoidable view impacts (1) to the residents' views from the Grand Promenade Tower residential building; (2) the view from Olive Street; and (3) to the residents' view from the Museum Tower residential building. These three view impacts are identified in the FEIR, and the Authority makes the following findings for these impacts:
  - a. For the reasons set forth in the Statement of Overriding Considerations adopted concurrently by the Authority, the Authority finds that the significant impact identified in this Section XI-C(c) is



acceptable in light of the Project's overall benefits.

- b. No feasible mitigation measures exist to mitigate these significant view impacts. The issue of project alternatives that may mitigate those view impacts is addressed in Section XI-C(c) of these Findings.
- iii. Supportive Evidence and Rationale – The FEIR discusses the significant and unavoidable view impacts in Section IV.C. The Project would obstruct views of the Walt Disney Concert Hall and distant vistas to the north, possibly including the San Gabriel Mountains, from the Grand Promenade Tower, a 28-story residential building located immediately south of Parcel M-2. Development on Parcels W-1/W-2 would substantially block views of City Hall from Olive Street, a public street, under both Project Options. In addition, development on Parcel Q would block distant vistas to the north, possibly including the San Gabriel Mountains, from the upper stories of the Museum Tower residential building located south of Parcel Q and east of MOCA. Therefore, view impacts on the Grand Promenade Tower, Olive Street, and Museum Tower would be significant. There are no feasible mitigation measures to reduce the significant and unavoidable view impacts to the Promenade Tower, the view from Olive Street, and the view from the Museum Tower. As described in Section XII of these Findings, certain elements of Alternative No. 4 avoid the significant view impact to the residents' views from the Grand Promenade Tower.
- iv. Cumulative Impacts - Related project No. 88 will be located to the east of Angelus Plaza and would potentially block some easterly views from the existing Angelus Plaza residential use toward Los Angeles City Hall. The blockage of views of City Hall would be considered potentially significant, and since the development in parcels W-1 and W-2 would also block views of City Hall from Olive Street, cumulative impacts relative to the views of City Hall are found to be significant.

G. Aesthetics and Visual Resources (Light and Glare)

- i. Potential Impacts – The Project may cause a significant impact if:
  - a. Lighting would alter the character of the off-site areas surrounding the Project; or
  - b. Lighting would substantially interfere with the performance of an off-site activity.
- ii. Findings – A potential significant glare impact from reflected light on building surfaces is identified in the EIR. However, this potential significant impact will

be reduced to a level of less than significance with the implementation of two identified mitigation measures and one regulatory measure.

**Mitigation Measure C-2:** Prior to the start of each construction work phase, the developer, with regard to the five development parcels, shall submit a design plan and technical analysis prepared by the Project's architect as part of the building permit submission that demonstrates that the final selection of building materials for the five development parcels shall not create a significant glare impact on any offsite sensitive uses, including line-of-sight glare on any street or commercial, residential, or cultural use. The approved design plan shall be implemented by the developer with regard to the five development parcels. The design plan and technical study shall be reviewed and approved by the Authority.

**Mitigation Measure C-3:** Prior to each construction phase, the developer with regard to the five development parcels, shall prepare, and, thereafter, implement plans and specifications to ensure that architectural lighting is directed onto the building surfaces and have low reflectivity in accordance with Illuminating Engineers Society (IES) standards to minimize glare and limit light onto adjacent properties.

**Regulatory Measure C-3:** Prior to the completion of final plans and specifications, the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements, shall prepare lighting plans and specifications for the design type of light fixtures, height of light standards, and orientation of light fixtures and standards within the public right-of-way to ensure that all light fixtures do not interfere with the activities occurring within these areas. Lighting plans with regard to the Streetscape Program shall be submitted to the City's Department of Building and Safety or other appropriate City agency or department, for review and approval. Lighting plans with regard to the Civic Park shall be submitted to the County CAO or its designee for review and approval. Approved lighting plans shall be implemented by the responsible parties.

- iii. Supportive Evidence and Rationale – The FEIR analyzed in detail the potential glare impact from reflected light on building surfaces in Section IV.C of the DEIR. The Project would increase ambient light and artificial glare through the implementation street lighting, illuminated signs, architectural lighting, light spillage from the windows of high-rise buildings, special events lighting and security lighting. Since the Project's lighting would be similar to adjacent businesses (i.e., the nearby residential and office towers), it would not significantly impact the environment, which is currently characterized by high levels of ambient light. The increase in ambient light and artificial glare would not be great enough to interfere with activities at nearby residential, office and cultural uses. Natural sunlight reflected from building surfaces

and windows have the potential to create glare. Further, special events lighting in the Civic Park has the potential to create a significant impact. However, with the implementation of Mitigation Measures C-2 and C-3, the potential light and glare impacts associated with special events lighting and reflected sunlight would be reduced to less than significant levels.

- iv. Cumulative Impact – The Project and 93 related projects would increase ambient light in downtown Los Angeles. However, the context of the downtown environment, illuminated signage associated with street front retail uses and restaurants would not substantially alter the character of the surrounding area. The related projects Nos. 27 and 92, which are located in the same line-of-sight as the Project, as viewed from adjacent westbound and northbound streets, respectively, have the potential to contribute to glare impacts. With the implementation of the recommended mitigation measures, which require a technical glare analysis of, and, if necessary, modification to, the Project's building materials, the Project's potentially significant glare impact would be reduced to a less than significant level. Since it is assumed that the related projects would be subject to the same measure concerning their potential glare impacts, cumulative impacts would be less than significant.

H. Aesthetics and Visual Resources (Shade and Shadow)

- i. Potential Impacts – The Project may cause a significant shade/shadow impact if:
  - a. The Project would shade currently unshaded off-site, shadow-sensitive uses more than three hours between the hours of 9:00 A.M. and 3:00 P.M. PST, between late October and early April, or more than four hours between the hours of 9:00 A.M. and 5:00 P.M. PDT between early April and late October.
- ii. Findings – A less than significant shade/shadow impact is identified in the FEIR. No mitigation measures are identified for this impact.
- iii. Supportive Evidence and Rationale – The Project's potential shade/shadow impact is analyzed in detail in Section IV.C of the DEIR. During certain seasons, the Project's towers have the potential to shade sensitive offsite uses, including the future Central Los Angeles Performing Arts Senior High School (currently under construction), the Bunker Hill Towers open space, and Angelus Plaza, depending on the season and hour of the day. However, shading would not exceed three hours between the hours of 9:00 A.M. and 3:00 P.M. during the winter solstice or spring equinox, or four hours between the hours of 8:00 A.M. and 5:00 P.M. during the summer solstice or fall

equinox. Accordingly, the Project would have a less than significant shade/shadow impact.

- iv. Cumulative Impact - The combined morning shading from the Project and related project Nos. 9 and 27, with shading later in the day from related project No. 88, would create a potentially significant shade/shadow impact on the Angelus Plaza site, during the summer solstice only. No feasible mitigation measures exist for this cumulative impact due to the proposed location of these related projects. Although related project No. 92 would generate considerable shading of the Angelus Plaza site, substantially shading from related project No. 92 is not anticipated during the summer solstice. No other related projects would contribute to cumulative shading impacts.

I. Historical Resources

- i. Impacts – The Project may cause a significant historical resources impact if:
  - a. The Project will cause a substantial adverse change in the significance of a historical resource. A substantial adverse change means physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of a historical resource would be materially impaired.
- ii. Findings – The Project will cause significant and unavoidable historical resources impact on a project-specific and cumulative basis. The Authority makes the following findings for this impact:
  - a. All feasible measures, changes and alterations have been required in, or incorporated into, the Project, which will lessen such significant environmental effects.
  - b. For the reasons set forth in the Statement of Overriding Considerations adopted concurrently by the Authority, the Authority finds that the significant impact identified in this Section XI-D is acceptable in light of the Project's overall benefits.

Although the following mitigation measures aimed at reducing this significant and impact to historical resources have been adopted, these mitigation measures will not reduce this significant impact to a level of insignificance:

**Mitigation Measure D-1: Potential Los Angeles Civic Center Historic District.** Prior to the start of each construction phase, the responsible

parties for implementation of the Streetscape Program under the applicable agreements shall submit plans to the Authority, for review and approval to ensure that impacts to the potential eligibility of the potential Los Angeles Civic Center Historic District are reduced to the maximum extent practicable through implementation of the following measures:

1. **Grand Avenue Streetscape Program Design Features.** If the Streetscape Program is implemented in substantial conformance to that set forth in the Project's Conceptual Plan, then the following mitigation measure is not required since such Plan is consistent with the Secretary of Interior's Standards for Rehabilitation of Historic Buildings and the Guidelines for the Treatment of Cultural Landscapes (collectively referred to as the "Standards"). However, should the final design for the Grand Avenue streetscape improvements not be implemented in substantial conformance with the Project's Conceptual Plan, then the landscape and hardscape features proposed as part of the Grand Avenue Streetscape Program shall respect the linear qualities of the street and sidewalks in respect to the adjacent historic resource. Such landscape treatments shall be unified and planted in a manner as to not obscure the sight lines to the facades of those properties identified as contributors to the potential Los Angeles Civic Center Historic District from the public right-of-ways. The design of the Project's streetscape improvements shall consider their height, width, and spatial placement and include a program of selective pruning of trees to retain sight lines on a regular basis.

**Mitigation Measure D-2: Music Center:** No mitigation measures are required if the Grand Avenue streetscape improvements are implemented in substantial conformance to that set forth in the Project's Conceptual Plan, as determined by the Authority, since such Plan is consistent with the Secretary of Interior's Standards for Rehabilitation of Historic Buildings and the Guidelines for the Treatment of Cultural Landscapes (collectively referred to as the "Standards"). However, should the final design for the Grand Avenue streetscape improvements not be implemented in substantial conformance with the Project's Conceptual Plan, then prior to the start of each construction phase, the entity responsible for implementing the Project's streetscape program under the applicable agreements shall submit plans to the Authority for review and approval to ensure that impacts to the potential eligibility of the Music Center are reduced to the maximum extent practicable through implementation of the following mitigation measure:

1. Prior to implementation, the final design plans for the Grand Avenue streetscape improvements shall be reviewed by a qualified architectural historian or historic preservation consultant who satisfies

the Secretary of the Interior's Professional Qualification Standards for History or Architectural History to assure that the final design for the streetscape improvements does not materially alter the Music Center's potential historic significance. This evaluation shall be conducted in accordance with the Secretary of the Interior's Standards for the Rehabilitation of Historic Buildings.

**Mitigation Measure D-3: Cathedral of Our Lady of the Angels.** No mitigation measures are required if the Grand Avenue streetscape improvements are implemented in substantial conformance to that set forth in the Project's Conceptual Plan, as determined by the Authority, since such Plan is consistent with the Secretary of Interior's Standards for Rehabilitation of Historic Buildings and the Guidelines for the Treatment of Cultural Landscapes (collectively referred to as the "Standards"). However, should the final design for the Grand Avenue streetscape improvements not be implemented in substantial conformance with the Project's Conceptual Plan, then prior to the start of each construction phase, the entity responsible for implementing the Project's streetscape program under the applicable agreements shall submit plans to the Authority, for review and approval to ensure that impacts to the potential eligibility of the Cathedral of Our Lady of the Angels are reduced to the maximum extent practicable through implementation of the following mitigation measure:

1. Prior to implementation, the final design plans for the Grand Avenue streetscape improvements shall be reviewed by a qualified architectural historian or historic preservation consultant who satisfies the Secretary of the Interior's Professional Qualification Standards for History or Architectural History to assure that the final design for the streetscape improvements does not materially alter the Cathedral of Our Lady of the Angels' potential historic significance. This evaluation shall be conducted in accordance with the Secretary of the Interior's Standards.

**Mitigation Measure D-4: Kenneth Hahn Hall of Administration.** No mitigation measures are required if the final design for the Civic Park and the Grand Avenue streetscape improvements are in substantial conformance to that set forth in the Project's Conceptual Plan, as determined by the Authority, since such Plan is consistent with the Secretary of Interior's Standards for Rehabilitation of Historic Buildings and the Guidelines for the Treatment of Cultural Landscapes (collectively referred to as the "Standards"). However, should the final design for the Civic Park and the streetscape improvements not be implemented in substantial conformance with the Project's Conceptual Plan, prior to the start of each construction phase, the responsible parties for implementation of the Civic Park and Streetscape Program, under the applicable agreements, shall submit plans

to the Authority, for review and approval to ensure that impacts to the potential eligibility of the Kenneth Hahn Hall of Administration as a contributing property to the potentially eligible Los Angeles Civic Center Historic District are reduced to the maximum extent practicable through implementation of the following mitigation measure:

1. Prior to implementation, the final design plans for the Civic Park and the Grand Avenue streetscape improvements shall be reviewed by a qualified architectural historian or historic preservation consultant who satisfies the Secretary of the Interior's Professional Qualification Standards for History or Architectural History to assure that the final designs for the Civic Park and streetscape improvements do not materially alter the Kenneth Hahn Hall of Administration's potential historic significance. This evaluation shall be conducted in accordance with the Secretary of the Interior's Standards. The County's CAO or its designee shall determine compliance for the Civic Park and the City's Department of Building and Safety shall determine compliance for the Streetscape Program.

**Mitigation Measure D-5: Civic Center Mall (El Paseo de los Pobladores de Los Angeles).** Prior to the start of each construction phase, the responsible parties for implementation of the Civic Park under the applicable agreements shall submit plans to the Authority, for review and approval to ensure that impacts to the potential eligibility of the Civic Center Mall for listing in the California Register is reduced to the maximum extent practicable. However, in the event that any one or more of the following occurs: (1) the water feature (both the fountain and pools) no longer serves as a focal point for the park; (2) many of the pink granite clad planters, pink granite clad retaining walls, and concrete benches are not retained and reused in-place or within the reconfigured park preferably near the water feature and adjacent to the civic buildings; (3) the existing elevator shaft structures are removed in their totality, or (4) many of the light poles with saucer-like canopies and the "hi-fi" speaker poles with saucer-like canopies are not retained in-place or relocated adjacent to or integrated along with the water feature, benches, retaining walls, and planter boxes, then the Standards shall be utilized to ensure that rehabilitation work to the four character-defining features of the park referenced in this Mitigation Measure D-5 does not impair the historic characteristics that convey the Civic Center Mall's historical significance as an individual resource and as a contributing property to the potentially eligible Los Angeles Civic Center Historic District. If such compliance with such Standards cannot be achieved, then the following measures shall apply to the applicable character-defining features identified in this Measure:

1. **Recordation.** Prior to the issuance of a demolition permit for the

Civic Center Mall and its associated features, a Historic American Building Survey (HABS) Level II-like recordation document shall be prepared for the Civic Center Mall. A qualified architectural historian or historic preservation consultant who satisfies the Secretary of the Interior's Professional Qualification Standards for History or Architectural History shall prepare this document. The HABS-like document shall record the existing landscape and hardscape features of the Civic Center Mall, including the four character-defining features identified in this measure. The report shall also document the history and architectural significance of the property and its contextual relationship with the surrounding civic buildings and environment. Its physical composition and condition, both historic and current, should also be noted in the document through the use of site plans, historic maps and photographs, and large-format photographs, newspaper articles, and written text. A sufficient number of large-format photographs shall be taken of the resource to visually capture its historical and architectural significance through general views and detail shots. Field photographs (35mm or digital format) may also be included in the recordation package. All document components and photographs should be completed in accordance with the Secretary of the Interior's Standards and Guidelines for Architectural and Engineering Documentation. Archival copies of the report, including the original photographs, shall be submitted to the California Office of Historic Preservation and the Huntington Library. Non-archival copies of the report and photographs shall be submitted to the County of Los Angeles, the City of Los Angeles Planning Division, the Los Angeles Public Library (Main Branch), and the Los Angeles Conservancy Modern Committee.

2. **Salvage and Reuse of Key Park Features.** Prior to the removal of the four character-defining features identified in this Measure, an inventory of significant landscape and hardscape elements shall be made by a qualified preservation consultant and landscape architect. Where feasible, these materials and elements shall be itemized, mapped, photographed, salvaged, and incorporated into the new design of the park, wherever possible. To the extent salvageable materials cannot be reused on-site, they shall be disposed of in accordance with applicable county surplus procedures.

**Mitigation Measure D-6: Hall of Records.** No mitigation measures are required if the final design for the Civic Park is in substantial conformance to that set forth in the Project's Conceptual Plan, as determined by the Authority, since such Plan is consistent with the Secretary of Interior's Standards for Rehabilitation of Historic Buildings and the Guidelines for the Treatment of Cultural Landscapes (collectively referred to as the



"Standards"). However, should the final design for the Civic Park not be implemented in substantial conformance with the Project's Conceptual Plan, prior to the start of each construction phase, the responsible parties for implementation of the Civic Park under the applicable agreements shall submit plans to the Authority, for review and approval to ensure that impacts to the potential eligibility of the Hall of Records building as a contributing property to the potentially eligible Los Angeles Civic Center Historic District are reduced to the maximum extent practicable through implementation of the following mitigation measure:

1. Prior to implementation, the final design plans for the Civic Park shall be reviewed by a qualified architectural historian or historic preservation consultant who satisfies the Secretary of the Interior's Professional Qualification Standards for History or Architectural History to assure that the proposed Civic Park design does not materially alter the Hall of Records' potential historic significance. This evaluation shall be conducted in accordance with the Secretary of the Interior's Standards for the Rehabilitation of Historic Building.

**Mitigation Measure D-7: Court of Flags.** No mitigation measures are required if the final design for the Civic Park is in substantial conformance to that set forth in the Project's Conceptual Plan, as determined by the Authority, since such Plan is consistent with the Secretary of Interior's Standards for Rehabilitation of Historic Buildings and the Guidelines for the Treatment of Cultural Landscapes (collectively referred to as the "Standards"). However, should the final design for the Civic Park not be implemented in substantial conformance with the Project's Conceptual Plan, prior to the start of each construction phase, the responsible parties for implementation of the Civic Park under the applicable agreements shall submit plans to the Authority for review and approval to ensure that impacts to the potential eligibility of the Court of Flags as a contributing property to the potentially eligible Los Angeles Civic Center Historic District are reduced to the maximum extent practicable through implementation of the following mitigation measure:

1. Prior to implementation, the final design plans for the Civic Park shall be reviewed by a qualified architectural historian or historic preservation consultant who satisfies the Secretary of the Interior's Professional Qualification Standards for History or Architectural History to assure that the proposed Civic Park design does not materially alter the Court of Flag's potential historic significance. This evaluation shall be conducted in accordance with the Secretary to Interior's Standards.

**Mitigation Measure D-8: Clara Shortridge Foltz Criminal Justice Center.**

No mitigation measures are required if the final design for the Civic Park is in substantial conformance to that set forth in the Project's Conceptual Plan, as determined by the Authority, since such Plan is consistent with the Secretary of Interior's Standards for Rehabilitation of Historic Buildings and the Guidelines for the Treatment of Cultural Landscapes (collectively referred to as the "Standards"). However, should the final design for the Civic Park not be implemented in substantial conformance with the Project's Conceptual Plan, prior to the start of each construction phase, the responsible parties for implementation of the Civic Park under the applicable agreements shall submit plans to the Authority, for review and approval to ensure that impacts to the potential eligibility of the Clara Shortridge Foltz Criminal Justice Center as a contributing property to the potentially eligible Los Angeles Civic Center Historic District are reduced to the maximum extent practicable through implementation of the following mitigation measure:

1. Prior to implementation the final design plans for the Civic Park shall be reviewed by a qualified architectural historian or historic preservation consultant who satisfies the Secretary of the Interior's Professional Qualification Standards for History or Architectural History to assure that the proposed Civic Park does not materially alter the Clara Shortridge Foltz Criminal Justice Center's potential historic significance. This evaluation shall be conducted in accordance with the Secretary of the Interior's Standards.

**Mitigation Measure D-9: Los Angeles City Hall.** No mitigation measures are required if the final design for the Civic Park is in substantial conformance to that set forth in the Project's Conceptual Plan, as determined by the Authority, since such Plan is consistent with the Secretary of Interior's Standards for Rehabilitation of Historic Buildings and the Guidelines for the Treatment of Cultural Landscapes (collectively referred to as the "Standards"). However, should the final design for the Civic Park not be implemented in substantial conformance with the Project's Conceptual Plan, prior to the start of each construction phase, the responsible parties for implementation of the Civic Park under the applicable agreements shall submit plans to the Authority, for review and approval to ensure that impacts to those historic characteristics that make the Los Angeles City Hall building historically significant as a designated resource and as a contributing property to the potentially eligible Los Angeles Civic Center Historic District, are reduced to the maximum extent practicable through implementation of the following mitigation measure:

1. Prior to implementation the final design plans for the Civic Park shall be reviewed by a qualified architectural historian or historic preservation consultant who satisfies the Secretary of the Interior's

Professional Qualification Standards for History or Architectural History to assure that the proposed Civic Park design does not materially alter the historic significance of the Los Angeles City Hall. This evaluation shall be conducted in accordance with the Secretary of the Interior's Standards.

**Mitigation Measure D-10: Los Angeles County Law Library.** No mitigation measures are required if the final design for the Civic Park is in substantial conformance to that set forth in the Project's Conceptual Plan, as determined by the Authority, since such Plan is consistent with the Secretary of Interior's Standards for Rehabilitation of Historic Buildings and the Guidelines for the Treatment of Cultural Landscapes (collectively referred to as the "Standards"). However, should the final design for the Civic Park not be implemented in substantial conformance with the Project's Conceptual Plan, prior to the start of each construction phase, the responsible parties for implementation of the Civic Park under the applicable agreements shall submit plans to the Authority, for review and approval to ensure that impacts to the potential eligibility of the potentially eligible Los Angeles County Law Library as a contributing property to the Los Angeles Civic Center Historic District are reduced to the maximum extent practicable through implementation of the following mitigation measure:

1. Prior to implementation, the final design plans for the Civic Park shall be reviewed by a qualified architectural historian or historic preservation consultant who satisfies the Secretary of the Interior's Professional Qualification Standards for History or Architectural History to assure that the proposed Civic Park design does not materially alter the Los Angeles County Law Library's potential historic significance. This evaluation shall be conducted in accordance with the Secretary of the Interior's Standards.

**Mitigation Measure D-11: Los Angeles County Courthouse.** No mitigation measures are required if the final design for the Civic Park and the Grand Avenue streetscape improvements are in substantial conformance to that set forth in the Project's Conceptual Plan, as determined by the Authority, since such Plan is consistent with the Secretary of Interior's Standards for Rehabilitation of Historic Buildings and the Guidelines for the Treatment of Cultural Landscapes (collectively referred to as the "Standards"). However, should the final design for the Civic Park and the streetscape improvements not be implemented in substantial conformance with the Project's Conceptual Plan, prior to the start of each construction phase, the responsible parties for implementation of the Civic Park and the Streetscape Program under the applicable agreements shall submit plans to the Authority, for review and approval to ensure that impacts to the potential eligibility of the Los Angeles County Courthouse as a contributing property to

the potentially eligible Los Angeles Civic Center Historic District are reduced to the maximum extent practicable through implementation of the following mitigation measure:

1. Prior to implementation, the final design plans for the Civic Park and the Grand Avenue streetscape improvements shall be reviewed by a qualified architectural historian or historic preservation consultant who satisfies the Secretary of the Interior's Professional Qualification Standards for History or Architectural History to assure that the proposed final designs for the Civic Park and streetscape improvements do not materially alter the Los Angeles County Courthouse's potential historic significance. This evaluation shall be conducted in accordance with the Secretary of the Interior's Standards. The County's CAO or its designee shall determine compliance for the Civic Park and the City's Department of Building and Safety shall determine compliance for the Streetscape Program.

**Mitigation Measure D-12: Southern California Edison (One Bunker Hill) Building.** No mitigation measures are required if the Grand Avenue streetscape improvements are implemented in substantial conformance to that set forth in the Project's Conceptual Plan, as determined by the Authority, since such Plan is consistent with the Standards. However, should the final design for the Grand Avenue streetscape improvements are not implemented in substantial conformance with the Project's Conceptual Plan, the responsible parties for implementation of the Streetscape Program under the applicable agreements shall submit plans to the Authority, for review and approval to ensure that impacts to the historic characteristics that convey the Southern California Edison building's (One Bunker Hill) significance are reduced to the maximum extent practicable through implementation of the following mitigation measure:

1. Prior to implementation, the final design plans for the Grand Avenue streetscape improvements shall be reviewed by a qualified architectural historian or historic preservation consultant who satisfies the Secretary of the Interior's Professional Qualification Standards for History or Architectural History to assure that the final design for the proposed streetscape improvements does not materially alter the Southern California Edison's (One Bunker Hill) Building's historic significance. This evaluation shall be conducted in accordance with Secretary of the Interior's Standards.
- iii. Supportive Evidence – The FEIR identifies a significant and unavoidable historical resources impact in Section IV.D of the DEIR. Under CEQA, implementation of the recommended mitigation measures would reduce all of the identified significant impacts to a less than significant level, with the

exception of one impact associated with the Civic Center Mall. The Mall is individually eligible for listing on the California Register of Historic Resources and would be a contributory feature of the Civic Center since the Center is eligible as a California Register Historic District. The actual extent of that significant impact is dependent upon the Civic Park's final design. Significant impacts to the Park would result if one or more the following occurs: (1) the water feature (both the fountain and pools) no longer serves as a focal point for the park; (2) many of the pink granite clad planters, pink granite clad retaining walls, and concrete benches are not retained and reused in-place or within the reconfigured park preferably near the water feature and adjacent to the civic buildings; (3) the existing elevator shaft structures are removed in their totality, or (4) many of the light poles with saucer-like canopies and the "hi-fi" speaker poles with saucer-like canopies are not retained in-place or relocated adjacent to or integrated along with the water feature, benches, retaining walls, and planter boxes. The Standards should be utilized to ensure that rehabilitation work for the Civic Park does not impair those qualities and historic characteristics of these four key character-defining features. If these character-defining features were retained and reused in a manner consistent with the Standards as discussed in the EIR, then a significant impact to this resource would not occur. However, since the final design of the Park has not been completed, and, therefore, consistency with the Standards is not known at this time, it is conservatively assumed that a significant impact will occur.

Based on the analysis in the FEIR, the Authority finds that the Civic Mall is not eligible for listing in the National Register of Historic Places since the necessary criteria for such a listing are not satisfied. However, during the public review process, a comment was raised as to the need for the Civic Center Mall to be listed in the National Register in addition to the California Register of historic resources. For CEQA purposes, a resource need only be recognized at the local or state level in order to be afforded full protection as a historical resource. Thus, whether the Civic Center Mall is listed in the National Register or the California Register, it would be afforded the same protections. Accordingly, the Authority finds that there is no additional impact associated with the Civic Mall's potential eligibility for the National Register.

- iv. Cumulative Impacts - The development of one or more related projects in the downtown area has the potential to affect listed or eligible historical resources. Each of the related projects having the potential to impact historical resources would be subject to CEQA review and it is anticipated that any potential impacts on historical resources would be addressed and reduced to less than significant levels through the CEQA process. However, as the Project may result in a potentially significant impact with regard to the Civic Center Mall on an individual basis as well as a contributor to the potential Civic Center historic district, the Project and the related projects

may also have the potential to cause a significant cumulative impact on historical resources.

J. Population, Housing and Employment

- i. Potential Impact – The Project may cause a significant impact with regard to population, housing and employment if:
  - a. The Project would cause population or housing growth in Southern California Association of Governments (“SCAG”) City of Los Angeles subregion to exceed SCAG’s 2015 projections.
  - b. The Project would cause growth that is not compatible with adopted population and housing policies, including jobs/housing balance, as set forth in the Central City Community Plan, the City’s General Plan Housing Element, the General Plan Framework, and SCAG’s Regional Comprehensive Plan and Guide (RCPG).
- ii. Findings – The Project will not cause a significant impact with regard to population, housing and employment.
- iii. Supportive Evidence and Rationale – The FEIR analyzed in detail the Project’s potential impacts associated with population, housing and employment in Section IV-E of the DEIR. Project development would not exceed SCAG’s adopted projections for the City of Los Angeles Subregion. The Project would also be consistent with adopted policies, including jobs/housing balance, as set forth in the Central City Community Plan, the City’s General Plan Housing Element, the General Plan Framework, and SCAG’s Regional Comprehensive Plan and Guide. Therefore, the Project would result in less than significant environmental impacts to housing, employment and population. Thus, no mitigation measures are required.
- iv. Cumulative Impact – Additional growth from the 93 related projects would generate 28,952 estimated residents and 61,158 estimated employees. When combined with the Project with County Office Building Option, the estimated population growth would be 31,877 residents and 65,364 employees. Under the Project with Additional Residential Development Option, cumulative population growth would be 32,729 residents and 62,364 employees. According to SCAG forecasts for the City of Los Angeles Subregion, cumulative growth under both Project Options would represent approximately 18 percent of the forecasted residential growth and 29 percent of the forecasted employment growth. This level of cumulative growth would not exceed projections and would therefore be less than significant. The related projects are also anticipated to be consistent with SCAG and Los Angeles policies for development of the downtown area as a dense activity

center and, as such, would not cause a significant cumulative impact in this area.

K. Air Quality (Project Construction)

- i. Impacts – The construction of the Project may cause a significant and unavoidable air quality impact if:
  - a. The Project's emission of "regional" air pollutants from both direct and indirect sources would exceed any of the following South Coast Air Quality Management District ("SCAQMD") prescribed threshold levels: (1) 75 pounds per day (lbs/day) for VOC; (2) 100 lbs/day for NO<sub>x</sub>; (3) 550 lbs/day for CO; and (4) 150 lbs/day for PM<sub>10</sub> or SO<sub>x</sub>.
  - b. Project-related fugitive dust and construction equipment emissions cause an incremental increase in localized PM<sub>10</sub> concentrations of 10.4 µg/m<sup>3</sup> or cause a violation of NO<sub>2</sub> or CO ambient air quality standards.
- ii. Findings – A significant and unavoidable air quality impact caused by construction of the Project will occur on a project-specific and cumulative basis. The Authority makes the following findings for this impact:
  - a. All feasible measures, changes and alterations have been required in, or incorporated into, the Project, which will lessen such significant environmental effects.
  - b. For the reasons set forth in the Statement of Overriding Considerations adopted concurrently by the Authority, the Authority finds that the significant impact identified in this Section XI-F(a) is acceptable in light of the Project's overall benefits.

Although the following mitigation measures aimed at reducing these significant and unavoidable air quality impacts associated with Project construction have been adopted, these mitigation measures will not reduce those significant impacts to a level of insignificance:

**Mitigation Measure F-1:** During each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements shall implement a fugitive dust control program pursuant to the provisions of SCAQMD Rule 403. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with SCAQMD Rule 403 during construction with regard to construction associated with the five development parcels and the Grand Avenue Streetscape Program. The County's CAO or its designee

shall determine compliance with regard to the Civic Park. The SCAQMD retains jurisdiction to enforce this measure in the case of non-compliance. Compliance with the applicable provisions of Rule 403 shall include, but not be limited to, using best available control measures listed in Table 1 of Rule 403 to minimize fugitive dust emissions from each fugitive dust source type within active operations, and will include at least the following specific best management practices (BMPs):

1. Water soils daily and not more than 15 minutes prior to earth moving activities;
2. Water surfaces two times per day or more in order to maintain a surface crust to prevent soil erosion;
3. Apply soil conditioners or vegetative cover to areas that will be exposed for an extended duration;
4. Apply chemical stabilizers within five working days of ceasing grading;
5. Install of approved trackout prevention devices and provide street sweeping within the Project area;
6. Securely cover truck loads with a tarp;
7. Cease grading activities when wind speeds exceed 25 miles per hour; and
8. Permanently seal exposed surfaces as soon as possible after grading is finished.
9. Provide temporary wind fencing, consisting of wrapped chain links or solid fencing, around the sites that are being graded/excavated to reduce dirt/dust from being blown over to adjoining properties.

**Mitigation Measure F-2:** During each construction phase, the developer, with regard to the five development parcels and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements, shall utilize coatings and solvents that are consistent with applicable SCAQMD rules and regulations. The City's Department of Building and Safety, or other appropriate City agency or department, shall provide oversight with regard to compliance with this measure with regard to construction associated with the five development parcels and the Streetscape Program. The County's CAO or its designee shall determine compliance with regard to the Civic Park. The SCAQMD retains jurisdiction to enforce this measure in the case of non-compliance.



**Mitigation Measure F-3:** During each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements, shall comply with SCAQMD Rule 402 to reduce potential nuisance impacts due to odors from construction activities. The City's Department of Building and Safety, or other appropriate City agency or department, shall provide oversight with regard to compliance with this measure with regard to construction associated with the five development parcels and the Streetscape Program. The County's CAO or its designee shall provide oversight with regard to compliance with this measure with regard to the Civic Park. The SCAQMD retains jurisdiction to enforce this measure if it is not being complied with.

**Mitigation Measure F-4:** During each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements shall ensure that all haul truck tires shall be cleaned at the time these vehicles exit the Project site. The City's Department of Building and Safety, or other appropriate City agency or department, shall provide oversight with regard to compliance with this measure with regard to construction associated with the five development parcels and the Streetscape Program. The County's CAO or its designee shall provide oversight with regard to compliance with this measure with regard to the Civic Park. The SCAQMD retains jurisdiction to enforce this measure in the case of non-compliance.

**Mitigation Measure F-5:** During each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements shall ensure that all export material carried by haul trucks shall be covered by a tarp or other means. The City's Department of Building and Safety, or other appropriate City agency or department, shall provide oversight with regard to compliance with this measure with regard to construction associated with the five development parcels and the Streetscape Program. The County's CAO or its designee shall provide oversight with regard to compliance with this measure with regard to the Civic Park. The SCAQMD retains jurisdiction to enforce this measure in the case of non-compliance.

**Mitigation Measure F-6:** During each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements shall ensure that all construction equipment shall be properly tuned and maintained in accordance with manufacturer's specifications. The City's Department of Building and Safety, or other

appropriate City agency or department, shall determine compliance with this measure with regard to construction associated with the five development parcels and the Streetscape Program. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.

**Mitigation Measure F-7:** During each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements shall ensure that construction equipment is maintained and operated so as to minimize exhaust emissions. During construction, trucks and vehicles in loading and unloading queues shall turn off their engines, when not in use, to reduce vehicle emissions. Construction emissions shall be phased and scheduled to avoid emissions peaks and discontinued during second-stage smog alerts. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to construction activities associated with the five development parcels and the Streetscape Program. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.

**Mitigation Measure F-8:** During each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements shall ensure that electricity rather than temporary diesel- or gasoline-powered generators shall be used to the extent feasible. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to construction associated with the five development parcels and the Streetscape Program. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.

**Mitigation Measure F-9:** During each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements shall ensure that all construction vehicles shall be prohibited from idling in excess of five minutes, both on- and off-site. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to construction associated with the five development parcels and the Streetscape Program. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.

**Mitigation Measure F-10:** During each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the

applicable agreements shall ensure that heavy-duty construction equipment shall use alternative clean fuels, such as low sulfur diesel or compressed natural gas with oxidation catalysts or particulate traps, to the extent feasible.

The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels and the Streetscape Program. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.

**Mitigation Measure F-11:** During each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements shall ensure that shuttle service shall be provided to construction workers who are required to park in offsite parking lots if such lots are not within a walking distance of 1100 feet from the respective construction sites. CRA/LA shall determine compliance with this measure with regard to construction associated with the five development parcels and the Streetscape Program. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.

**Mitigation Measure F-12:** During each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements shall equip major earth moving equipment, haul trucks, and excavation equipment with particulate filters and catalytic converters. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to construction associated with the five development parcels and the Streetscape Program. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.

**Project Design Feature F-2:** The developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park under the applicable agreements shall provide convenient pedestrian access throughout the Project site. The Developer shall implement this measure with regard to the five development parcels prior to initial building occupancy for each construction phase, while the responsible parties for the implementation of the Civic Park and Streetscape Program, under the applicable agreements, shall implement these measures prior to the completion of construction for each of these Project components. Pedestrian access plans shall be submitted to the Authority, for review and approval. Approved pedestrian access plans shall be implemented by the responsible parties

**Regulatory Measure F-2:** Prior to the start of each construction phase, the

developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park, under the applicable agreements, shall prepare and implement building plans and specifications that ensure that all residential and non-residential buildings shall, at a minimum, meet the California Title 24 Energy Efficiency standards for water heating, space heating and cooling. Approved building plans shall be implemented by the developer and the responsible parties. Building plans and specifications with regard to the five development parcels shall be reviewed and approved by the City's Department of Building and Safety, or other appropriate City agency or department. Building plans and specifications with regard to the Civic Park shall be reviewed and approved by the County's CAO or its designee.

**Regulatory Measure F-3:** During each construction phase, the developer with regard to the five development parcels, and the responsible parties for implementation of the Civic Park under the applicable agreements shall ensure that building materials, architectural coatings and cleaning solvents shall comply with all applicable SCAQMD rules and regulations. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to construction associated with the five development parcels. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park. The SCAQMD shall be responsible for the enforcement of this measure for all Project components in the case of non-compliance.

- iii. Supportive Evidence and Rationale – The FEIR discusses the Project's potentially significant air quality impacts in Section IV.F of the DEIR. With implementation of the above regulatory measures and mitigation measures, heavy-duty construction equipment emissions would be reduced by a minimum of 5 percent and fugitive dust emissions would be reduced by an additional 16 percent. However, regional construction activities would still exceed the SCAQMD daily emission thresholds for regional NO<sub>x</sub>, CO and VOC after implementation of all feasible mitigation measures. Therefore, construction of the Project would have a significant and unavoidable impact on regional air quality. Construction activities would also still exceed the SCAQMD daily localized emission threshold for PM<sub>10</sub> and NO<sub>2</sub> after implementation of all feasible mitigation measures. Therefore, construction of the Project would also have a significant and unavoidable impact on localized emissions.
- iv. Cumulative Impact - Buildout of those related development projects identified in the FEIR that would be constructed within a similar time frame as the Project would increase short-term emissions for concurrent activities during the Project's construction period. Since emissions of criteria pollutants under

peak construction activities are concluded to be significant, any additional construction activities as part of any related project occurring during this time and in the vicinity of the Project site would be adding additional air pollutant emissions to these significant levels. As a result, a significant and unavoidable cumulative impact with respect to construction emissions would occur.

L. Air Quality (Project Operation)

i. Potential Impacts –Project operations may cause a significant air quality impact if:

a. Operation emissions exceed any of the daily thresholds presented below:

| Pollutant | Significance Threshold<br>(lbs/day) |
|-----------|-------------------------------------|
| VOC       | 55                                  |
| NOx       | 55                                  |
| CO        | 550                                 |
| PM10      | 150                                 |
| SOx       | 150                                 |

ii. Findings – A significant and unavoidable air quality impact caused by Project operations will occur on a project-specific and cumulative basis. The Authority makes the following findings for this impact:

- a. All feasible measures, changes and alterations have been required in, or incorporated into, the Project, which will lessen such significant environmental effects.
- b. For the reasons set forth in the Statement of Overriding Considerations adopted concurrently by the Authority, the Authority finds that the significant impact identified in this Section XI-F(b) is acceptable in light of the Project's overall benefits.

Although the following mitigation measures aimed at reducing these

significant and unavoidable air quality impacts during Project operations have been adopted, these mitigation measures will not reduce those significant impacts to a level of insignificance:

**Mitigation Measure F-13:** During Project operations, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park under the applicable agreements shall, to the extent feasible, ensure that deliveries are scheduled during off-peak traffic periods to encourage the reduction of trips during the most congested periods. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure, with regard to construction associated with the five development parcels. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.

**Mitigation Measure F-14:** During Project operations, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park, under the applicable agreements, shall coordinate with the MTA and the LADOT to provide information to Project employees, residents and guests with regard to local bus and rail services. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to construction associated with the five development parcels and the Streetscape Program. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.

**Mitigation Measure F-15:** Provide the appropriate number of bicycle racks located at convenient locations in the Project site. The developer shall implement this measure with regard to the five development parcels prior to initial building occupancy for each construction phase, while the responsible parties for the implementation of the Civic Park, under the applicable agreements, shall implement these measures prior to the completion of each construction phase. The City's Department of Safety shall review and approve the number and location of the bicycle racks with regard to the five development parcels. The County's CAO or its designee shall perform the same function with regard to the Civic Park.

**Mitigation Measure F-16:** During on-going Project operations, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park, under the applicable agreements, shall ensure that all fixtures used for lighting of exterior common areas shall be regulated by automatic devices to turn off lights when they are not needed, but a minimum level of lighting should be provided for safety. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this mitigation measure with regard to the five development parcels. The County's CAO or

its designee shall determine compliance with this measure with regard to the Civic Park.

**Regulatory Measure F-1:** During Project operations, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park under the applicable agreements shall ensure that all point source facilities shall obtain all required permits from the SCAQMD. The issuance of these permits by the SCAQMD shall require the operators of these facilities to implement Best Available Control Technology and other required measures that reduce emissions of criteria air pollutants. Proof of permit issuance by the SCAQMD shall be provided to the City's Department of Building and Safety, or other appropriate City agency or department, with regard to the five development parcels, and the County's CAO or its designee with regard to the Civic Park. Compliance with point source permits shall be enforced by the SCAQMD for all Project components.

**Project Design Feature F-3:** During Project operations, the developer, with regard to the five development parcels, shall ensure that commercial businesses located within the Project site shall be limited to those that do not emit high levels of potentially toxic air contaminants or odors (e.g., dry cleaners with on-site processing plants that handle toxic chemicals). The City's Department of Building and Safety, or other appropriate City agency or department, shall be responsible for the enforcement of this measure with regard to the five development parcels.

- iii. Supportive Evidence and Rationale – The FEIR discusses the Project's potentially significant air quality impacts in Section IV.F of the DEIR. As with the analysis of air quality impacts due to construction of the Project, the analysis used to determine the air quality impacts attributable to Project operations employed protocol established by the SCAQMD. Potential impacts associated with the CO hot spots, toxic air contaminants, and regional air pollutants were analyzed in the FEIR. The analysis conservatively assumed that if any "screening" threshold set by the SCAQMD would be exceeded, then a significant impact would occur. Further, it was assumed that such an impact applied to the entire community surrounding the Project area, and, accordingly, no particular group of sensitive receptors was excluded. Under that analysis, operational emissions of "regional" air pollutants from the Project would exceed the SCAQMD daily emission threshold for regional CO, VOC, PM<sub>10</sub>, and NO<sub>x</sub> after implementation of all feasible mitigation measures. Therefore, operation of the Project would have a significant and unavoidable impact on regional air quality. In addition, regional operational emissions would still exceed SCAQMD daily thresholds for CO, VOC, PM<sub>10</sub>, and NO<sub>x</sub> after implementation of all feasible mitigation measures. Therefore, operation of

the Project would have a significant and unavoidable impact on regional air quality.

During the public review process, a comment was raised regarding the inclusion of a mitigation measure that would encourage water-based coatings or coatings with a lower volatile organic compound (VOC) content than 100 grams per liter. In addition, the comment suggested the mitigation measure restrict the number of gallons of coatings used per day and mandate the use of materials that do not need to be painted, or that can be painted and, then, transported to the site. This mitigation measure, however is not necessary since Rule 1113 of the South Coast Air Quality Management District (SCAQMD) already applies to this issue. The SCAQMD imposes the strictest rules in the nation with regard to the application of architectural paints and coatings. District Rule 1113 restricts VOCs in virtually all types of paints and coatings, including but not limited to, wood finishes, lacquers, concrete-curing compounds, fire-proofing exterior coatings, paints, floor coatings, coatings for signs, mastic coatings, roof coatings, rust preventative coatings, stains, swimming pool coatings, wood preservatives, and water-proofing sealers. This rule reflects the most stringent industry-wide standards achievable in practice. Accordingly, and for the reasons stated in the FEIR, the Authority finds that such a mitigation measure is infeasible.

- iv. Cumulative Impact – Implementation of the Project would result in an increase in ongoing operational emissions, which would contribute to region-wide emissions on a cumulative basis. Accordingly, the Project's cumulative air quality impacts are also concluded to be significant. In such cases, the SCAQMD recommends that all projects, employ all feasible mitigation measures, which has been done with regard to the Project.

M. Noise (Construction)

- i. Impacts – The construction of the Project may cause a significant noise impact if:
  - a. Construction activities lasting more than 10 days in a three-month period would exceed existing ambient exterior noise levels by 5 dBA or more at a noise sensitive use;
  - b. Construction activities would exceed the ambient noise level by 5 dBA at a noise sensitive use between the hours of 9:00 P.M. and 7:00 A.M. Monday through Friday, before 8:00 A.M. or after 6 P.M. on Saturday, or at anytime on Sunday.
- ii. Findings – The Project will cause a significant and unavoidable noise impact



during construction of the Project on a project-specific and cumulative basis. The Authority makes the following findings for this impact:

- a. All feasible measures, changes and alterations have been required in, or incorporated into, the Project on a project-specific and cumulative basis, which will lessen such significant environmental effects.
- b. For the reasons set forth in the Statement of Overriding Considerations adopted concurrently by the Authority, the Authority finds that the significant impact identified in this Section XI-G(a) is acceptable in light of the Project's overall benefits.

Although the following mitigation measures aimed at reducing these significant and unavoidable noise impacts associated with Project construction have been adopted, these mitigation measures will not reduce those significant impacts to a level of insignificance:

**Mitigation Measure G-1:** To reduce any impact on nearby venues that may be noise sensitive receptors, such as the Music Center, Disney Concert Hall, and the County Courthouse, the following Measures G-1 and G-2 shall be implemented as follows: During each construction phase, the developer, with regard to the five development parcels and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements shall limit (i) construction activities utilizing heavy equipment to Monday through Friday from 7:00 a.m. to 8:00 p.m., and (ii) interior construction work inside building shells and construction activities not utilizing heavy equipment to 7:00 a.m. to 9 p.m. Monday through Friday. Saturday construction shall be limited to 8:00 a.m. to 6 p.m. No exterior construction activities shall be permitted on Sundays or holidays per applicable City regulations. Construction noise measures shall also be implemented, which may include the use of noise mufflers on construction equipment used within 100 feet of these buildings. The City's Department of Building and Safety or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels and the Streetscape Program. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.

**Mitigation Measure G-2:** During each construction phase, the developer, with regard to the five development parcels and the responsible parties for implementation of the Streetscape Program shall not use heavy equipment within (to the maximum extent practicable) 100 feet of the County Courthouse building while Court is in session. Construction contracts must specify that all construction equipment shall be in proper operating condition and fitted with standard factory silencing features and other applicable attenuation devices such as mufflers. The City's Department of Building and Safety or other appropriate City agency or department shall determine

compliance with this measure with regard to the five development parcels and the Streetscape Program. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.

**Mitigation Measure G-3:** During the initial stage of each construction phase (site demolition and site preparation/excavation) for each Project parcel and when construction activities are within 200 feet of noise sensitive land uses, the developer, with regard to the five development parcels, shall erect a temporary, 8-foot, ½-inch-thick plywood fence along the boundaries of each construction site adjacent to noise sensitive uses such that the "line of sight" between on-site construction activities and the residential or other sensitive uses is blocked, where feasible. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels.

**Mitigation Measure G-4:** During each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements shall ensure that pile drivers within the individual activity/development site under construction at that time shall be equipped with noise control devices having a minimum quieting factor of 10 dBA. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to construction in the five development parcels and the Streetscape Program. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.

**Mitigation Measure G-5:** During each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements shall, except as otherwise permitted by applicable agreements, ensure that construction loading and staging areas shall be located on the Project site within each respective construction site and away from noise-sensitive uses to the extent feasible. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to construction in the five development parcels and the Streetscape Program. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.

**Mitigation Measure G-6:** Prior to the issuance of grading permits for each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements, shall prepare, and thereafter implement, plans and specifications that include a requirement to

route pedestrians (to the maximum extent practicable) 50 feet away from the construction area when heavy equipment such as hydraulic excavators are in use. Such routing may include the posting of signs at adjacent intersections.

The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels and the Streetscape Program. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.

**Mitigation Measure G-7:** During each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements, shall designate a construction relations officer to serve as a liaison with surrounding property owners who is responsible for responding to any concerns regarding construction noise. The liaison shall coordinate with the Project construction manager(s) to implement remedial measures in the shortest time feasible. The liaison's telephone number(s) shall be prominently displayed at multiple locations along the perimeter of each construction site. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels and the Streetscape Program. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.

- c. Supportive Evidence and Rationale – The FEIR discusses the Project's potentially significant construction noise impacts in Section IV.G of the DEIR. The noise reduction measures prescribed in Mitigation Measure G-1 would achieve a minimum 5-dBA reduction along areas of sensitive receptors where the line-of-sight to ground-level construction activity that occurs on the Project site is broken. Regulatory Measure G-1 would preclude construction-period noise impacts from occurring during the noise-sensitive night time periods, or at any time on Sundays or holidays. In addition, the use of heavy construction equipment shall cease one hour earlier than otherwise allowed under City Code. Noise level reductions attributable to Mitigation Measures G-2 and G-3, and G-4, G-5, and G-6 (e.g., use of noise mufflers and on-site storage of construction equipment) are not easily quantifiable, but implementation of such measures would reduce the noise level impact associated with construction activities to the extent feasible. Further, construction noise from earthmoving equipment will be reduced since most of such equipment will sink below a surrounding soundwall as excavation proceeds during construction. Nevertheless, Project construction activities would intermittently increase the daytime noise levels at nearby sensitive land uses during construction activities by more than the 5-dBA

significance threshold. As such, noise impacts during construction are concluded to be significant and unavoidable.

- d. Cumulative Impact – Noise impacts during construction of the Project and each related development project (that has not already been built) would be limited to the duration of construction and would be localized. In addition, it is anticipated that each of the related projects would comply with the applicable provisions of the City's noise ordinance, as well as mitigation measures that may be prescribed by the City that require significant impacts be reduced to the extent feasible. However, since noise impacts due to construction of the proposed Project would be significant on its own, it is conservatively concluded that noise impacts due to construction of the Project in combination with any of the related projects would also be significant.

N. Noise (Operational)

- i. Potential Impacts – The Project's operations may cause a significant impact if:
  - a. The Project causes the ambient noise level measured at the property line of affected uses to increase by 3dBA in CNEL to or within the "normally unacceptable" or "clearly unacceptable" category or by 5dBA in CNEL within the "normally acceptable" or "conditionally acceptable" category.
  - b. Project-related operational (i.e., non-roadway) noise sources increase ambient noise by 5 dBA, thus causes a violation of the City's Noise Ordinance.
- ii. Findings – The potentially significant noise impact attributable to Project operations will be mitigated to a level of less than significance with the implementation of Mitigation Measure G-8:

**Mitigation Measure G-8:** The developer, with regard to the five development parcels, shall prepare and implement building plans that ensure prior to the start of each construction phase which includes residential development, that all exterior walls, floor-ceiling assemblies (unless within a unit), and windows having a line of sight (30 degrees measured from the horizontal plane) of Grand Avenue, Hill Street, Hope Street, First Street, and Second Street of such residential development shall be constructed with double-paned glass or an equivalent and in a manner to provide an airborne sound insulation system achieving a lab-tested Sound Transmission Class of 30, subject to field testing, as defined in UBC Standard No. 35-1, 1982 edition. Sign off by the City's Department of Building and Safety, or other appropriate City

agency or department, shall be required prior to obtaining a building permit. The developer, as an alternative, may retain an engineer registered in the State of California with expertise in acoustical engineering, who shall submit a signed report for an alternative means of sound simulation satisfactory to the City's Department of Building and Safety, or other appropriate City agency or department. Examples of alternative means may include, but are not limited to, the following: (1) acoustical seals for doors and windows opening to the exterior; (2) consideration of the type, location, and size of windows; and (3) sealing or baffling of openings and vents. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure.

- iii. Supportive Evidence and Rationale – The FEIR discusses the Project's potential noise impact attributable to Project operations in Section IV.G of the DEIR. Project development would not result in any significant noise impacts to off-site receptors during long-term Project operations. With implementation of Mitigation Measure G-8, on-site residents would not be exposed to inappropriately high noise levels from off-site activities (e.g., vehicle traffic on adjacent roadways), and thus the potential noise impact caused during Project operations will be less than significant.
- iv. Cumulative Impact – Cumulative traffic volumes would result in a maximum increase of 2.5 dBA CNEL along Second Street, between Grand Avenue and Olive Street. As this noise level increase would be below the 3 dBA CNEL significance threshold, roadway noise impacts due to cumulative traffic volumes would be less than significant. Los Angeles Municipal Code limits stationary-source noise from items such as roof-top mechanical equipment and emergency generators, would maintain noise to less than significant levels at the property lines of the related projects. Therefore, on-site noise produced by any related project would not be additive to Project-related noise levels. Accordingly, cumulative stationary-source noise impacts attributable to cumulative development would also be less than significant.

O. Hazards and Hazardous Materials

- i. Potential Impacts – The Project may a significant impact with regard to hazards and hazardous materials if:
  - a. Project activities would involve the disturbance, removal, storage, or disposal of hazardous materials; or
  - b. The Project would expose people or structures to substantial risk resulting from the release of a hazardous material, or from exposure to a health hazard, in excess of regulatory standards.

- ii. Findings – The Project will not cause a significant impact with regard to hazards and hazardous material. Notwithstanding, the following regulatory measures have been identified to ensure the Project's less than significant impact concerning this issue:

**Regulatory Measure H-1:** Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall properly decommission all unused groundwater monitoring wells, per applicable regulations. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels. The Regional Water Quality Control Board shall enforce compliance with this measure.

**Regulatory Measure H-2:** Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall test for the presence or absence of hydrogen sulfide and methane beneath the site by subsurface sampling. Should the sampling result in the discovery of hydrogen sulfide and/or methane, appropriate health and safety measures shall be implemented, in accordance with applicable regulations. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure.

**Regulatory Measure H-3:** Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall take fill samples from each of the five parcels, and shall analyze these samples for contaminants at elevated concentrations. Should elevated contaminant concentrations be discovered, appropriate measures shall be implemented, in accordance with applicable regulations. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure.

**Regulatory Measure H-4:** Prior to the start of each construction phase, the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements, shall undertake an appropriate investigation to ascertain whether any hazardous conditions would occur as a function of implementing the streetscape improvements along Grand Avenue and/or the Civic Park. Should elevated concentrations of contaminants be identified, appropriate measures shall be implemented in accordance with applicable regulations. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the Streetscape Program. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.

**Regulatory Measure H-5:** Prior to demolition or renovation in the Civic

Center Mall, the responsible parties for implementation of the Civic Park under the applicable agreements shall perform an asbestos-sampling survey to determine the presence of asbestos containing materials. If such materials should be found, the responsible parties for implementation of the Civic Park shall prepare and implement an Operations and Maintenance Plan that meets all applicable federal, state and local requirements. This plan shall safely maintain asbestos containing materials that remain on the site. The County's CAO or its designee shall determine compliance with this measure.

**Regulatory Measure H-6:** Prior to the start of any demolition activities or renovation on any painted surfaces at the Project site, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park under the applicable agreements shall conduct a survey of lead based paint (LBP) to determine the level of risk posed to maintenance personnel, construction workers, facility staff, and patrons from exposure to the paints present at the site. Any recommendations made in that survey related to the paints present at the Project site shall be implemented prior to the demolition or renovation of said painted surfaces. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.

- iii. Supportive Evidence and Rationale – The Project's potential impacts attributable to hazards and hazardous materials were analyzed in detail in Section IV-H of the DEIR. According to the Phase I environmental assessments completed for the Project site, there are no potential recognized environmental conditions (RECs) within any of the five development parcels. In addition, there is no evidence at the Project site of asbestos, hazardous materials use, storage or waste, or hazardous air emissions. It is anticipated that hazardous materials, including fertilizers, herbicides and pesticides, would be used to maintain the landscaping within the Civic Park, the Grand Avenue streetscape program and the five development parcels. In addition, hazardous materials associated with maintenance activity within the five development parcels would be present at the Project site. However, since the transport, use and storage of these materials would be managed in accordance with applicable federal, state, and local regulations, these materials would not be expected to pose significant risks to the public or the environment. Consequently, construction and operation under both Project Options would not expose people to substantial risk resulting from the release of a hazardous material, or from exposure to a health hazard in excess of regulatory standards. Accordingly, construction and operation under both Project Options would not result in a

significant hazard to the public or the environment through the transport, use or disposal of hazardous materials, and impacts would be less than significant. Further, impacts associated with the potential discovery of hazardous and non-hazardous materials on the Project site would be reduced to a less than significant level with compliance with the above regulatory measures.

- iv. Cumulative Impact – In light of existing federal and state regulations, it is assumed that any potential hazardous materials located on any of the 93 related project sites would be identified and remediated prior to construction and operation of any habitable facility. As such, any groundwater or soil contamination occurring on the related project sites would be addressed in accordance with applicable regulations and mitigation measures during the permitting process by the applicable responsible agencies. Such remediation activities in accordance with federal, state, and local regulations would reduce any significant impacts associated with hazardous materials to less than significant levels. Therefore, with monitoring and compliance with federal, state and local regulations and procedures, the potential for cumulative impacts attributable to the Project's and related projects' transport, use or disposal of hazardous materials would be less than significant.

P. Fire Protection and Related Services

- i. Potential Impacts – The Project would cause a significant impact to Los Angeles Fire Department fire prevention and suppression services and/or emergency medical services if:
  - a. The Project would cause a substantial increase in emergency response times as a result of increased traffic congestion; or
  - b. The Project would exceed the capability of existing fire stations and emergency personnel to serve the Project site.
- ii. Findings – The Project will not cause a significant impact with regard to fire prevention or emergency medical services. Notwithstanding, the following regulatory measures and project design features have been identified to ensure the Project's less than significant impact concerning this issue:

**Regulatory Measure I.1-1:** During demolition activities occurring during each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements shall ensure sure that emergency access shall remain clear and unobstructed. The LAFD shall determine compliance with this measure with regard to the five development



parcels and the Streetscape Program. The County Fire Department (LACoFD) shall determine compliance with this measure with regard to the Civic Park.

**Regulatory Measure I.1-2:** Prior to each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park under the applicable agreements shall prepare, and thereafter implement, plans and specifications to ensure that the construction contractor is apprised of the requirement to maintain access to sub-surface parking structures associated with the Civic Center Mall, the Music Center, and the Colburn School for Performing Arts. The LAFD shall determine compliance with this measure with regard to the five development parcels. The LACoFD shall determine compliance with this measure with regard to the Civic Park.

**Regulatory Measure I.1-3:** During each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements shall maintain access for emergency response personnel to the Kenneth Hahn Hall of Administration, the Paseo de los Pobladores de Los Angeles, the County Courthouse, the Colburn School for Performing Arts, and the Walt Disney Concert Hall. The LAFD shall determine compliance with this measure with regard to construction in the five development parcels and the Streetscape Program. The LACoFD shall determine compliance with this measure with regard to the Civic Park.

**Regulatory Measure I.1-4:** Prior to each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements shall prepare, and thereafter implement, a plan to ensure that emergency evacuation from the northwest side of the County Mall and Colburn School for Performing Arts, the southeast side of the Music Center and the Walt Disney Concert Hall would not be impeded by construction of the individual Project elements. With respect to the plan for the Mall, it must be prepared to coordinate with emergency evacuation plans for the Courthouse and the Hall of Administration. The LAFD shall determine compliance with this measure with regard to the five development parcels and the Streetscape Program. The LACoFD shall determine compliance with this measure with regard to the Civic Park.

**Regulatory Measure I.1-5:** During each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements shall ensure that sufficient fire hydrants shall remain accessible at all times during Project construction. The LAFD shall

determine compliance with this measure with regard to the five development parcels and the Streetscape Program. The LACoFD shall determine compliance with this measure with regard to the Civic Park.

**Regulatory Measure I.1-6:** Prior to the start of each construction phase and during Project operations, the developer, with regard to the five development parcels shall comply with all applicable State and local codes and ordinances, and the guidelines found in the Fire Protection and Fire Prevention Plan, and the Safety Plan, both of which are elements of the General Plan of the City of Los Angeles (C.P.C. 19708). The City of Los Angeles Fire Department (LAFD) shall determine compliance with this measure with regard to the five development parcels.

**Regulatory Measure I.1-7:** During Project operations, the developer, with regard to the five development parcels shall maintain all access roads, including fire lanes, in an unobstructed manner, and removal of obstructions shall be at the owner's expense. The entrance to all required fire lanes or required private driveways shall be posted with a sign no less than three square feet in area in accordance with Section 57.09.05 of the Los Angeles Municipal Code. The LAFD shall determine compliance with this measure with regard to the five development parcels.

**Regulatory Measure I.1-8:** Prior to the start of each construction phase, Related, with regard to the five development parcels and the responsible parties for implementation of the Streetscape Program under the applicable agreements, shall prepare, and thereafter implement, plans and specifications in accordance with LAFD requirements, and requirements for necessary permits shall be satisfied prior to commencement of construction on any portion of the five development parcels or the Streetscape Program. The LAFD shall determine compliance with this measure with regard to the five development parcels and the Streetscape Program.

**Regulatory Measure I.1-9:** Prior to the start of each construction phase, the responsible parties for implementation of the Civic Park under the applicable agreements shall prepare, and thereafter implement, plans in accordance with LACoFD requirements, and requirements for necessary permits shall be satisfied prior to commencement of construction on any portion of the Civic Park. The LACoFD shall determine compliance with this measure with regard to the Civic Park.

**Regulatory Measure I.1-10:** Prior to the start of each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements shall prepare, and thereafter implement, a plan that will assure that any required fire hydrants that are

installed shall be fully operational and accepted by the Fire Department prior to any building construction. The LAFD shall determine compliance with this measure with regard to the five development parcels and the Streetscape Program. The LACoFD shall determine compliance with this measure with regard to the Civic Park.

**Regulatory Measure I.1-11:** Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall submit plot plans indicating access roads and turning areas to the LAFD for review and approval. The developer, with regard to the five development parcels shall implement the approved plot plans. The LAFD shall determine compliance with this measure.

**Regulatory Measure I.1-12:** Prior to the start of each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements shall prepare, and thereafter implement, engineering plans that show adequate fire flow and placement of adequate and required public and private fire hydrants. The LAFD shall determine compliance with this measure with regard to the five development parcels and the Streetscape Program. The LACoFD shall determine compliance with this measure with regard to the Civic Park.

**Regulatory Measure I.1-13:** During each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park under the applicable agreements shall provide emergency access for Fire Department apparatus and personnel to and into all structures. The LAFD shall determine compliance with this measure with regard to the five development parcels. The LACoFD shall determine compliance with this measure with regard to the Civic Park.

**Regulatory Measure I.1-14:** Prior to the start of each construction phase, the developer, with regard to the five development parcels shall prepare, and thereafter implement, a plan that will provide that any private roadways for general access use and fire lanes shall not be less than 20 feet wide and clear to the sky. The LAFD shall determine compliance with this measure with regard to the five development parcels.

**Regulatory Measure I.1-15:** Prior to the start of each construction phase, the developer, with regard to the five development parcels shall prepare, and thereafter implement, a plan that will provide that any fire lanes and dead end streets shall terminate in a cul-de-sac or other approved turning area. No dead end street or fire lane shall be greater than 700 feet in length or secondary access shall be required. The LAFD shall determine compliance

with this measure with regard to the five development parcels.

**Regulatory Measure I.1-16:** Prior to the start of each construction phase, the developer, with regard to the five development parcels shall prepare, and thereafter implement, a plan that designs any proposed development utilizing cluster, group, or condominium design not more than 150 feet from the edge of the roadway of an improved street, access road, or designated fire lane. The LAFD shall determine compliance with this measure with regard to the five development parcels.

**Regulatory Measure I.1-17:** Prior to the start of each construction phase, the developer, with regard to the five development parcels shall prepare, and thereafter implement, a plan that designs fire lanes to be not less than 28 feet in width. 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. The LAFD shall determine compliance with this measure with regard to the five development parcels.

**Regulatory Measure I.1-18:** Prior to the start of each construction phase, the developer, with regard to the five development parcels, where above ground floors are used for residential purposes, shall prepare, and thereafter implement, a plan that interprets the access requirement as being the horizontal travel distance from the street, driveway, alley, or designated fire lane to the main entrance of the residential units. The LAFD shall determine compliance with this measure.

**Regulatory Measure I.1-19:** Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall prepare, and thereafter implement, a plan that designs the entrance or exit of all ground level residential units to be no more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane. The LAFD shall determine compliance with this measure.

**Regulatory Measure I.1-20:** Prior to the start of each construction phase, the developer, with regard to the five development parcels shall prepare, and thereafter implement, a plan that provides access that requires the accommodation of Fire Department apparatus, shall design the minimum outside radius of the paved surface to be 35 feet. An additional six feet of clear space must be maintained beyond the outside radius to a vertical point 13 feet 6 inches above the paved surface of the roadway. The LAFD shall determine compliance with this measure with regard to the five development parcels.

**Regulatory Measure I.1-21:** Prior to the start of each construction phase,

the developer, with regard to the five development parcels, shall not construct any building or portion of a building to be more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane. The LAFD shall determine compliance with this measure with regard to the five development parcels.

**Regulatory Measure I.1-22:** Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall prepare, and thereafter implement, a plan that provides for access that requires accommodation of Fire Department apparatus, a design for overhead clearances to be not less than 14 feet. The LAFD shall determine compliance with this measure with regard to the five development parcels.

**Regulatory Measure I.1-23:** Prior to the start of each construction phase, the developer, with regard to the five development parcels shall prepare, and thereafter implement, a plan that provides for additional vehicular access required by the Fire Department, where buildings exceed 28 feet in height. The LAFD shall determine compliance with this measure with regard to the five development parcels.

**Regulatory Measure I.1-24:** Prior to the start of each construction phase, the developer, with regard to the five development parcels shall prepare, and thereafter implement, a plan that provides, where fire apparatus shall be driven onto the road level surface of the subterranean parking structure, for the structure to be engineered to withstand a bearing pressure of 8,600 pounds per square foot. The LAFD shall determine compliance with this measure with regard to the five development parcels.

**Regulatory Measure I.1-25:** Prior to the start of each construction phase, the developer, with regard to the five development parcels shall record any private streets as Private Streets and Fire Lanes. All private street plans shall show the words "Private Street and Fire Lane" within the private street easement. The LAFD shall determine compliance with this measure with regard to the five development parcels.

**Regulatory Measure I.1-26:** During operation of the Project, the developer, with regard to the five development parcels, shall provide that all electric gates approved by the Fire Department shall be tested by the Fire Department prior to Building and Safety, or other appropriate City agency or department, granting a Certificate of Occupancy. The LAFD shall determine compliance with this measure.

**Regulatory Measure I.1-27.** Prior to the start of each construction phase, the developer, with regard to the five development parcels, and the

responsible parties for implementation of the Civic Park under the applicable agreements, shall prepare, and thereafter implement, a plan that would not construct any building or portion of a building more than 300 feet from an approved fire hydrant. Distance shall be computed along path of travel with the exception that dwelling unit travel distance shall be computed to the front door of the unit. The LAFD shall determine compliance with this measure with regard to the five development parcels. The LACoFD shall determine compliance with this measure with regard to the Civic Park.

**Regulatory Measure I.1-28.** Prior to the start of each construction phase, the developer, with regard to the five development parcels shall submit plans to the Fire Department for review and approval. Where rescue window access is required, the developer, with regard to the five development parcels, shall incorporate conditions and improvements necessary to meet accessibility standards as determined by the LAFD. The LAFD shall determine compliance with this measure.

**Regulatory Measure I.1-29.** During operations of the Project, the developer, with regard to the five development parcels shall have the curbs of all public street and fire lane cul-de-sacs painted red and/or be posted "No Parking at Any Time" prior to the issuance of a Certificate of Occupancy or Temporary Certificate of Occupancy for any structures adjacent to the cul-de-sac. The LAFD shall determine compliance with this measure with regard to the five development parcels.

**Regulatory Measure I.1-30.** During operations of the Project, planning for large events at the Civic Park shall be implemented by the County or County Park Operator to reduce potential adverse affects on emergency access. As part of the planning process, representatives of the LACoFD, County Office of Public Safety, LAFD, LAPD and LADOT shall be advised of the activities and consulted to establish appropriate procedures for crowd and traffic control. Plans shall be submitted to the County Chief Administrative Officer for review and approval.

**Project Design Feature I.1-1:** Prior to the start of each construction phase, the developer, with regard to the five development parcels shall submit building plans to the LAFD for review and approval that demonstrate that automatic fire sprinklers shall be installed in all structures. The LAFD shall determine compliance with this measure.

- iii. Supportive Evidence and Rationale – The FEIR analyzed in detail the Project's potential impacts on fire protection and related services in Section IV-I(1) of the DEIR. Construction may result in temporary lane closures that would potentially affect emergency access. Temporary lane closures could increase the time for fire protection vehicles and emergency medical vehicles

responding to elderly or disabled residents in the downtown areas. However, the average response times for Fire Stations 3, 4, 9, and 10, which would serve the Project and currently serve the surrounding area are 5.3 minutes, 4.6 minutes, 4.8 minutes, and 4.9 minutes, respectively. Those response times are below the Citywide average response times of 5.5 minutes for EMS and 5.4 minutes for fire incidents, which indicates these existing services will be adequate to handle incidents during Project construction. To ensure adequate response times for these services, the LAFD would be notified of the scheduling of all Project construction in order to plan appropriate alternative response routes, if necessary. Public detour routes would be established where required to divert traffic from the affected street segments.

In addition, emergency vehicle access to adjoining and nearby properties would be required to be maintained at all times. Thus, due to the better than City-wide response times, the large number of fire stations in the Project area, the temporary and limited nature of the closures along roadways and the wide selection of alternative routes to and through the Project site, construction of the Project will not significantly impact the ability of the LAFD to respond to emergency incidents, as confirmed by the FEIR. With respect to Project operations, automatic fire sprinkler systems in all structures, fire hydrants installed to LAFD specifications, and supplemental fire protection devices would be incorporated into new Project structures, as required by the Fire Code. As the Project site is within the service area of four Task Force truck and engine companies, Project operations are anticipated to result in less than significant impacts to LAFD staff and equipment capabilities. In addition, the Project will comply with all fire safety regulations and the incorporation of regulatory measures. No significant impacts will occur with respect to fire protection and related services.

- iv. Cumulative Impact – The LAFD has determined that development of the Project, in conjunction with other approved and planned projects, may result in the need for the following: (1) increased staffing at existing facilities; (2) additional fire protection facilities; and (3) relocation of existing fire protection facilities. However, as related project applicants would be required to coordinate with the LAFD to ensure that related project construction and operations would not significantly impact LAFD services and facilities, no significant cumulative impacts are anticipated.

Q. Police Protection Services

- i. Potential Impacts – The Project may cause a significant impact on police protection services provided by the LAPD if:
  - a. The Project will generate demand for additional police protection services that substantially exceeds the capability of the LAPD to serve the Project site.

- b. The Project would cause a substantial increase in emergency response times as a result of increased traffic congestion and/or limited emergency access, during either construction or operation of the Project.
- ii. Findings - The Project will not cause a significant impact with regard to police services. Notwithstanding, the following regulatory measures have been identified to ensure a less than significant impact concerning this issue.

**Regulatory Measure I.2-1:** During each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements, shall provide clear and unobstructed LAPD access to the construction site. The LAPD shall determine compliance with this measure with regard to the five development parcels and the Streetscape Program. The County Office of Public Safety shall determine compliance with this measure with regard to the Civic Park.

**Regulatory Measure I.2-2:** During ongoing construction, the developer, with regard to the five development parcels shall provide security features on the construction site(s), such as guards, fencing, and locked entrances. The LAPD shall determine compliance with this measure.

**Regulatory Measure I.2-3:** Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall submit plot plans for all proposed development to the Los Angeles Police Department's Crime Prevention Section for review and comment. Security features subsequently recommended by the LAPD shall be implemented by the developer to the extent feasible.

**Regulatory Measure I.2-4:** Prior to the start of each construction phase, the responsible parties for implementation of the Civic Park under the applicable agreements shall submit plot plans for all proposed development to the County Office of Public Safety for review and comment. Security features subsequently recommended by the Office of Public Safety shall be implemented by the County or County Park Operator to the extent feasible.

**Regulatory Measure I.2-5:** At the completion of each construction phase, the developer, with regard to the five development parcels shall file as-built building plans with the LAPD Central Area Commanding Officer. Plans shall include access routes, floor plans, and any additional information that might facilitate prompt and efficient police response. The LAPD shall determine compliance with this measure.

**Regulatory Measure I.2-6:** During Project operations, the developer, with regard to the five development parcels and the responsible parties for



implementation of the Civic Park shall install alarms and/or locked gates on doorways providing public access to commercial facilities. The LAPD shall determine compliance with this measure with regard to the five development parcels. The County Office of Public Safety shall determine compliance with this measure with regard to the Civic Park.

**Regulatory Measure I.2-7:** During Project operations, the developer, with regard to the five development parcels shall not plant landscaping in a way that could provide cover for persons tampering with doors or windows of commercial facilities, or for persons lying in wait for pedestrians or parking garage users. The LAPD shall determine compliance with this measure with regard to the five development parcels and the Streetscape Program.

**Regulatory Measure I.2-8:** Additional lighting shall be installed where appropriate, including on the Project site and in parking garages, as determined in consultation with the LAPD with regard to the five development parcels and the County Office of Public Safety with regard to the Civic Park. The developer shall implement this measure with regard to the five development parcels prior to initial building occupancy for each construction phase, while the responsible parties for the implementation of the Civic Park and Streetscape Program under the applicable agreements shall implement these measures prior to the completion of construction for each of those Project components.

**Regulatory Measure I.2-9:** Prior to the start of each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements, shall prepare, and thereafter implement, a plan that incorporates safety features into the Project's design to assure pedestrian safety, assist in controlling pedestrian traffic flows, and avoid pedestrian/vehicular conflicts on-site. Safety measures may include the provision of security personnel; clearly designated, well-lighted pedestrian walkways on-site; special street and pedestrian-level lighting; physical barriers (e.g., low walls, landscaping), particularly around the perimeter of the parking garages, to direct pedestrians to specific exit locations that correspond to designated crosswalk locations on adjacent streets. The LAPD shall determine compliance with this measure with regard to the five development parcels. The County Office of Public Safety shall determine compliance with this measure with regard to the Civic Park.

**Regulatory Measure I.2-10:** Prior to the issuance of a certificate of occupancy for each construction phase and during Project operations, the developer, with regard to the five development parcels, shall develop, and thereafter implement, a new or modified Security Plan to minimize the potential for on-site crime and the need for LAPD services. The plan would

outline the security services and features to be implemented, as determined in consultation with the LAPD. The LAPD shall determine compliance with this measure with regard to the five development parcels.

The following shall be included in the plan:

1. Provision of an on-site security force that would monitor and patrol the Project site. During operational hours, security officers shall perform pedestrian, vehicular, and/or bicycle patrols.
2. Implementation of a video camera surveillance system and/or a closed-circuit television system;
3. Additional security features shall be incorporated into the design of proposed parking facilities, including "spotters" for parking areas, and ensuring the availability of sufficient parking either on- or off-site for all building employees and anticipated patrons and visitors;
4. Security lighting incorporating good illumination and minimum dead space in the design of entryways, seating areas, lobbies, elevators, service areas, and parking areas to eliminate areas of concealment. Security lighting shall incorporate full cutoff fixtures which minimize glare from the light source and provide light downward and inward to structures to maximize visibility;
5. Provision of lockable doors at appropriate Project entryways, offices, retail stores, and restaurants;
6. Installation of alarms at appropriate Project entryways and ancillary commercial structures;
7. All businesses desiring to sell or allow consumption of alcoholic beverages are subject to the issuance of a Conditional Use Permit by the City;
8. Accessibility for emergency service personnel and vehicles into each structure, and detailed diagram(s) of the Project site, including access routes, unit numbers, and any information that would facilitate police response shall be provided to the Central Area Commanding Officer.
9. In addition, security procedures regarding initial response, investigation, detainment of crime suspects, LAPD notification, crowd and traffic control, and general public assistance shall be outlined in the Security Plan. The plan would be subject to review by the LAPD,

and any provisions pertaining to access would be subject to approval by the LADOT.

**Regulatory Measure I.2-11:** Prior to the issuance of a certificate of occupancy for each construction phase and on-going during operations, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park under the applicable agreements, shall develop, and thereafter implement, a Emergency Procedures Plan to address emergency concerns and practices. The plan shall be subject to review by the LAPD with regard to the five development parcels and the County Office of Public Safety with regard to the Civic Park, and any provisions pertaining to access would be subject to approval by LADOT.

- iii. Supportive Evidence and Rationale – The FEIR analyzed in detail the Project's potential impacts on police protection and related services in Section IV-I(2) of the DEIR. The Project's impacts on police protection services or response times would continue to be less than significant. Project construction may result in temporary lane closures that would potentially affect emergency access. Given notification to the LAPD of all construction scheduling, the temporary nature of any closures, and the availability of alternative routes, the Project would not significantly affect emergency access or response times. Furthermore, during construction, traffic management personnel (flag persons) would be trained to assist in emergency response, and on-site security measures would reduce theft and other demands on police services. Therefore, construction activities are not expected to significantly affect the capacity of the LAPD to adequately serve the Project site. With regard to Project operation, it is anticipated that activity in the Civic Park would increase on both a daily basis and during special events. As the current Civic Center Mall is currently used extensively on a daily basis, the additional increase in activity on a daily basis is not anticipated to increase to such an extent so as to exceed the capabilities of the County Office of Public Safety. During special events, when the numbers of people using the park would increase substantially, the park operator would employ private security personnel to supplement police services during these events and, therefore, reduce the demand on police services created by these large events. The use of additional security staff would be commensurate with the size of the event. Access to the park would be governed by a set of rules that are consistent with those used throughout public parks in the area. Those who comply with the posted rules will not be denied access to the park, whereas on the other hand, those individuals who chose not to comply with the rules would, out of courtesy to others, be required to leave the park. The Project's combined residential and employment population would reduce the officer per resident ratio and, assuming the same number of officers in the LAPD Central Area station as

under existing conditions, the ratio of crimes that are handled by each officer would increase from approximately 20 to 23.4. This level of increased demand in the context of occurring over an entire year would not substantially exceed LAPD's capacity. Accordingly, the Project's impact to police services would be less than significant.

- iv. Cumulative Impact – Although the operation of Project would have a less-than-significant impact on police services, because the list of related projects is extensive and, if all related projects were built, the combined Project and related projects would have a significant cumulative impact with regard to police protection services. This level of increased demand would substantially exceed the LAPD's capacity to provide services from the Central Area station. For example, under the County Office Building Option, if the current 337 officers in the area were to remain constant at 337 officers, the ratio of population to officers would increase from 130 persons for each officer to 382 persons for each officer. If the per capita crime rate were to remain constant at 154 crimes per 1,000 population, there would be 19,849 additional crimes, and the crimes that would need to be handled by each officer would increase from 20 to 59. However, if the City added police resources in response to such growth, then the cumulative impact to police services would be less than significant. Yet, it is conservatively assumed that the City may not be able to add such resources commensurate with such population growth, and, therefore, the cumulative impact to police services is determined to be significant.

R. School Services

- i. Potential Impacts – The Project may cause a significant impact on Los Angeles Unified School District ("LAUSD") schools if:
  - a. The demand for school services anticipated at the time of Project build out exceeds the expected level of service available; or
  - b. The increased demand would require the construction of new facilities, a major reorganization of students or classrooms, major revisions to the school calendar (i.e., multi-track calendar), or other actions that would create a temporary or permanent impact on the school(s) serving the Project site.
- ii. Findings – Through compliance with Mitigation Measure I.3.1 and Government Code Section 65995, the Project will not cause a significant impact on schools, and no other mitigation measures are required.

**Mitigation Measure I.3-1:** Prior to the issuance of each building permit, the developer, with regard to the five development parcels, shall pay school

mitigation fees pursuant to the provisions of California Government Code Section 65995. Compliance with this measure shall be determined by the City's Department of Building and Safety, or other appropriate City agency or department.

- iii. Supportive Evidence and Rationale – The FEIR analyzed in detail the Project's potential impacts on schools in Section IV-I(3) of the DEIR. Pursuant to the provisions of Government Code Section 65995, a project's impact on school facilities is fully mitigated through the payment of the requisite school facility development fees current at the time building permits are issued. As the developer is required to pay school facility development fees, impacts under the Project are concluded to be less than significant.
- iv. Cumulative Impact – The middle and high school students that would be generated by the 93 related projects would when combined with the Project's students, be dispersed throughout the attendance boundaries of both the existing and the newly constructed schools. As a result, sufficient capacity would be available at the middle and high school level to accommodate the students generated by the Project in conjunction with all of the related projects and a less than significant cumulative impact would occur. In contrast, the students generated by the related projects combined with the Project's students could not be accommodated within the existing or future elementary school capacities. However, the Project and each related project would pay new school facility development fees and, under the provisions of Government Code Section 65995, the payment of these fees would constitute full mitigation. Thus, cumulative impacts on schools would be less than significant.

S. Parks and Recreation(Project Construction)

- i. Potential Impacts – The construction of the Project may cause a significant impact on parks and recreational facilities if:
  - a. The Project generates a demand for park or recreational facilities that cannot be adequately accommodated by existing or planned facilities and services.
- ii. Findings – The Project will not cause a significant impact to park and recreational facilities, except for a short-term significant and unavoidable impact during construction of the new Civic Park at the Civic Mall, which impact is a project-specific and cumulative impact. With respect to that latter impact, the Authority makes the following findings:
  - a. All feasible measures, changes and alterations have been required in, or incorporated into, the Project, which will lessen such significant environmental effects.

- b. For the reasons set forth in the Statement of Overriding Considerations adopted concurrently by the Authority, the Authority finds that the significant impact identified in this Section XI-L(a) is acceptable in light of the Project's overall benefits.
- iii. Supportive Evidence and Rationale – The FEIR discusses the Project's potentially significant impact to park and recreational facilities in Section IV.I.4 of the DEIR. Construction of the proposed improvements in Civic Park would require closure of the existing Civic Mall to implement those improvements. This would limit park availability and usage. Impacts on park usage would likely occur within the immediate area of construction activity and adjacent park areas that might be sensitive to construction activities. It is not known if the entire Park area would be affected at a single time, or if Park improvements would be implemented on a smaller basis (e.g., block by block). As the construction activities could adversely affect park usage, the Project is considered to have a significant, short-term impact on parks during construction of the Civic Park. Upon completion of the Project, the affected park areas would return to operations with an enhanced level of operation due to improvements that were implemented during the construction phase. Construction of the remainder of the Project, namely, the five development parcels and the Grand Avenue street improvements would not cause any significant impacts to parks and recreational facilities since those sites currently include no parks or recreational facilities.
- iv. Cumulative Impact – No related projects are known to affect the use or availability of those existing recreational resources that would be affected by the Project, either during their construction or operations phases. However, as the Project would prohibit the recreational use of the existing Civic Center Mall during the construction of the Project's Civic Park, it is conservatively concluded that cumulative impacts on recreational resources are considered significant.

T. Parks and Recreation (Project Operation)

- i. Potential Impacts – The operation of the Project may cause a potentially significant impact to parks and recreational facilities if:
  - a. The Project generates a demand for park or recreational facilities that cannot be adequately accommodated by existing or planned facilities and services.

- ii. Findings – The Project will not cause a significant impact to park and recreational services due to the implementation of Mitigation Measure I.4-1.

**Mitigation Measure I.4-1:** Prior to the issuance of a certificate of occupancy, the developer, with regard to the five development parcels, shall: (1) dedicate additional parkland such that the Project would provide a total of 3 acres per 1,000 Project residents; (2) pay in-lieu fees for any land dedication requirement shortfall; or (3) a combination of the above. Compliance with this measure shall be determined by the City's Department of Building and Safety or other appropriate City agency or department.

- iii. Supportive Evidence and Rationale – The EIR discusses the potential impact to park and recreation services caused by Project operations in Section IV.I.4 of the DEIR. Compliance with the mitigation measure for meeting park demand would reduce any impacts due to park dedication shortfalls to less than significant levels. The required dedication of parkland from a project is determined by the number of residents within the project. Under the Quimby Act, which is implemented through the City's Municipal Code, three acres per 1,000 residents are required. The Project with County Office Building Option is anticipated to generate approximately 2,925 residents and would be required to provide approximately 8.8 acres of park/recreation space. The Additional Residential Development Option is anticipated to generate approximately 3,777 residents and would be required to provide approximately 11.33 acres of park/recreation space. Since these requirements would not be fully achievable on-site, the developer would be required to either dedicate additional parkland or pay in-lieu fees per the Quimby Act. If in lieu fees are paid, such fees would be used by the City to enhance park and recreational facilities in the appropriate geographic areas. Compliance with the Quimby Act would offset the Project's park and recreational facility shortfall and would avoid a significant impact.
- iv. Cumulative Impact -- As with the Project, compliance by related projects with the Quimby Act to either dedicate additional parkland or pay in-lieu fees would offset the park/recreation demands of such related projects and, therefore, avoid a significant cumulative impact.

U. Library Services

- i. Potential Impacts – The Project may cause a significant impact on library services caused by the Project. A Project could have a significant impact on library services if:
  - a. The Project would generate a demand for library facilities or services that would cause an increase in the community population that would

exceed Los Angeles Public Library ("LAPL") defined target service population.

- ii. Findings – The Project will not cause significant impacts on library services, and no mitigation measures are required.
- iii. Supportive Evidence and Rationale – The FEIR analyzed in detail the Project's potential impacts on libraries in Section IV-I(5) of the DEIR. The increase in residential population, employees and patrons associated under the Project would increase demand on LAPL facilities in this area, including the Central Library, the Little Tokyo and Chinatown Branch Libraries. However, the Project is not expected to cause an increase in the community population that would exceed the LAPL-defined service target population. The LAPL has indicated in comments to the NOP for the EIR that the Project should pay a fee of \$200 per capita to offset the increase in library service demand. However, the detailed analysis provided in the EIR demonstrates that the Project would not cause a significant impact on library services, and the LAPL did not provide any data in its NOP response letter to the contrary. In addition, the LAPL did not provide any comments on the DEIR. Further, it should be noted that the LAPL has not taken the necessary legal steps to impose a mitigation fee on all new development projects in its jurisdiction.
- iv. Cumulative Impacts – Population increases created by the 93 related projects in combination with the Project would increase the demand for LAPL services within the Project area. If a large number of these related projects are eventually developed and such future development causes a demand on library services beyond the capacity of the then existing libraries, then the LAPL may take the necessary steps to adopt an impact fee program that would adequately mitigate that cumulative impact on library services. However, since the LAPL has not adopted such a fee program, the Authority conservatively determines that the cumulative impact on library services will be significant.

## V. Water Supply

- i. Potential Impacts – The Project may cause a significant impact on the water supply if:
  - a. The public water system's total projected water supplies available during normal, single dry and multiple dry water years during the current 20-year projection would not meet the projected water demand associated with the proposed Project, as well as all other



future uses, including agricultural and manufacturing uses.

- b. The estimated water demand for the Project would exceed the available capacity within the distribution infrastructure that would serve the Project site.
  - c. The construction of a new or upgraded water distribution infrastructure would result in substantial obstruction of vehicle and/or pedestrian access.
- ii. Findings – With the implementation of Mitigation Measure J.1-1, the Project's potentially significant impact on water supply will be reduced to a less than significant level. In addition, a series of regulatory measures are identified that would result in reducing the water demand attributable to the Project.

**Mitigation Measure J.1-1:** Prior to initial occupancy of the buildings within Parcels L and W-1/W-2, the developer shall install new water lines along Second Street, from Olive Street to Hill Street to serve Parcels W-1/W-2, and from Hope Street to Lower Grand Avenue to serve Parcel L. The City's Department of Public Works shall review and approve all plans related to these new water lines. The developer shall be responsible for the implementation of these improvements.

**Regulatory Measure J.1-1:** Prior to the start of each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements, shall call DIG-ALERT to identify and mark on the ground surface the locations of existing underground utilities. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels and the Streetscape Program. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.

**Regulatory Measure J.1-2:** Prior to the start of each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements shall perform potholing of existing water and gas mains to verify the depth of cover. If the depth of cover over the lines is shallow and the total street pavement section is thick (around 24 inches), then the temporary cover over the lines during construction may be reduced to 12 inches or less. Under these circumstances, protective measures shall be implemented to prevent damage or breakage of the lines during the pavement sub-grade preparation process. Notices of service interruption, if necessary, shall be provided to customers in accordance with

DWP-Water and ACG requirements. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels and the Streetscape Program. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.

**Regulatory Measure J.1-3:** Prior to issuance of building permits for each construction phase, the developer, with regard to the five development parcels, shall pay the appropriate fees as may be imposed by the City's Department of Building and Safety, or other appropriate City agency or department. A percentage of building permit fees is contributed to the fire hydrant fund, which provides for citywide fire protection improvements. Compliance with this measure shall be determined by the City's Department of Building and Safety, or other appropriate City agency or department.

**Regulatory Measure J.1-4:** Prior the issuance of building permits for each construction phase, the developer, with regard to the five development parcels and the responsible parties for implementation of the Civic Park Plan under the applicable agreements, shall coordinate with the Los Angeles Department of Water and Power to conduct a flow test to confirm that the existing water system meets fire flow requirements imposed by the LAFD for the Project. The developer, with regard to the five development parcels and the responsible parties for implementation of the Civic Park Plan under the applicable agreements, shall undertake and complete required improvements as identified by the LADWP, based on the findings of the flow test. The City's Department of Public Works, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels. The County's CAO Department of shall determine compliance with this measure with regard to the Civic Park.

**Regulatory Measure J.1-5:** During Project operations, the developer, with regard to the five development parcels, shall incorporate Phase I of the City of Los Angeles' Emergency Water Conservation Plan into all privately operated parcels. The Plan prohibits hose watering of driveways and associated walkways, mandates decorative fountains to use recycled water, mandates drinking water in restaurants to be served upon request only, and provides that water leaks are repaired in a timely manner. The City's Department of Public Works, or other appropriate City agency or department, shall determine compliance with this measure.

**Regulatory Measure J.1-6:** During Project operations, incorporate Los Angeles County water conservation policies into the operation of the Civic Park, and the County Office Building, if the Project proceeds with the County office building option. The responsible parties for the implementation of the Civic Park under the applicable agreements, and the County with regard to

the County Office Building, if the Project proceeds with the County office building option, shall be responsible for implementing this measure. The implementation of this measure shall be subject to the review and approval of the County's CAO or its designee.

**Regulatory Measure J.1-7:** During Project operations, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements and the County Office Building operator shall comply with any additional mandatory water use restrictions imposed as a result of drought conditions. The City's Department of Public Works, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels and the Streetscape Program. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.

**Regulatory Measure J.1-8:** During Project operations, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements, shall install automatic sprinkler systems to irrigate landscaping during morning hours or during the evening to reduce water losses from evaporation, and sprinklers shall be reset to water less often in cooler months and during the rainfall season so that water is not wasted by excessive landscape irrigation. The City's Department of Public Works, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels and the Streetscape Program. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.

- iii. Supportive Evidence and Rationale – The Project's potentially significant impact on the water supply is analyzed in Section IV.J.1 of the DEIR. Based on a Water Supply Assessment certified by the Los Angeles Department of Water and Power ("LADWP"), the total estimated water demand for the Project at build-out is not expected to exceed available supplies during normal, single dry and multiple dry water years during the 20-year planning period projection. Further, the Project is not anticipated to exceed the available capacity within the distribution infrastructure that would serve the Project site. Other than connections from the Project site to the water mains and the installation of new water lines along Second Street, the construction of a new or upgraded distribution and conveyance infrastructure would not be required. With regulatory compliance and incorporation of the mitigation measures discussed above, impacts to water supply associated with the Project would be less than significant.
- iv. Cumulative Impact – Development of the 93 related projects would

cumulatively contribute, in conjunction with the Project to the water demand in the Project area. Related projects are anticipated to be developed in compliance with all applicable water conservation regulations and within the build-out scenario of the Community Plans and the City of Los Angeles General Plan elements. Further, the LADWP Water Supply Assessment concluded that there are adequate water supplies to meet all existing and future water demands for the next 20 years. As such, impacts associated with cumulative water demand would be less than significant.

W. Wastewater

- i. Potential Impacts – The Project may cause a significant impact on wastewater conveyance and treatment facilities if:
  - a. The Project's additional wastewater flows would substantially or incrementally exceed the future scheduled capacity of the Hyperion Treatment Plant ("HTP").
  - b. The Project would cause a measurable increase in wastewater flows at a point where, and a time when, a sewer's capacity is already constrained or that would cause a sewer's capacity to become constrained.
  - c. The construction of new or upgraded wastewater distribution infrastructure would result in a substantial obstruction of vehicle and/or pedestrian access.
- ii. Findings – The Project will not cause a significant impact with regard to wastewater service. Notwithstanding, the following regulatory measures have been identified to ensure the Project's less than significant impact concerning this issue.

**Regulatory Measure J.2-1:** Prior to the start of each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park shall comply with City ordinances limiting connections to the City sewer system, in accordance with City Bureau of Sanitation procedures. The City's Department of Public Works, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels. The County's CAO or its designee shall ensure compliance with this measure.

**Regulatory Measure J.2-2:** Prior to the start of each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park Plan, shall prepare,

and thereafter implement, building plan specifications for the installation of low-flow water fixtures and further encourage reduction of water consumption to minimize wastewater flow to the sewer system, in accordance with applicable water conservation requirements. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels. The County's CAO or its designee shall ensure compliance with this measure.

- iii. Supportive Evidence and Rationale – The FEIR analyzed in detail the Project's potential impact on wastewater facilities in Section IV-J(2) of the DEIR. The operation of the Project under the County Office Building Option would generate 631,650 gallons per day (gpd) of wastewater and a peak flow of 1,073,805 gpd. The Project under the Additional Residential Development Option would generate 592,070 gpd on average and a peak flow of 1,006,519 gpd. By complying with the provisions of the City's Sewer Allocation Ordinance, wastewater generation resulting from operation of the Project would not substantially exceed the future scheduled capacity of the HTP. Nor, would the Project cause a measurable increase in wastewater flows at a point where, and a time when, a sewer's capacity is already constrained or would cause a sewer's capacity to become constrained. Therefore, implementation of the Project would result in a less than significant impact to wastewater facilities.
- iv. Cumulative Impact – Development of the 93 related projects, in conjunction with the Project would cumulatively contribute to wastewater generation in the Project area. The Project with Additional Residential Option would generate nearly seven percent less wastewater than that of the proposed Project with County Office Building Option. The wastewater anticipated to be discharged by the related projects along with the Project with County Office Building Option is 7.3 million gpd, which represents approximately 1.6 percent of the HTP's full capacity of 450 million gpd. Each of the individual related projects would be subject to the LADWP's determination of whether there is allotted sewer capacity available prior to the formal acceptance of plans and specifications by the Department of Building and Safety. Therefore, cumulative impacts to the local and regional sewer system for the Project, in conjunction with the related projects, would be less than significant.

X. Solid Waste

- i. Potential Impacts – The Project may cause a significant impact concerning solid waste if:
  - a. The Project generates solid waste at a level that exceeds the

available capacity of the existing and/or planned landfills.

- b. The Project conflicts with diversion and recycling goals set forth in the City of Los Angeles Solid Waste Management Policy Plan (CiSWMPP) and Source Reduction and Recycling Element (SRRE).
- ii. Findings - The Project will not cause a less than significant impact with regard to solid waste services. Notwithstanding, the following regulatory measures have been identified to ensure the Project's less than significant impact concerning this matter.

**Regulatory Measure J.3-1:** Prior to the issuance of a certificate of occupancy for each construction phase, and thereafter during Project operations, the developer, with regard to the five development parcels, shall comply with the provisions of City of Los Angeles Ordinance No. 171687 with regard to all new structures constructed as part of the five development parcels. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure.

**Regulatory Measure J.3-2:** Prior to the issuance of each certificate of occupancy, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements, shall prepare, and thereafter implement, a plan that designs all structures constructed or uses established within any part of the proposed Project site to be permanently equipped with clearly marked, durable, source sorted recyclable bins at all times to facilitate the separation and deposit of recyclable materials. The City's Department of Public Works, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels and the Streetscape Program. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.

**Regulatory Measure J.3-3:** Prior to the issuance of each certificate of occupancy, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park under the applicable agreements, shall prepare, and thereafter implement, a plan that designs primary collection bins to facilitate mechanized collection of such recyclable wastes for transport to on- or off-site recycling facilities. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.

**Regulatory Measure J.3-4:** During Project operations, the developer, with regard to the five development parcels, and the responsible parties for

implementation of the Civic Park and Streetscape Program under the applicable agreements, shall continuously maintain in good order for the convenience of businesses, patrons, employees and park visitors clearly marked, durable and separate bins on the same lot, or parcel to facilitate the commingled recyclables and deposit of recyclable or commingled waste metal, cardboard, paper, glass, and plastic therein; maintain accessibility to such bins at all times, for collection of such wastes for transport to on- or off-site recycling plants; and require waste haulers to utilize local or regional material recovery facilities as feasible and appropriate. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels and the Streetscape Program. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.

**Regulatory Measure J.3-5:** During each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements, shall implement a demolition and construction debris recycling plan, with the explicit intent of requiring recycling during all phases of site preparation and building construction. The City's Department of Building and Safety, or other appropriate City agency or department, shall review and approve the plan with regard to the five development parcels and the Streetscape Program. The County's CAO or its designee shall review and approve the plan with regard to the Civic Park.

- iii. Supportive Evidence and Rationale – The FEIR analyzed in detail the Project's potential impact on solid waste facilities in Section IV-J(3) of the DEIR. The Project would not cause the available capacity of the existing and/or planned landfills to be exceeded, and impacts due to construction and operations would be less than significant. Nonetheless, regulatory mitigation measures have been identified concerning compliance with existing plans, programs and policies promoting recycling, waste reduction and waste diversion.
- iv. Cumulative Impact – Development of the 93 related projects would generate solid waste during their respective construction periods and on an on-going basis following the completion of construction. The total cumulative construction debris from the related projects and proposed Project would total 63,000 tons. This would comprise approximately 0.1 percent of the remaining inert landfill disposal capacity of 69.94 million tons and, as such, cumulative impacts on inert landfill capacity would be less than significant. During operation, the total cumulative solid waste generation is estimated to be 112,015 tons per year under the Project with County Office Building

Option and 107,660 tons per year under the Project with Additional Residential Development Option. These levels of cumulative annual solid waste generation represent approximately 1.2 percent of the total solid waste generated in Los Angeles County in 2003. Based on these small percentages, and the County's forecast of 15 years of landfill availability, cumulative impacts on municipal landfill capacity are concluded to be less than significant.

## 1.6 FINDINGS REGARDING ALTERNATIVES TO THE PROPOSED PROJECT

CEQA Guideline 15126.6 requires an EIR to (1) describe a range of reasonable alternatives to the proposed project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project; and (2) evaluate the comparative merits of the alternatives. In analyzing the feasibility of an alternative, the CEQA Guidelines list the following factors: site suitability; economic viability; infrastructure viability; social, legal and technological issues; and jurisdictional boundaries. The purpose of the consideration and discussion of alternatives to the proposed project is to identify ways to mitigate or avoid the significant effects that a project may have on the environment. In doing so, CEQA Guideline 15126.6 directs that the analysis of alternatives be limited to alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of project objectives, or would be more costly.

The selection and discussion of alternatives to the project is intended to foster meaningful public participation and informed decision-making. An EIR need not consider an alternative whose effect cannot be reasonably ascertained and whose implementation is remote or speculative. CEQA Guideline 15126.6 also requires the analysis of a "No Project" alternative and the identification of an "Environmentally Superior Alternative." If the environmentally superior alternative is the No Project Alternative, then the EIR is required to identify an environmentally superior alternative among the remaining alternatives.

Finally, CEQA Guideline 15126.6 requires an EIR to identify any alternatives that were considered by the lead agency but were rejected as infeasible during the scoping process and briefly explain the reasons underlying the lead agency's determination of such infeasibility.

### Alternatives Considered But Rejected

Two alternatives were identified but subsequently rejected from further analysis in the FEIR. The first such rejected alternative was the Alternative Location Alternative. With respect to alternative sites for any proposed project, CEQA Guideline 15126.6(f)(2)(A) provides that: "The key question and first step in analysis



is whether any of the significant effects of the project would be avoided or substantially lessened by putting the project in another location. Only locations that would avoid or substantially lessen any of the significant effects of the project need be considered for inclusion in the EIR."

Based on substantial evidence, the Authority determined that the relocation of the Project to another location would not substantially reduce the Project's primary significant impacts relative to traffic, air quality, and noise, and would likely have a greater impact regarding land use compatibility, visual context and scale since it is specific to a highly urbanized environment. Although an alternative location may eliminate potentially significant historical and specific view impacts, it would likely cause view impacts in an alternative location due to the size of the proposed buildings. Further, since the Project location is specific to the Civic Center Mall, Grand Avenue, and the Bunker Hill Redevelopment Project parcels, it would not be feasible to expand and renovate of the Civic Center Mall or develop the Grand Avenue streetscape improvements between Fifth Street and Cesar E. Chavez Avenue in another location. For all these reasons, the Alternative Location Analysis was properly rejected.

The second rejected alternative was the development of institutional uses, such schools and hospitals, in the remaining Bunker Hill Redevelopment Project parcels, Parcels Q, W-1/W-2, L and M-2. This alternative was rejected since it would have a significant land use impact in relation to the implementation of the policies of adopted plans and policies, including housing policies of the General Plan Framework; policies of the Central City Community Plan to encourage a mix of uses which create a 24-hour downtown environment; policies of the Bunker Hill Redevelopment Plan to provide convenient and efficient living accommodations for downtown employees and a range of housing types, including affordable housing; the policies of the existing Bunker Hill Design for Development which call for a mix of commercial and residential uses in these parcels; and policies of the Downtown Strategic Plan, which recognize the need to substantially increase the residential presence in the downtown community. Such an alternative would also not implement the jobs/housing balance goals of SCAG's Regional Comprehensive Plan and Guide or the goals of that plan to place high-density multi-family uses within urban centers in close proximity to transit and other multi-modal transportation opportunities. This alternative would also not meet the basic objectives of the Project to provide a mixed-use development with a mix of uses that are economically viable. For all these reasons, this alternative was properly rejected.

Finally, a commentator during the public review process suggested that the Project should be modified to include a higher percentage of affordable housing units. However, the developer has committed to 20 percent of the overall housing units in the Project being affordable units, and substantial evidence supports the conclusion that additional subsidies from the LA/CRA or others for an even greater number of affordable housing units in the Project are not available or feasible, and that key

Project objectives would not be achieved if more financial resources of the Project are devoted to additional affordable housing units, including the use of funds to improve and extend the existing County Mall into a Civic Park that can serve as a public gathering place for the entire region. Accordingly, the Authority finds that such an alternative to the Project is not feasible within the meaning of CEQA.

#### The Five Alternatives Evaluated in the FEIR

The following alternatives were analyzed in detail in the FEIR since they could (i) meet some of the Project Objectives and avoid or lessen some impacts or (ii) were required to be analyzed by the applicable provisions of CEQA (namely, the No Project Alternative):

- Alternative 1: No Project "A" – The Project site remains in its existing conditions.
- Alternative 2: No Project "B" – Development on Parcels Q and W-2 would occur per the provisions of the 1991 Owner Participation Agreement applicable to those parcels, while development on Parcels W-1, L, and M-2 would occur per current City zoning. Under the No Project "B" Alternative, the Grand Avenue streetscape program would be limited to only improvements along the frontage of Parcel Q, while no improvements to the existing Civic Center Mall would occur.
- Alternative 3: Reduced Density Alternative – Development on the five parcels would be reduced by 25 percent, as would proposed building heights. Improvements within the Civic Park as well as along the Grand Avenue streetscape program would be reduced commensurate with the reduced funding for Phase 1 that would be available from prepaid lease revenues.
- Alternative 4: Alternative Design Alternative – Two unrelated components of the Project would be changed under this Alternative – the Civic Park and the location of the towers on Parcels L and M-2. Under this Alternative, the existing Civic Center Mall's four character-defining features would remain as they exist today and in their current locations, or they would be retained and reused within the Civic Park in accordance with the Secretary of the Interior's Standards for the Rehabilitation of Historic Buildings. Also under this Alternative, the towers proposed for development on Parcels L and M-2 would be reversed, such that the tower proposed for the southeast corner of Parcels L and M-2 would be moved to the southwest corner, and the tower proposed for the northwest corner would be moved to the northeast corner.
- Alternative 5: Alternative land Use Alternative – development on all five development parcels would be residential supported by a limited amount of

retail development. The Civic Park and Grand Avenue streetscape program under this Alternative would be the same as the Project.

As described in this Section XII, the FEIR analyzed the issues of whether each of these alternatives (i) could achieve most of the Project Objectives and (ii) could reduce the Project's potentially significant impacts.

Alternative 1 - No Project "A"

a. Ability to Achieve Most of the Project Objectives

The No Project "A" Alternative would not meet the ultimate goal of the Project to provide an economically viable, architecturally distinguished community-oriented, mixed-use development with welcoming public open spaces or create, define, and celebrate the Civic and Cultural Center as a regional destination in downtown Los Angeles. In addition, the No Project "A" Alternative would also not meet any of the Project's priority objectives. This alternative would not meet the priority objective to create a vibrant 24-hour development that activates the Civic and Cultural Center through a mix of uses that complement each other, and that add to those that already exist on Bunker Hill; or meet the priority objective to implement the redevelopment plan objectives to permit a maximum density of development commensurate with the highest standards of architecture and landscape design. This alternative would also not meet the priority objective to generate at least \$50 million in funds from the Project itself, and at least \$45 million from Phase 1 by the lease of public land, and use these funds to improve and extend the existing Civic Center Mall into a Civic Park that can serve the entire region. This alternative would also not meet the priority objective of providing affordable units and it would not meet the priority objective to create a long-term stream of additional tax revenues for the City, the CRA/LA and the County. The No Project "A" Alternative would also not meet the additional objectives of the Project in that it would not generate specific public benefits; activate downtown Los Angeles, create a civic gathering place, enhance pedestrian connections, create distinguished architectural design, or facilitate achievement of redevelopment goals for the Bunker Hill District and the Central Business District.

b. Ability to Reduce the Project's Residual Significant Impacts

The No Project "A" Alternative would avoid the Project's significant and unavoidable impacts associated with compliance with existing zoning designations, construction hauling, periodic closures of the Grand Avenue and Hill Street ramps to the garage beneath the existing Civic Center Mall during their relocation, any temporary lane closures, intersection service thresholds, occasional traffic congestion during evening and large-scale events in the

Civic Park, DAARP residential parking requirements, view obstruction, character-defining features in the Civic Center Mall, air quality (constructions and operation), noise (construction), and parks and recreation (during construction of Civic Park), but would be less beneficial in relation to the implementation of existing land use plans and visual quality. The No Project "A" Alternative, however, would not eliminate significant, unavoidable traffic impacts that would occur under future baseline traffic conditions due to ambient growth and the development of other projects.

c. Determination of Infeasibility

Based on the findings set forth in this subsection, the analysis contained in the FEIR, and other substantial evidence in the record of the proceedings concerning the Project, the Authority finds that this alternative is not feasible within the meaning of CEQA.

Alternative 2 - No Project "B"

a. Ability to Achieve Most of the Project's Objectives

The No Project "B" Alternative would not meet the ultimate goal of the Project to provide an economically viable, community-oriented, mixed-use development. In addition, the No Project "B" Alternative would not meet any of the Project's priority objectives. The No Project "B" Alternative would not meet the Project's priority objective to establish Grand Avenue as a vibrant 24-hour urban place that activates the Civic and Cultural Center through a mix of uses and complement each other due to the substantial reduction of the Grand Avenue Streetscape Program, and no development of street front retail uses along Parcels L and M-2. This Alternative would not meet the Project's priority objective to generate at least \$50 million in funds from the Project itself, and at least \$45 million from Phase 1 by the lease of public land, and then using these funds to create the proposed Civic Park, nor implement the Grand Avenue Streetscape Program as envisioned. As such, it would not meet the Project objectives to create a civic gathering place and to enhance pedestrian connections. This Alternative would also not meet the priority objective of the Project to implement redevelopment plan objectives to permit a maximum density of development, since this Alternative would not maximize density on Parcels W-1/W-2, L and M.

Although the No Project "A" Alternative would meet the Project's priority objective to create a long-term stream of additional tax revenues for the City, the CRA/LA and the County, the magnitude of revenue generation would be substantially reduced under this Alternative as compared to the Project, since Parcels W-2/W-2, L and M-2 would not be developed to their full potential.

Furthermore, this Alternative would meet the priority objective to ensure that 20 percent of all residential units are affordable, since it would contain only a fraction of the number of affordable units that would be generated by the proposed Project's residential units.

b. Ability to Reduce the Project's Residual Significant Impact

The No Project "B" Alternative would reduce, but not completely avoid, the Project's significant and unavoidable impacts associated with construction hauling, lane closures, intersection service levels (although it would incrementally reduce peak hour traffic), DAARP residential parking requirements, view obstruction, air quality (construction and operation), and noise (construction). This alternative would be less beneficial than the Project in relation to the implementation of existing land use plans, which call for a greater mix of residential uses in the urban center and revitalization of the downtown. The No Project "B" Alternative would, however, avoid the Project's potential significant impacts associated with zoning compliance, periodic closures of the Grand Avenue and Hill Street ramps to the Civic Center mall during the reconstruction of the ramps, occasional traffic congestion during evening and large-scale events in the Civic Park, possible removal of historically significant character-defining features in the existing Civic Center Mall, and short-term recreational impacts associated with the closure of the existing Civic Center Mall during the construction of the Civic Park.

c. Determination of Infeasibility

Based on the findings set forth in this subsection, the analysis contained in the FEIR, and other substantial evidence in the record of the proceedings concerning the Project, the Authority finds that this alternative is not feasible within the meaning of CEQA.

Alternative 3 - Reduced Density Alternative

a. Ability to Achieve Most of Project's Objectives

The reduced Density Alternative may not meet the ultimate goal of the Project to provide an economically viable development since, with the reduction in scale, the Reduced Density Alternative would not be as economically viable as the Project. In addition, the Reduce Density Alternative would not meet the majority of the Project's priority objectives to create a vibrant, 24-hour development that activates the Civic and Cultural Center to the same extent as the Project. Furthermore, since the Alternative has less development than the Project, it would not meet the priority objective to implement redevelopment plan objectives to permit a maximum density of development. The Reduced density Alternative also would not implement the Project's

priority objective to generate at least \$50 million in funds from the Project itself, and at least \$45 million from Phase 1 by the lease of public land, and then to use these funds to improve and extend the existing Civic Center Mall into the proposed Civic Park. In addition, this Alternative would not implement the Grand Avenue Streetscape Program (except adjacent to Parcel Q), further reducing the ability of this Alternative to meet the objectives of the Project to create a civic gathering place and to enhance pedestrian connections.

The Reduce Density Alternative would meet the priority objectives to ensure that 20 percent of all residential units in the Project are affordable units; however, due to the reduction in residential units, this would provide 25 percent fewer affordable units than the Project. This Alternative would also meet the priority objective to create a long-term stream of additional tax revenues for the City, the CRA/LA and the County. However, since it would represent a reduction in scale, the stream of additional tax revenues would be incrementally less than under the Project.

The Reduced Density Alternative would meet the Project's objective to encourage public transit opportunities through the development of high-density residences in close proximity to existing transit systems. The Reduced Density Alternative would also meet the Project objective to provide residential densities in the Bunker Hill Redevelopment Project area as well as improve the jobs/housing balance downtown and establish a variety of housing types, although it would not maximize residential densities as well as the Project. The Reduced Density Alternative would also implement the redevelopment plan objectives to provide housing for workers who seek housing near their employment, but to a lesser degree than would occur under the Project.

b. Ability to Reduce the Project's Residual Significant Impacts

The Reduced Density Alternative would reduce, but not completely avoid, the Project's significant and unavoidable impacts associated with zoning compliance construction hauling, lane closures, periodic closures of the Grand Avenue and Hill Street ramps to the garage beneath the Civic Center Mall during their reconstruction, operation traffic, occasional traffic congestion during evening and large-scale events in the Civic Park, DAARP residential parking requirements, view obstruction, air quality (construction and operation), and noise (construction). Additionally, this Alternative may possibly reduce impacts associated with the possible removal of the historically significant character-defining features in the Civic Center Mall, and short-term recreational impacts associated with the closure of Civic Center Mall during the Civic Park's construction phase, if the scope of the development in the Civic Park were reduced.

c. Determination of Infeasibility

Based on the findings set forth in this subsection, the analysis contained in the FEIR, and other substantial evidence in the record of the proceedings concerning the Project, the Authority finds that this alternative is not feasible within the meaning of CEQA.

Alternative 4 - Alternative Design Alternative

a. Ability to Achieve Most of Project Objectives

As with the Project, the Alternative Design Alternative would meet the ultimate goal of the Project to provide an economically viable, architecturally distinguished, community-oriented, mixed-use development with notable public open spaces that would create, define, and celebrate the Civic and Cultural Center as a regional destination. In addition, the Alternative Design Alternative would meet all the Project's priority objectives. This Alternative would meet all of the Project's specific objectives that are intended to ensure that the proposed development would generate specific public benefits, activate downtown Los Angeles, create a civic gathering place, enhance pedestrian connections, create distinguished architectural design, facilitate achievement of redevelopment goals for the Bunker Hill District and the amended Central Business District Redevelopment Plans.

b. Ability to Reduce the Project's Residual Significant Impacts

Through the retention of historically significant character-defining features, the Alternative Design Alternative would avoid the Project's potential significant impact on the historic resources present within the existing Civic Center Mall. However, the feasibility of retaining those elements of Civic Center Mall is not known at this time since the final design of Civic Park has not been completed. Due to, among other considerations, that final design may call for not retaining all of those features because of economic factors or planning objectives inherent in the Civic Park program.

This alternative would also reduce the Project's significant view impact for the residents of the Grand Promenade Tower building that have northerly views to a less than significant level. However, the Alternative Design Alternative would not avoid the Project's significant and unavoidable impacts associated with zoning compliance, construction hauling, lane closures, periodic closures of the Civic Mall Garage's Grand Avenue and Hill Street ramps to the garage beneath the existing Civic Center Mall during their reconstruction, intersection service levels, DAARP residential parking requirements, views from locations other than the Grand Promenade Tower apartments, air quality (construction and operation), noise (construction). This Alternative would avoid the

Project's potentially significant impacts on character-defining features in the existing Civic Center Mall.

c. Determination of Infeasibility

Based on the findings set forth in this subsection, the analysis contained in the FEIR, and other substantial evidence in the record of the proceedings concerning the Project, the Authority finds that (i) the component of this alternative concerning mandatory retention of the character-defining features of the Civic Center Mall is not feasible within the meaning of CEQA since the final design of the Civic Park is not known at this time, and (ii) the component of this alternative that concerns the reversal of the location of the two towers on Parcels L and M-2 is feasible.

Alternative 5 - Alternative Land Use Alternative

a. Ability to Achieve Most of Project Objectives

The Alternative Land Use Alternative, which would not provide a mixture of hotel and retail uses with the proposed residential uses, would not meet the ultimate goal of the Project to provide an economically viable, community-oriented, mixed-use development. Additionally, since this Alternative would not provide a hotel and would provide a limited amount of street-front retail uses and restaurants, this Alternative would not meet the priority objective of the Project to the same extent as the Project to create a vibrant, 24-hour development that activates the Civic and Cultural Center by attracting both residents and visitors through a mix of uses that complement each other. Although this Alternative anticipates implementation of the Grand Avenue Streetscape Program, with the absence of street-front retail uses and restaurants, this Alternative would not meet the priority objective to create a pleasant living and working environment to the same degree as the Project. This Alternative would meet the priority objective to generate at least \$50 million in funds from the Project itself, and at least \$45 million from Phase 1 by the lease of public land, and use these funds to improve and extend the existing Civic Center Mall into the proposed Civic Park. This Alternative would also meet the priority objective to ensure that 20 percent of all residential units in the Project are affordable units for low-income residents. This objective would also meet the priority objective to create a long-term stream of additional tax revenues for the City, the CRA/LA and the County. However, since taxes on residences are less than on commercial uses, this Alternative would not meet this objective to the same extent as the Project.

b. Ability to Reduce the Project's Residual Impacts



The Alternative Land Use Alternative would not avoid the Project's significant and unavoidable impacts associated with zoning compliance (due to residential uses in existing C2 zones), construction hauling, lane closures, periodic closures of the Grand Avenue and Hill Street ramps to the garage beneath the existing Civic Center Garage's during their reconstruction, intersection service levels, occasional traffic congestion during evening and large-scale events in the Civic Park, and DAARP residential parking requirements. However, the Alternative Land Use Alternative would incrementally reduce peak hour traffic. This Alternative would also not avoid the Project's potential significant impacts associated with air quality (construction and operation), noise (construction), and short-term recreational impacts associated with the closure of the existing Civic Center Mall during the construction of the proposed Civic Park.

c. Determination of Infeasibility

Based on the findings set forth in this subsection, the analysis contained in the FEIR, and other substantial evidence in the record of the proceedings concerning the Project, the Authority finds that this alternative is not feasible within the meaning of CEQA.

The Environmentally Superior Alternative

CEQA Guideline 15126.6 requires the identification of an environmentally superior alternative to the proposed Project and, if the environmentally superior alternative is the "No Project Alternative," the identification of an environmentally superior alternative from among the remaining alternatives. An environmentally superior alternative is an alternative that would reduce and/or eliminate the significant, unavoidable environmental impacts associated with a project without creating other significant impacts and without substantially reducing and/or eliminating the environmental benefits attributable to the Project. Accordingly, selection of an environmentally superior alternative is based on an evaluation of the extent to which the alternatives reduce or eliminate the significant impacts associated with the Project, and on a comparison of the remaining environmental impacts of each alternative. The determination of the environmentally superior alternative is not based on any assessment of the Alternative's ability to meet the Project objectives.

In this matter, the No Project "A" Alternative (Alternative 1) would be the environmentally superior alternative as this alternative would have less impact relative to the Project than the other evaluated alternatives. CEQA requires that when the No Project Alternative is the environmentally superior alternative, another alternative needs to be selected as environmentally superior. Based on the findings set forth in this section XII and the analysis contained in the FEIR, the Authority determines that the Reduced Density Alternative would be the environmentally

superior alternative, since it may reduce the Project's impacts more broadly than the other Project alternatives.

## 1.7 STATEMENT OF OVERRIDING CONSIDERATIONS

CEQA Guideline 15093(a) and (b) provides that:

- (a) CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered 'acceptable.'
- (b) When the lead agency approves a project which will result in the occurrence of significant effects which are identified in the final EIR but are not avoided or substantially lessened, the agency shall state in writing the specific reasons to support its action based on the final EIR and/or other information in the record."

The Authority adopts and makes this Statement of Overriding Considerations ("SOC") concerning the Project's unavoidable significant impacts to explain why the Project's benefits override and outweigh its unavoidable environmental impacts. Based on substantial evidence in the record, the Authority finds that each benefit of the Project set forth in this SOC constitutes an overriding consideration warranting approval of the Project, despite the unavoidable impacts.

1. The Project will create a vibrant, 24-hour development that activates the Civic and Cultural Center by attracting both residents and visitors, day and night, through a mix of uses that are economically viable, that complement each other, and that add to those that already exist on Bunker Hill.
2. The Project will provide substantial economic benefits for the entire region, generating an estimated \$252 million annually in direct business revenues and over \$362 million in indirect (off-site) business revenues throughout the County, for a total of \$615 million in direct and indirect revenues generated by the Project each year.
3. The business activity generated by the Project is estimated to create up to 5,900 permanent jobs, both on-site and throughout the region. These workers will earn an estimated \$165 million in pre-tax wages and salaries. All jobs generated on the Project site will comply with the CRA/LA's Living Wage Policy.
4. The Project will also create a significant number of construction jobs. Over

the life of the construction of the Project, approximately 29,000 direct and indirect construction jobs will be created. These workers will earn over \$1 billion in wages and salaries. All on-site construction jobs will comply with the Prevailing Wage law.

5. Significant tax revenues, an estimated \$105 million, will be generated annually by the Project. These tax revenues will be shared by all levels of government. Approximately \$74 million will go to the federal government, \$21 million to the State government, \$5.7 million to the County government, and approximately \$4.1 million to local governments, all on an on-going, annual basis.
6. The Project will generate at least \$50 million in funds from the earlier phases of the Project itself, and at least \$45 million from Phase 1 of the overall development, through the lease of public land. These funds will be used to improve and extend the existing Los Angeles County Mall into a Civic Park that can serve as a public gathering place for the entire region. The ground lease of the development parcels was structured in a manner to ensure completion of the new Civic Park by the time Phase 1 of the development is completed.
7. The Project will revitalize, expand upon and activate the existing Los Angeles County Mall by developing it into a Civic Park stretching from the Music Center to City Hall. The new Civic Park will be operated to serve as an active, welcoming setting for daily activity as well as a gathering place for community celebrations, cultural and ethnic celebrations, festivals, holiday events, political gatherings and the like. The new Civic Park will be designed to accommodate a variety of sizes of community events and to encourage use of the Metro Red Line, which passes underground through the park at Hill Street.
8. The Project will provide a substantial amount of affordable housing units for low-income and very low income residents. The number of affordable units will equal 20 percent of the total number of housing units developed in the Project, which could yield up to 532 affordable units under the Additional Residential Development Option at full build-out. Long-term affordability covenants to guarantee the availability of such units to such qualified residents will be imposed.
9. The Project will develop a substantial number of housing units in the downtown, up to a total number of 2,660 units under the Additional Residential Development Option. This mix of additional housing units will greatly expand the diversity of downtown living options.
10. The Project will encourage and accommodate pedestrian activity by improving the streetscape along Grand Avenue between Fifth Street and

Cesar Chavez Avenue. Streetscape improvements will include the strategic use of landscaping, benches and lighting, improved paving, and wider sidewalks where feasible. Such improvements will create an urban street that will foster pedestrian activity without comprising the functional requirements of vehicular circulation.

11. The Project will create new public spaces on the development parcels that are open and accessible to the public, including plaza areas, outdoor terraces and other gathering places, all with seating areas and landscaping.
12. The Project will increase the value of the four publicly owned, underutilized development parcels, while minimizing public investment in the Project. The value of these uniquely located public parcels will be further increased by the synergistic combination of the parcels into a unified development.
13. The Project will maintain the potential for a new County office building within the later phases of the Project.
14. The Project will create a northern anchor for the downtown area, complementing the southern anchor at "LA Live" to create a more diverse and vibrant downtown core.
15. The Project will enhance the use of public transit by creating easy access to the Metro Red Line at its Civic Center station, and easy access to the many local and commuter bus lines that surround the Project site.
16. The Project will improve pedestrian access from transit stops to the many regional attractions on Grand Avenue, including the Music Center, the Walt Disney Concert Hall, the Colburn School, and the Museum of Contemporary Art. Public access through the Project site will be facilitated by escalators, elevators, and a bridge over Olive Street, all assisting the pedestrian in transitioning the steep slope of Bunker Hill from Hill Street (where the Metro Red Line station exists) to Grand Avenue.
17. The Project will improve the jobs/housing balance in downtown, an area considered to be a "jobs rich" environment. By increasing the amount of housing available in a jobs rich area, there is a greater likelihood that people will work and live in areas in close proximity, thereby reducing traffic congestion and improving air quality when compared to traditional commuting patterns where the residence and job locations are separated by great distances.
18. The Project will comply with the CRA/LA's public art policy, which will facilitate the placement and maintenance of more public art in the downtown

- area.
19. The Project will create a job outreach and training program that will provide opportunities for local and low-income residents to secure jobs generated by the construction and operation of the Project through, among other ways, hiring and apprentice goals, coordination with the applicable unions, and on-the-job training requirements for such resident workers.
  20. The Project will implement and satisfy numerous objectives of the Bunker Hill Redevelopment Plan (as listed in greater detail in Section V of the Findings and hereby incorporated into this SOC), including, but not limited to, the development of a project with a maximum density commensurate with the highest standards of architecture and landscape design aimed at creating a pleasant living and working environment.

## 1.9 MITIGATION MONITORING AND REPORTING PROGRAM

In accordance with CEQA Guideline 15091(d), the Authority adopts the Mitigation Monitoring Program that is included as part of the FEIR (the "MMP"). The MMP describes each of the Mitigation Measures identified in the FEIR, the entities responsible for implementing and monitoring each of those measures, and anticipated schedules for completion of those measures. Those measures and implementing program set forth in the MMP have been made enforceable through conditions in the DDA.

## 2.0 GENERAL CONSIDERATIONS

Each and all of the findings and determinations contained herein are based on the competent and substantial evidence, both oral and written, contained in the entire record relating to the FEIR. All of the language included in these Findings constitutes findings by the Authority, whether or not any particular sentence or clause includes a statement to that effect. All summaries of information in these Findings are based on the entire record of the proceedings, and the absence of any particular fact from any such summary herein is not an indication that a particular finding is not based, in part, on that fact.

The Authority's analysis and evaluation of the FEIR and the Project is based on the best information currently available. This practical limitation is acknowledged in CEQA Guideline 15151, which provides that "the sufficiency of an EIR is to be reviewed in light of what is feasible."

## FINDINGS OF FACT (SUBDIVISION MAP ACT)

In connection with the approval of Vesting Tentative Tract Map No. 67492 the Advisory Agency of the City of Los Angeles, pursuant to Sections 66473.1, 66474.60, .61 and .63 of

the State of California Government Code (the Subdivision Map Act), makes the prescribed findings as follows:

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

The Tentative Tract Map was prepared by a licensed land surveyor and contains the required components, dimensions, area, notes, legal description, ownership, applicant and site address information as required by the Los Angeles Municipal Code and Subdivision Map Act. The Tentative Tract Map describes and illustrates land uses consistent with those described in the "Grand Avenue Final Environmental Impact Report" (State Clearinghouse Number 2005 091041) for Parcel L/M-2 and the proposed entitlements described in the City Planning Commission Case No. CPC-2006-9702-ZC-CU-CUB-CUX-ZV-DA. Approval of the Tentative Tract Map for this subdivision is contingent upon the decision of the City Planning Commission and/or the City Council for the proposed entitlements directly associated with Parcel L/M-2 and any other applicable agreements, contracts and necessary approval processes executed by the Grand Avenue Authority, the Community Redevelopment Agency, the County of Los Angeles and the City of Los Angeles. Therefore, as proposed, the map is substantially consistent with the applicable General and Specific Plans affecting the project site and demonstrates compliance with Section 17.01 et. seq. and Section 17.05 (C) of the Los Angeles Municipal Code.

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

Pursuant to Section 66418 of the Subdivision Map Act, "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.

The proposed subdivision demonstrates through its design, compliance with Section 17.05 (C) of the Los Angeles Municipal Code and Section 66418 of the Subdivision Map Act. Section 17.05(C) of the Los Angeles Municipal Code enumerates design standards for Subdivisions and requires that each Tentative Tract Map be designed in compliance with the zoning applying to the subject property. The proposed Tentative Tract Map demonstrates such compliance as follows:

The Central City Community Plan designates the subject property for Regional Center Commercial land uses with the corresponding R5-4D zone. The project proposes a Zone Change for the overall Grand Avenue project site area including Parcel L/M-2 from R5-4D to C2-4D, consistent with the Regional Center Commercial Land Use Designation. Parcel L/M-2 contains approximately 2.20 net acres (95,830 net square feet after required dedication) and would contain two master lots and 13 airspaces lots for the construction of 850 residential condominium units, 20% of which will be affordable (50% of those will be set aside for very low income and 50% will be set aside for low-income levels) and 101,000 square feet of commercial/retail space. A total of 1,570 parking spaces would be provided. In consideration of the concurrent City Planning Commission case (recording of the Final Map is contingent upon the recommendation of the City Planning Commission and final approval by the City of Los Angeles' City Council), the project is consistent with the land use designation and proposed zoning for Parcel L/M-2. The project be subject to the conditions and requirements of the Lead Agency and Responsible Agencies identified in the Grand Avenue Environmental Impact Report and would be further bond to the Conditions of Approval required by the Advisory Agency and to the to the provisions of the Development Agreement.

The project is also subject to other conditions involving the design and improvement conditions (e.g., street dedications, improvements, street lighting, sewer connection, infrastructure improvements, etc.) as listed under the Tract's Conditions of Approval. Performance of certain conditions must be demonstrated prior to the recording of the Final Tract Map while others are demonstrated prior to a specific permit or Certificate of Occupancy. Therefore, as conditioned, the design and improvement of the proposed subdivision would be consistent with the intent and purpose of the applicable General and Specific Plans as expressed in Section 17.05(C) of the Los Angeles Municipal Code.

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

Parcel L/M-2 contains approximately 179,388 gross square feet of land and would result in a net area of 95,830 square feet after required street dedications. The site is within the Hillside Grading District and would be subject to numerous geological measures required by the Department of Building and Safety, Grading Division, to satisfy the City's Grading Regulations as enumerated under Section 91.3000 of the Los Angeles Municipal Code (Division 70 of the Building Code).

The subject site lies within Flood Zone "C" which is identified as an area of minimal flood as shown on Flood Insurance Rate Map Community Panel No. 060137 004C. The project site is not subject to the Specific Plan for the Management of Flood Hazards (floodways, floodplains, mud prone area, coastal high-hazard and flood-related erosion hazard areas).

The project was subject to an Environmental Impact Report ("EIR") conducted by

the Grand Avenue Authority (State Clearinghouse Number 2005 091041). The environmental analysis contained in the EIR establishes that the physical characteristics of the site and surrounding area is conducive for the type of development relative to the site's existing urban character, applicable land use regulations and zoning. The EIR identifies that the physical implementation of the project would cause substantial impacts on the environment. However, Mitigation Measures identified in the FEIR are incorporated into the project's conditions of approval to minimize the environmental impacts to less than significant levels. Said Mitigation Measures have been adopted by the Advisory Agency as indicated in the CEQA Findings ("Findings of Fact (CEQA)) of this decision.

The proposed Project includes an Equivalency Program that would allow the composition of on-site development to be modified to respond to future needs in a manner that would not increase the project's impacts on the environment. The Equivalency Program would provide flexibility for modifications to land uses and square footages for Parcel L/M-2 relative to the other three tract maps that are part of the whole project defined as "The Grand Avenue Project" (Tentative Tract Numbers 67490, 67491, and 67492). Within this framework, land uses can be exchanged for corresponding decreases of other land uses under the proposed Equivalency Program without any further CEQA review.

The equivalency program was analyzed in the FEIR to confirm that the exchange of Project uses set from I the program can occur without the need for subsequent CEQA analysis. Proposed Exchanges under the equivalency program would be implemented through the City of Los Angeles, Department of City Planning procedures. These procedures ensure that any exchanges occurring in the future are within the scope of the FEIR's Equivalency Program. Therefore, material evidence supports that the project site is 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 applying to subject sites throughout the City, are allocated based on the type of land use, physical suitability and population growth that is expected to occur. The proposed C2-4D Zone affecting the project site permits the proposed densities as follows: There are no minimum lot area requirements for the C2 Zone where commercial uses are proposed. However, residential uses permitted in the C2 Zone are subject to lot area requirements. Section 12.22-A, 18(a) of the Los Angeles Municipal Code provides that any land use permitted in the R5 Zone be permitted on project site where the General Plan Land Use Designation is identified as Regional Center Commercial or within any Redevelopment Project Area within the Central City Community Plan.



The density of 680 residential condominiums and 170 residential apartment units will be consistent with the provisions and area requirements of the Planning and Zoning Code pursuant to Section 12.22 A.25 Affordable Housing Incentives/Density Bonuses and will be contingent upon an approval of the Conditional Use Permit pursuant to section 12.24 U.26. The project's proposed 101,000 square feet of commercial space is also consistent with the general provisions of the Planning and Zoning Code (Section 12.14 et. seq. of the Los Angeles Municipal Code). Additionally, the project falls within the scope of those uses analyzed in the Grand Avenue Environmental Impact Report and as adopted by the City Council.

The proposed Project includes an Equivalency Program that would allow the composition of on-site development to be modified to respond to future needs in a manner that would not increase the Project's impacts on the environment. The Equivalency Program would provide flexibility for modifications to land uses and square footages within the five parcels. Within this framework, land uses can be exchanged for certain other permitted land uses so long as the limitations of the Equivalency Program are adhered to, which limitations were designed so no additional environmental impacts would occur. Thus, all permitted Project land use increases can be exchanged for corresponding decreases of other land uses under the proposed Equivalency Program without any further CEQA review.

This equivalency program was analyzed in the FEIR to confirm that the exchange of Project uses set forth in the program can occur without the need for subsequent CEQA analysis. Proposed exchanges under the equivalency program would be implemented through the City of Los Angeles, Department of City Planning procedures.

Based on the density proposed, land uses in the vicinity and the environmental impact report, the subdivision would be consistent with the General Plan and proposed zoning for the development. There are no known physical impediments or hazards that would be materially detrimental to the public welfare or injurious to the property or improvements in the same zone or vicinity in which the property is located as a result of the project's proposed density. Therefore, the site is physically suitable for the proposed density of development.

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

On November 20, 2006, the Los Angeles Grand Avenue Authority (Authority) certified the Grand Avenue Final Environmental Impact Report (FEIR) (State

Clearinghouse No. 2005091041), stating the FEIR was completed in compliance with the California Environmental Quality Act, Public Resources Code Section 21000 et seq., the CEQA Guidelines, and all applicable local guidelines concerning the application and implementation of that statute.

The Grand Avenue Final Environmental Impact Report prepared for the proposed project identifies no potential adverse impacts to fish or wildlife resources as far as earth, air, water, plant life, animal life, or risk of upset are concerned. Furthermore, the project site is presently developed with a surface parking lot and other typical structures for associated with urban uses. Such uses do not provide for a natural habitat for fish or wildlife.

With regards to impact categories identified in the environmental impact report as having a potentially significant impact, Mitigated Measures have been identified to mitigate potentially significant impacts to less than, or no impact levels. Said measures are incorporated into the project's conditions of approval. Mitigation Monitoring and other procedures and processes have been identified ensuring the implementation of all required mitigation measures. Appropriate CEQA Findings have been established that reflect the independent judgment of the Lead Agency relative to the adequacy of the environmental impact report, validity of the environmental analyses, and the mitigation measures to be used to minimize the project's impact on the environment. Therefore, in light of the whole record, the proposed project would not cause substantial environmental damage or substantially and unavoidably injure fish or wildlife of their habitat.

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

The Grand Avenue Environmental Impact Report establishes that no potential public health problems would be caused by the design or improvement of the proposed subdivision. The project is subject to setback and yard requirements, the Fire Code, and other health and safety related requirements as mandated by law.

The development is required to be connected to the City's sanitary sewer system, where the sewage will be directed to the LA Hyperion Treatment Plant, which is currently being upgraded to meet Statewide ocean discharge standards. The Bureau of Engineering has reported that the proposed subdivision does not violate the existing California Water Code because the subdivision will be connected to the public sewer system and will have only a minor incremental impact on the quality of the effluent from the Hyperion Treatment Plant. Therefore, the design of the subdivision and the proposed improvements are not likely to cause serious public health problems.

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

LARGE FOR ACCESS THROUGH OR USE OF PROPERTY WITHIN THE PROPOSED SUBDIVISION.

Along the northeasterly boundary of the project site along Second Street, there are easements of the City of Los Angeles for public street purposes. Separate from that there are no recorded instruments identifying easements encumbering the project site for the purpose of requiring access by the public at large. The project site contains legally recorded lots as identified by the Assessor Parcel Record and Assessor Parcel Map – Map Nos. 5151-004-908 and 5151-015-914. The site is surrounded by private and public properties that adjoin improved public streets and sidewalks designed and required by the City of Los Angeles to provide public access throughout the area. The project site does not adjoin or provide access to a public resource, natural habitat, public park or any officially recognized public recreation area. The project design encourages pedestrian oriented uses, including public amenities and a public park. Therefore, the design of the subdivision and the proposed improvements would not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.

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

In assessing the feasibility of passive or natural heating or cooling opportunities in the proposed subdivision design, the applicant has prepared and submitted materials which consider the local climate, contours, configuration of the parcel(s) to be subdivided and other design and improvement requirements.

Providing for passive or natural heating or cooling opportunities will not result in reducing allowable densities or the percentage of a lot which may be occupied by a building or structure under applicable planning and zoning in effect at the time the tentative map was filed.

The lot layout of the subdivision has taken into consideration the maximizing of the north/south orientation.

The topography of the site has been considered in the maximization of passive or natural heating and cooling opportunities.

In addition, prior to obtaining a building permit, the subdivider shall consider building construction techniques, such as overhanging eaves, location of windows, insulation, exhaust fans; planting of trees for shade purposes and the height of the buildings on the site in relation to adjacent development.

These findings shall apply to both the tentative and final maps for Tract Map No. 67492.

S. Gail Goldberg, AICP  
Advisory Agency

MAYA ZAITZEVSKY  
Deputy Advisory Agency

MZ:MS:jh

Note: If you wish to file an appeal, it must be filed within 10 calendar days from the decision date as noted in this letter. For an appeal to be valid to the City Planning Commission, it must be accepted as complete by the City Planning Department and appeal fees paid, prior to expiration of the above 10-day time limit. Such appeal must be submitted on Master Appeal Form No. CP-7769 at the Department's Public Offices, located at:

Figueroa Plaza  
201 N. Figueroa St., 4<sup>th</sup> Floor  
Los Angeles, CA 90012  
213.482.7077

Marvin Braude San Fernando  
Valley Constituent Service Center  
6262 Van Nuys Blvd., Room 251  
Van Nuys, CA 91401  
818.374.5050

**Forms are also available on-line at [www.lacity.org/pln](http://www.lacity.org/pln).**

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.

If you have any questions, please call Subdivision staff at (213) 978-1362.



# DEPARTMENT OF CITY PLANNING

## APPEAL STAFF REPORT



### City Planning Commission

**Date:** Thursday July 26, 2007  
**Time:** After 8:30 a.m.  
**Place:** 14410 Sylvan Street  
Council Chambers, 2<sup>nd</sup> Floor  
Van Nuys, CA 91401

**Public Hearing:** Required  
**Appeal Status:** Appealable to City Council  
**Expiration Date:** August 2, 2007  
**Multiple Approval:** Not applicable

**Case No.:** TT-67490, TT-67491, &  
TT-67492  
**CEQA No.:** SCH No. 2005091041  
"Grand Avenue"  
**Incidental Cases:** CPC-2006-9702-ZC-CU-  
CUB-CUX-ZV-DA  
**Related Cases:** N/A  
**Council No.:** 9  
**Plan Area:** Central City  
**Specific Plan:** N/A  
**Certified NC:** Downtown Los Angeles  
**GPLU:** Regional Center  
Commercial  
**Zone:** C2-4D, R5-4D  
**Applicant:** The Related Companies  
Beatrice Hsu  
**Representative:** Psomas/Jennifer Yakubik  
**Appellant:** Christopher Sutton/ Today's  
IV Inc, dba Westin  
Bonaventure Hotel

**PROJECT LOCATION:** 100, 221, 225, and 237 S. Grand Avenue; 121, 129, and 135 S. Hill Street; 220 and 236 S. Hope Street; 111, 121, 130, 134, 138, 141, 145, 151, and 161 S. Olive Street; 400 and 440 W. 1<sup>st</sup> Street; 411, 417, 419, 419, 421, 425, 427, 429, and 431 W. 2<sup>nd</sup> Street; and 630 and 635 W. General Thaddeus Kosciuszko Way

**PROPOSED PROJECT:** The creation of a 16-acre Civic Park, streetscape improvements along Grand Avenue from Fifth Street to Cesar Chavez Avenue, and development of five parcels for an approximate 3.6 million square foot mixed use development consisting of two development options. Under the County Office Building Option, up to 2,060 residential units, including 412 affordable units; up to 275 hotel rooms; up to 449,000 square feet of retail space; and up to 681,000 square feet of County office space would be constructed with 5,035 parking spaces. Under the Additional Residential Development Option, up to 2,660 residential units, including 532 affordable units; up to 275 hotel rooms; and up to 449,000 square feet of retail space would be constructed with 5,255 parking spaces. The Project will also include an Equivalency Program that will allow the composition of the five development parcels to be modified in a manner that does not increase the project's impacts on the environment within a framework within which land uses can be exchanged for certain other permitted land uses within and between parcels so long as the limitations of the Equivalency Program are satisfied and no additional significant environmental impacts occur. All permitted land use increases can also be exchanged for corresponding decreases of other land uses.

**REQUESTED ACTION:** Appeal from the Deputy Advisory Agency's approval of :

1. Pursuant to Section 17.03 of the Los Angeles Municipal Code (L.A.M.C.), Tentative Tract Map No. 67490 (Parcel Q) to permit a two-master lot subdivision and 19 airspace lots for the construction of a new 400-unit residential condominium, 20% of the total amounts of residential units shall include affordable apartment units as follows: 35% at extremely low and 65% at very low income levels, 284,000 square feet of commercial/retail, and a 275-room hotel with a total of 1,510 parking spaces on a 3.02 net acre site in the C2-4D and R5-4D zones;
2. Pursuant to Section 17.03 of the L.A.M.C., Tentative Tract Map No. 67491 (Parcels W-1 and W-2) for the merger and re-subdivision of two lots to permit a 2-master lot subdivision and 27 airspace lots for construction of either 1) a new 568-unit residential condominium, 142 affordable apartment units with 50% at very low and 50% at low income levels, 64,000 square feet of commercial/retail, and 681,000 square feet of commercial office with a total of 1,955 parking spaces; or 2) a new 1,048-unit residential condominium, 262 affordable apartment units with 50% at very low and 50% at low income levels, 64,000 square feet of commercial/retail with a total of 2,175 parking spaces on a 3.14 net acre site in the C2-4D and R5-4D zones;
3. Pursuant to Section 17.03 of the L.A.M.C., Tentative Tract Map No. 67492 (Parcels L and M-2) for the merger and re-subdivision of one lot and one portion of a lot to permit a two-master lot subdivision and 13 airspace lots for a new 680-unit residential condominium, 170 affordable apartment units with 50% at very low and 50% at low income levels, and 101,000 square feet of commercial/retail with 1,570 total parking spaces on a 2.20 net acre site in the R5-4D zone.

#### RECOMMENDED ACTIONS:

That the decisions of the Deputy Advisory Agency be sustained and the appeals be denied.

S. GAIL GOLDBERG, AICP  
Director of Planning

  
\_\_\_\_\_  
Maya Zaitzevsky, Deputy Advisory Agency

**ADVICE TO PUBLIC:** \*The exact time this report will be considered during the meeting is uncertain since there may be several other items on the agenda. Written communications may be mailed to the *City Planning Commission Secretariat, 200 North Spring Street, Room 500, Los Angeles, CA 90012* (Phone No. 213-978-1300). While all written communications are given to the Commission for consideration, the initial packets are sent to the week prior to the Commission's meeting date. If you challenge these agenda items in court, you may be limited to raising only those issues you or someone else raised at the public hearing agendaized herein, or in written correspondence on these matters delivered to this agency at or prior to the public hearing. As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability, and upon request, will provide reasonable accommodation to ensure equal access to its programs, services and activities. Sign language interpreters, assistive listening devices, or other auxiliary aids and/or other services may be provided upon request. To ensure availability of services, please make your request not later than three working days (72 hours) prior to the meeting by calling the Commission Secretariat at (213) 978-1300.

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**3. Tract Map**

**4. Appeals**

**5 A-C. Advisory Agency's Decision Letters**

**6. Grand Avenue Authority's June 11, 2007 memorandum**

**Environmental Document (not included as part of the appeal package, the EIR can be found in the CPC-2006-9702-ZC-CU-CUB-CUX-ZV-DA case file)**

## **STAFF APPEAL REPORT**

### **Background**

The Grand Avenue Project proposes three main components.

- 1) Development of five parcels for up to 3.6 million square feet of mixed-use development. The five parcels are hereafter referred to as Parcels Q, W-1, W-2, L and M-2.
- 2) Development of a 16-acre Civic Park.
- 3) Streetscape improvements along Grand Avenue from Fifth Street to Cesar Chavez Avenue.

To facilitate development of this Project, the County of Los Angeles ("County") and the Los Angeles Community Redevelopment Agency ("CRA/LA") formed a joint powers authority known as the Los Angeles Grand Avenue Authority ("Authority") in 2003 pursuant to a Joint Exercise of Powers Agreement. The sole purpose of the Authority is to create a new regional center in downtown Los Angeles. The Grand Avenue Project was initiated by the Grand Avenue Committee, a public/private partnership which acts under the direction of the Authority, and is responsible for implementing the plan for remaking Grand Avenue.

The entitlements described herein are requested for the five development parcels, and are before the City Planning Commission. The Civic Park is under the jurisdiction of the County and Grand Avenue Streetscape Program is under the jurisdiction of the CRA/LA. Both are not part of the subject entitlement requests. Hereafter, the term "Project" is used strictly to refer to the five development parcels.

The components of the Grand Avenue Project are summarized as follows:

#### **1) Five Development Parcels**

Parcel Q is presently developed with a parking structure. Parcels L, M-2, W-1, and W-2 are presently developed with surface parking lots. Parcels Q and W-2 are currently owned by the County. Parcels L and M-2 are currently owned by the CRA/LA. Parcel W-1 is owned by a private party, however, The Related Companies, L.P. is pursuing negotiations to acquire the property. The Authority is responsible for obtaining ground leases from the County and CRA/LA for the proposed development parcels and re-leasing to the Related Companies for a 99-year term for the development of those parcels.

The Project consists of two development options for the five development parcels: 1) the Project with County Office Building Option and 2) the Project with Additional Residential Development Option. The two development scenarios provide flexibility to the Joint Powers Authority to develop in response to the future needs and demands of



the southern California's economy. At this point, the County will determine which option will be selected. Table 1 summarizes both development scenarios by providing the potential size of the Project's mix.

| <b>TABLE 1 GRAND AVENUE PROJECT LAND USE SUMMARY</b> |  |  |
|--|--|--|
| Options  | Project with<br>County Office Building | Project with Additional<br>Residential Development |
| Residential Units                                    | 2,060                                  | 2,660  |
| Residential Condos                                   | 1,648                                  | 2,128  |
| Affordable Rental Units                              | 412                                    | 532  |
| Commercial Retail (sq ft)                            | 449,000                                | 449,000  |
| County Office Building (sq ft)                       | 681,000                                | N/A  |
| Parking  | 5,035                                  | 5,255  |

The Project with County Office Building Option would include construction of up to 2,060 residential units, including 412 affordable units, up to 1,648 residential condominiums, up to 449,000 square feet of retail floor area, up to 275 hotel rooms, and a County Office Building containing up to 681,000 square feet of office space. This option would provide 5,035 total parking spaces.

The Project with Additional Residential Development Option would include construction of up to 2,660 residential units, including 532 affordable units, up to 2,128 residential condominiums, up to 449,000 square feet of retail floor area, and up to 275 hotel rooms. This option would provide 5,255 total parking spaces.

Construction Development of the proposed Project is anticipated to occur in three phases. Phase I would include the simultaneous completion of Civic Park, Grand Avenue streetscape improvements between Second and Temple Streets, and the development of Parcel Q. Phase II would include the development of Parcels L and M-2, and Phase III would include the development of Parcels W-1 and W-2. Additionally, the development of the streetscape improvements between Second Street and Fifth Street, and between Temple Street and Cesar E. Chavez Avenue would be completed by the end of the third phase of development.

Construction for each of the three development phases would require a period of approximately three years. Construction stages would include demolition, excavation, and construction of foundations, garages, and podium to the street level (Year 1); construction of the superstructure from the top of the podium and the initial shell enclosure (Year 2); and interior and exterior finish construction and landscaping for Phase I; 2010-2012 for the second phase; and 2013-2015 for the third phase. However, construction for the Phase II may be accelerated relative to the foregoing schedule in response to changing market conditions. In the event that the overall construction schedule is accelerated, the second phase of the Project would commence in 2008 rather than 2010. Under the accelerated scenario, Phase II would overlap part of the first phase, but the duration of each phase would remain at 36-months.

Phase I (Parcel Q) TT-67490

Parcel Q is presently developed with a parking structure, which is proposed to be removed. This parcel would be developed into a mixed-use project that would be comprised of retail uses, a hotel/residential building, residential uses, and will include 1,510 parking spaces. Development on this parcel would contain up to 500 residential units, 20 percent of which (up to 100 units) would be affordable. Of this total, 35% would be set aside for extremely low income households and 65% set aside for very low income households. This development parcel will also include approximately 284,000 square feet of neighborhood and regional retail uses, including restaurants, health club and events facilities.

The proposed hotel/residential building would contain up to 275 rooms and 15,000 square feet of meeting space. Development would result in two high-rise buildings and three low-rise structures joined at the podium level above four to five subterranean parking levels. The first high-rise structure, known as Tower 1, will be approximately 581 feet tall and 49 stories high, where the first 21 stories will be designated for the hotel, while floors 22 through 48 would be designated for the residential condominiums, and the 49th story would be for mechanical equipment. The second high-rise structure, known as Tower 2, will be designated for residential condominiums and rental apartments, and will be 22 stories high. The remaining low-rise buildings will be designated for commercial use. Planned retail will include a food market, bookstore, several signature retailers and a series of small shops. The Project's most intensive attraction will be a collection of restaurants and clubs that will be found at various locations within the complex. The Project will provide extensive use of outdoor dining areas, terraces, courtyards, and roof decks. These structures, plazas, and courtyards with outdoor seating and dining areas will ultimately connect Grand Avenue to Hill Street.

Vehicular access points onto the Phase I parcel are located on all four sides of this development. Vehicular access for hotel and retail patrons, as well as residents of Tower 2, is provided on the north side mezzanine level facing First Street. Primary residential access for residents of Tower 1 will be from the south side of the mezzanine level facing Second Street. This may also be used by the general public strictly to exit the development. A vehicular egress for valet is located approximately 50 feet west of the mezzanine-level access point facing upper Second Street. Parking access for the general public who wish to self-park is provided on the east side facing Olive Street. A loading dock for trucks is located on the west side facing Lower Grand Avenue. Also on Lower Grand Avenue is a secondary residential entry, which is anticipated to be used to a much lesser extend. Lastly, a valet drop-off lane is planned along Grand Avenue.

Parcel Q will provide a total of approximately 47,758 square feet of open space, consisting of approximately 47,558 net square feet of common open space and approximately 200 square feet of private open space. The public plazas account for approximately 32,532 square feet of the common open space and the other 15,026

square feet of common open space consists of residential terraces, roof decks, and recreation rooms.

#### Phase II (Parcels L and M-2) TT-67492

Parcels L and M-2 are separated by General Thaddeus Kosciuszko Way, and are presently developed with surface parking lots. The Project proposes to remove the surface parking lots, and develop Parcels L and M-2 into a mixed-use project that would be comprised of up to 850 residential units, 20 percent (up to 170 units) of which would be provided as affordable housing. Of this total, 50% would be set aside for very low income households and 50% would be set aside for low income households. This development parcel will include up to 101,000 square feet of retail floor area, and provide a total of up to 1,570 parking spaces. Plans are conceptual, however, the applicant has submitted a tract application (TT-67492) in order to merge both parcels including General Thaddeus Kosciuszko Way to allow for subterranean parking levels to extend across both parcels, and to have a public plaza extend above General Thaddeus Kosciuszko Way. These plans reveal one mixed use building in the appearance of five buildings joined at the podium and subterranean levels. The development will include a 39-story tower, a 19-story tower, a 9-story residential tower, and one six-story tower.

At the Hope Street level, vehicular access points onto Parcels L and M-2 are provided via General Thaddeus Kosciuszko Way to the north and south parking entrances. Both the north and south parking structures provide access for service vehicles on the sides facing lower Grand Avenue. At the upper Grand Avenue level, vehicles will be able to access the south parking structure via Second Street. Separate vehicular access for residential and retail uses only have yet to be determined since plans at this stage are conceptual.

Parcels L and M-2 will provide a total of approximately 33,000 square feet of open space, based on conceptual plans. The precise square footage of open space is not yet known. However, it is envisioned that a similar percentage of common and private open space will be provided as are proposed on Parcel Q. It is also envisioned that similar types of open space will be provided. Public plazas will serve as the vast majority of open space.

#### Phase III (Parcels W-1 and W-2) TT-67491

Parcels W-1 and W-2 are currently developed with a surface parking lot with the Metro Red Line/Purple Line Station on the northeast corner of the block. The Project proposes to remove the surface parking lot and provide two development scenarios. Under the County Office Building Option, Parcel W-1 and W-2 would be developed with a County office building containing 681,000 square feet of floor area. The Parcels would also be developed with up to 64,000 square feet of retail floor area, and up to 710 residential units, 20 percent (up to 142 units) of which would be provided as affordable housing. Of this total, 50% would be set aside for very low income households, and 50% would be

set aside for low income households. This option includes a subterranean parking structure to provide up to 1,955 parking spaces.

Under this option, Phase III will provide a total of 41,000 square feet of open space based on conceptual plans. The precise square footage of open space is not yet known. However, it is envisioned that a similar percentage of common and private open space will be provided as are proposed on Parcel Q. It is also envisioned that similar types of open space will be provided. Public plazas will serve as the vast majority of open space.

Under the Additional Residential Development Option, a residential building that would replace the County building is assumed to have approximately the same floor area, height, and mass as the office building. Parcel W-1 and W-2 would be developed with up to 1,310 residential units, 20 percent (up to 262 units) being affordable housing. Of this total, 50% will be set aside for very low income households and 50% will be set aside for low income households.

Under this option, Parcels W-1 and W-2 would provide a total of up to 2,175 parking spaces. Under this option, Phase III will provide a total of 62,100 square feet of open space, based on conceptual plans. The precise square footage of open space is not yet known. However, it is envisioned that a similar percentage of common and private open space will be provided as are proposed on Parcel Q. It is also envisioned that similar types of open space will be provided. Public plazas will serve as the vast majority of open space. Vehicular access points onto the Phase III development are provided on the sides facing Olive Street, Second Street, and Hill Street. Phase III vehicular access points have not been designated for specific uses since these plans are conceptual. Phase III will also include a pedestrian bridge that will link Phase III with Phase I. The bridge is envisioned to include retail stores above Olive Avenue.

### Parking

The site presently provides 1,818 total parking spaces within the five development parcels. The Project would remove existing parking, including a parking structure on Parcel Q, and provide parking for the development within multiple subterranean and/or podium levels in each phase of development. The total number of parking spaces to be provided within each phase will be comprised of Code-required spaces as well as additional spaces which are intended to meet peak parking demands as analyzed in the Environmental Impact Report. These additional non-Code required spaces may be accommodated within the parking levels via valet operations and tandem parking more than two cars in depth. Parking for both development options are shown in Table 2. The Project, however, is proposing to deviate from the Advisory Agency parking policy of 2.25 spaces for each residential condominium unit in a non-congested parking area. The Project may provide less than one parking space for each affordable unit, and will file for a zone variance at a later date.

**TABLE 2 GRAND AVENUE PROJECT PARKING<sup>1</sup>**

| Phase | Parcel  | County Office Building Option |            |              | Additional Residential Development Option |            |              |
|-------|---------|-------------------------------|------------|--------------|---|------------|--------------|
|       |         | Residential                   | Commercial | Total        | Residential                               | Commercial | Total        |
| I     | Q       | 805                           | 705        | 1,510        | 805                                       | 705        | 1,510        |
| II    | L/M-2   | 1,280                         | 290        | 1,570        | 1,280                                     | 290        | 1,570        |
| III   | W-1/W-2 | <u>1,070</u>                  | <u>885</u> | <u>1,955</u> | <u>1,971</u>                              | <u>204</u> | <u>2,175</u> |
| Total |         | 3,155                         | 1,880      | 5,035        | 4,056                                     | 1,199      | 5,255        |

1. Parking figures represent peak parking demands as analyzed in the Final Environmental Impact Report.

### Equivalency Program

In order to fully respond to the future needs and demands of the southern California economy, the proposed Project includes an Equivalency Program that would allow the composition of on-site development to be modified to respond to future needs in a manner that does not increase the Project's impacts on the environment. The Equivalency Program would provide flexibility for modifications to land uses and square footages within the five parcels. Within this framework, land uses can be exchanged for certain other permitted land uses so long as the limitations of the Equivalency Program are satisfied and no additional significant environmental impacts occur. All permitted Project land use increases can be exchanged for corresponding decreases of other land uses under the proposed Equivalency Program.

### Requested Entitlements

The applicant is seeking the following entitlement from the Department of City Planning: approval of the three tract maps (TT-67490, TT-67491, and TT-67492), a zone change, conditional use permits, zone variances, and a development agreement.

Tentative Tract Maps No. 67490, 67491, and 67492. Following minimal comment at the public hearing, the three tract maps were approved by the Advisory Agency on June 22, 2007.

These maps were filed for three reasons. The first is for residential condominiums and hotel condominium purposes in Phase I, and residential condominium purposes in Phase II and Phase III. Second, the tract maps will facilitate the independent sale and financing of the residential and commercial components of the Project. Finally, the tract maps include a request for mergers and street vacations in Phase II and Phase III. In Phase II, mergers and street vacations are proposed to allow for subterranean parking to go beneath General Thaddeus Kosciuszko Way and provide for additional parking spaces. The merger on this phase will occur above General Thaddeus Kosciuszko Way for a public plaza at Grand Avenue level to give an appearance as one contiguous plaza. Phase III proposes mergers to accommodate a proposed pedestrian bridge that crosses over Olive Street. It is envisioned to include commercial retail spaces to serve as an extension of the plaza on Phase I, connecting Phase I with Phase III, inviting the general public into Phase III to make it an enjoyable space.

City Planning Commission. On June 26, 2007 the City Planning Commission recommended that the City Council approve the following zone change and Development agreement, and approved the following conditional uses, and zone variances.

- A **Zone Change** from R5-4D to C2-4D for all five development parcels is requested to establish single zoning designation of C2-4D all across the project site and eliminate the need for additional conditional use permits and variances to address hotel use, commercial circulation, public parking, the sale of alcoholic beverages, and signage in the residentially zoned portions of the site.
- A **Conditional Use** to permit a mixed-use development with a floor area ratio of 9.9:1 throughout the entire site in lieu of the maximum allowed ratio of 6:1 under the existing "D" limitation of Ordinance No. 164,307 is requested to accommodate exchange of land uses (and resulting modifications to floor area) which may occur under the Equivalency Program, as well as the potential for land uses to be transferred between development parcels.
- A **Conditional Use** to permit a residential density of one unit per 136 square feet of net lot area throughout the entire site in lieu of the minimum allowed one unit per 200 square feet of net lot area is requested for potential minor adjustments to the distribution of residential uses among the development parcels.
- A **Conditional Use** to permit the sale and dispensing of alcoholic beverages for 35 establishments that will offer on-site sale and consumption, or off-site sales, including 28 establishments (such as restaurants, the proposed hotel, catering operations in conjunction with special event facilities, movie theater, food halls, dance clubs, music clubs, bars, and other potential uses) that will offer on-site alcoholic beverage service, five establishments (such as a grocery store, convenience store, and wine store) that will sell alcoholic beverages for off-site consumption, and two establishments (such as a wine bar) with a combination of on- and off-site consumption in the C2 zone incident to the zone change on all five development parcels. Proposed establishments will contain both indoor and outdoor/patio dining areas in which on-site consumption is requested. It is also anticipated that the hotel will include numerous types of alcohol sales, such as a restaurant, room service, catering, lobby and pool bar/lounge(s), and in-room mini-bars but will be considered as one establishment for purposes of this conditional use permit request. No operators have been selected and design of the stores has not yet been developed. A Plan Approval will be before a Zoning Administrator for each individual site.
- A **Conditional Use** to permit live entertainment with incidental public dancing at up to eight establishments (clubs/bars and event facilities) in the C2 zone incident to the zone change throughout the site.

- A **zone variance** for reduced open space for both development options, to include the square footage of the public plaza areas be counted toward the residential open space requirement, and that landscaping of the common open space areas be permitted to be less than 25 percent is requested to allow the Project unit mix.
- A **zone variance** to permit tandem parking spaces with a valet in lieu of providing a minimum of one individually and easily accessible parking space at all times for each dwelling unit or guest room for residents and hotel guests;
- A **Development Agreement** with a term of 20 years for all five development parcels.

The City Planning Commission's approvals of the conditional use permits and zone variance were appealed on July 13, 2007 by Christopher Sutton.

## THE APPEAL

**Appellant:** Christopher Sutton on behalf of Today's IV, Inc., dba Westin Bonaventure Hotel

### Appellant's statements:

The following statements were submitted by the appellant. (See the appeal for the full comments including the letter referenced below.)

"In 2006, Today's IV, Inc. (Westin Bonaventure Hotel) received City of L.A. approval to convert some of its hotel rooms into residential and commercial condominium units (TT No. 65986). This was in settlement of prior litigation. Both the Bonaventure Hotel and these new proposed tract maps (Nos. 67490, 67941, and 67492) are located within the Bunker Hill Redevelopment Project Area. The Bunker Hill Redevelopment Plan is a document governing all development and tract maps therein. The Redevelopment Plan limits all residential units with the Project Area to 3,900, of these, 3,000 units may be in residential area shown in the Redevelopment Plan, and 900 units may be in other areas. The proposed tract map and its two related tract maps contemplate dwelling units which would cause the Redevelopment Project Area to exceed the maximum allowed by the Redevelopment Plan. This harms the Westin Bonaventure by potentially preventing it from obtaining Redevelopment Agency approval of its building permits, constructing, and obtaining occupancy permits for its 219 new residential condominium units. See the attached objection letter filed with the Planning Commission dated June 12, 2007, regarding Planning Department Case No. CPC-2006-9702. The United States and California Constitutions ban government actions which impairs their contracts. These constitutional provisions prevent the City of L.A. from approving these three tract maps because to do so violates its prior settlement contract with the Westin Bonaventure Hotel. It now appears that Council Member Jan Perry has at least one property interest in the area. The City is prohibited by California conflict of interest laws

from taking any action on these tract maps until at least one year after Council Member Perry discloses and eliminates any and all conflicts of interest.”

**Staff's response:**

The appellant did not testify at the public hearing, nor did the appellant submit any written documents prior to issuance of the decision letters, for the three tract maps.

1. Westin Bonaventure's tract map (VTT 65986-CC)

Vesting Tentative Tract Map No. 65986 was approved by the Deputy Advisory Agency on July 16, 2006 to permit one ground lot and 45 airspace lots containing 219 residential condominium units and 136 commercial condominium units with 393 parking spaces located in the Westin Bonaventure Hotel. Approximately 426 guest rooms of the hotel, located on the 24th floor through the 34th floor, were approved to be converted into 219 residential condominiums and 303,060 square feet of retail space on the ground floor are approved for conversion to commercial condominiums. No appeals were filed. The subdivider has 36 months to clear all of the conditions and record the final map.

The appellant claims that the approval of the Grand Ave tract maps will potentially prohibit the Westin Bonaventure from obtaining building permits for VTT-65986-CC. While the tract map has been approved by the Deputy Advisory Agency, the project has not been approved by the Community Redevelopment Agency (“CRA/LA”) or the City Planning Commission as required by Section 803 of the Bunker Hill redevelopment Plan (“Plan”). Because the Bonaventure Hotel is located in a Commercial area of the Plan, the 219 units proposed by Appellant should not be subject to the 3,900 residential unit limit for residential areas.

2. Consistency with the Bunker Hill Redevelopment Plan

The Appellant's claim that the Project does not comply with the land use requirements of the Plan is legally unsupported and factually incorrect. An Environmental Impact Report (“EIR”) for the Project was certified on November 20, 2006 by the Los Angeles Grand Avenue Authority (“Authority”), the lead agency pursuant to the California Environmental Quality Act (“CEQA,” California Public Resources Code section 21000 *et seq.*). The EIR specifically analyzed the land use impacts of the Project, including its consistency with the Plan and other applicable land use and planning documents. Noting that the Project supports the policies of the Plan for the revitalization of Downtown Los Angeles, the EIR concluded that the Project is consistent with the Plan. No challenge to the EIR has been filed by Appellant or any other entity. Because the time to challenge the EIR has expired, Appellant's challenge of those land use findings is barred as untimely.

On February 1, 2007, the CRA/LA confirmed the EIR's findings that the Project is consistent with the Plan by approving the Project's proposed residential, retail and hotel



uses. The factual bases for these findings are further detailed in the Authority's June 11, 2007 Memorandum regarding Schematic Design Approval of Phase I, Parcel Q ("Memorandum," attached hereto as Exhibit 6). The Memorandum includes a summary of publicly-available data demonstrating that the Project complies with the land use requirements set forth in Section 800 *et seq.* of the Plan.

Specifically, the addition of the Project will not result in exceeding the 5:1 floor area ratio limit established for the Bunker Hill project area in Section 814 of the Plan. The Project will also meet the Plan's requirements for residential population density set forth in Sections 802, 803 and 811 of the Plan. In addition, the Project complies with the land coverage and off-street parking requirements set forth in sections 813 and 816 of the Plan, respectively.

The appellant's argument that the Plan limits the total number of residences in the Plan area to 3,900 units is unsupported. As set forth in the Memorandum, the 3,900 unit limit applies only to the units in the Residential and Alternate use areas as designated in Section 803(1). Section 803(2) of the Plan expressly permits additional residential units in Commercial areas, with the approval of the Agency and the City Planning Commission. Pursuant to Section 803(2), CRA/LA and the City Planning Commission approved the residential units on February 1, 2007, and June 26, 2007, respectively. The Project will add 850 residential units in Residential areas, bringing the total to 3,888 units. The Project will add 1,210 to 1,810 residential units in Commercial areas, depending on which development option proceeds, bringing the total number of residential units in Commercial areas to 1,492 to 2,092.

### 3. Conflict of Interest

The appellant alleges that the City is prohibited from taking action on these Tract Maps due to an alleged conflict of Councilwoman Perry. This is an appeal of a decision of the Advisory Agency not a decision in which Councilwoman Perry participated. The appeal is being heard by the City Planning Commission, not the City Council.

### **Staff Recommendation:**

In consideration of the foregoing, it is submitted that the Deputy Advisory Agency acted reasonably in approving Tentative Tract Maps No. 67490, 67491, and 67492. Therefore, staff recommends that the decisions of the Deputy Advisory Agency be sustained and the appeals be denied.

**LEGEND**



Project Site

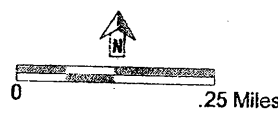
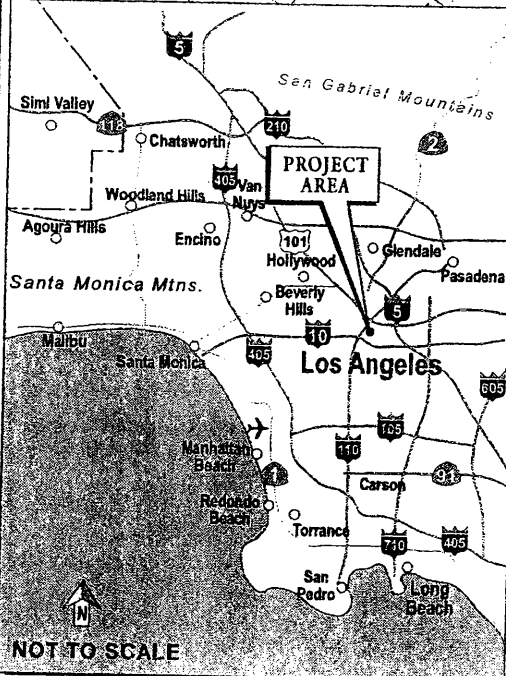
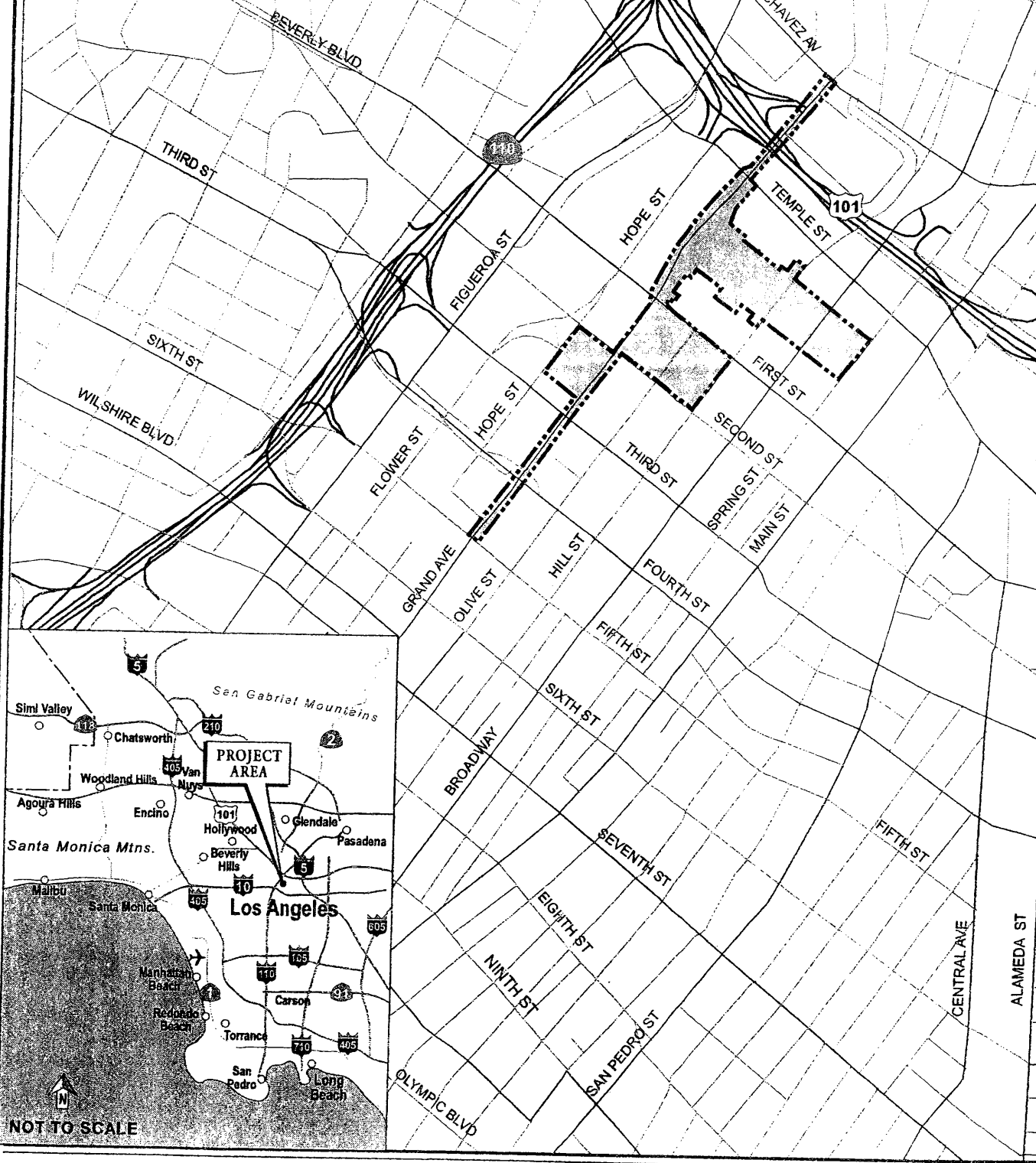
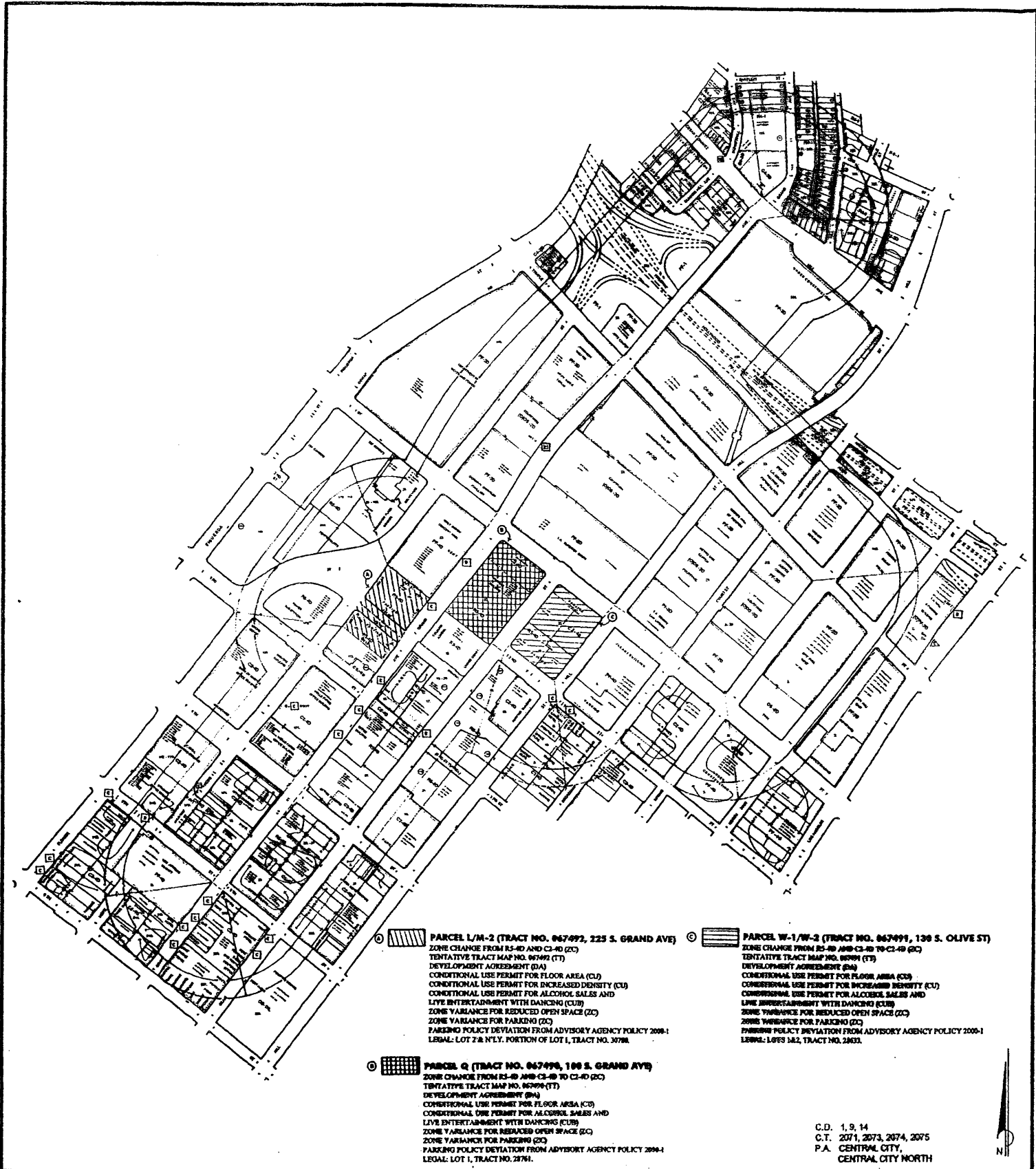


Figure 2  
Regional Vicinity Map

Source: PCR Services Corporation, 2006



**GC MAPPING SERVICE**

711 MISSION STREET, SUITE D  
 SOUTH PASADENA, CA 91030  
 (626) 441-1080

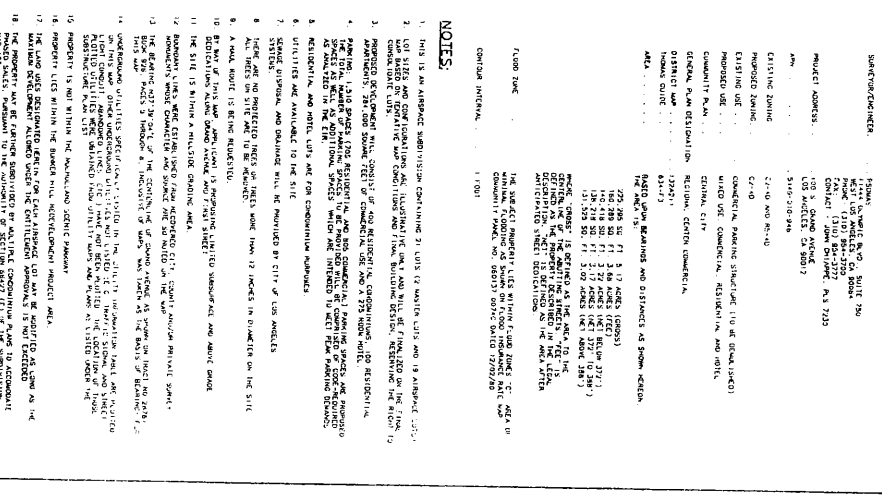
**LEGEND**

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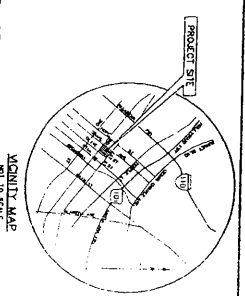
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 130.5A218, 128A208, 128A211  
 T.B. PAGE: 034 GRID: E, F, G-2, 3, 4

**EXHIBIT 2**

[illegible]

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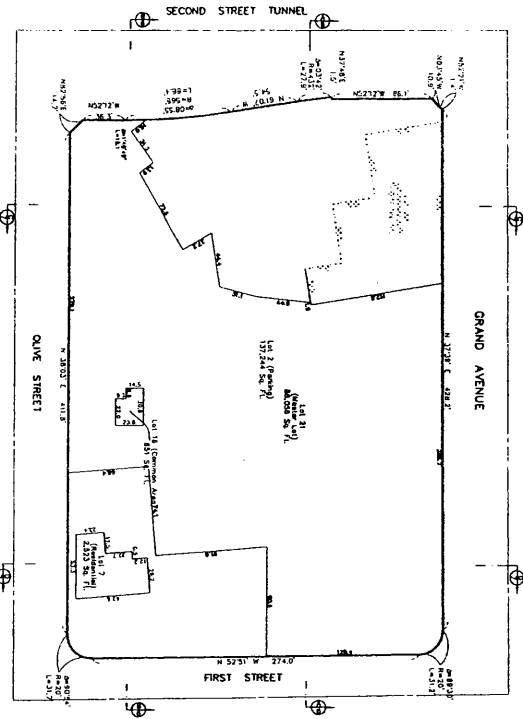
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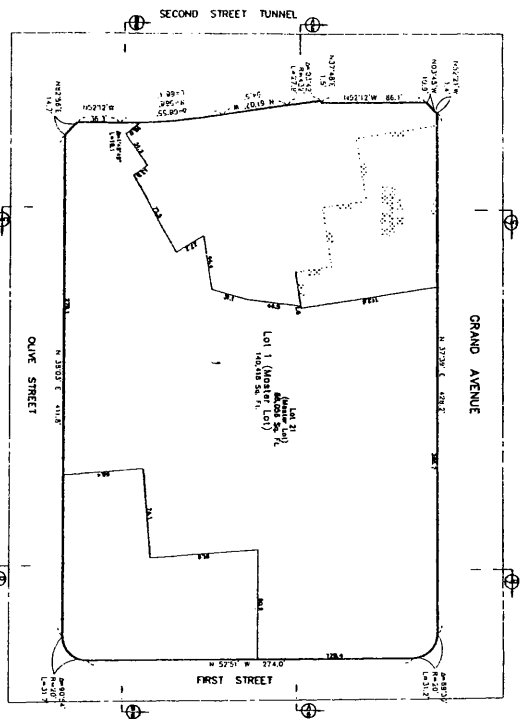


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| TRACT   | TRACT NO. 067490 - TENTATIVE TRACT MAP FOR SUBDIVISION AND CONDOMINIUM PURPOSES |
| PARCEL  | PARCEL 0 - GRAND AVENUE - PARCEL 0  |
| DATE    | 08/11/14  |
| BY      | JAC   |
| PROJECT | NO. 067490 - TENTATIVE TRACT MAP FOR SUBDIVISION AND CONDOMINIUM PURPOSES       |
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| BY      | JAC   |
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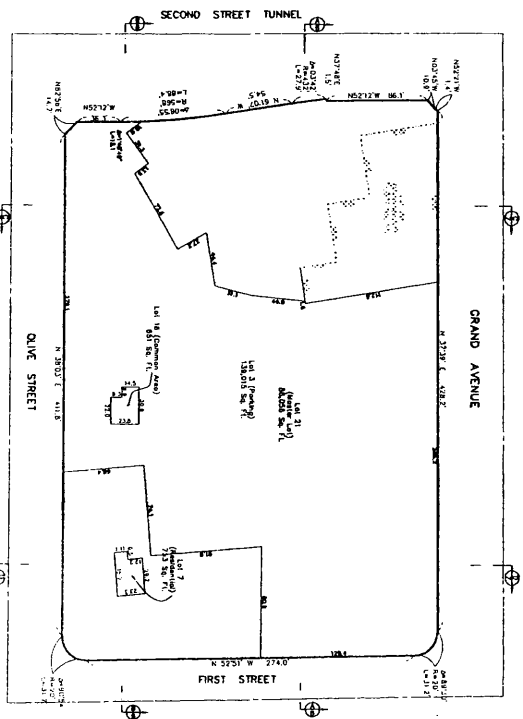
**PSOMAS**

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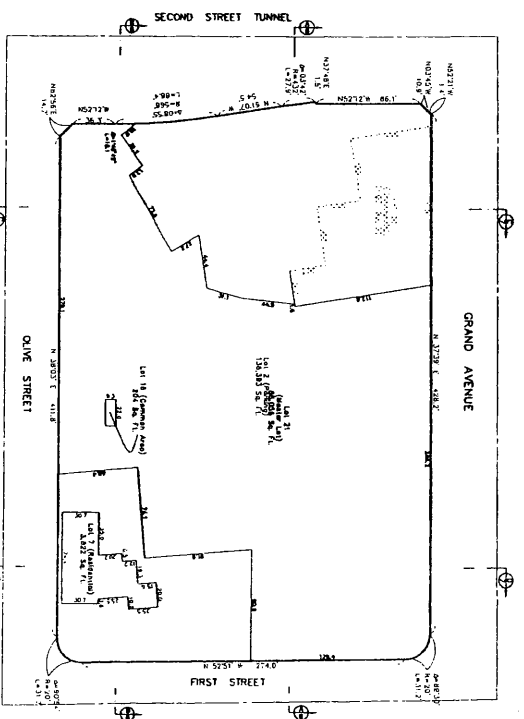
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IN THE CITY OF LOS ANGELES COUNTY OF LOS ANGELES STATE OF CALIFORNIA

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| PROJECT | NO. 067490 - TENTATIVE TRACT MAP FOR SUBDIVISION AND CONDOMINIUM PURPOSES       |
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DATE: 01/11/2006  
BY: JOC

NO. 067490  
TENTATIVE TRACT NO. 067490  
THE RELATED COMPANIES - GRAND AVENUE - PARCEL 0

IN THE CITY OF LOS ANGELES COUNTY OF LOS ANGELES STATE OF CALIFORNIA

RECORDING MAP 100

DATE: 01/11/2006  
BY: JOC

NO. 067490  
TENTATIVE TRACT NO. 067490  
THE RELATED COMPANIES - GRAND AVENUE - PARCEL 0

IN THE CITY OF LOS ANGELES COUNTY OF LOS ANGELES STATE OF CALIFORNIA

RECORDING MAP 100

DATE: 01/11/2006  
BY: JOC

NO. 067490  
TENTATIVE TRACT NO. 067490  
THE RELATED COMPANIES - GRAND AVENUE - PARCEL 0

IN THE CITY OF LOS ANGELES COUNTY OF LOS ANGELES STATE OF CALIFORNIA

RECORDING MAP 100

DATE: 01/11/2006  
BY: JOC

NO. 067490  
TENTATIVE TRACT NO. 067490  
THE RELATED COMPANIES - GRAND AVENUE - PARCEL 0

IN THE CITY OF LOS ANGELES COUNTY OF LOS ANGELES STATE OF CALIFORNIA

RECORDING MAP 100

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BY: JOC

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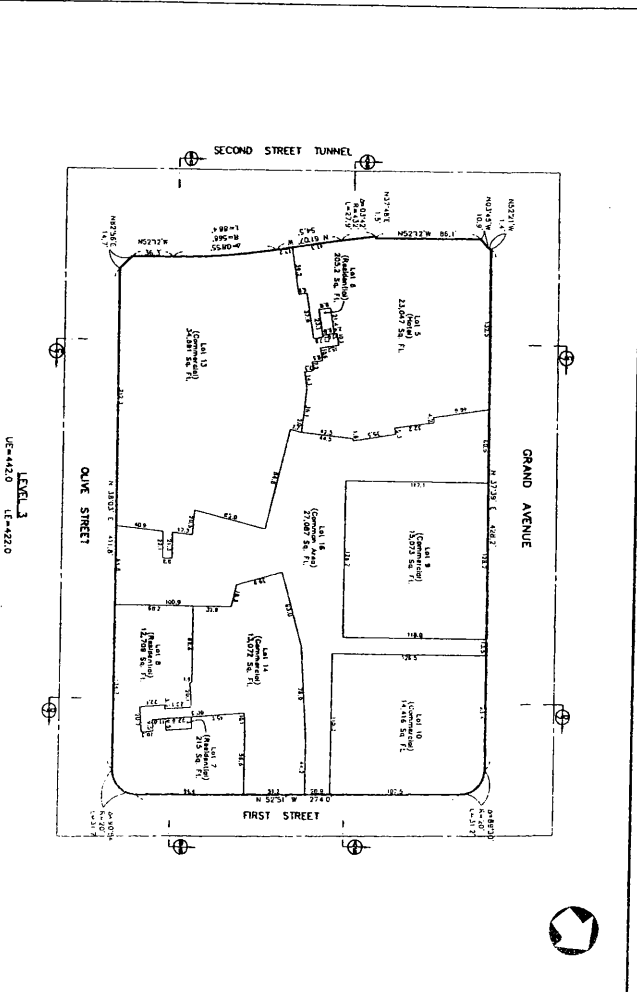
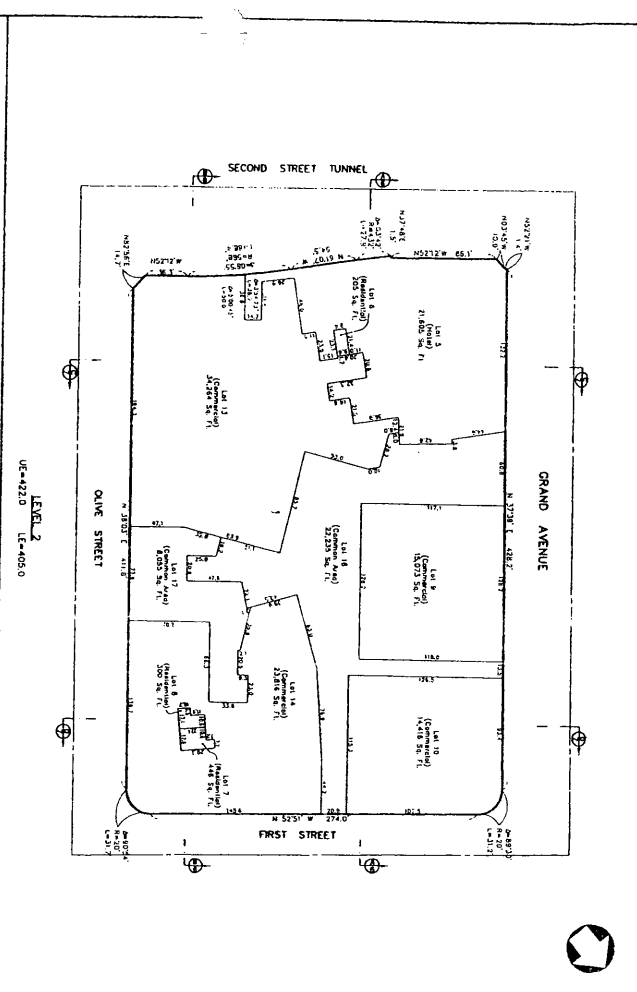
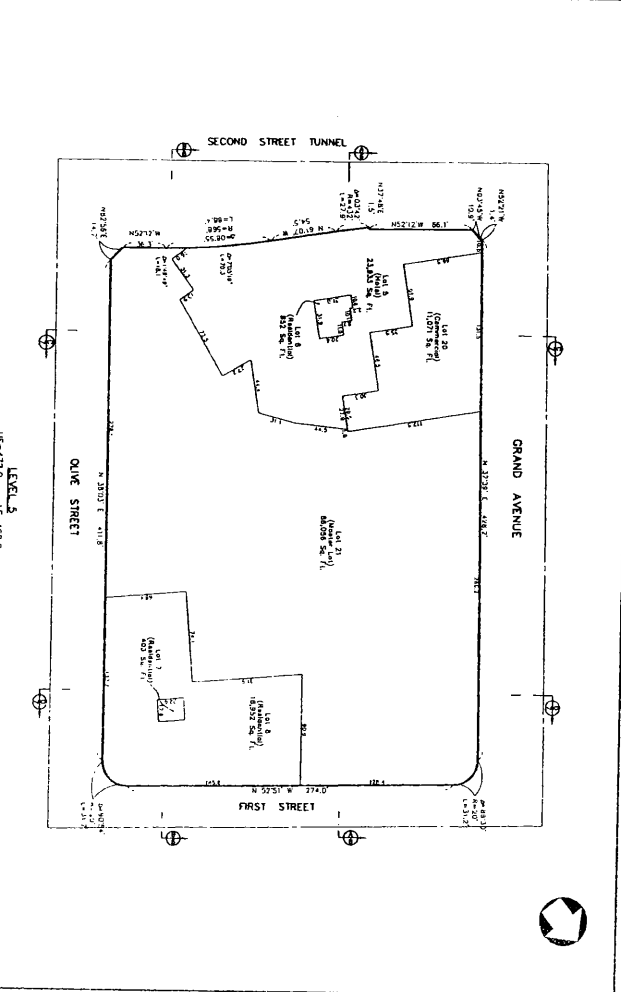
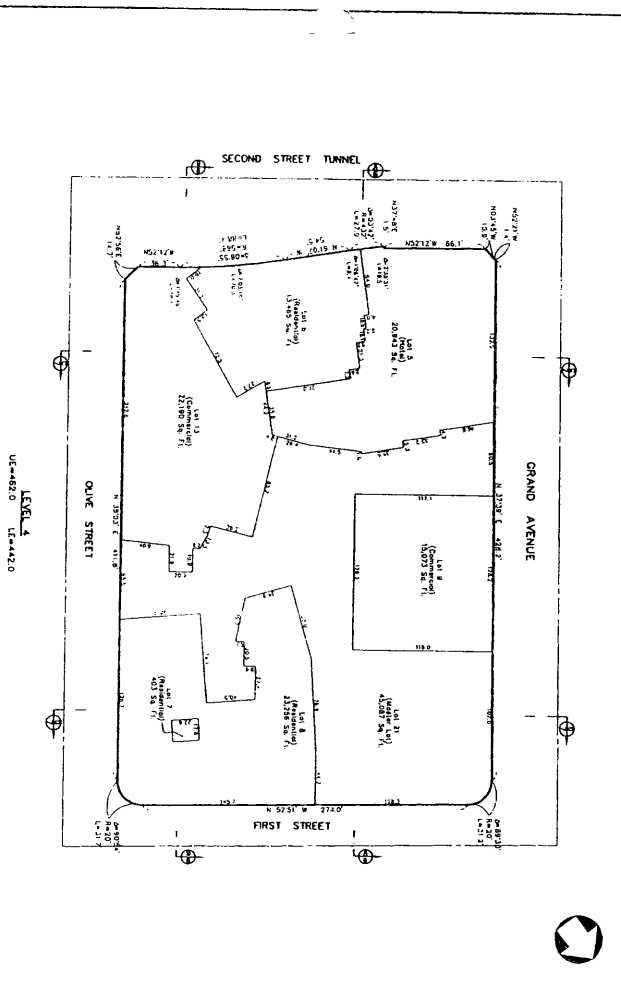
IN THE CITY OF LOS ANGELES COUNTY OF LOS ANGELES STATE OF CALIFORNIA

RECORDING MAP 100

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BY: JOC

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THE RELATED COMPANIES - GRAND AVENUE - PARCEL 0

IN THE CITY OF LOS ANGELES COUNTY OF LOS ANGELES STATE OF CALIFORNIA



[illegible]

**PSOMAS**  
11441 West Olympic Boulevard, Suite 700

TENTATIVE TRACT MAP FOR SUBDIVISION AND CONDOMINIUM PURPOSES

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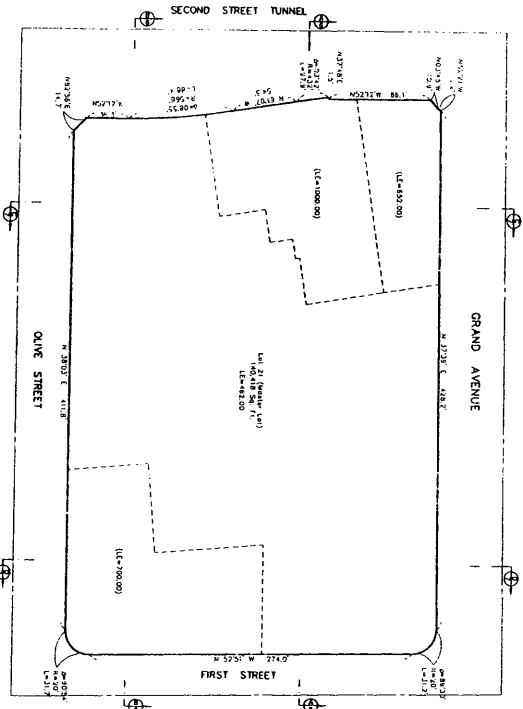
IN THE CITY OF LOS ANGELES COUNTY OF LOS ANGELES STATE OF CALIFORNIA

STATE OF CALIFORNIA

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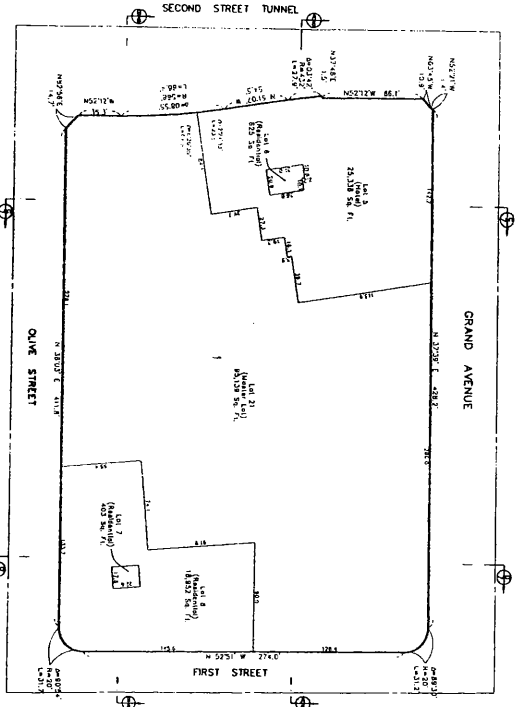
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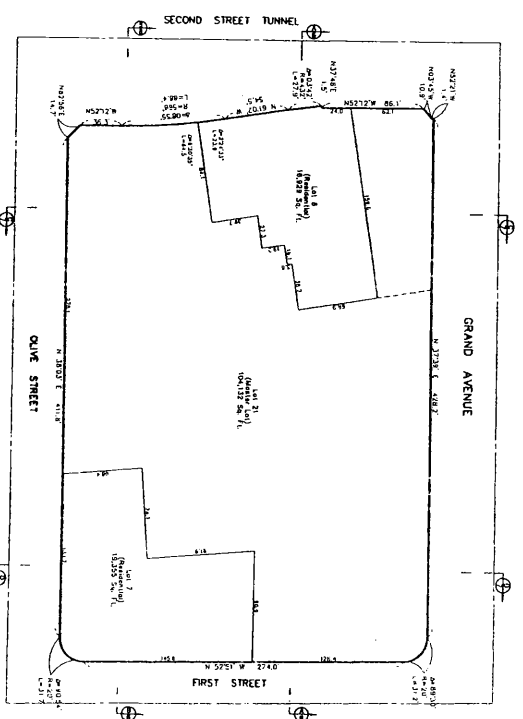
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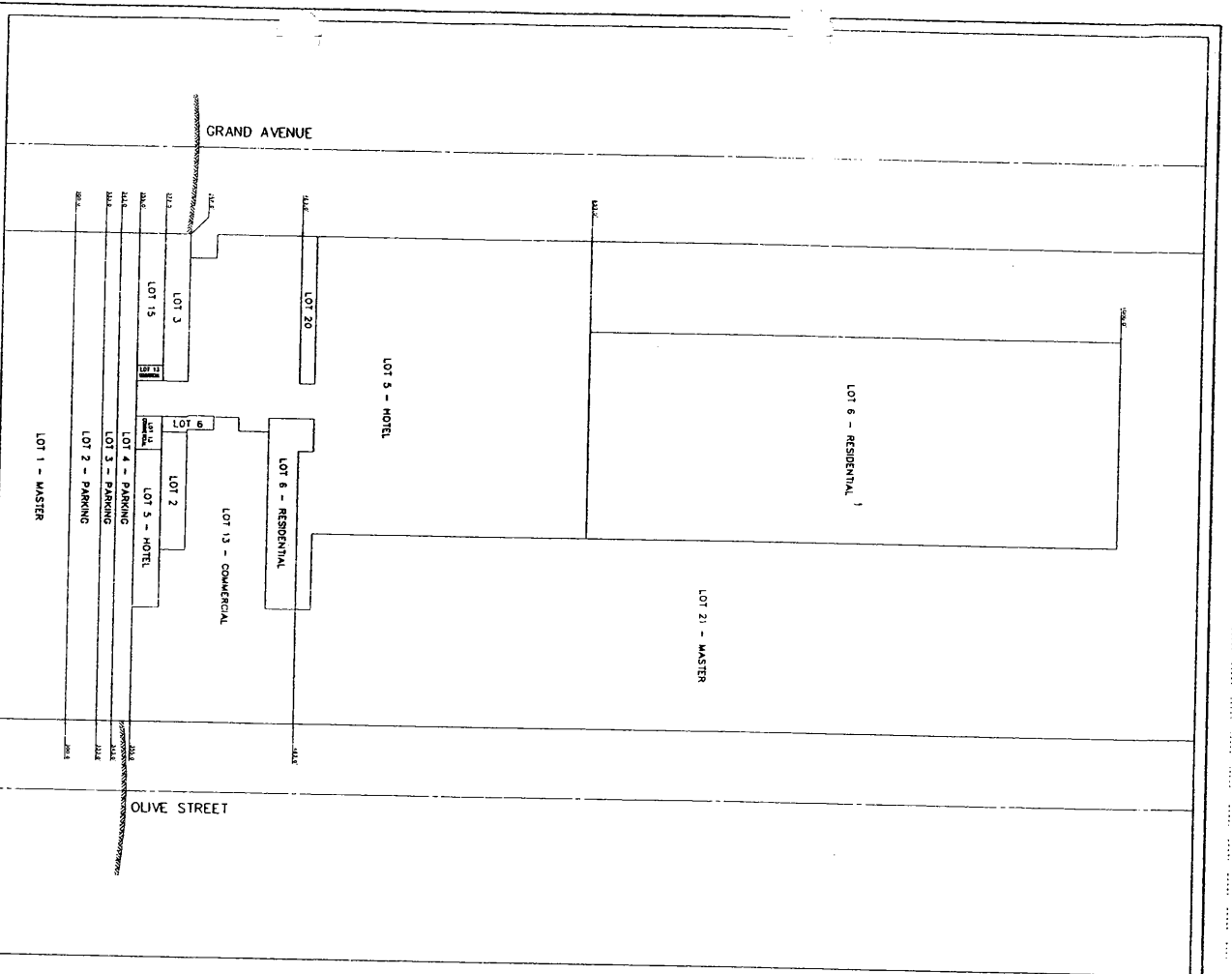




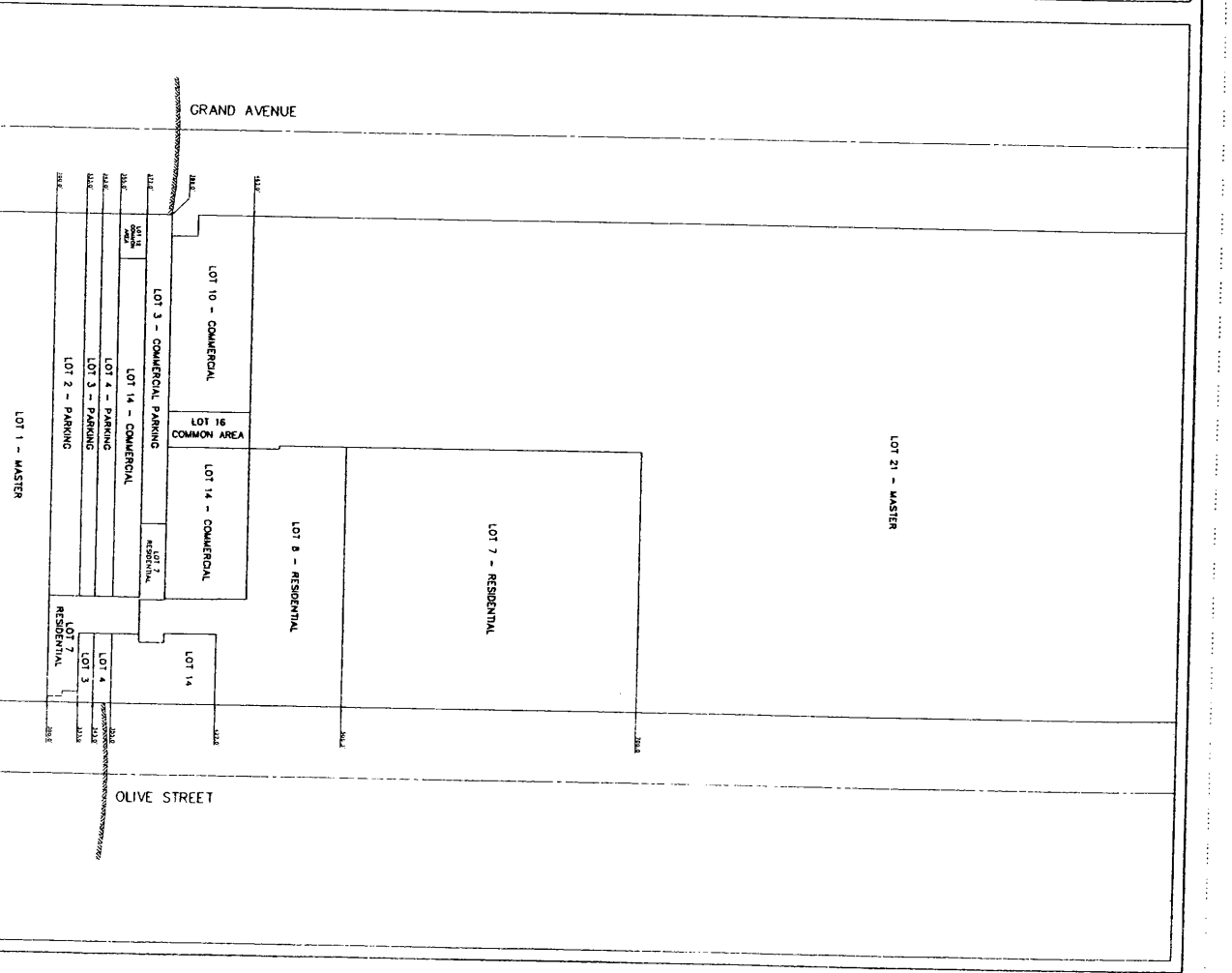




SECTION C - C



SECTION D - D



**PSOMAS**

11441 THE DRIVE, SUITE 200, LOS ANGELES, CA 90048  
(213) 751-1100 FAX (213) 751-1101

11441 THE DRIVE, SUITE 200, LOS ANGELES, CA 90048  
(213) 751-1100 FAX (213) 751-1101

11441 THE DRIVE, SUITE 200, LOS ANGELES, CA 90048  
(213) 751-1100 FAX (213) 751-1101

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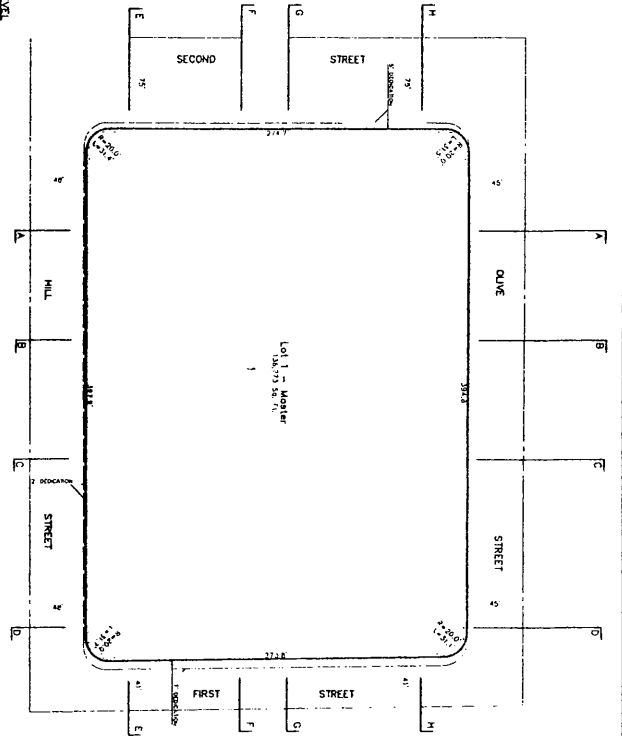
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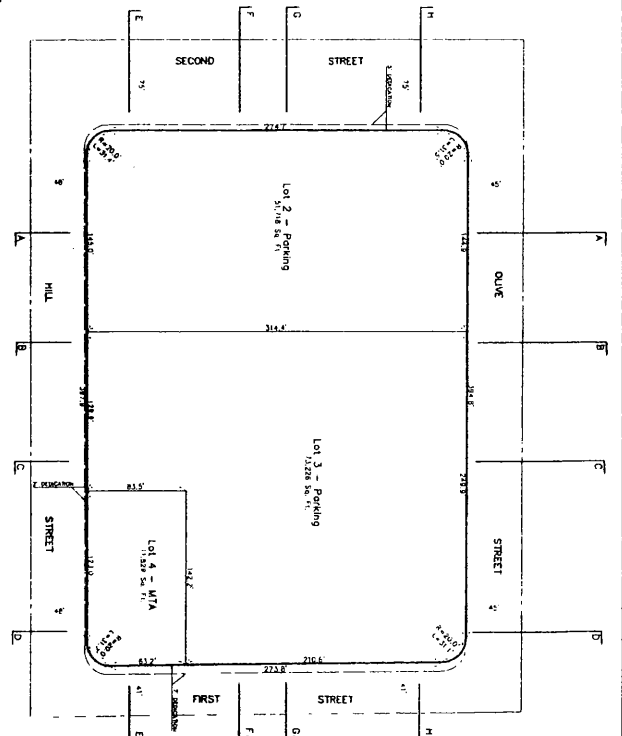




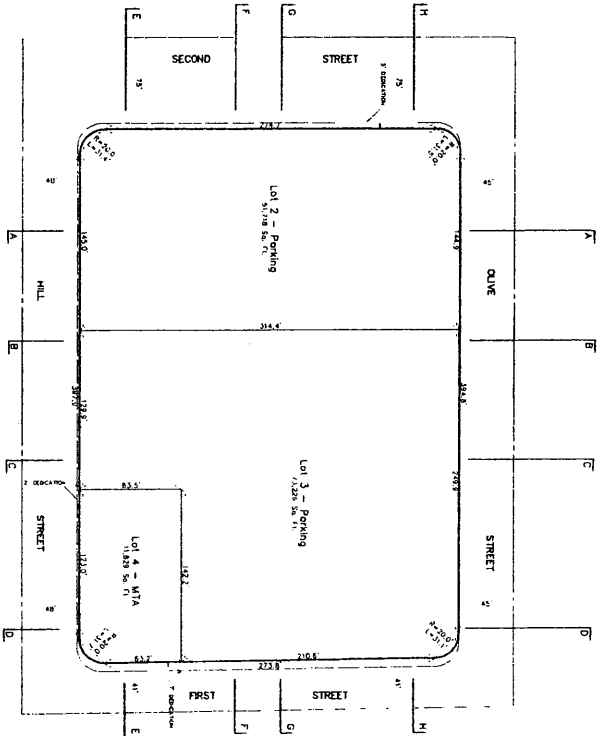
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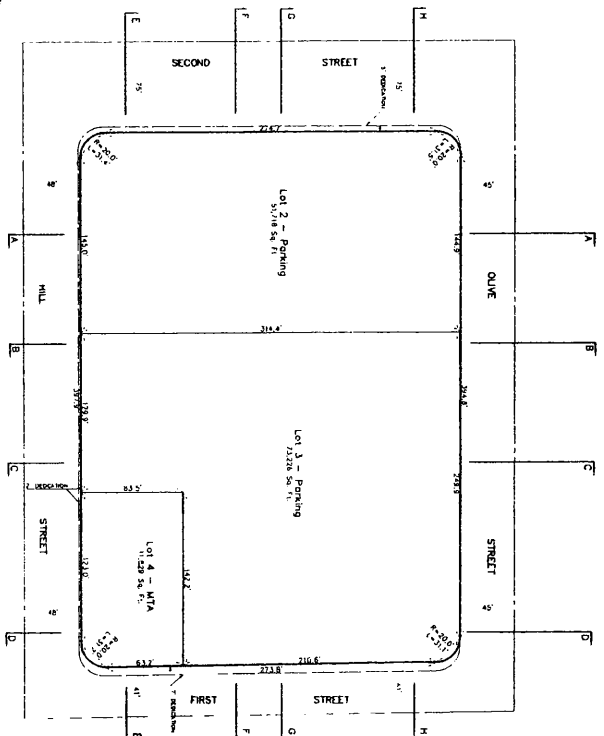
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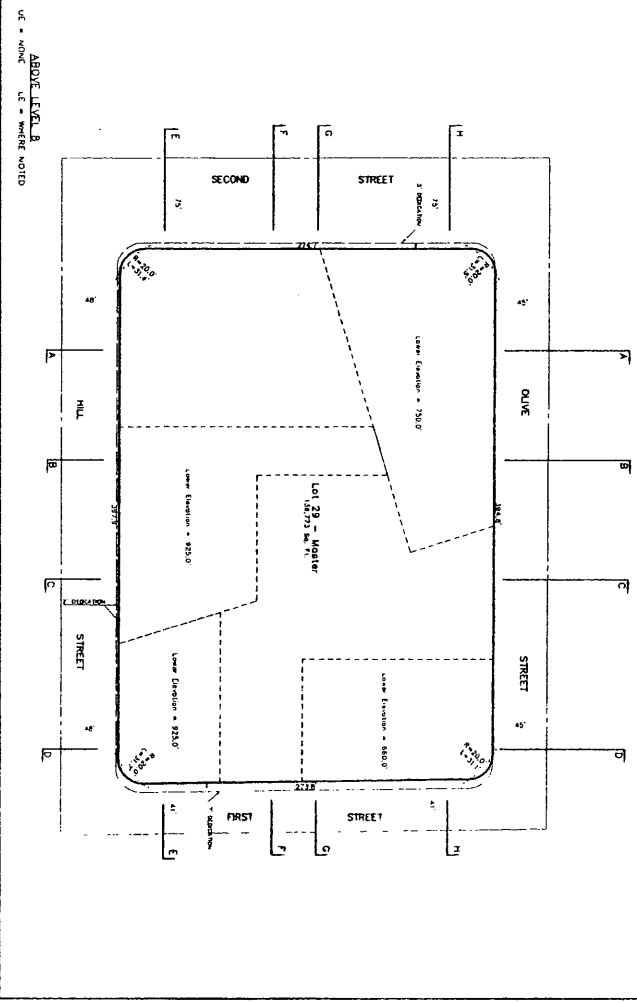
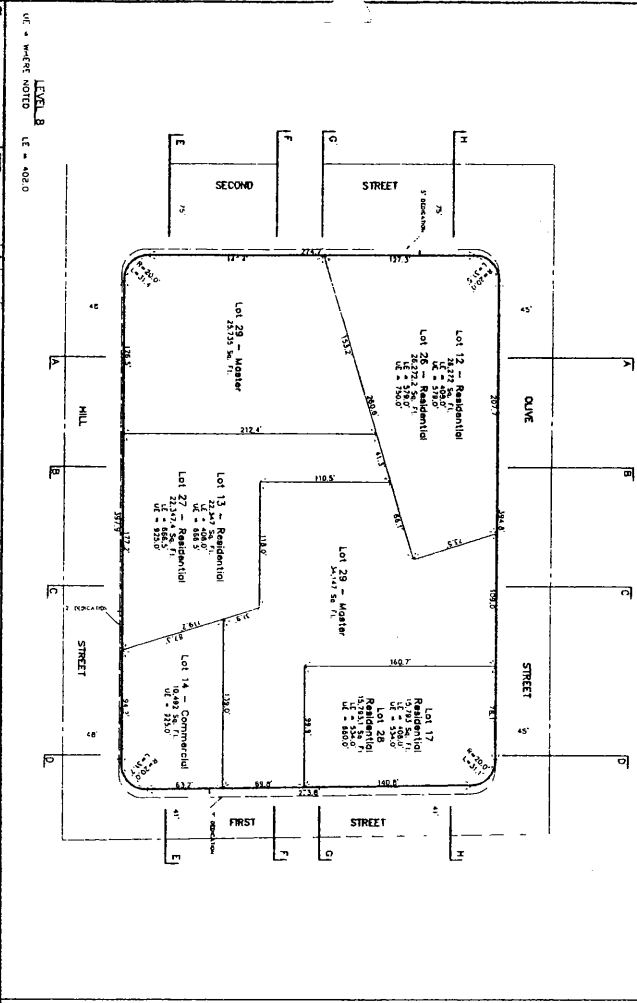
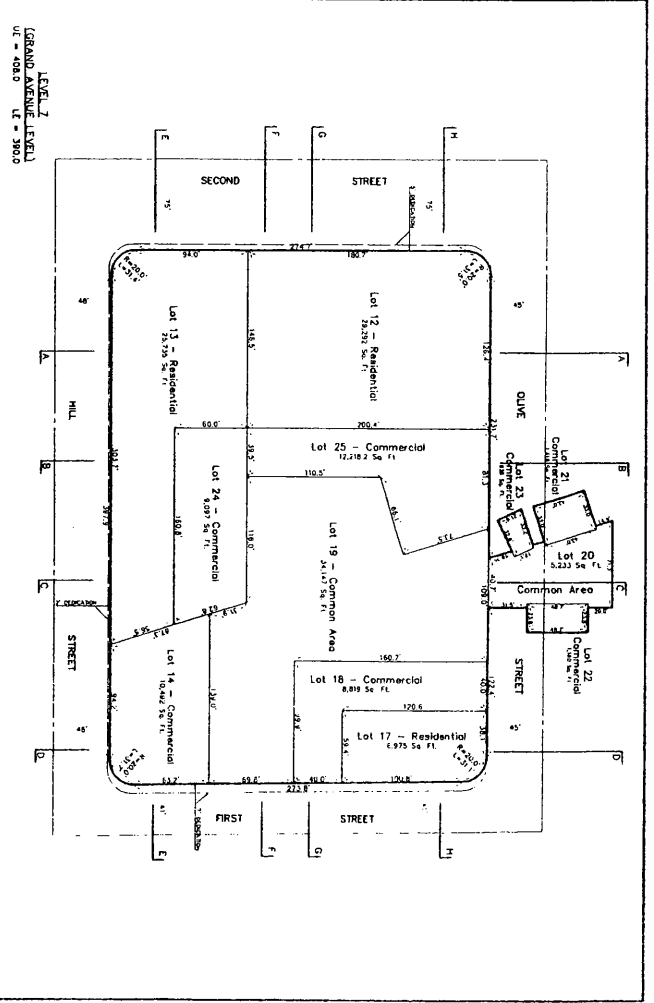
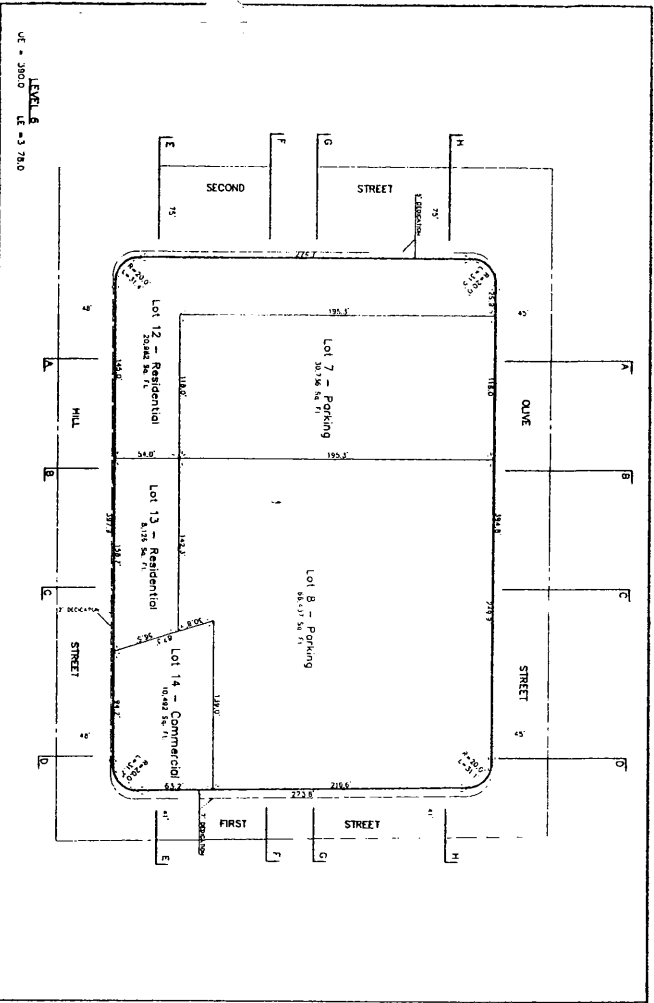


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**PSOMAS**  
 TENTATIVE TRACT NO. 067491  
 THE RELATED COMPANIES - GRAND AVENUE - PARCELS W-1 & W-2  
 IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA

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| 29  | 10/1/00 | REVISION    |
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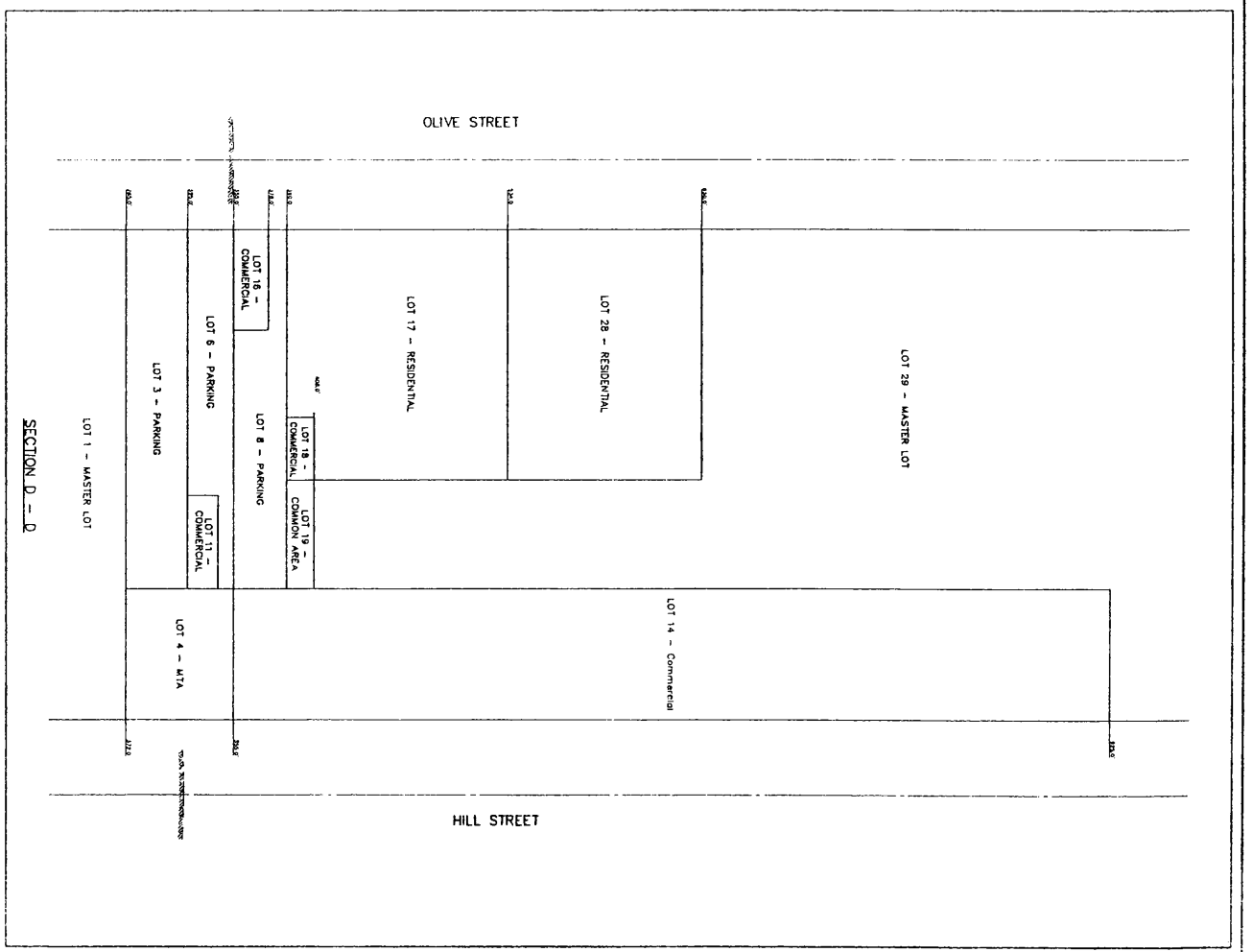
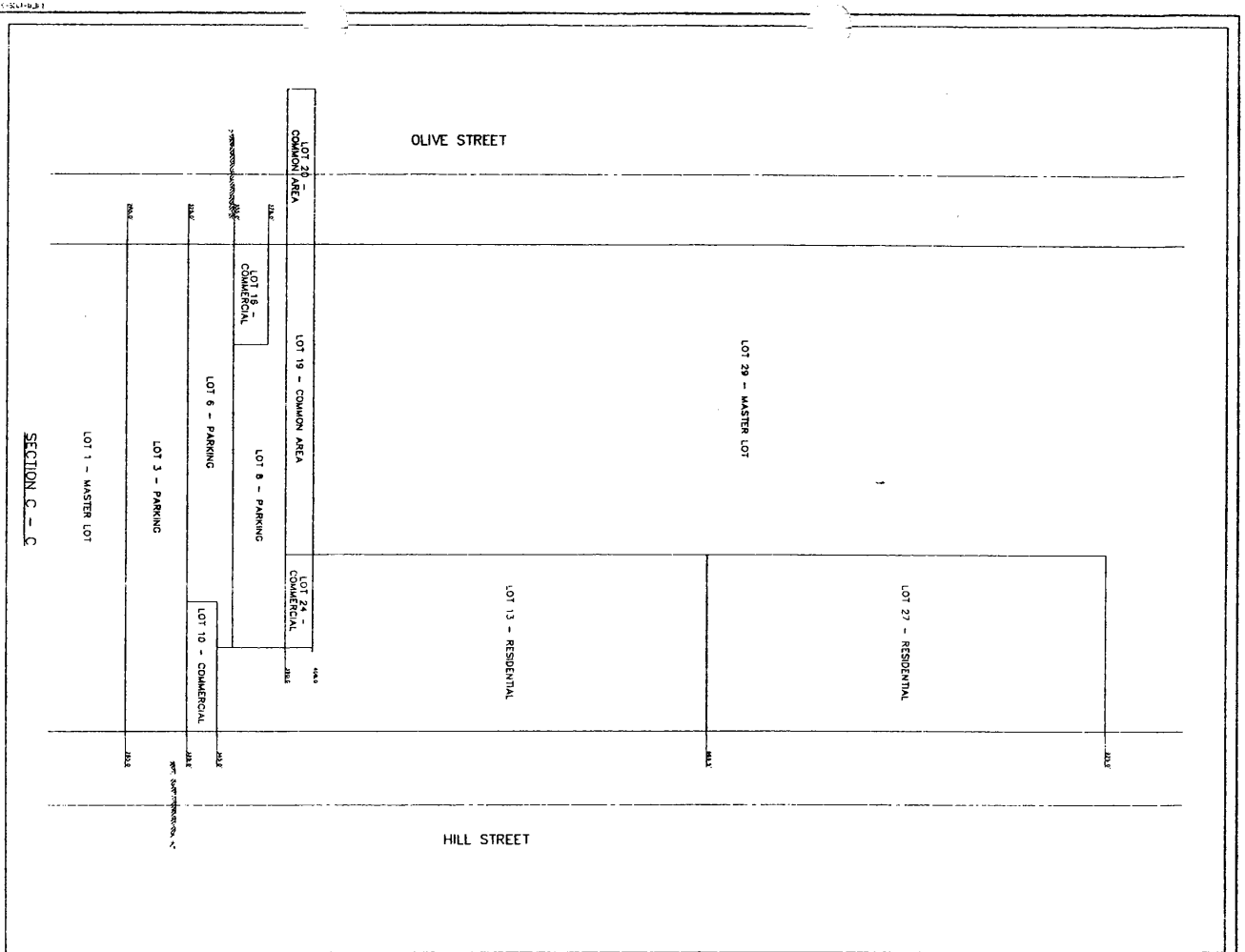
PSOMAS  
 TENTATIVE TRACT MAP FOR MERGER AND RESUBDIVISION AND CONDOMINIUM PURPOSES  
 TENTATIVE TRACT NO. 067491  
 THE RELATED COMPANIES - GRAND AVENUE - PARCELS W-1 & W-2  
 IN THE CITY OF LOS ANGELES COUNTY OF LOS ANGELES STATE OF CALIFORNIA

DATE: 10/15/2010  
 TIME: 10:00 AM  
 DRAWN BY: [Name]  
 CHECKED BY: [Name]  
 APPROVED BY: [Name]



9





**PSOMAS**  
3144 West Vancor Boulevard, Suite 150

TENTATIVE TRACT MAP FOR MERGER AND RESUBDIVISION AND CONDOMINIUM PURPOSES

TENTATIVE TRACT NO. 067491

THE RELATED COMPANIES - GRAND AVENUE - PARCELS W-1 & W-2  
IN THE CITY OF LOS ANGELES COUNTY OF LOS ANGELES STATE OF CALIFORNIA

DATE  
SEPTEMBER 5, 2000

TIME  
1:00 - 3:00

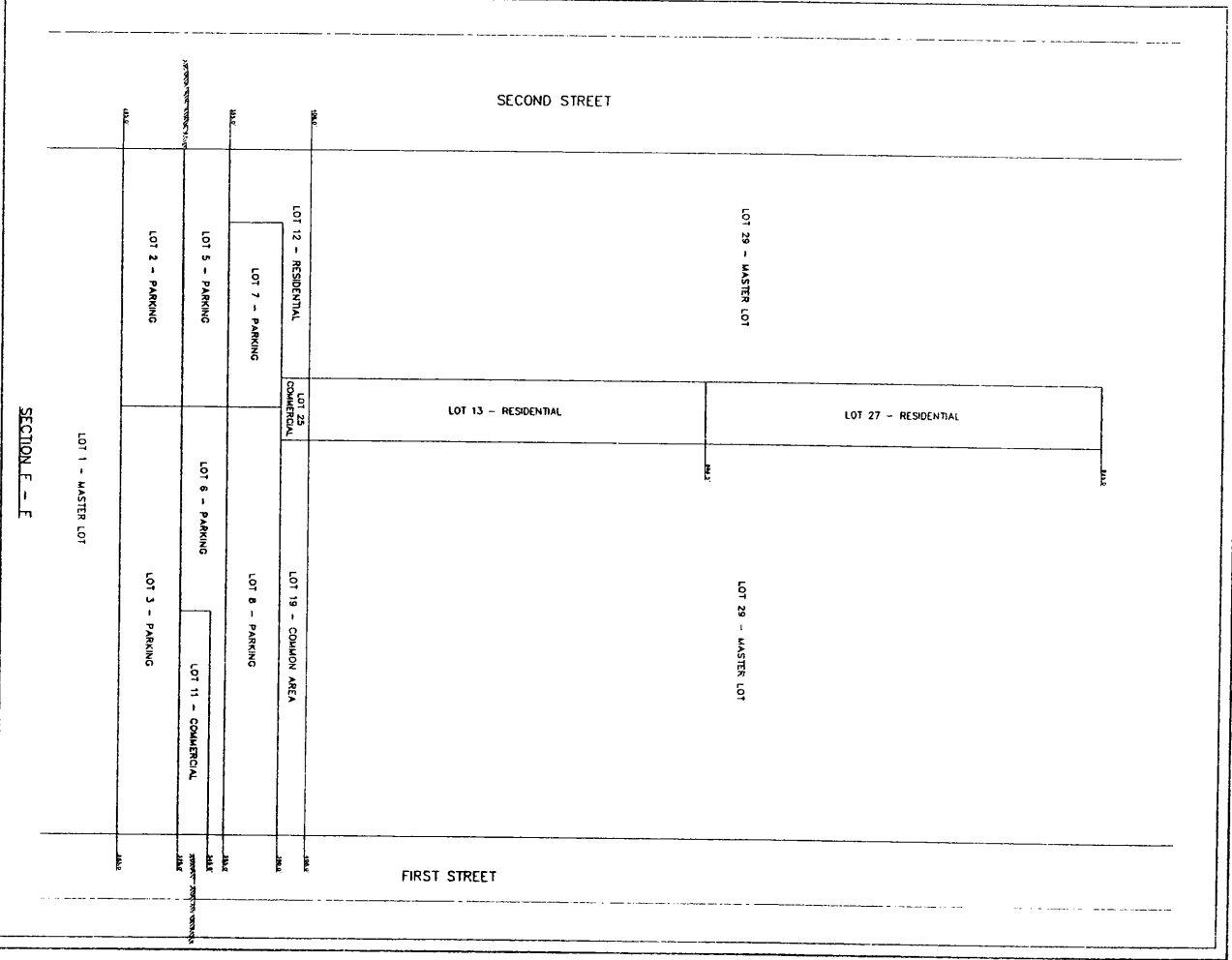
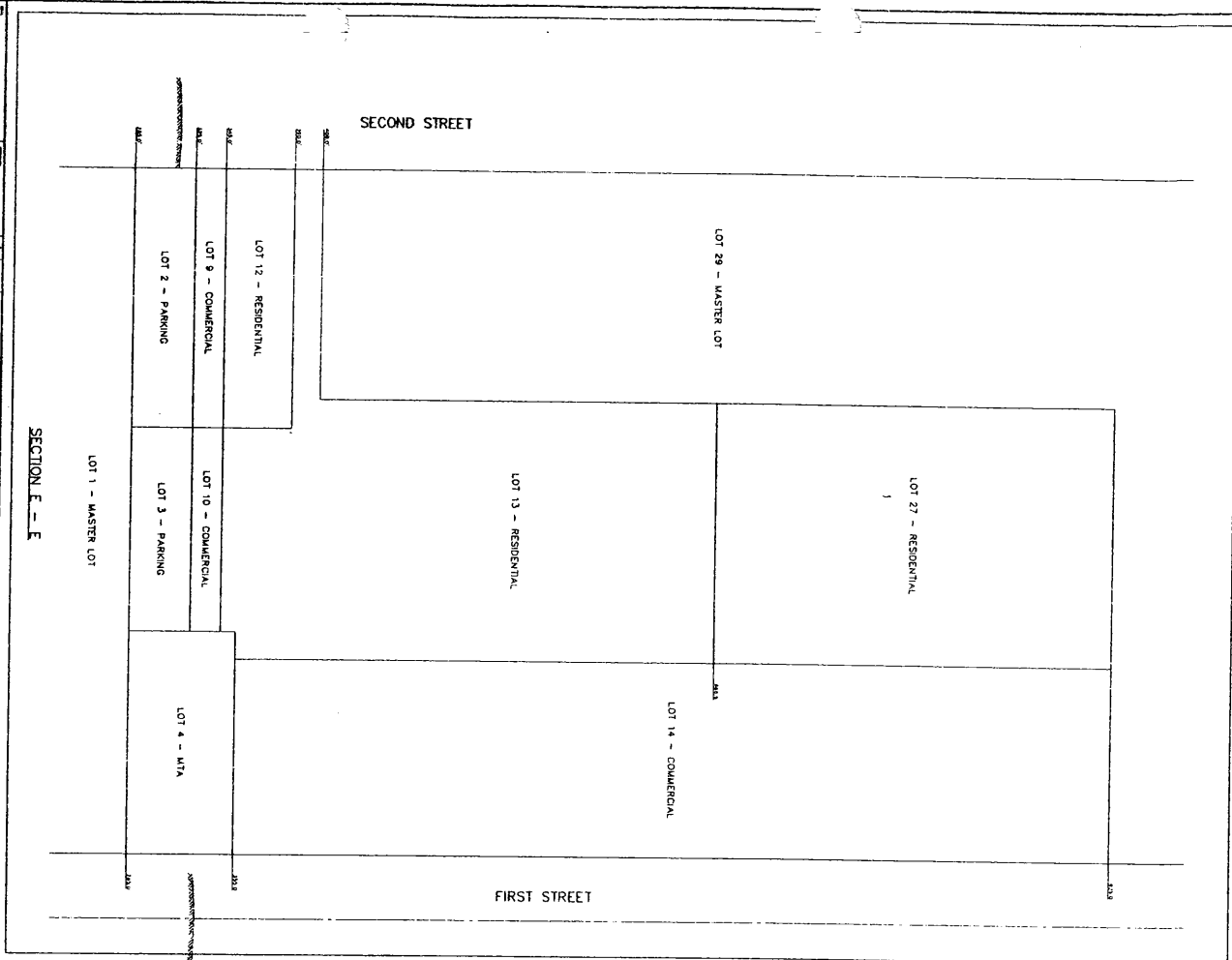
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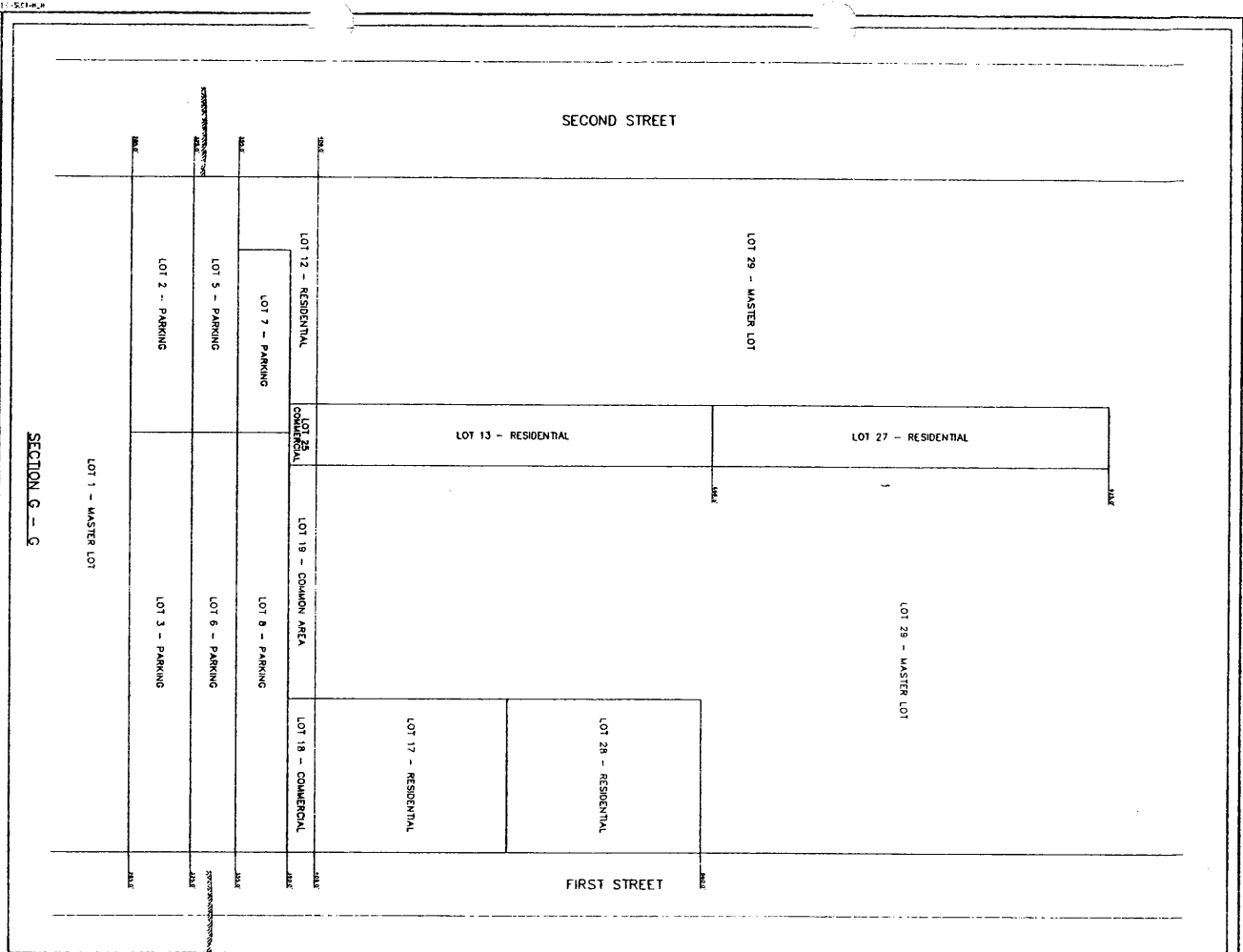
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| <p>PSOMAS</p> <p>TENTATIVE TRACT MAP FOR MERGER AND RESUBDIVISION AND CONDOMINIUM PURPOSES</p> <p>THE RELATED COMPANIES - GRAND AVENUE - PARCELS W-1 &amp; W-2</p> <p>IN THE CITY OF LOS ANGELES COUNTY OF LOS ANGELES STATE OF CALIFORNIA</p> |  | <p>SEPT 5, 2006</p> <p>1" = 30'</p> <p>7</p> |
|--|--|--|



[illegible]

| QUESTION  | ANSWER   | MARKS |
|---|--|-------|
| 1. The following are the components of the accounting cycle:  | 1. Analyze the business transaction<br>2. Journalize the business transaction<br>3. Post the journal entry to the ledger<br>4. Prepare a trial balance<br>5. Adjust the ledger accounts<br>6. Prepare financial statements<br>7. Close the ledger accounts | 7     |
| 2. The following are the components of the accounting cycle:  | 1. Analyze the business transaction<br>2. Journalize the business transaction<br>3. Post the journal entry to the ledger<br>4. Prepare a trial balance<br>5. Adjust the ledger accounts<br>6. Prepare financial statements<br>7. Close the ledger accounts | 7     |
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| 4. The following are the components of the accounting cycle:  | 1. Analyze the business transaction<br>2. Journalize the business transaction<br>3. Post the journal entry to the ledger<br>4. Prepare a trial balance<br>5. Adjust the ledger accounts<br>6. Prepare financial statements<br>7. Close the ledger accounts | 7     |
| 5. The following are the components of the accounting cycle:  | 1. Analyze the business transaction<br>2. Journalize the business transaction<br>3. Post the journal entry to the ledger<br>4. Prepare a trial balance<br>5. Adjust the ledger accounts<br>6. Prepare financial statements<br>7. Close the ledger accounts | 7     |
| 6. The following are the components of the accounting cycle:  | 1. Analyze the business transaction<br>2. Journalize the business transaction<br>3. Post the journal entry to the ledger<br>4. Prepare a trial balance<br>5. Adjust the ledger accounts<br>6. Prepare financial statements<br>7. Close the ledger accounts | 7     |
| 7. The following are the components of the accounting cycle:  | 1. Analyze the business transaction<br>2. Journalize the business transaction<br>3. Post the journal entry to the ledger<br>4. Prepare a trial balance<br>5. Adjust the ledger accounts<br>6. Prepare financial statements<br>7. Close the ledger accounts | 7     |
| 8. The following are the components of the accounting cycle:  | 1. Analyze the business transaction<br>2. Journalize the business transaction<br>3. Post the journal entry to the ledger<br>4. Prepare a trial balance<br>5. Adjust the ledger accounts<br>6. Prepare financial statements<br>7. Close the ledger accounts | 7     |
| 9. The following are the components of the accounting cycle:  | 1. Analyze the business transaction<br>2. Journalize the business transaction<br>3. Post the journal entry to the ledger<br>4. Prepare a trial balance<br>5. Adjust the ledger accounts<br>6. Prepare financial statements<br>7. Close the ledger accounts | 7     |
| 10. The following are the components of the accounting cycle: | 1. Analyze the business transaction<br>2. Journalize the business transaction<br>3. Post the journal entry to the ledger<br>4. Prepare a trial balance<br>5. Adjust the ledger accounts<br>6. Prepare financial statements<br>7. Close the ledger accounts | 7     |

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**PSOMAS**

11500 West Olympic Boulevard, Suite 250  
West Los Angeles, CA 90064-1549  
(310) 554-3700 (310) 954-3777 (Fax)

TENTATIVE TRACT MAP FOR MERGER AND RESUBDIVISION AND CONDOMINIUM PURPOSES

TENTATIVE TRACT NO. 067491

THE RELATED COMPANIES - GRAND AVENUE - PARCELS W-1 & W-2

IN THE CITY OF LOS ANGELES COUNTY OF LOS ANGELES STATE OF CALIFORNIA

FIRST STREET / OLIVE STREET ISOMETRIC

SEPTEMBER 5, 2006

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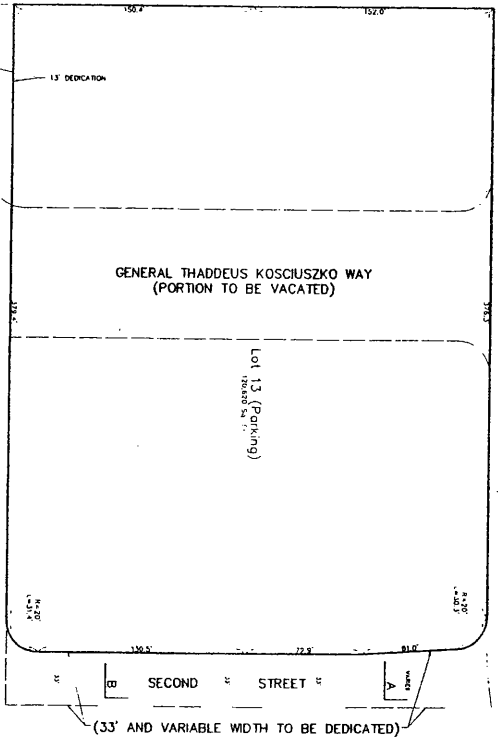




P2 THROUGH PL LEVEL  
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GRAND AVENUE

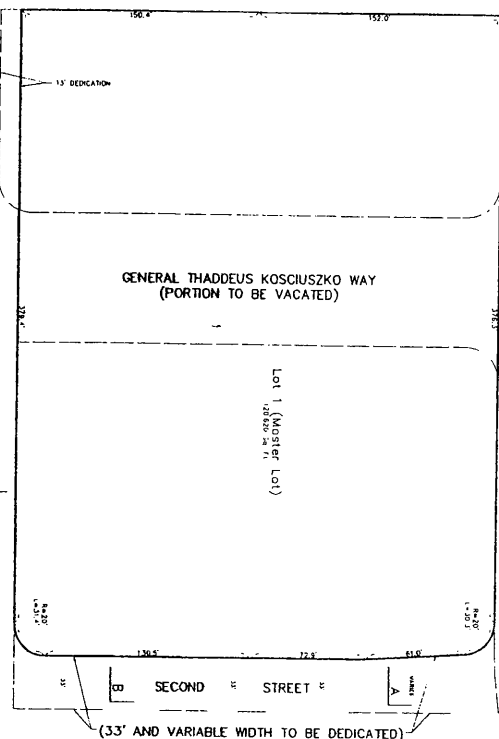
HOPE STREET



BELOW PL LEVEL  
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GRAND AVENUE

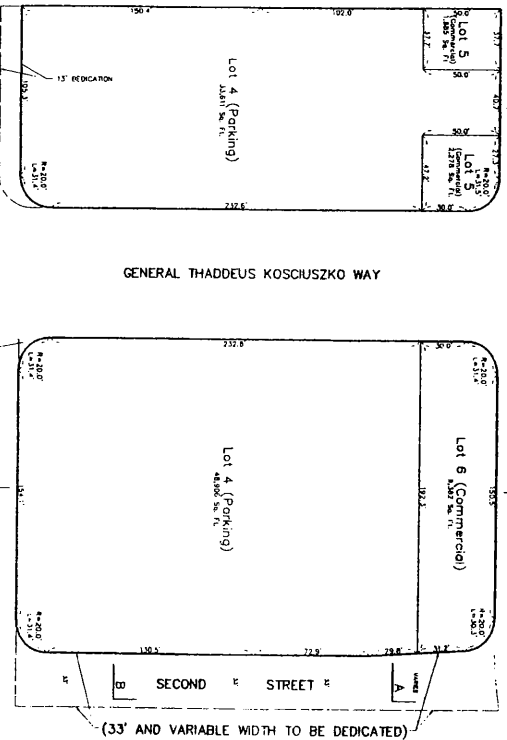
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HOPE LEVEL (UNCL.)  
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GRAND AVENUE

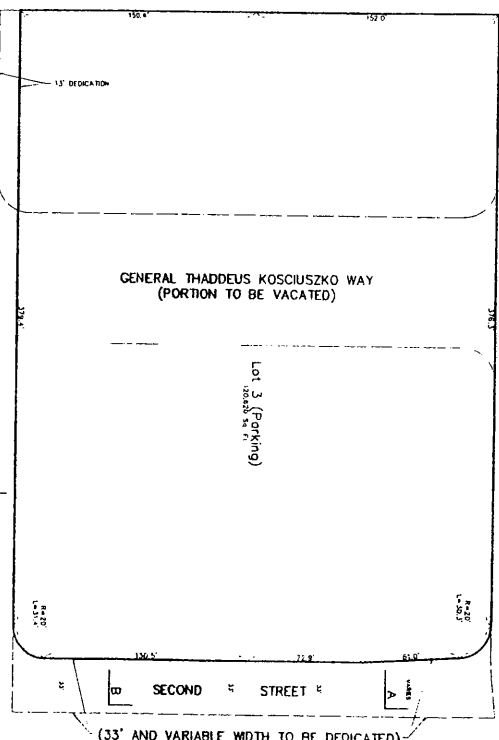
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P3 THROUGH PL LEVEL  
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GRAND AVENUE

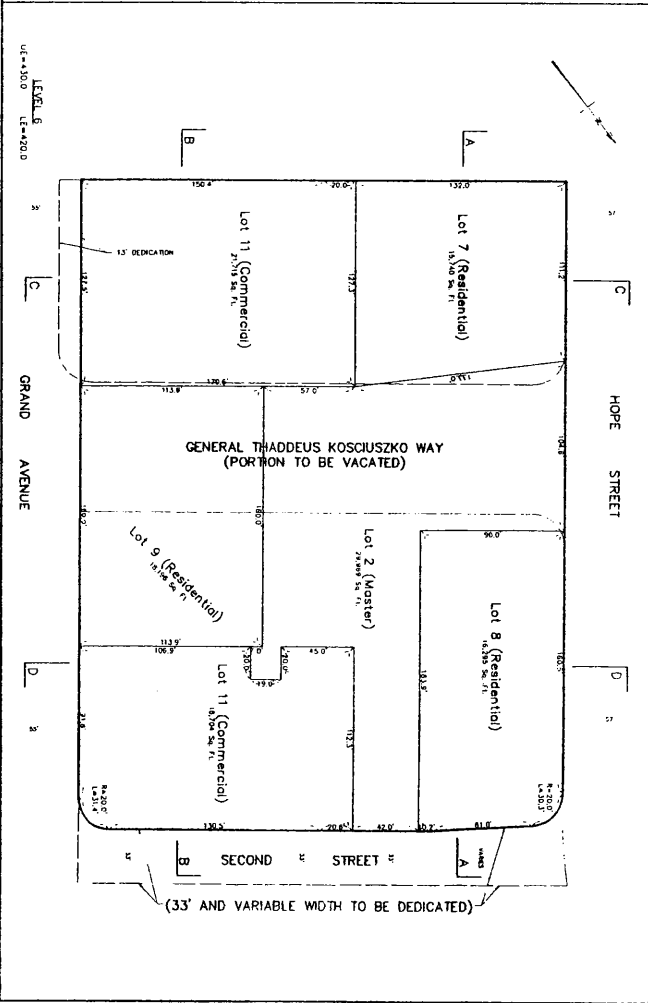
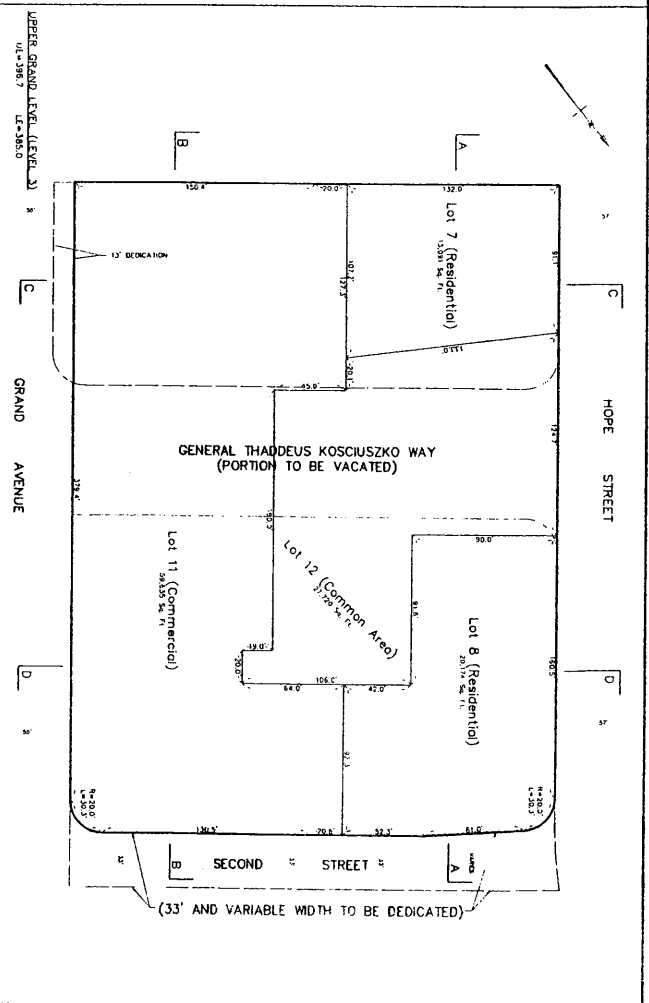
HOPE STREET



**PSOMAS**

TENTATIVE TRACT MAP FOR MERGER AND RESUBDIVISION AND CONDOMINIUM PURPOSES:  
TENTATIVE TRACT NO. 067492  
THE RELATED COMPANIES - GRAND AVENUE - PARCEL L & M-2  
IN THE CITY OF LOS ANGELES COUNTY OF LOS ANGELES STATE OF CALIFORNIA

SEPT 15, 2006  
1" = 40'  
7



LEVEL 4 - 5  
LE = 420.0 LE = 396.

GRAND AVENUE

HOPE STREET

LEVEL 2  
LE = 375.0  
LE = 385.0

**RAND AVENUE**

HOPE STREET

27

HOPE STREET

57

LEVEL 6  
UE=430.0 LE=420.

AND AVENUE

HOPE STREET

29

**PSOMAS**

TENTATIVE TRACT NO. 067492

THE RELATED COMPANIES - GRAND AVENUE - PARCEL L & M-2

IN THE CITY OF LOS ANGELES COUNTY OF LOS ANGELES STATE OF CALIFORNIA

TENTATIVE TRACT MAP FOR MERGER AND RESUBDIVISION AND CONDOMINIUM PURPOSES

SEPTEMBER 5, 2006

3

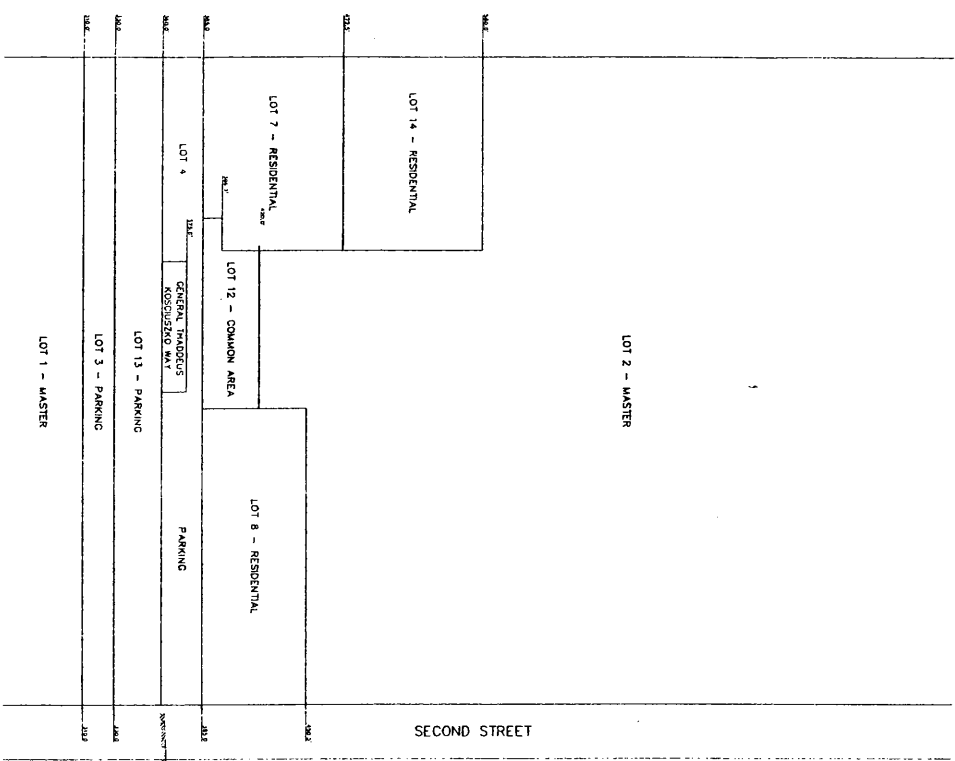
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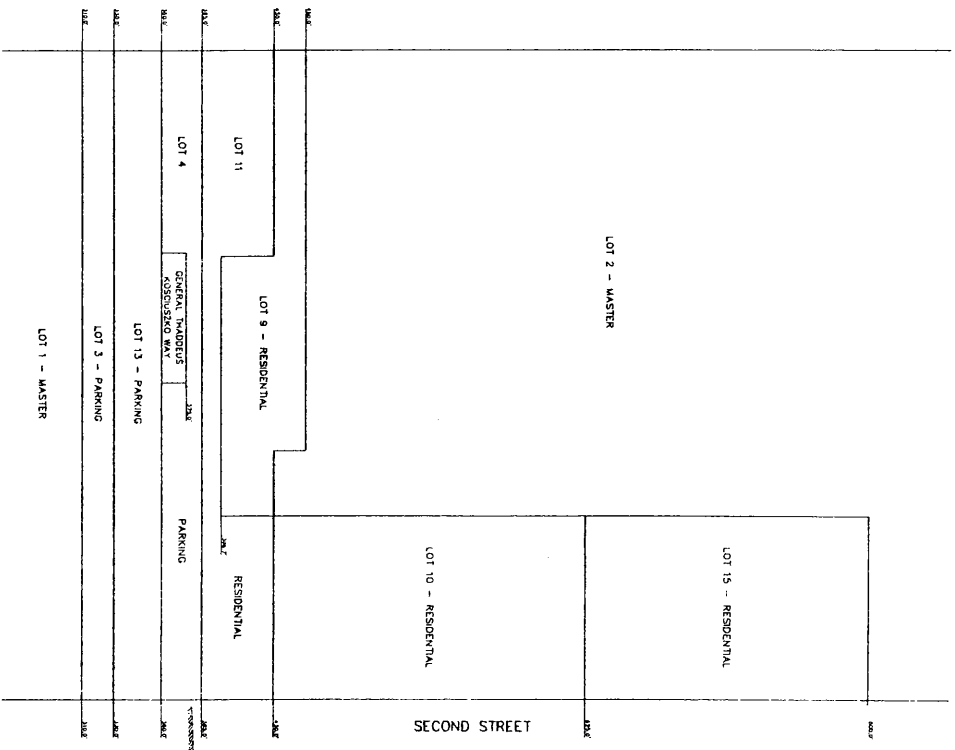




SECTION A - A



SECTION B - B

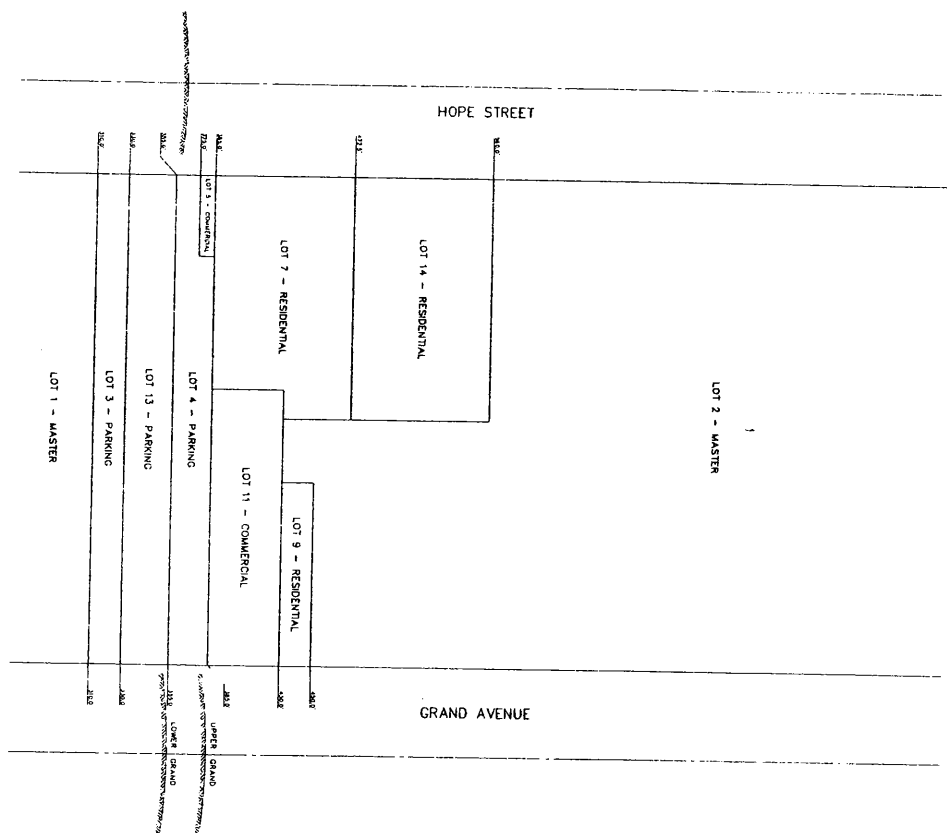


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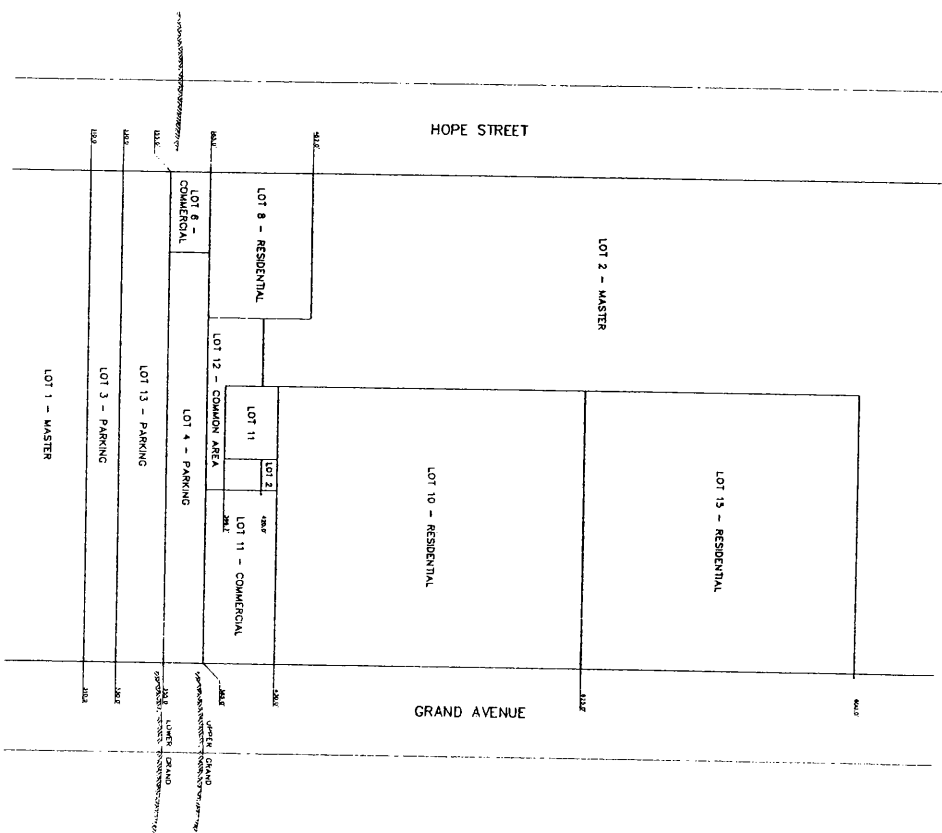
TENTATIVE TRACT MAP FOR MERGER AND RESUBDIVISION AND CONDOMINIUM PURPOSES:  
TENTATIVE TRACT NO. 067492  
THE RELATED COMPANIES - GRAND AVENUE - PARCEL L & M-2  
IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA



SECTION C - C



SECTION D - D



SECTION E - E

TENTATIVE TRACT MAP FOR MERGER AND RESUBDIVISION AND CONDOMINIUM PURPOSES:

TENTATIVE TRACT NO. 067492

THE RELATED COMPANIES - GRAND AVENUE - PARCEL L & M-2

IN THE CITY OF LOS ANGELES COUNTY OF LOS ANGELES STATE OF CALIFORNIA

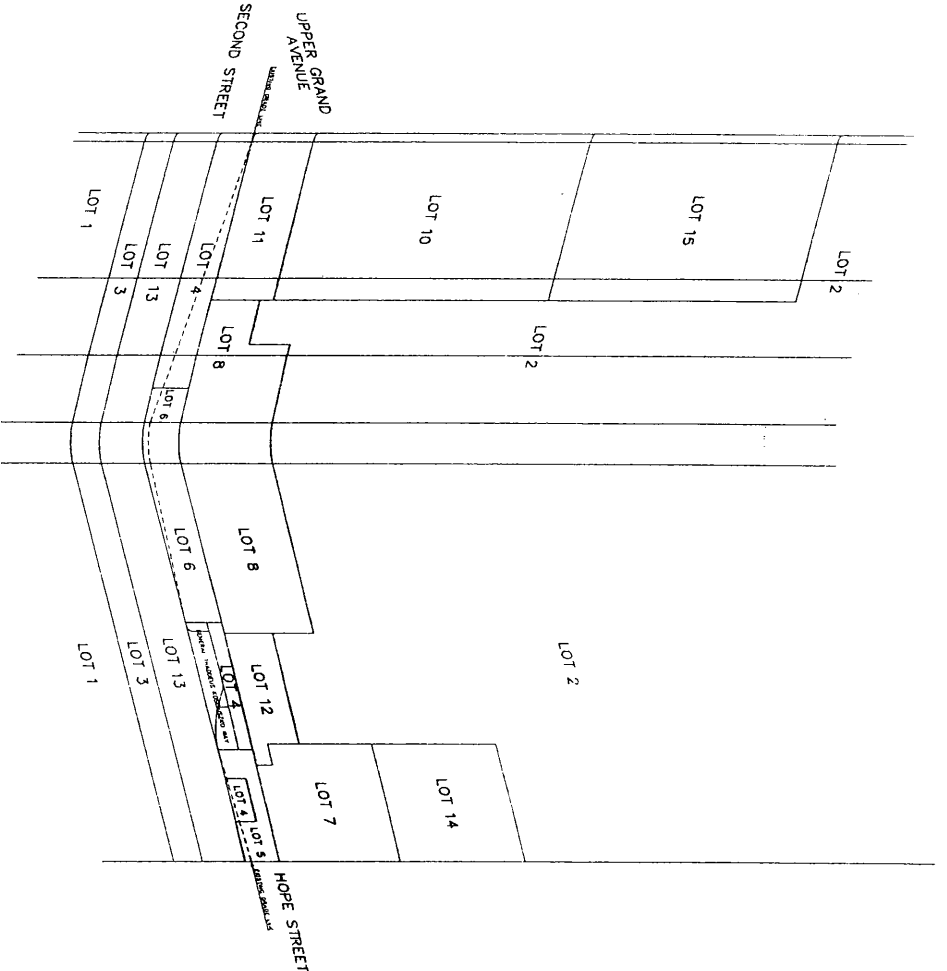
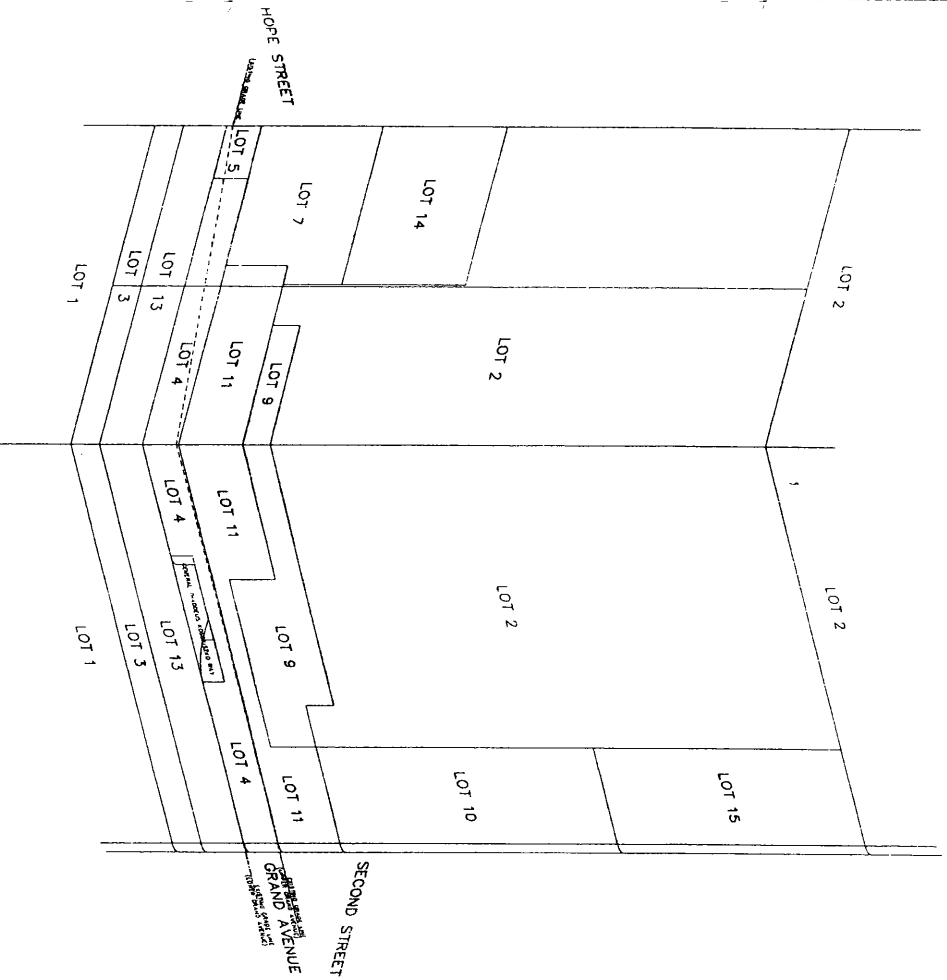
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THIRD STREET / GRAND AVENUE ISOMETRIC



SECOND STREET / HOPE STREET ISOMETRIC

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|    |  | <p>THIS MAP IS A TENTATIVE TRACT MAP FOR MERGER AND RESUBDIVISION AND CONDOMINIUM PURPOSES. IT IS NOT A FINAL MAP AND SHOULD NOT BE USED FOR ANY OTHER PURPOSES.</p>           |  |
| <p>DATE: 09/05/2006</p> <p>BY: [Signature]</p>  | <p>DATE: 09/05/2006</p> <p>BY: [Signature]</p> | <p>DATE: 09/05/2006</p> <p>BY: [Signature]</p>   | <p>DATE: 09/05/2006</p> <p>BY: [Signature]</p> |
| <p>PSOMAS</p> <p>10000 W. 10TH STREET, SUITE 100<br/>LOS ANGELES, CA 90024-1000<br/>(310) 551-1100 (310) 551-1111 (Fax)</p> |  | <p>TENTATIVE TRACT NO. 067492</p> <p>THE RELATED COMPANIES - GRAND AVENUE - PARCEL L &amp; M-2</p> <p>IN THE CITY OF LOS ANGELES COUNTY OF LOS ANGELES STATE OF CALIFORNIA</p> |  |
| <p>SEPT 5, 2006</p> <p>1" = 40'</p>   |  | <p>7</p>   |  |

CITY OF LOS ANGELES  
PLANNING DEPARTMENT

## MASTER APPEAL FORM

APPEAL TO THE: City Planning Commission  
 REGARDING CASE NO.: TT-67490

This application is to be used for any authorized appeals of discretionary actions administered by the Planning Department. Appeals must be delivered in person with the following information filled out and be in accordance with the Municipal Code. A copy of the action being appealed must be included. If the appellant is the original applicant, a copy of the receipt must also be included.

APPELLANT INFORMATION: PLEASE PRINT CLEARLY

Name CHRISTOPHER SUTTON  
 Mailing Address 35 E. UNION STREET, SUITE C  
PASADENA, CALIFORNIA Zip: 91103-3945  
 Work Phone: ( 626 ) 683-2500 Home Phone: (     )    

- a) Are you or do you represent the original applicant?  
 (Circle One) YES NO
- b) Are you filing to support the original applicant's position?  
 (Circle One) YES NO
- c) Are you filing for yourself or on behalf of other parties, an organization or company?  
 (Circle One) SELF OTHER
- d) If "other" please state the name of the person(s), organization or company (print clearly or type)  
TODAY'S IV, INC., d.b.a. WESTIN BONAVENTURE HOTEL  
ATTN: PETER ZEN, SUITE 516, 404 S. FIGUEROA ST.  
LOS ANGELES, CALIF. 90071-1710

## REPRESENTATIVE

Name CHRISTOPHER SUTTON  
 Mailing Address 35 E. UNION STREET, SUITE C  
PASADENA, CALIFORNIA Zip 91103-3945  
 Work Phone: ( 626 ) 683-2500 Home Phone: (     )    

APPEAL INFORMATION

A complete copy of the decision letter is necessary to determine the final date to appeal, under what authorizing legislation, and what, if any, additional materials are needed to file the appeal.

Appeals to the City Council from a determination on a Tentative Tract (TT or VTT) by the City (Area) Planning Commission must be filed within 10 days of the written determination of the Commission.

Final Date to Appeal: 7-2-2007

EXHIBIT 4

**REASONS FOR APPEALING**

Are you appealing the entire decision or parts of it?

☒ Entire☐ Part

Indicate: 1) How you are aggrieved by the decision; and 2) Why do you believe the decision-maker erred or abused their discretion? If you are not appealing the whole determination, please explain and specifically identify which part of the determination you are appealing.

In 2006, Today' IV, Inc. (Westin Bonaventure Hotel) received City of L.A. approval to convert some of its hotel rooms into residential and commercial condominium units (TT No. 65986). This was in settlement of prior litigation. Both the Bonaventure Hotel and these new proposed Tract Maps (Nos. 67490, 67491, and 67492) are located within the Bunker Hill Redevelopment Project Area. The Bunker Hill Redevelopment Plan is a document governing all development and tract maps therein. The Redevelopment Plan limits all residential units within the Project Area to 3900 — Of these, 3000 units may be in residential areas shown in the Redevelopment Plan, and 900 units may be in other areas. The proposed Tract Map and its two related Tract Maps contemplate dwelling units which would cause the Redevelopment Project Area to exceed the maximums allowed by the Redevelopment Plan. This harms the Westin Bonaventure by potentially preventing it from obtaining Redevelopment Agency approval of its buildings permits, constructing, and obtaining occupancy permits for its 219 new residential condominium units. See the attached objection letter filed with the Planning Commission dated June 12, 2007, regarding Planing Department Case No. CPC-2006-9702. The United States and California Constitutions ban government actions which impair their contracts. These constitutional provisions prevent the City of L.A. from approving these three Tract Maps because to do so violates its prior settlement contract with the Westin Bonaventure Hotel. It now appears that Council member Jan Perry has at least one property interest in the area. The City is prohibited by California conflict of interest laws from taking any action on these Tract Maps until at least one year after Council member Perry discloses and eliminates any and all conflicts of interest.

**ADDITIONAL INFORMATION**

- Original receipt required to calculate 85% filing fee from original applicants.
- Original applicants must pay mailing fees to BTC and submit copy of receipt.
- Any additional information or materials required for filing an appeal must be provided in accordance with the LAMC regulations as specified in the original determination letter. **A copy of the determination/decision letter is required.**
- Acceptance of a complete and timely appeal is based upon successful completion and examination of all the required information.
- **Seven copies and the original appeal are required.**

I certify that the statements contained in this application are complete and true:

Appellant

*Christophe Sutton*

7-2-2007

**OFFICIAL USE ONLY**Receipt No. 266792 Amount \$73.00 Date 7/2/07Application Received Daisy MoApplication Deemed Complete [Signature]

Copies provided:

7☒ Determination☐ Receipt (original applicant only)

Determination Authority Notified (if necessary)

☒

June 10, 1996

TO: Public Counters  
Zoning Administrators

FROM: Robert Janovici

SUBJECT: **REJECTION OF IMPROPER APPEALS**

*The Municipal Code provides that an appeal from a Zoning Administrator's action must "...set" forth specifically the points at issue, the reasons for the appeal, and wherein the appellant believes there was an error or abuse of discretion by the Zoning Administrator".*

*It has historically been the City's policy to be liberal when viewing appeals and determining whether they met the requisite minimum threshold. However, a review of the requirements seems appropriate at this time. Recently, I dismissed an appeal which by its terms clearly was based upon a personal dispute between two adjoining property owners and having nothing to do with the historic, current or prospective use of the property which was the subject of the original application.*

*I am requesting that all appeals be reviewed upon submittal in detail to ensure that the prospective appellants indicate clearly how they are personally aggrieved (impacted) by the underlying action and wherein the Zoning Administrator erred or abused discretion. Staff should never write out language for an individual nor give advice as to the possible outcome of an appeal or underlying action. If there is an issue in a particular case as to whether an appeal is properly filled out, contact me directly. If I am unavailable, contact the Administrator who is liaison to the counter.*

*Persons asking questions about appeals should be advised not to wait until the last minute to do so - in the event they are unexpectedly late due to traffic or other reasons, no exceptions will be made. Likewise, no leeway will be given due to the mail, private delivery service or other source not delivering the appeal on time. As such, prospective appellants should be strongly urged to file the appeals personally.*

RJ:lmc

LAW OFFICE OF  
CHRISTOPHER SUTTON  
35 EAST UNION STREET, SUITE C  
PASADENA, CALIFORNIA 91103-3945  
TELEPHONE (626) 683-2500 ... FACSIMILE (626) 405-9843

**June 12, 2007**  
**HAND DELIVERED**

Los Angeles Planning Commission  
Los Angeles City Hall, Room 532  
100 North Spring Street  
Los Angeles, California 90012

**Re: Opposition and Objections to 6-14-2007 Planning Commission Agenda Item 8,**  
**Planning Commission File No. CPC-2006-9702-ZC-CU-CUB-CUX-ZV-DA;**  
**Violations of Redevelopment Law, H&S Code §§ 33121.5, 33204, 33205, 33336, etc.**  
**Violations of Redevelopment Oversight Ordinance, LAAC § 8.99 to § 8.99.14;**  
**Failure to Give Any Pre-Hearing Notice to a Property Owner Directly Impacted.**

Dear Members of the Planning Commission:

This office represents Today's IV, Inc., doing business as Westin Bonaventure Hotel, a property and business owner within the Bunker Hill Redevelopment Project Area on Block G. The Bonaventure Hotel is located about 1,200 feet southwest from the site subject of the hearing.

The various proposed actions related to the Grand Avenue Project are improper for the reasons set forth below. The proposed actions would violate provisions of local and state law. The proposed actions violate the Bunker Hill Redevelopment Plan's limits on land uses on Blocks K, L, M, Q and W, violate the Redevelopment Plan's maximum 6 to 1 floor-area-ratio, violate the Redevelopment Plan's total limit on residential units, violate the Redevelopment Plan's total limit developed floor areas, and violate the Redevelopment Plan's minimum requirements for off-street parking.

The proposed Planning Commission actions are a *de facto* attempt to amend the Bunker Hill Redevelopment Plan without following the amendment procedures mandated by state redevelopment law at Health & Safety Code sections 33450 to 33458.

The procedures being utilized violate both California Redevelopment Law and the City-CRA "oversight ordinance" adopted pursuant to Health & Safety Code sections 33204, 33205 and 33121.5, which take precedence over any other purely local land use procedures.

**1. VIOLATION OF REDEVELOPMENT OVERSIGHT ORDINANCES,**  
**L.A. ADMINISTRATIVE CODE SECTIONS 8.99 THROUGH 8.99.14**

Pursuant Health & Safety Code sections 33204 and 33205 the City has adopted and amended a "Redevelopment Oversight Ordinance" found at Los Angeles Administrative Code ("LAAC") sections 8.90 to 8.99.14. This ordinance was enacted as a state law function, and not as a local function. As such, the provisions of the Redevelopment Oversight Ordinance pre-vail over and pre-empt contrary local laws and procedures related to territory within Redevelopment Project Areas.

In addition, Health & Safety Code section 33121.5 limits the degree to which redevelopment powers may be delegated to another entity. That section reads as follows:

When a decision, determination, or other action by the agency or legislative body is required by this part, neither the agency nor the legislative body shall delegate the obligation to decide, determine, or act to another entity unless a provision of this part specifically provides for that delegation.

Nothing in the Redevelopment Oversight Ordinance delegated powers to the Planning Commission, and nothing in the redevelopment law allows any such delegation. The zoning proposals contained in CPC-2006-9702 must comply with the Bunker Hill Redevelopment Plan, as adopted by Los Angeles City Council Ordinance No. 140662 on June 25, 1970. The operative provisions of the Redevelopment Plan and Ordinance No. 140662 remain in place today and apply to the approvals sought in CPC-2006-9702. The Planning Commission lacks authority to approve any land use proposals that conflict with the Bunker Hill Redevelopment Plan.

LAAC Sections 8.94.04 (n), (o) and (o) require City Council approval of all land use approvals within all redevelopment project areas. The Planning Commission does not exercise this power and has never been delegated this power. LAAC 8.94.14 provides for a detail "Cooperation Agreement: that all City departments must follow regarding decisions within redevelopment project areas. The Planning Commission has failed to review the Redevelopment Oversight Ordinance or the Cooperation Agreement to understand the process and the restrictions on its jurisdiction.

2. **VIOLATION OF BUNKER HILL REDEVELOPMENT PLAN'S**  
**MANDATORY LAND USE AND MAXIMUM DEVELOPMENT STANDARDS**

As a matter of California law, the terms of a redevelopment plan prevail over later enacted zoning code and general plan provisions governing the same territory. See, Housing Authority v. City of Los Angeles (1952) 38 Cal.2d 853, 862 [243 P.2d 515] [cert. den., 344 U.S. 836 (97 L.Ed. 651, 73 S.Ct. 46)]; Housing Authority v. Superior Court (1950) 35 Cal.2d 550, 557 [219 P.2d 457]; Gibbs v. City of Napa (1976) 59 Cal.App.3d 148, Kehoe v. City of Berkeley (1977) 67 Cal.App.3d 666, Redevelopment Agency v. City of Berkeley (1978) 80 Cal.App.3d 158, and Walker v. City of Salinas (1976) 56 Cal.App.3d 711.

The proposed Grand Avenue Project violates the Bunker Hill Redevelopment Plan as the governing land use document. The Bunker Hill Redevelopment Plan was last substantively amended in 1970. There have been no later amendments regarding maximum development limits in the Bunker Hill Redevelopment Project Area.

Sections 409 to 417 of the Redevelopment Plan mandates the City and Planning Commission to take zoning actions in a manner **consistent with** the Redevelopment Plan. Section 418 and 419 mandate all developers to comply with the land use standards and development limits in the Plan.

Within Section H, at section 801, the Bunker Hill Redevelopment Plan reads as follows:

All of the land lying within and constituting the Project Area, including any land therein not acquired by the Agency, shall be subject to the requirements and restrictions specified in this Section H.



Within Section H, at section 811, the Bunker Hill Redevelopment Plan reads as follows:

The maximum density of population in residential areas shall not exceed 250 persons per acre. The number of dwelling units in residential areas is tentatively 3,100 with an additional 800 dwelling units if areas designated for multiple housing under alternate uses are developed for residential purposes.

The Redevelopment Plan at Section 814 limits all develop to a 5-to-1 floor-area ration ("FAR"), or a 6 to 1 ratio if a special approval procedure is followed. See, Redevelopment Plan sections 800 to 816. Yet, the proposed approvals in CPC-2006-9702 provide for a much higher **9.9 to 1 FAR throughout the development site!** This is an illegal attempt to evade or undermine the maximum limits in the Bunker Hill Redevelopment Plan without processing a plan amendment.

Sections 812 to 814 of the Bunker Hill Redevelopment Plan also limits total development in the Project Area in a number of ways. First, a project-wide FAR applies. The total square footage of development in CPC-2006-9702 is 3,600,000 square feet. This will cause the Project Area to exceed the Project Area maximum FAR limits. An FAR calculation cannot include non-developed land within public rights-of-way. The Grand Avenue Project improperly seeks to use public streets and other public spaces as part of its FAR calculation. Without this improper use of non-developed areas the FAR cap in the Bunker Hill Redevelopment Plan will be violated.

The Central District Community Plan and the Redevelopment Implementation Plan both note several years ago that the maximum limits established in Bunker Hill Redevelopment Plan were already being approached. The Planning Commission has failed to consider these limits!

Second, the lot coverage at each development site is limited by the Bunker Hill Redevelopment Plan to a maximum of 40% for residential uses and 50% for non-residential and commercial uses. The proposed Grand Avenue Project described in CPC-2006-9702 exceeds the Redevelopment Plan's maximum lot coverage requirements. In addition, there is a Project Area overall lot coverage limit, and the Grand Avenue Project will cause the Project Area to exceed those limits as well.

Section 816 of the Redevelopment Plan sets a minimum number of off-street parking spaces for residential and non-residential developments. At each development site, there must be not less than one off-street parking space per dwelling unit, and not less than one off-street parking space for every 800 square feet of commercial and office space development. The Grand Avenue Project as described in CPC-2006-9702 violates these minimum parking requirements set forth in the Bunker Hill Redevelopment Plan at Section 816.

Section 811 of the the Bunker Hill Redevelopment Plan established a maximum of 3100 dwelling units, with some adjustment in special circumstances. The residential units in areas designated as "commercial" by the Redevelopment Plan may not exceed 900 dwelling units. There are already around 3,000 dwelling units in the Redevelopment Area.

Parcels Q and W-1 and W-2 are designated for commercial uses in the Redevelopment Plan. The residential units on these parcels proposed in the Grand Avenue Project by CPC-2006-9702 will

cause the Redevelopment Area to exceed the 900 unit maximum specified in Redevelopment Plan section 811 for non-residential areas. This will directly harm the Bonaventure. In 2006, the Bonaventure received City approval for 219 new residential condominiums, but will need CRA final approval for the needed building permits. By adding new residential units above the maximum allowed in the Redevelopment Plan the City is threatening the future CRA approval of Bonaventure's new units.

Parcels L and M are designated for residential uses in the Redevelopment Plan. The residential units on these parcels proposed in the Grand Avenue Project by CPC-2006-9702 will cause the Redevelopment Area to exceed the 3100 unit maximum specified in Redevelopment Plan section 811 for residential areas.

Overall, the dwelling units allowed in the Grand Avenue Project as proposed by CPC-2006-9702 will cause the Redevelopment Area to have over 5,660 dwelling units. There already exists about 3,000 dwelling units and the Grand Avenue Project under CPC-2006-9702 would add an additional 2660 new dwelling units. Thus, the Grand Avenue Project proposes to build over the maximum number of dwelling units, violating the 1970 Bunker Hill Redevelopment Plan land use standards. The City is failing to follow the mandatory amendment procedures in redevelopment law for exceeding these limits. See Health & Safety Code sections 33450 to 33458.

Parcels W-1 and W-2 are limited to office buildings and parking facilities by the Redevelopment Plan. The Grand Avenue Project fails to construct offices on parcels W-1 and W-2. Residential uses are not allowed in Block W to the extent planned in the Grand Avenue Project and proposed in CPC-2006-9702. The failure to comply with the Block W mandate for office uses in the Plan and the limits on residential uses there also violate the Bunker Hill Redevelopment Plan.

Block Q is primarily designated for office uses with only other incidental commercial uses in the Redevelopment Plan. The Grand Avenue Project violates this restriction by having primarily residential and hotel uses. The failure to comply with the Block Q mandate for office uses in the Plan also violates the Bunker Hill Redevelopment Plan.

The Bunker Hill Redevelopment Plan as approved in 1970 by the City Council acting as a state agency under a specific state law wholly pre-empts and overrules any contrary merely local land use standards of the City. The City has no purely local authority to approve any plan or agreement violating the Bunker Hill Redevelopment Plan. Section 409 of the Redevelopment Plan renders the City's policies merely advisory to the binding land use policies in the Redevelopment Plan which pre-empt all other local policies. CPC-2006-9702 violates the Redevelopment Plan.

**California Health & Safety Code section 33336** in the Redevelopment Law reads as follows:

Every redevelopment plan shall:

- (a) Contain adequate safeguards that the work of redevelopment will be carried out pursuant to the plan.
- (b) Provide for the retention of controls and the establishment of any restrictions or covenants running with land sold or leased for private use for such periods of time and under such conditions as the legislative body deems necessary to effectuate the purposes of this part. The establishment of such controls is a public purpose under

the provisions of this part.

**California Health & Safety Code section 33339** in the Redevelopment law reads as follows:

Every redevelopment plan shall provide for participation in the redevelopment of property in the project area by the owners of all or part of such property if the owners agree to participate in the redevelopment in conformity with the redevelopment plan adopted by the legislative body for the area.

Thus, CPC-2006-9702 violates state law by allowing the developer to take actions which violate the land use standards and limits on development contained in the Bunker Hill Redevelopment Plan.

### **3. IMPROPER ATTEMPT TO AMEND BUNKER HILL REDEVELOPMENT PLAN**

The Grand Avenue Project and CPC-2006-9702 contemplates a number of zone changes, municipal code text changes, zoning variances, and a "statutory development agreement." Taken together, these are an improper and illegal attempt to amend the Bunker Hill Redevelopment Plan by a means other than the exclusive method set forth in the California Community Redevelopment Law at Health & Safety Code sections 33450 to 33458. This includes a right of referendum at sections 33378 and 33450. By using improper variances the City is attempting to circumvent the referendum rights of the Westin Bonaventure Hotel and all residents of Los Angeles as guaranteed by state law.

The proposed zone changes, variances, use permits, development agreement rights seek large deviations from the mandatory provisions of the Bunker Hill Redevelopment Plan. Such actions are void and pre-empted by the supremacy of all redevelopment plans and the Community Redevelopment Law over all merely local enactments such as zoning. See, Gibbs v. City of Napa (1976) 59 Cal.App.3d 148, Kehoe v. City of Berkeley (1977) 67 Cal.App.3d 666, Redevelopment Agency v. City of Berkeley (1978) 80 Cal.App.3d 158, and Walker v. City of Salinas (1976) 56 Cal.App.3d 711. CPC-2006-9702 is an invalid attempt to amend the Redevelopment Plan.

### **4. FAILURE TO GIVE NOTICES OUTSIDE THE 500 FOOT RADIUS** **WHEN A PROPERTY OWNER IS DIRECTLY HARMED BY A PROPOSED ACTION**

When there is a public hearing on land use decisions the City of Los Angeles' Municipal Code only provides for written notices of the hearing to property owners within 500 feet of the site to be developed. There is no local provision in the LAMC for additional notice when the magnitude of a project is very large or when the particular project directly harms the interests of a specific property owner outside the 500 foot radius.

The Bonaventure is directly harmed by the proposals in CPC-2006-9702. As stated above, its new 219 residential units are put at risk. The 1974-1975 development agreements ban further hotels in the Bunker Hill Project Area. The proposed hotel in the Grand Avenue Project will be given millions of dollars in City public subsidies to undermine the business income of the Bonaventure Hotel. When the City and Bonaventure settled their 2005 lawsuit over the subsidies to the Convention Center Hotel, the Mayor and City promised no further subsidized hotels would be allowed in or near downtown Los Angeles. CPC-2006-9702 is a breach of that 2005 agreement.

When the City and the Mayor settled the 2005 lawsuit, it agreed to allow Bonaventure to convert one third of its 1354 guest rooms into commercial and residential condominiums. The tentative tract map for these conversions was approved by the City in 2006. See, Tentative Tract No. 65986 and Staff Report by Daryll Mackey dated July 12, 2006. The 2005 settlement and the 2006 tract map were an admission by the City that there existed and would continue to exist **a surplus of hotel rooms in and near downtown Los Angeles.** Yet CPC-2006-9702 proposes more subsidized hotel rooms. It was patently obvious -- given the 2005 settlement and 2006 tract map approval -- that the Bonaventure would be directly and permanently harmed by the development proposals in CPC-2006-9702.

In 2007, the City failed to inform the Bonaventure of any of the Planning Department hearings regarding CPC-2006-9702. This was a clear and prejudicial violation of Bonaventure's due process right to be notified of a governmental hearing where its interests were at stake.

The City failed to provide adequate or minimum notice to all adversely affected property owners and businesses located outside the 500 foot radius regarding Planning Commission case CPC-2006-9702. No notices were sent to the land owners or business operators of the Bonaventure Hotel. The proposed actions would violate the terms of the Bunker Hill Redevelopment Plan, the 1974 and 1975 development agreements for the Bonaventure Hotel, and the 2005 settlement in a manner harmful to the business and property rights of the Bonaventure Hotel. In obtaining approval of Tract Map 65986 Bonaventure detrimentally relied on the Mayor's and the City's prior promises.

The City and the Developer were aware of the Bonaventure's address and aware of the Bonaventure's interest in the outcome of CPC-2006-9792. A lawsuit regarding the City Council's February 13, 2007, actions was filed and served on the City on March 2, 2007. The City and the Planning Department staff had more than adequate time to notify the Bonaventure prior to the Planning Commission public hearing in April 25, 2007. It failed to do so.

The City chose not to send the Bonaventure any notice. To cure this defect, a new public hearing before the Planning Commission should be set in June or July 2007. New notices mailed to all affected persons and property owners, including the Bonaventure Hotel, and all other property owners and businesses within the Bunker Hill Project Area need to be sent at once.

The failure to provide the constitutionally required notices renders the decisions of the Planning Commission void. See, **Horn v. County of Ventura (1979) 24 Cal.3d 605, at 612**; **Scott v. City of Indian Wells (1972) 6 Cal.3d 541**; **Barenfeld v. City of Los Angeles (1984) 162 Cal.App.3d 1035**, and **Mathews v. Eldridge (1976) 424 U.S. 319, 332**. When a city has the inexpensive means of giving advance notice of hearings to affected persons it must do so. The City did not.

5. **VIOLATION OF 1974-75 BONAVENTURE HOTEL DEVELOPMENT AGREEMENTS**  
**BARRING FURTHER HOTEL DEVELOPMENT IN BUNKER HILL PROJECT AREA**

In 1974 and 1975 the City and Redevelopment Agency entered into a development agreement for the hotel that later became the Westin Bonaventure Hotel. Those agreements continue today to bind the City and the Agency. That hotel was to be the **ONLY** hotel within the Bunker Hill Redevelopment Project Area, unless formal written agreement and waivers were granted by the

owners of the Bonaventure. It appears that the approval and waiver process has not been followed regarding the hotel to be developed with City and Agency subsidies at 2<sup>nd</sup> and Grand. This failure to follow the process appears to be a breach of the development agreements for what is now the Westin Bonaventure Hotel.

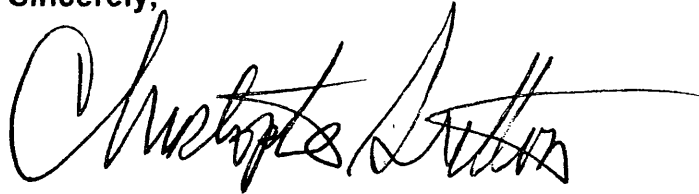
The Bonaventure demands that the City and Agency cease any and all actions or proposed actions which violate its rights under the original development agreements covering Block G of the Bunker Hill Redevelopment Project Area where the Bonaventure still operates. Planning Commission case number CPC-2006-9702 cannot be approved because it violates the prior agreements.

6. **CONCLUSION:**

Please set a new public hearing before the Planning Commission and give minimum and adequate notice to directly affected property owners and businesses outside the 500 foot radius.

Unless and until there is a new noticed public hearing, vote **NO** on the Grand Avenue Project, Planning Commission file number CPC-2006-9702-ZC-CU-CUB-CUX-ZV-DA.

Sincerely,

A handwritten signature in black ink, appearing to read "Christopher Sutton", with a long horizontal flourish extending to the right.

**Christopher Sutton**  
**Attorney for Westin Bonaventure Hotel**

cc: client  
20 additional copies provided with original.

object ltr3

CITY OF LOS ANGELES  
PLANNING DEPARTMENT

## MASTER APPEAL FORM

COPY

APPEAL TO THE: City Planning CommissionREGARDING CASE NO.: TT-67491

This application is to be used for any authorized appeals of discretionary actions administered by the Planning Department. Appeals must be delivered in person with the following information filled out and be in accordance with the Municipal Code. A copy of the action being appealed must be included. If the appellant is the original applicant, a copy of the receipt must also be included.

APPELLANT INFORMATION: PLEASE PRINT CLEARLYName CHRISTOPHER SUTTONMailing Address 35 E. UNION STREET, SUITE CPASADENA, CALIFORNIA Zip: 91103-3945Work Phone: ( 626 ) 683-2500 Home Phone: (     )    

- a) Are you or do you represent the original applicant?  
(Circle One) YES NO
- b) Are you filing to support the original applicant's position?  
(Circle One) YES NO
- c) Are you filing for yourself or on behalf of other parties, an organization or company?  
(Circle One) SELF OTHER
- d) If "other" please state the name of the person(s), organization or company (print clearly or type)  
TODAY'S IV, INC., d.b.a. WESTIN BONAVENTURE HOTEL  
ATTN: PETER ZEN, SUITE 516, 404 S. FIGUEROA ST.  
LOS ANGELES, CALIF. 90071-1710

## REPRESENTATIVE

Name CHRISTOPHER SUTTONMailing Address 35 E. UNION STREET, SUITE CPASADENA, CALIFORNIA Zip 91103-3945Work Phone: ( 626 ) 683-2500 Home Phone: (     )    APPEAL INFORMATION

A complete copy of the decision letter is necessary to determine the final date to appeal, under what authorizing legislation, and what, if any, additional materials are needed to file the appeal.

Appeals to the City Council from a determination on a Tentative Tract (TT or VTT) by the City (Area) Planning Commission must be filed within 10 days of the written determination of the Commission.

Final Date to Appeal: 7-2-2007

REASONS FOR APPEALING

Are you appealing the entire decision or parts of it?

☒ Entire ☐ Part

Indicate: 1) How you are aggrieved by the decision; and 2) Why do you believe the decision-maker erred or abused their discretion? If you are not appealing the whole determination, please explain and specifically identify which part of the determination you are appealing.

In 2006, Today's IV, Inc. (Westin Bonaventure Hotel) received City of L.A. approval to convert some of its hotel rooms into residential and commercial condominium units (TT No. 65986). This was in settlement of prior litigation. Both the Bonaventure Hotel and these new proposed Tract Maps (Nos. 67490, 67491, and 67492) are located within the Bunker Hill Redevelopment Project Area. The Bunker Hill Redevelopment Plan is a document governing all development and tract maps therein. The Redevelopment Plan limits all residential units within the Project Area to 3900 — Of these, 3000 units may be in residential areas shown in the Redevelopment Plan, and 900 units may be in other areas. The proposed Tract Map and its two related Tract Maps contemplate dwelling units which would cause the Redevelopment Project Area to exceed the maximums allowed by the Redevelopment Plan. This harms the Westin Bonaventure by potentially preventing it from obtaining Redevelopment Agency approval of its buildings permits, constructing, and obtaining occupancy permits for its 219 new residential condominium units. See the attached objection letter filed with the Planning Commission dated June 12, 2007, regarding Planning Department Case No. CPC-2006-9702. The United States and California Constitutions ban government actions which impair their contracts. These constitutional provisions prevent the City of L.A. from approving these three Tract Maps because to do so violates its prior settlement contract with the Westin Bonaventure Hotel. It now appears that Council member Jan Perry has at least one property interest in the area. The City is prohibited by California conflict of interest laws from taking any action on these Tract Maps until at least one year after Council member Perry discloses and eliminates any and all conflicts of interest.

ADDITIONAL INFORMATION

- Original receipt required to calculate 85% filing fee from original applicants.
- Original applicants must pay mailing fees to BTC and submit copy of receipt.
- Any additional information or materials required for filing an appeal must be provided in accordance with the LAMC regulations as specified in the original determination letter. **A copy of the determination/decision letter is required.**
- Acceptance of a complete and timely appeal is based upon successful completion and examination of all the required information.
- **Seven copies and the original appeal are required.**

I certify that the statements contained in this application are complete and true:

Appellant Charlotte Lutton 7-2-2007

OFFICIAL USE ONLY

Receipt No. 266792 Amount \$73.00 Date 7/2/07

Application Received Daisy Mo

Application Deemed Complete [Signature]

Copies provided: 7 ☒ Determination

☐ Receipt (original applicant only)

Determination Authority Notified (if necessary)



CITY OF LOS ANGELES  
PLANNING DEPARTMENT

page 1 of 3

MASTER APPEAL FORM

APPEAL TO THE: City Planning Commission  
REGARDING CASE NO.: TT-67492

This application is to be used for any authorized appeals of discretionary actions administered by the Planning Department. Appeals must be delivered in person with the following information filled out and be in accordance with the Municipal Code. A copy of the action being appealed must be included. If the appellant is the original applicant, a copy of the receipt must also be included.

APPELLANT INFORMATION: PLEASE PRINT CLEARLY

Name CHRISTOPHER SUTTON  
Mailing Address 35 E. UNION STREET, SUITE C  
PASADENA, CALIFORNIA Zip: 91103-3945  
Work Phone: ( 626 ) 683-2500 Home Phone: (     )    

- a) Are you or do you represent the original applicant?  
(Circle One) YES ☐ NO ☒
- b) Are you filing to support the original applicant's position?  
(Circle One) YES ☐ NO ☒
- c) Are you filing for yourself or on behalf of other parties, an organization or company?  
(Circle One) SELF ☐ OTHER ☒
- d) If "other" please state the name of the person(s), organization or company (print clearly or type)  
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REPRESENTATIVE

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Final Date to Appeal: 7-2-2007



**REASONS FOR APPEALING**

Are you appealing the entire decision or parts of it?

☒ Entire      ☐ Part

Indicate: 1) How you are aggrieved by the decision; and 2) Why do you believe the decision-maker erred or abused their discretion? If you are not appealing the whole determination, please explain and specifically identify which part of the determination you are appealing.

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- Acceptance of a complete and timely appeal is based upon successful completion and examination of all the required information.
- **Seven copies and the original appeal are required.**

I certify that the statements contained in this application are complete and true:

Appellant Charlotte Sutton 7-2-2007**OFFICIAL USE ONLY**Receipt No. 266792 Amount \$73.00 Date 7/2/07Application Received Daisy MoApplication Deemed Complete MPCopies provided: 7 ☒ Determination☐ Receipt (original applicant only)

Determination Authority Notified (if necessary)

☒

DEPARTMENT OF  
CITY PLANNING  
200 N. SPRING STREET, ROOM 525  
LOS ANGELES, CA 90012-4801

CITY PLANNING COMMISSION

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PRESIDENT  
WILLIAM ROSCHEN  
VICE-PRESIDENT  
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REGINA M. FREER  
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CINDY MONTAÑEZ  
MICHAEL K. WOO  
GABRIELE WILLIAMS  
COMMISSION EXECUTIVE ASSISTANT  
(213) 978-1300

CITY OF LOS ANGELES  
CALIFORNIA



ANTONIO R. VILLARAIGOSA  
MAYOR

EXECUTIVE OFFICES

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DEPUTY DIRECTOR  
(213) 978-1273  
FAX: (213) 978-1275  
INFORMATION  
(213) 978-1270  
www.lacity.org/PLN

Decision Date: June 22, 2007

Appeal Period Ends: July 2, 2007

David Janssen  
County of Los Angeles (O)  
500 West Temple Street, Room 713  
Los Angeles, CA 90012

Beatrice Hsu  
The Related Companies (A)  
333 South Grand Avenue, Suite 4050  
Los Angeles, CA 90071

John Chiappe, PLS (LS)(E)(R)  
Psomas  
11444 Olympic Boulevard, Suite 750  
Los Angeles, CA 90064

RE: Tentative Tract Map No.: 67490  
Related Case: CPC-2006-9702-ZC-CU-  
CUB- CUX-ZV-DA  
Address: 100 South Grand Avenue.  
Council District: 9  
Existing Zone: C2-4D and R5-4D  
Community Plan: Central City  
CEQA No.: SCH NO. 2005091041 "Grand  
Avenue" Final Environmental Impact  
Report

In accordance with provisions of Section 17.03 of the Los Angeles Municipal Code, the Advisory Agency approved Tentative Tract Map No. 67490 composed of one master lot and 19 airspace lots, located at 100 South Grand Avenue to contain a maximum of **400 residential condominium units, 100 residential apartment units, a 275 room hotel and 284,000 square feet of commercial/retail space** as shown on map stamp-dated November 20, 2006 in the Central City Community Plan. This unit density is based on the C2-4D Zone pursuant to CPC-2006-9702-ZC-CU-CUB-CUX-ZV-DA. An approved Equivalency Program described in the Grand Avenue Final Environmental Impact Report (State Clearinghouse No. 2005091041), allows for modifications to land uses and square footages within and between Tentative Tract Map Nos. 67490, 67491, and 67492. All permitted project land use increases can be exchanged for corresponding decreases of other land uses under the approved Equivalency Program. Any modifications to land uses and square footages shall be within the constraints and limitations of the Equivalency Program. Furthermore, pursuant to the Disposition and Development Agreement ("DDA") approved by the Grand Avenue Joint Powers Authority, twenty percent (20%) of all residential units in this tentative tract map (TT-67490) shall be affordable. The subdivider is hereby advised that the Municipal Code may not permit this maximum approved density. Therefore, verification should be obtained from the Department of Building and Safety for legal interpretation of the Zoning code as it applies

**EXHIBIT 5 A**



to this particular property. For an appointment with the Subdivision Counter, please call (213) 978-1362. The Advisory Agency's approval is subject to the following conditions:

**NOTE** on clearing conditions: When two or more **agencies** must clear a condition, subdivider should follow the sequence indicated in the condition. For the benefit of the applicant, subdivider shall maintain record of all conditions cleared, including all material supporting clearances and be prepared to present copies of the clearances to each reviewing agency as may be required by its staff at the time of its review.

#### **BUREAU OF ENGINEERING - SPECIFIC CONDITIONS**

1. That a 7-foot wide strip of land be dedicated along 1<sup>st</sup> Street adjoining the subdivision to complete a 57-foot wide half right-of-way dedication in accordance with Major Highway Standards, including a 20-foot radius property line return at the intersections with both Grand Avenue and Olive Street all satisfactory to the City Engineer. Said dedication shall be a limited dedication excluding those portions within the elevations of a height of 14 feet above the finished sidewalk to 5 feet below the finished sidewalk elevations.
2. That an approximate 21-foot wide and variable width strip of land be dedicated along Grand Avenue adjoining the subdivision to incorporate the existing sidewalk all satisfactory to the City Engineer.

Those portions of the street dedication lying within the first 5 feet inside of the ultimate curb location can be dedicated as a limited street dedication excluding those portions 8 feet below the sidewalk elevation.

Those portions of the street dedication lying further inside of the first 5 feet inside of the ultimate curb location can be dedicated as a limited street dedication excluding those portions above the elevations of a height of 14 feet above the sidewalk and the elevation of a depth of 1 foot below the sidewalk elevations. A survey of the actual sidewalk areas shall be submitted to establish the actual limit of the dedication.

3. That the existing subsurface street easements and limited street easement along 2<sup>nd</sup> Street adjoining the tract area be correctly shown on the final map.
4. Dedicate any limited street dedication along 2<sup>nd</sup> Street in addition to the existing limited street easement, if necessary, to serve this development.
5. That arrangement be made with the Los Angeles County Department of Public Works prior to recordation of the final map for any necessary permits with respect to discharge into their existing storm drain in the easement along the southerly subdivision boundary.
6. That a Covenant and Agreement be recorded advising all future owners and builders that prior to issuance of a building permit, a Notice of Acknowledgment of Easement must be recorded and an application to do work in any slope

easements and to construct over the existing slope facilities must be submitted to the City Engineer for approval.

7. That a set of drawings be submitted to the City Engineer showing the following (for airspace subdivision only):
  - a. Plan view at different elevations.
  - b. Isometric views.
  - c. Elevation views.
  - d. Section cuts at all locations where air space lot boundaries change.
8. That the owners of the property record an agreement satisfactory to the City Engineer stating that they will grant the necessary 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 a safe condition for use at all times.
9. That a Covenant and Agreement be recorded satisfactory to the City Engineer binding the subdivider and all successors to the following:
  - a) That the owners shall be required to maintain all elements of the structure above and below the limited street rights-of-way of adjoining the subdivision in a safe and usable condition to the satisfaction of the City Engineer. The City shall be given reasonable access to the structure and adjacent to the limited street rights-of-way areas for any necessary inspection, upon request during normal business hours. The City may request the owners to repair or replace damaged, defective or unsafe structural elements or to correct unacceptable conditions at the owner's expense if owner elects not to do so. Owner shall grant reasonable access to City's contractor to make said repairs.
  - b) The owners shall be required to limit use and occupancy the structures below the limited street rights-of-way for parking use only. No combustible material shall be stored in the merger area.
  - c) The owners shall obtain a B-Permit from the City Engineer for any substantial structural modification below the street right-of-way area and for any structural modification areas and for any structural element outside said areas which provides lateral or vertical support to structures within the areas.
10. That the subdivider execute and record an agreement satisfactory to the City Engineer to waive any right to make or prosecute any claims or demands against the City for any damage that may occur to the structures underneath the limited

easements of public street (2<sup>nd</sup> Street, 1<sup>st</sup> Street and Grand Avenue) in connection with the use and maintenance operations within said street easement. This waiver of damage shall also be shown on the final tract map.

11. That a revised map be submitted for information purposes satisfactory to the City Engineer and Advisory Agency showing the exact locations, including upper and lower elevations, of limited dedicated areas. This revised map will be used for the final map checking process and should show only one master lot.

#### **DEPARTMENT OF BUILDING AND SAFETY, GRADING DIVISION**

12. 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 January 24, 2007, Log No. 56350 and attached to the case file for Tract No. 67490.

#### **DEPARTMENT OF BUILDING AND SAFETY, ZONING DIVISION**

13. That 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. 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 AFF-13434 and AFF-11961. Show compliance with all the conditions/requirements of the above affidavit(s) as applicable. Termination of above affidavit(s) may be required after map has been recorded. Obtain approval from the Department, on the termination form, prior to recording.
  - d. Show all street dedication(s) 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.
  - e. Submit a revised map that dimensions each air space lot with a finite width, length, and upper and lower elevations. The final map shall be based upon a site plan which accurately describes the location of such lots.

- f. 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.

#### DEPARTMENT OF TRANSPORTATION

14. That prior to recordation of the final map, satisfactory arrangements shall be made with the Department of Transportation to assure:
  - a. A minimum of 60-foot and 40-foot reservoir space(s) be provided between any ingress security gate(s) and the property line when driveway is serving more than 300 and 100 parking spaces respectively.
  - b. Parking stalls shall be designed so that a vehicle is not required to back into or out of any public street or sidewalk.
  - c. 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 Suite 400, Station 3.

#### FIRE DEPARTMENT

15. That prior to the recordation of the final map, a suitable arrangement shall be made satisfactory to the Fire Department, binding the subdivider and all successors to the following:
  - a. Submittal of plot plans for Fire Department review and approval prior to recordation of Tract Map Action.
  - b. No building or portion of a building shall be constructed more than 300 feet from an approved fire hydrant. Distance shall be computed along path of travel. Exception: Dwelling unit travel distance shall be computed to front door of unit.
  - c. Any required fire hydrants to be installed shall be fully operational and accepted by the Fire Department prior to any building construction.
  - d. No framing shall be allowed until the roadway is installed to the satisfaction of the Fire Department.
  - e. All parking restrictions for fire lanes shall be posted and/or painted prior to any Temporary Certificate of Occupancy being issued.

- f. Where rescue window access is required, provide conditions and improvements necessary to meet accessibility standards as determined by the Los Angeles Fire Department.
- g. No proposed development utilizing cluster, group, or condominium design of one or two family dwellings shall be more than 150 feet from the edge of the roadway of an improved street, access road, or designated fire lane.
- h. All access roads, including fire lanes, shall be maintained in an unobstructed manner, removal of obstructions shall be at the owner's expense. The entrance to all required fire lanes or required private driveways shall be posted with a sign no less than three square feet in area in accordance with Section 57.09.05 of the Los Angeles Municipal Code.
- i. 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.
- j. 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.
- k. 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.
- l. No building or portion of a building shall be constructed more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane.
- m. Where access for a given development requires accommodation of Fire Department apparatus, overhead clearance shall not be less than 14 feet.
- n. Access for Fire Department apparatus and personnel to and into all structures shall be required.
- p. The Fire Department may require additional vehicular access where buildings exceed 28 feet in height.

**LOS ANGELES UNIFIED SCHOOL DISTRICT (LAUSD)**

16. That prior to the issuance of any demolition or grading permit or any other permit allowing site preparation and/or construction activities on the site, satisfactory arrangements shall be made with the Los Angeles Unified School District, implementing measures for demolition and construction satisfactory to the Los Angeles Unified School District. The project site may be located on pedestrian and bus routes for students attending local LAUSD Schools. Therefore, the applicant shall make timely contact for coordination to safeguard pedestrians/motorists with the LAUSD Transportation Branch, phone no. 323.342.1400, and the principals or designees of the local LAUSD Schools. (This condition may be cleared by a written communication from the LAUSD Transportation Branch attesting to the required coordination and/or the principals of the above referenced schools and to the satisfaction of the Advisory Agency).

**DEPARTMENT OF WATER AND POWER**

17. 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).)

**BUREAU OF SANITATION**

18. Satisfactory arrangements shall be made with the Bureau of Sanitation, Wastewater Collection Systems Division for compliance with its sewer system review and requirements. Upon compliance with its conditions and requirements, the Bureau of Sanitation, Wastewater Collection Systems Division will forward the necessary clearances to the Bureau of Engineering. (This condition shall be deemed cleared at the time the City Engineer clears Condition No. S-1. (d).)

**INFORMATION TECHNOLOGY AGENCY**

19. That satisfactory arrangements be made in accordance with the requirements of the Information Technology Agency to assure that cable television facilities will be installed in the same manner as other required improvements. Refer to the Los Angeles Municipal Code Section 17.05N. Written evidence of such arrangements must be submitted to the Information Technology Agency, 200 N. Main Street, 12<sup>th</sup> Floor, Los Angeles, CA 90012, (213) 922.8363.

**DEPARTMENT OF RECREATION AND PARKS**

20. That the Quimby fee be based on the R5 Zone.



**DEPARTMENT OF CITY PLANNING-SITE SPECIFIC CONDITIONS**

21. Prior to 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 a maximum of 400 condominium dwelling units; 100 residential apartment units (a grand total of 500 residential units), 284,000 square feet of commercial/retail space, and a 275 room hotel. 20% of the total amount of residential units shall include affordable units as follows: 35% at extremely low and 65% at very low income levels.
- b. Provide a minimum ratio of 1.5 parking spaces per market rate residential unit and a minimum of 0.5 space per affordable residential unit. Unless an attendant is provided at all times: (a) All guest spaces shall be readily accessible, conveniently located, specifically reserved for guest parking, posted and maintained satisfactory to the Department of Building and Safety. (b) If guest parking spaces are gated, a voice response system shall be installed at the gate. (c) Directions to guest parking spaces shall be clearly posted. Tandem parking spaces shall not be used for guest parking. Provide a minimum of 1 parking space for each 1,000 square feet of commercial/retail use.

Provide a minimum of 1 space for each two individual guest rooms or suites of rooms for the first 20; one additional parking space for each four guest rooms or suites of rooms in excess of 20 but not exceeding 40; and 1 additional parking space for each six guest rooms or suites of rooms in excess of 40 for hotel use, plus a minimum of 1 space per 100 square feet of hotel meeting space.

In addition, prior to issuance of a building permit, a parking plan showing off-street parking spaces, as required by the Advisory Agency, be submitted for review and approval by the Department of City Planning (200 No. Spring Street, Room 750).

- c. In accordance with the Equivalency Program contained in the Final EIR (State Clearinghouse No. 2005091041) for the project, land uses can be exchanged for certain other permitted land uses within and between Tentative Tract Maps 67490, 67491, 67492 so long as the limitations of the Equivalency Program are satisfied and no additional environmental impacts occur. All permitted land use increases can also be exchanged for corresponding decreases of other land uses. The Department of City Planning shall be the implementing agency for the Program.

- d. The applicant shall install an air filtration system(s) to reduce the effects of diminished air quality on occupants of the project.
  - e. That a solar access report shall be submitted to the satisfaction of the Advisory Agency prior to obtaining a grading permit.
  - f. 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.
  - g. Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material.
  - h. The applicant shall install shielded lighting to reduce any potential illumination affecting adjacent properties.
  - i. Prior to the clearance of any tract map conditions, the applicant shall show proof that all fees have been paid to the Department of City Planning, Expedited Processing Section.
22. That prior to the issuance of the building permit or the recordation of the final map, a copy of the **CPC-2006-9702-ZC-CU-CUB-CUX-ZV-DA** shall be submitted to the satisfaction of the Advisory Agency. In the event that **CPC-2006-9702-ZC-CU-CUB-CUX-ZV-DA** is not approved, the subdivider shall submit a tract modification.
23. That the subdivider shall make suitable arrangements for clearance with the Community Redevelopment Agency for the Bunker Hill Redevelopment Project area.

#### **DEPARTMENT OF CITY PLANNING-ENVIRONMENTAL MITIGATION MEASURES**

24. That prior to 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 requiring the subdivider to identify mitigation monitors who shall provide periodic status reports on the implementation of mitigation items required by Mitigation Condition No.'s 25 and 26 of the Tract's approval satisfactory to the Advisory Agency. The mitigation monitors shall be identified as to their areas of responsibility, and phase of intervention (pre-construction, construction, postconstruction/maintenance) to ensure continued implementation of the above mentioned mitigation items.

25. Prior to the recordation of the final map, the subdivider will 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:
- MM-1 During Project construction, the Developer, with regard to the five development parcels, shall ensure, through appropriate postings and daily visual inspections, that no unauthorized materials remain posted on any temporary construction barriers or temporary pedestrian walkways, and that any such temporary barriers and walkways are maintained in a visually attractive manner throughout the construction period. The City's Department of Building and Safety or other appropriate City agency or department, shall determine compliance with this measure with regard to construction associated with the five development parcels.
- MM-2 Prior to the start of each construction work phase, the developer, with regard to the five development parcels, shall prepare and implement a tree replacement plan should mature trees along Grand Avenue be impacted by Project construction. Existing mature trees shall be replaced at a ratio of not less than 1:1, to the extent consistent with the final streetscape design. The City's Department of Building and Safety or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels.
- MM-3 Prior to the start of construction along the east side of Grand Avenue, between First and Temple Streets, the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements shall coordinate construction of park improvements in the westerly Civic Park sector with any installation of streetscape and other improvements on Grand Avenue between First and Temple Streets to reduce the duration and visual impact of construction activities. Scheduling of construction activities for the Civic Park and the Streetscape Program shall be reviewed and approved by the Authority and shall be implemented by the responsible parties.
- MM-4 Prior to the start of each construction work phase, the developer, with regard to the five development parcels, shall schedule and coordinate sidewalk construction with the development of the adjacent parcels to reduce the duration and visual impact of construction activities. Scheduling of construction activities for the five

development parcels shall be reviewed and approved by the Authority and implemented by the responsible parties.

- MM-5 Prior to the start of each construction work phase, the developer, with regard to the five development parcels, shall submit a design plan and technical analysis prepared by the Project's architect as part of the building permit submission that demonstrates that the final selection of building materials for the five development parcels shall not create a significant glare impact on any offsite sensitive uses, including line-of-sight glare on any street or commercial, residential, or cultural use. The approved design plan shall be implemented by the developer with regard to the five development parcels. The design plan and technical study shall be reviewed and approved by the Authority.
- MM-6 Prior to each construction phase, the developer with regard to the five development parcels, shall prepare, and, thereafter, implement plans and specifications to ensure that architectural lighting is directed onto the building surfaces and have low reflectivity in accordance with Illuminating Engineers Society (IES) standards to minimize glare and limit light onto adjacent properties.
- MM-7 Prior to the start of each construction work phase, the developer, with regard to the five development parcels, shall submit to the Authority or other appropriate agency, for review and approval, building plans and specifications that demonstrate that all ventilation, heating and air conditioning ducts, tubes, and other such mechanical equipment shall be screened from the line-of-sight from the street. Approved building plans and specifications shall be implemented by the responsible parties.
- MM-8 Prior to the start of each construction work phase, the developer, with regard to the five development parcels, shall submit design plans that demonstrate that all utility lines and connections are constructed underground. Approved utility plans and connections with regard to the five development parcels shall be reviewed and approved by the Authority. Approved utility lines and connections shall be implemented by the responsible parties.
- MM-9 Prior to construction, the developer, with regard to the five development parcels, shall submit design plans for trash collection areas to the Authority for review and approval. Trash collection areas shall be screened from line of sight from the street. Approved design plans shall be implemented by the developer.

- MM-10 Prior to the start of each construction work phase, the developer, with regard to the five development parcels shall prepare architectural plans that shall be reviewed and approved by the Authority such that all ground-level building fixtures, including, but not limited to, security gates, landscape light fixtures, pedestrian lights, air intake shafts, and other appurtenances are integrated into the architectural theme and/or design of the respective Project components. Approved architectural plans shall be implemented by the developer and the responsible parties.

Air Quality

- MM-11 During each construction phase, the developer, with regard to the five development parcels, shall implement a fugitive dust control program pursuant to the provisions of SCAQMD Rule 403. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with SCAQMD Rule 403 during construction with regard to construction associated with the five development parcels. The SCAQMD retains jurisdiction to enforce this measure in the case of non-compliance. Compliance with the applicable provisions of Rule 403 shall include, but not be limited to, using best available control measures listed in Table 1 of Rule 403 to minimize fugitive dust emissions from each fugitive dust source type within active operations, and will include at least the following specific best management practices (BMPs):

- Water soils daily and not more than 15 minutes prior to earth moving activities;
- Water surfaces two times per day or more in order to maintain a surface crust to prevent soil erosion;
- Apply soil conditioners or vegetative cover to areas that will be exposed for an extended duration;
- Apply chemical stabilizers within five working days of ceasing grading;
- Install approved trackout prevention devices and provide street sweeping within the Project area;
- Securely cover truck loads with a tarp;
- Cease grading activities when wind speeds exceed 25 miles

per hour; and

- Permanently seal exposed surfaces as soon as possible after grading is finished; and
- Provide temporary wind fencing, consisting of wrapped chain link or solid fencing, around the sites that are being graded/excavated to reduce dirt/dust from being blown over to adjoining properties.

**MM-12** During each construction phase, the developer, with regard to the five development parcels, shall utilize coatings and solvents that are consistent with applicable SCAQMD rules and regulations. The City's Department of Building and Safety, or other appropriate City agency or department, shall provide oversight with regard to compliance with this measure with regard to construction associated with the five development parcels. The SCAQMD retains jurisdiction to enforce this measure in the case of non-compliance.

**MM-13** During each construction phase, the developer, with regard to the five development parcels, shall comply with SCAQMD Rule 402 to reduce potential nuisance impacts due to odors from construction activities. The City's Department of Building and Safety, or other appropriate City agency or department, shall provide oversight with regard to compliance with this measure with regard to construction associated with the five development parcels. The SCAQMD retains jurisdiction to enforce this measure in the case of non-compliance.

**MM-14** During each construction phase, the developer, with regard to the five development parcels, shall ensure that all haul truck tires shall be cleaned at the time these vehicles exit the Project site. The City's Department of Building and Safety, or other appropriate City agency or department, shall provide oversight with regard to compliance with this measure with regard to construction associated with the five development parcels. The SCAQMD retains jurisdiction to enforce this measure in the case of non-compliance.

**MM-15** During each construction phase, the developer, with regard to the five development parcels, shall ensure that all export material carried by haul trucks shall be covered by a tarp or other means. The City's Department of Building and Safety, or other appropriate City agency or department, shall provide oversight with regard to compliance with this measure with regard to construction associated with the five

development parcels. The SCAQMD retains jurisdiction to enforce this measure in the case of non-compliance.

- MM-16 During each construction phase, the developer, with regard to the five development parcels, shall ensure that all construction equipment shall be properly tuned and maintained in accordance with manufacturer's specifications. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to construction associated with the five development parcels.
- MM-17 During each construction phase, the developer, with regard to the five development parcels, shall ensure that construction equipment is maintained and operated so as to minimize exhaust emissions. During construction, trucks and vehicles in loading and unloading queues shall turn off their engines, when not in use, to reduce vehicle emissions. Construction emissions shall be phased and scheduled to avoid emissions peaks and discontinued during second-stage smog alerts. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to construction activities associated with the five development parcels.
- MM-18 During each construction phase, the developer, with regard to the five development parcels, shall ensure that electricity rather than temporary diesel- or gasoline-powered generators shall be used to the extent feasible. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to construction associated with the five development parcels.
- MM-19 During each construction phase, the developer, with regard to the five development parcels, shall ensure that all construction vehicles shall be prohibited from idling in excess of five minutes, both on- and off-site. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to construction associated with the five developments.
- MM-20 During each construction phase, the developer, with regard to the five development parcels, shall ensure that heavy-duty construction equipment shall use alternative clean fuels, such as low sulfur diesel or compressed natural gas with oxidation catalysts or particulate traps, to the extent feasible. The City's Department of Building and Safety, or other appropriate City agency or department, shall

determine compliance with this measure with regard to the five development parcels.

- MM-21 During each construction phase, the developer, with regard to the five development parcels shall ensure that shuttle service shall be provided to construction workers who are required to park in offsite parking lots if such lots are not within a walking distance of 1100 feet from the respective construction sites. CRA/LA shall determine compliance with this measure with regard to construction associated with the five development parcels.
- MM-22 During each construction phase, the developer, with regard to the five development parcels, shall equip major earth moving equipment, haul trucks, and excavation equipment with particulate filters and catalytic converters. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to construction associated with the five development parcels.
- MM-23 During each construction phase, the developer with regard to the five development parcels, shall ensure that building materials, architectural coatings and cleaning solvents shall comply with all applicable SCAQMD rules and regulations. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to construction associated with the five development parcels. The SCAQMD shall be responsible for the enforcement of this measure for all Project components in the case of non-compliance.
- MM-24 During Project operations, the developer, with regard to the five development parcels, shall, to the extent feasible, ensure that deliveries are scheduled during off-peak traffic periods to encourage the reduction of trips during the most congested periods. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure, with regard to construction associated with the five development parcels.
- MM-25 During Project operations, the developer, with regard to the five development parcels, shall coordinate with the MTA and the Los Angeles Department of Transportation to provide information to Project employees, residents and guests with regard to local bus and rail services. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to construction associated with the five development parcels.



- MM-26 Provide the appropriate number of bicycle racks located at convenient locations in the Project site. The developer shall implement this measure with regard to the five development parcels prior to initial building occupancy for each construction phase. The City's Department of Safety shall review and approve the number and location of the bicycle racks with regard to the five development parcels.
- MM-27 The developer, with regard to the five development parcels, shall provide convenient pedestrian access throughout the Project site. The Developer shall implement this measure with regard to the five development parcels prior to initial building occupancy for each construction phase. Pedestrian access plans shall be submitted to the Authority, for review and approval. Approved pedestrian access plans shall be implemented by the responsible parties.
- MM-28 During on-going Project operations, the developer, with regard to the five development parcels, shall ensure that all fixtures used for lighting of exterior common areas shall be regulated by automatic devices to turn off lights when they are not needed, but a minimum level of lighting should be provided for safety. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this mitigation measure with regard to the five development parcels.
- MM-29 During Project operations, the developer, with regard to the five development parcels, shall ensure that all point source facilities shall obtain all required permits from the SCAQMD. The issuance of these permits by the SCAQMD shall require the operators of these facilities to implement Best Available Control Technology and other required measures that reduce emissions of criteria air pollutants. Proof of permit issuance by the SCAQMD shall be provided to the City's Department of Building and Safety, or other appropriate City agency or department, with regard to the five development parcels. Compliance with point source permits shall be enforced by the SCAQMD for all Project components.
- MM-30 During Project operations, the developer, with regard to the five development parcels, shall ensure that commercial businesses located within the Project site shall be limited to those that do not emit high levels of potentially toxic air contaminants or odors (e.g., dry cleaners with on-site processing plants that handle toxic chemicals). The City's Department of Building and Safety, or other appropriate City agency or department, shall be responsible for the

enforcement of this measure with regard to the five development parcels.

- MM-31 Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall prepare and implement building plans and specifications that ensure that all residential and non-residential buildings shall, at a minimum, meet the California Title 24 Energy Efficiency standards for water heating, space heating and cooling. Approved building plans shall be implemented by the developer and the responsible parties. Building plans and specifications with regard to the five development parcels shall be reviewed and approved by the City's Department of Building and Safety, or other appropriate City agency or department.
- MM-32 During each construction phase, the Developer with regard to the five development parcels, shall ensure that building materials, architectural coatings and cleaning solvents shall comply with all applicable SCAQMD rules and regulations. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to construction associated with the five development parcels. The SCAQMD retains enforcement of this measure for all Project components in the case on non-compliance.

#### Fire Protection and Related Services

- MM-33 During demolition activities occurring during each construction phase, the developer, with regard to the five development parcels, shall ensure sure that emergency access shall remain clear and unobstructed. The LAFD shall determine compliance with this measure with regard to the five development parcels.
- MM-34 Prior to each construction phase, the developer, with regard to the five development parcels, shall prepare, and thereafter implement, plans and specifications to ensure that the construction contractor is apprised of the requirement to maintain access to sub-surface parking structures associated with the Civic Center Mall, the Music Center, and the Colburn School for Performing Arts. The LAFD shall determine compliance with this measure with regard to the five development parcels.
- MM-35 During each construction phase, the developer, with regard to the five development parcels, shall maintain access for emergency response personnel to the Kenneth Hahn Hall of Administration, the Paseo de los Pobladores de Los Angeles, the County Courthouse, the Colburn School for Performing Arts, and the Walt Disney Concert Hall.

The LAFD shall determine compliance with this measure with regard to construction in the five development parcels.

- MM-36 Prior to each construction phase, the developer, with regard to the five development parcels, shall prepare, and thereafter implement, a plan to ensure that emergency evacuation from the northwest side of the County Mall and Colburn School for Performing Arts, the southeast side of the Music Center and the Walt Disney Concert Hall would not be impeded by construction of the individual Project elements. With respect to the plan for the Mall, it must be prepared to coordinate with emergency evacuation plans for the Courthouse and the Hall of Administration. The LAFD shall determine compliance with this measure with regard to the five development parcels.
- MM-37 During each construction phase, the developer, with regard to the five development parcels, shall ensure that sufficient fire hydrants shall remain accessible at all times during Project construction. The LAFD shall determine compliance with this measure with regard to the five development parcels.
- MM-38 Prior to the start of each construction phase and during Project operations, the developer, with regard to the five development parcels shall comply with all applicable State and local codes and ordinances, and the guidelines found in the Fire Protection and Fire Prevention Plan, and the Safety Plan, both of which are elements of the General Plan of the City of Los Angeles (C.P.C. 19708). The City of Los Angeles Fire Department (LAFD) shall determine compliance with this measure with regard to the five development parcels.
- MM-39 During Project operations, the developer, with regard to the five development parcels shall maintain all access roads, including fire lanes, in an unobstructed manner, and removal of obstructions shall be at the owner's expense. The entrance to all required fire lanes or required private driveways shall be posted with a sign no less than three square feet in area in accordance with Section 57.09.05 of the Los Angeles Municipal Code. The LAFD shall determine compliance with this measure with regard to the five development parcels.
- MM-40 Prior to the start of each construction phase, the Developer, with regard to the five development parcels, shall prepare, and thereafter implement, plans and specifications in accordance with LAFD requirements, and requirements for necessary permits shall be satisfied prior to commencement of construction on any portion of the

five development parcels. The LAFD shall determine compliance with this measure with regard to the five development parcels.

- MM-41 Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall prepare, and thereafter implement, a plan that will assure that any required fire hydrants that are installed shall be fully operational and accepted by the Fire Department prior to any building construction. The LAFD shall determine compliance with this measure with regard to the five development parcels.
- MM-42 Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall submit plot plans indicating access roads and turning areas to the LAFD for review and approval. The developer, with regard to the five development parcels shall implement the approved plot plans. The LAFD shall determine compliance with this measure.
- MM-43 Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall prepare, and thereafter implement, engineering plans that show adequate fire flow and placement of adequate and required public and private fire hydrants. The LAFD shall determine compliance with this measure with regard to the five development parcels.
- MM-44 During each construction phase, the developer, with regard to the five development parcels, shall provide emergency access for Fire Department apparatus and personnel to and into all structures. The LAFD shall determine compliance with this measure with regard to the five development parcels.
- MM-45 Prior to the start of each construction phase, the developer, with regard to the five development parcels shall prepare, and thereafter implement, a plan that will provide that any private roadways for general access use and fire lanes shall not be less than 20 feet wide and clear to the sky. The LAFD shall determine compliance with this measure with regard to the five development parcels.
- MM-46 Prior to the start of each construction phase, the developer, with regard to the five development parcels shall prepare, and thereafter implement, a plan that will provide that any fire lanes and dead end streets shall terminate in a cul-de-sac or other approved turning area. No dead end street or fire lane shall be greater than 700 feet in length or secondary access shall be required. The LAFD shall

determine compliance with this measure with regard to the five development parcels.

- MM-47 Prior to the start of each construction phase, the developer, with regard to the five development parcels shall prepare, and thereafter implement, a plan that designs any proposed development utilizing cluster, group, or condominium design not more than 150 feet from the edge of the roadway of an improved street, access road, or designated fire lane. The LAFD shall determine compliance with this measure with regard to the five development parcels.
- MM-48 Prior to the start of each construction phase, the developer, with regard to the five development parcels shall prepare, and thereafter implement, a plan that designs fire lanes to be not less than 28 feet in width. 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. The LAFD shall determine compliance with this measure with regard to the five development parcels.
- MM-49 Prior to the start of each construction phase, the developer, with regard to the five development parcels, where above ground floors are used for residential purposes, shall prepare, and thereafter implement, a plan that interprets the access requirement as being the horizontal travel distance from the street, driveway, alley, or designated fire lane to the main entrance of the residential units. The LAFD shall determine compliance with this measure.
- MM-50 Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall prepare, and thereafter implement, a plan that designs the entrance or exit of all ground level residential units to be no more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane. The LAFD shall determine compliance with this measure.
- MM-51 Prior to the start of each construction phase, the developer, with regard to the five development parcels shall prepare, and thereafter implement, a plan that provides access that requires the accommodation of Fire Department apparatus, shall design the minimum outside radius of the paved surface to be 35 feet. An additional six feet of clear space must be maintained beyond the outside radius to a vertical point 13 feet 6 inches above the paved surface of the roadway. The LAFD shall determine compliance with this measure with regard to the five development parcels.

- MM-52 Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall not construct any building or portion of a building to be more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane. The LAFD shall determine compliance with this measure with regard to the five development parcels.
- MM-53 Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall prepare, and thereafter implement, a plan that provides for access that requires accommodation of Fire Department apparatus, a design for overhead clearances to be not less than 14 feet. The LAFD shall determine compliance with this measure with regard to the five development parcels.
- MM-54 Prior to the start of each construction phase, the developer, with regard to the five development parcels shall prepare, and thereafter implement, a plan that provides for additional vehicular access required by the Fire Department, where buildings exceed 28 feet in height. The LAFD shall determine compliance with this measure with regard to the five development parcels.
- MM-55 Prior to the start of each construction phase, the developer, with regard to the five development parcels shall prepare, and thereafter implement, a plan that provides, where fire apparatus shall be driven onto the road level surface of the subterranean parking structure, for the structure to be engineered to withstand a bearing pressure of 8,600 pounds per square foot. The LAFD shall determine compliance with this measure with regard to the five development parcels.
- MM-56 Prior to the start of each construction phase, the developer, with regard to the five development parcels shall record any private streets as Private Streets and Fire Lanes. All private street plans shall show the words "Private Street and Fire Lane" within the private street easement. The LAFD shall determine compliance with this measure with regard to the five development parcels.
- MM-57 During operation of the Project, the developer, with regard to the five development parcels, shall provide that all electric gates approved by the Fire Department shall be tested by the Fire Department prior to Building and Safety, or other appropriate City agency or department, granting a Certificate of Occupancy. The LAFD shall determine compliance with this measure.

- MM-58 Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall prepare, and thereafter implement, a plan that would not construct any building or portion of a building more than 300 feet from an approved fire hydrant. Distance shall be computed along path of travel with the exception that dwelling unit travel distance shall be computed to the front door of the unit. The LAFD shall determine compliance with this measure with regard to the five development parcels.
- MM-59 Prior to the start of each construction phase, the developer, with regard to the five development parcels shall submit plans to the Fire Department for review and approval. Where rescue window access is required, the developer, with regard to the five development parcels, shall incorporate conditions and improvements necessary to meet accessibility standards as determined by the LAFD. The LAFD shall determine compliance with this measure.
- MM-60 During operations of the Project, the developer, with regard to the five development parcels shall have the curbs of all public street and fire lane cul-de-sacs painted red and/or be posted "No Parking at Any Time" prior to the issuance of a Certificate of Occupancy or Temporary Certificate of Occupancy for any structures adjacent to the cul-de-sac. The LAFD shall determine compliance with this measure with regard to the five development parcels.
- MM-61 Prior to the start of each construction phase, the developer, with regard to the five development parcels shall submit building plans to the LAFD for review and approval that demonstrate that automatic fire sprinklers shall be installed in all structures. The LAFD shall determine compliance with this measure.

#### Hazards and Hazardous Materials

- MM-62 Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall properly decommission all unused groundwater monitoring wells, per applicable regulations. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels. The Regional Water Quality Control Board shall enforce compliance with this measure.
- MM-63 Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall test for the presence or absence of hydrogen sulfide and methane beneath the site by subsurface sampling. Should the sampling result in the discovery of

hydrogen sulfide and/or methane, appropriate health and safety measures shall be implemented, in accordance with applicable regulations. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure.

- MM-64** Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall take fill samples from each of the five parcels, and shall analyze these samples for contaminants at elevated concentrations. Should elevated contaminant concentrations be discovered, appropriate measures shall be implemented, in accordance with applicable regulations. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure.
- MM-65** Prior to the start of each construction phase, the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements, shall undertake an appropriate investigation to ascertain whether any hazardous conditions would occur as a function of implementing the streetscape improvements along Grand Avenue and/or the Civic Park. Should elevated concentrations of contaminants be identified, appropriate measures shall be implemented in accordance with applicable regulations. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the Streetscape Program. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.
- MM-66** Prior to the start of any demolition activities or renovation on any painted surfaces at the Project site, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park under the applicable agreements shall conduct a survey of lead based paint (LBP) to determine the level of risk posed to maintenance personnel, construction workers, facility staff, and patrons from exposure to the paints present at the site. Any recommendations made in that survey related to the paints present at the Project site shall be implemented prior to the demolition or renovation of said painted surfaces. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.



Noise

- MM-67 To reduce any impact on nearby venues that may be noise sensitive receptors, such as the Music Center, Disney Concert Hall, and the County Courthouse, the following Measures G-1 and G-2 shall be implemented as follows: During each construction phase, the developer, with regard to the five development parcels, shall limit (i) construction activities utilizing heavy equipment to Monday through Friday from 7:00 a.m. to 8:00 p.m., and (ii) interior construction work inside building shells and construction activities not utilizing heavy equipment to 7:00 a.m. to 9:00 p.m. Monday through Friday. Saturday construction shall be limited to 8:00 a.m. to 6 p.m. No exterior construction activities shall be permitted on Sundays or holidays per applicable City regulations. Construction noise measures shall also be implemented, which may include the use of noise mufflers on construction equipment used within 100 feet of these buildings. The City's Department of Building and Safety or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels.
- MM-68 During each construction phase, the developer, with regard to the five development parcels shall not use heavy equipment within (to the maximum extent practicable) 100 feet of the County Courthouse building while Court is in session. Construction contracts must specify that all construction equipment shall be in proper operating condition and fitted with standard factory silencing features and other applicable attenuation devices such as mufflers. The City's Department of Building and Safety or other appropriate City agency or department shall determine compliance with this measure with regard to the five development parcels.
- MM-69 During the initial stage of each construction phase (site demolition and site preparation/excavation) for each Project parcel and when construction activities are within 200 feet of noise sensitive land uses, the developer, with regard to the five development parcels, shall erect a temporary, 8-foot, ½-inch-thick plywood fence along the boundaries of each construction site adjacent to noise sensitive uses such that the "line of sight" between on-site construction activities and the residential or other sensitive uses is blocked, where feasible. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels.

- MM-70 During each construction phase, the developer, with regard to the five development parcels, shall ensure that pile drivers within the individual activity/development site under construction at that time shall be equipped with noise control devices having a minimum quieting factor of 10 dBA. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to construction in the five development parcels.
- MM-71 During each construction phase, the developer, with regard to the five development parcels, shall, except as otherwise permitted by applicable agreements, ensure that construction loading and staging areas shall be located on the Project site within each respective construction site and away from noise-sensitive uses to the extent feasible. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to construction in the five development parcels.
- MM-72 Prior to the issuance of grading permits for each construction phase, the developer, with regard to the five development parcels, shall prepare, and thereafter implement, plans and specifications that include a requirement to route pedestrians (to the maximum extent practicable) 50 feet away from the construction area when heavy equipment such as hydraulic excavators are in use. Such routing may include the posting of signs at adjacent intersections. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels.
- MM-73 During each construction phase, the developer, with regard to the five development parcels, shall designate a construction relations officer to serve as a liaison with surrounding property owners who is responsible for responding to any concerns regarding construction noise. The liaison shall coordinate with the Project construction manager(s) to implement remedial measures in the shortest time feasible. The liaison's telephone number(s) shall be prominently displayed at multiple locations along the perimeter of each construction site. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels.

- MM-74 The developer, with regard to the five development parcels, shall prepare and implement building plans that ensure prior to the start of each construction phase which includes residential development, that all exterior walls, floor-ceiling assemblies (unless within a unit), and windows having a line of sight (30 degrees measured from the horizontal plane) of Grand Avenue, Hill Street, Hope Street, First Street, and Second Street of such residential development shall be constructed with double-paned glass or an equivalent and in a manner to provide an airborne sound insulation system achieving a lab-tested Sound Transmission Class of 30, subject to field testing, as defined in UBC Standard No. 35-1, 1982 edition. Sign off by the City's Department of Building and Safety, or other appropriate City agency or department, shall be required prior to obtaining a building permit. The developer, as an alternative, may retain an engineer registered in the State of California with expertise in acoustical engineering, who shall submit a signed report for an alternative means of sound simulation satisfactory to the City's Department of Building and Safety, or other appropriate City agency or department. Examples of alternative means may include, but are not limited to, the following: (1) acoustical seals for doors and windows opening to the exterior; (2) consideration of the type, location, and size of windows; and (3) sealing or baffling of openings and vents. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure.

#### Parks and Recreation

- MM-75 Prior to the issuance of a certificate of occupancy, the developer, with regard to the five development parcels, shall: (1) dedicate additional parkland such that the Project would provide a total of 3 acres per 1,000 Project residents; (2) pay in-lieu fees for any land dedication requirement shortfall; or (3) a combination of the above. The City's Department of Building and Safety, or other appropriate City agency or department shall determine compliance with this measure.

#### Police Protection Services

- MM-76 During each construction phase, the developer, with regard to the five development parcels, shall provide clear and unobstructed LAPD access to the construction site. The LAPD shall determine compliance with this measure with regard to the five development parcels.

- MM-77 During ongoing construction, the developer, with regard to the five development parcels shall provide security features on the construction site(s), such as guards, fencing, and locked entrances. The LAPD shall determine compliance with this measure.
- MM-78 Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall submit plot plans for a proposed development to the Los Angeles Police Department's Crime Prevention Section for review and comment. Security features subsequently recommended by the LAPD shall be implemented by the developer to the extent feasible.
- MM-79 At the completion of each construction phase, the developer, with regard to the five development parcels shall file as-built building plans with the LAPD Central Area Commanding Officer. Plans shall include access routes, floor plans, and any additional information that might facilitate prompt and efficient police response. The LAPD shall determine compliance with this measure.
- MM-80 During Project operations, the developer, with regard to the five development parcels shall install alarms and/or locked gates on doorways providing public access to commercial facilities. The LAPD shall determine compliance with this measure with regard to the five development parcels.
- MM-81 During Project operations, the developer, with regard to the five development parcels shall not plant landscaping in a way that could provide cover for persons tampering with doors or windows of commercial facilities, or for persons lying in wait for pedestrians or parking garage users. The LAPD shall determine compliance with this measure with regard to the five development parcels.
- MM-82 Additional lighting shall be installed where appropriate, including on the Project site and in parking garages, as determined in consultation with the LAPD with regard to the five development parcels. The developer shall implement this measure with regard to the five development parcels prior to initial building occupancy for each construction phase.
- MM-83 Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall prepare, and thereafter implement, a plan that incorporates safety features into the Project's design to assure pedestrian safety, assist in controlling pedestrian traffic flows, and avoid pedestrian/vehicular conflicts on-site. Safety measures may include the provision of security

personnel; clearly designated, well-lighted pedestrian walkways on-site; special street and pedestrian-level lighting; physical barriers (e.g., low walls, landscaping), particularly around the perimeter of the parking garages, to direct pedestrians to specific exit locations that correspond to designated crosswalk locations on adjacent streets. The LAPD shall determine compliance with this measure with regard to the five development parcels.

- MM-84 Prior to the issuance of a certificate of occupancy for each construction phase and during Project operations, the developer, with regard to the five development parcels, shall develop, and thereafter implement, a new or modified Security Plan to minimize the potential for on-site crime and the need for LAPD services. The plan would outline the security services and features to be implemented, as determined in consultation with the LAPD. The LAPD shall determine compliance with this measure with regard to the five development parcels.

The following shall be included in the plan:

1. Provision of an on-site security force that would monitor and patrol the Project site. During operational hours, security officers shall perform pedestrian, vehicular, and/or bicycle patrols.
2. Implementation of a video camera surveillance system and/or a closed-circuit television system;
3. Additional security features shall be incorporated into the design of proposed parking facilities, including "spotters" for parking areas, and ensuring the availability of sufficient parking either on- or off-site for all building employees and anticipated patrons and visitors;
4. Security lighting incorporating good illumination and minimum dead space in the design of entryways, seating areas, lobbies, elevators, service areas, and parking areas to eliminate areas of concealment. Security lighting shall incorporate full cutoff fixtures which minimize glare from the light source and provide light downward and inward to structures to maximize visibility;
5. Provision of lockable doors at appropriate Project entryways, offices, retail stores, and restaurants;
6. Installation of alarms at appropriate Project entryways and ancillary commercial structures;

7. All businesses desiring to sell or allow consumption of alcoholic beverages are subject to the issuance of a Conditional Use Permit by the City;
8. Accessibility for emergency service personnel and vehicles into each structure, and detailed diagram(s) of the Project site, including access routes, unit numbers, and any information that would facilitate police response shall be provided to the Central Area Commanding Officer.
9. In addition, security procedures regarding initial response, investigation, detainment of crime suspects, LAPD notification, crowd and traffic control, and general public assistance shall be outlined in the Security Plan. The plan would be subject to review by the LAPD, and any provisions pertaining to access would be subject to approval by the Los Angeles Department of Transportation.

**MM-85** Prior to the issuance of a certificate of occupancy for each construction phase and on-going during operations, the developer, with regard to the five development parcels, shall develop, and thereafter implement, an Emergency Procedures Plan to address emergency concerns and practices. The plan shall be subject to review by the LAPD with regard to the five development parcels and any provisions pertaining to access would be subject to approval by LADOT.

#### School Services

**MM-86** Prior to the issuance of each building permit, the developer, with regard to the five development parcels, shall pay school mitigation fees pursuant to the provisions of California Government Code Section 65995. The City's Department of Building and Safety, or other appropriate City agency or department shall determine compliance with this measure.

#### Solid Waste

**MM-87** Prior to the issuance of a certificate of occupancy for each construction phase, and thereafter during Project operations, the developer, with regard to the five development parcels, shall comply with the provisions of City of Los Angeles Ordinance No. 171687 with regard to all new structures constructed as part of the five development parcels. The City's Department of Building and

Safety, or other appropriate City agency or department, shall determine compliance with this measure.

- MM-88 Prior to the issuance of each certificate of occupancy, the developer, with regard to the five development parcels, shall prepare, and thereafter implement, a plan that designs all structures constructed or uses established within any part of the proposed Project site to be permanently equipped with clearly marked, durable, source sorted recyclable bins at all times to facilitate the separation and deposit of recyclable materials. The City's Department of Public Works, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels.
- MM-89 Prior to the issuance of each certificate of occupancy, the developer, with regard to the five development parcels, shall prepare, and thereafter implement, a plan that designs primary collection bins to facilitate mechanized collection of such recyclable wastes for transport to on- or off-site recycling facilities. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels.
- MM-90 During Project operations, the developer, with regard to the five development parcels, shall continuously maintain in good order for the convenience of businesses, patrons, employees and park visitors clearly marked, durable and separate bins on the same lot, or parcel to facilitate the commingled recyclables and deposit of recyclable or commingled waste metal, cardboard, paper, glass, and plastic therein; maintain accessibility to such bins at all times, for collection of such wastes for transport to on- or off-site recycling plants; and require waste haulers to utilize local or regional material recovery facilities as feasible and appropriate. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels.
- MM-91 During each construction phase, the developer, with regard to the five development parcels, shall implement a demolition and construction debris recycling plan, with the explicit intent of requiring recycling during all phases of site preparation and building construction. The City's Department of Building and Safety, or other appropriate City agency or department, shall review and approve the plan with regard to the five development parcels.

Traffic, Circulation and Parking

- MM-92 The developer with regard to the five development parcels, shall prepare, prior to the start of each construction work phase, a Construction Traffic Control/Management Plan ("Plan") to be approved by the City of Los Angeles Department of Transportation ("LADOT") and implemented by the responsible party. The Plan shall include, but not be limited to, Project scheduling, the location and timing of any temporary land closures, traffic detours, haul routes, temporary roadway striping, and signage for traffic flow, as necessary, as well as the identification and signage of alternative pedestrian routes in the immediate vicinity of the Project, if necessary. The Plan should also provide for the coordination of construction areas, and for safe pedestrian movement throughout the Project Area such that adequate and safe pedestrian movement access is maintained to adjacent uses including the Walt Disney Concert Hall, the Music Center, the County Courthouse, and the Metro Red Line station portals (on Parcel W-2 and on the Court of Flags).
- MM-93 After approval of the Construction Traffic Control/Management Plan(s) required under MM-110 and prior to the start of each construction work phase, the developer with regard to the five development parcels, shall submit a copy of the Plan(s) to the Authority or other appropriate agency, and/or the City Chief Administrative Officer or designee, and the County of Los Angeles Chief Administrative Officer. Following receipt of the Plan(s), the County Chief Administrative Officer shall distribute that information to all County properties on Grand Avenue, including the Hall of Administration, County Courthouse, the Walt Disney Concert Hall, and the Music Center, for further distribution of information to employees and visitors on construction schedules, alternative travel routes, and land and sidewalk closure information, as appropriate, and the Authority or other appropriate agency, or the City, shall distribute to the appropriate City departments for the same purpose.
- MM-94 Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall enter into one or more temporary arrangements with parking garages in the area of the Project, or with surface lot operators elsewhere in downtown or its periphery, to provide a sufficient supply of off-street spaces for the construction workers during Project construction, and will require all construction workers to use these designated parking spaces. These temporary arrangements shall be to the satisfaction of (i) CRA/LA or (ii) the County's CAO or its designee.



- MM-95 If the Project proceeds with the County office building option, the County, on an on-going basis following initial occupancy, shall fund and implement a Transportation Demand Management (TDM) program for the proposed County office use in Parcel W-1/W-2. The County's Chief Administrative Officer shall ensure the County's review and approval of this TDM program. The TDM program could, for example, include an onsite transportation coordinator, post information on transit, and provide logistical support for the formation of carpools and vanpools, and other incentives to use transit and rideshare.
- MM-96 The developer, with regard to the five development parcels, shall implement ATCS in conjunction with the area-wide ATCS program, if not otherwise implemented, prior to the completion of the first phase of development at the intersections identified by LADOT, although the implementation of this measure will provide mitigation to all three Project phases. Implementation of ATCS shall occur in the northern part of downtown, north of Eighth Street, at the locations identified by LADOT. LADOT has determined that implementation of the ATCS mitigation improvements in the area surrounding the Project would comprise the following: (1) upgrades to Model 2070 traffic signal controllers at 35 intersections; (2) installation of 58 ATSAC/ATCS system vehicle detectors at 9 intersections; and (3) installation of CCTV cameras to provide video information to the ATSAC Center at eight locations. Subject to a final determination by LADOT of the improvements required for the Project, ATCS shall also include LADOT's Transit Priority System (TPS).
- MM-97 The following menu of MMs have been developed to further reduce the Project's potential traffic and circulation impacts. The term "menu" refers to the various ways that each of the following measures can be implemented to achieve trip reduction. Selection shall be coordinated with the LADOT, who shall determine which of the MMs are to be implemented.
1. Provide enhanced walking connections along the Project street frontages to transit service (to bus stops and to the Red Line station portals at First Street and Hill Street). These could comprise pedestrian amenities along the Project's street frontages, including landscaped sidewalks, wider crosswalks where feasible at key intersections, improved lighting for pedestrian safety at nighttime, and pedestrian wayfinding signage, to facilitate walking in the Project area. The developer shall implement this measure with regard to the five development parcels prior to initial building occupancy for each development phase.

2. The developer, as determined by LADOT and prior to initial building occupancy for each development phase, shall provide enhanced bus stops on the street frontages of the five development parcels. These enhanced bus stops may include bus shelters with passenger amenities such as benches, shaded areas, and transit information that could be integrated into the overall urban design/landscaping of the Project.
3. Provide transit information kiosks at various strategic locations on the Project site. The developer shall implement this measure with regard to the five development parcels prior to initial building occupancy for each development phase.
4. The developer, with regard to the five development parcels, shall participate, to the extent feasible, in an on-going basis during Project operations, in a Share-Car program (e.g., Flexcar) that makes cars available to registered members. It is anticipated that up to three on-street parking spaces, subject to a determination of feasibility by LADOT, could be provided at key locations adjacent to the Project frontage for up to three Share-Cars. The Share-Cars could be available to both Project and non-Project users as long as they were members of the Share-Car program. The Project shall support a Share-Car organization's application to the City, and following any implementation of such application shall promote the Share-Car concept and encourage its usage with Project residents and tenants.
5. Provide improved vehicular directional signage on surface streets approaching and within the Project area to direct vehicles to specific destinations and parking locations, as appropriate, to minimize vehicles circulating in the Project area. Such signage should be approved to the satisfaction of LADOT. The developer shall implement this measure with regard to the five development parcels prior to initial building occupancy for each development phase.

MM-98 The Developer, with regard to the five development parcels, shall re-stripe the westbound approach of the Third Street and Hill Street intersection from the existing configuration of one left turn lane, one through lane, and one shared through/right-turn lane to a future configuration of one left turn lane, two through lanes, and one exclusive right-turn lane. This improvement would require a slight widening of Third Street west of Hill Street before the entrance to the tunnel within the public right-of-way. The final lane configuration

of this intersection shall be to the satisfaction of the City of Los Angeles Department of Transportation. In addition, any street widening and construction activities shall be coordinated with the City of Los Angeles Department of Public Works, Bureau of Engineering.

#### Wastewater

- MM-99 Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall comply with City ordinances limiting connections to the City sewer system, in accordance with City Bureau of Sanitation procedures. The City's Department of Public Works, Sanitation Bureau or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels.
- MM-100 Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall prepare, and thereafter implement, building plan specifications for the installation of low-flow water fixtures and further encourage reduction of water consumption to minimize wastewater flow to the sewer system, in accordance with applicable water conservation requirements. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels.

#### Water Supply

- MM-101 Prior to initial occupancy of the buildings within Parcels L and W-1/W-2, the developer shall install new water lines along Second Street, from Olive Street to Hill Street to serve Parcels W-1/W-2, and from Hope Street to Lower Grand Avenue to serve Parcel L. The City's Department of Public Works shall review and approve all plans related to these new water lines. The developer shall be responsible for the implementation of these improvements.
- MM-102 Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall call DIG-ALERT to identify and mark on the ground surface the locations of existing underground utilities. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels.
- MM-103 Prior to the start off each construction phase, the developer, with regard to the five development parcels, shall perform potholing of

existing water and gas mains to verify the depth of cover. If the depth of cover over the lines is shallow and the total street pavement section is thick (around 24 inches), then the temporary cover over the lines during construction may be reduced to 12 inches or less. Under these circumstances, protective measures shall be implemented to prevent damage or breakage of the lines during the pavement sub-grade preparation process, notices of service interruption, if necessary, shall be provided to customers in accordance with DWP-Water and ACG requirements. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels.

- MM-104 Prior to issuance of building permits for each construction phase, the developer, with regard to the five development parcels, shall pay the appropriate fees as may be imposed by the City's Department of Building and Safety, or other appropriate City agency or department. A percentage of building permit fees is contributed to the fire hydrant fund, which provides for citywide fire protection improvements. Compliance with this measure shall be determined by the City's Department of Building and Safety, or other appropriate City agency or department.
- MM-105 Prior the issuance of building permits for each construction phase, the developer, with regard to the five development parcels shall coordinate with the Los Angeles Department of Water and Power to conduct a flow test to confirm that the existing water system meets fire flow requirements imposed by the LAFD for the Project. The developer, with regard to the five development parcels shall undertake and complete required improvements as identified by the LADWP, based on the findings of the flow test. The City's Department of Public Works, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels.
- MM-106 During Project operations, the developer, with regard to the five development parcels, shall incorporate Phase I of the City of Los Angeles' Emergency Water Conservation Plan into all privately operated parcels. The Plan prohibits hose watering of driveways and associated walkways, mandates decorative fountains to use recycled water, mandates drinking water in restaurants to be served upon request only, and provides that water leaks are repaired in a timely manner. The City's Department of Public Works, or other appropriate City agency or department, shall determine compliance with this measure.

MM-107 During Project operations, incorporate Los Angeles County water conservation policies into the County Office Building, if the Project proceeds with the County office building option. The County with regard to the County Office Building, if the Project proceeds with the County office building option, shall be responsible for implementing this measure. The implementation of this measure shall be subject to the review and approval of the County's CAO or its designee.

MM-108 During Project operations, the developer, with regard to the five development parcels, and the County Office Building operator shall comply with any additional mandatory water use restrictions imposed as a result of drought conditions. The City's Department of Public Works, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels.

MM-109 During Project operations, the developer, with regard to the five development parcels, shall install automatic sprinkler systems to irrigate landscaping during morning hours or during the evening to reduce water losses from evaporation, and sprinklers shall be reset to water less often in cooler months and during the rainfall season so that water is not wasted by excessive landscape irrigation. The City's Department of Public Works, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels.

26. **Construction Mitigation Conditions** - Prior to the issuance of a grading or 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:

CM-1. That a sign be required on site clearly stating a contact/complaint telephone number that provides contact to a live voice, not a recording or voice mail, during all hours of construction, the construction site address, and the tract map number. **YOU ARE REQUIRED TO POST THE SIGN 7 DAYS BEFORE CONSTRUCTION IS TO BEGIN.**

- a. Locate the sign in a conspicuous place on the subject site or structure (if developed) so that the public can easily read it. The sign must be sturdily attached to a wooden post if it will be freestanding.
- b. Regardless of who posts the site, it is always the responsibility of the applicant to assure that the notice is firmly attached, legible,

and remains in that condition throughout the entire construction period.

- c. If the case involves more than one street frontage, post a sign on each street frontage involved. If a site exceeds five (5) acres in size, a separate notice of posting will be required for each five (5) acres, or portion thereof. Each sign must be posted in a prominent location.

- CM-2. All unpaved demolition and construction areas shall be wetted at least twice daily during excavation and construction, and temporary dust covers shall be used to reduce dust emissions and meet SCAQMD District Rule 403. Wetting could reduce fugitive dust by as much as 50 percent.
- CM-3. The owner or contractor shall keep the construction area sufficiently dampened to control dust caused by construction and hauling, and at all times provide reasonable control of dust caused by wind.
- CM-4. All loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust.
- CM-5. All materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amount of dust.
- CM-6. All clearing, earth moving, or excavation activities shall be discontinued during periods of high winds (i.e., greater than 15 mph), so as to prevent excessive amounts of dust.
- CM-7. General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions.
- CM-8. The project shall comply with the City of Los Angeles Noise Ordinance No. 144,331 and 161,574, and any subsequent ordinances, which prohibit the emission or creation of noise beyond certain levels at adjacent uses unless technically infeasible.
- CM-9. Construction and demolition shall be restricted to the hours of 7:00 am to 6:00 pm Monday through Friday, and 8:00 am to 6:00 pm on Saturday.
- CM-10. Construction and demolition activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.
- CM-11. The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.

- CM-12. The project sponsor must comply with the Noise Insulation Standards of Title 24 of the California Code Regulations, which insure an acceptable interior noise environment.
- CM-13. Excavation and grading activities shall be scheduled during dry weather periods. If grading occurs during the rainy season (October 15 through April 1), construct diversion dikes to channel runoff around the site. Line channels with grass or roughened pavement to reduce runoff velocity.
- CM-14. Incorporate appropriate erosion control and drainage devices to the satisfaction of the Building and Safety Department shall be incorporated, such as interceptor terraces, berms, vee-channels, and inlet and outlet structures, as specified by Section 91.7013 of the Building Code, including planting fast-growing annual and perennial grasses in areas where construction is not immediately planned. These will shield and bind the soil.
- CM-15. Stockpiles and excavated soil shall be covered with secured tarps or plastic sheeting.
- CM-16. All waste shall be disposed of properly. Use appropriately labeled recycling bins to recycle construction materials including: solvents, water-based paints, vehicle fluids, broken asphalt and concrete, wood, and vegetation. Non recyclable materials/wastes must be taken to an appropriate landfill. Toxic wastes must be discarded at a licensed regulated disposal site.
- CM-17. Clean up leaks, drips and spills immediately to prevent contaminated soil on paved surfaces that can be washed away into the storm drains.
- CM-18. Do not hose down pavement at material spills. Use dry cleanup methods whenever possible.
- CM-19. Cover and maintain dumpsters. Place uncovered dumpsters under a roof or cover with tarps or plastic sheeting.
- CM-20. Use gravel approaches where truck traffic is frequent to reduce soil compaction and limit the tracking of sediment into streets.
- CM-21. Conduct all vehicle/equipment maintenance, repair, and washing away from storm drains. All major repairs are to be conducted off-site. Use drip pans or drop clothes to catch drips and spills.

**DEPARTMENT OF CITY PLANNING-STANDARD CONDOMINIUM CONDITIONS**

C-1. That approval of this tract constitutes approval of model home uses, including a sales office and off-street parking. Where the existing zoning is (T) or (Q) for multiple residential use, no construction or use of model homes shall be permitted until the final map has recorded or the proper zone has been effectuated. If models are constructed under this tract approval, the following conditions shall apply:

1. Prior to recordation of the final map, the subdivider shall submit a plot plan for approval by the Division of Land Section of the Department of City Planning showing the location of the model dwellings, sales office and off-street parking. The sales office must be within one of the model buildings.
2. All other conditions applying to Model Dwellings under Section 12.22A, 10 and 11 and Section 17.05 O of the Code shall be fully complied with satisfactory to the Department of Building and Safety.

C-2. Prior to the recordation of the final map, the subdivider shall pay or guarantee the payment of a park and recreation fee based on the latest fee rate schedule applicable. The amount of said fee to be established by the Advisory Agency in accordance with Section 17.12 of the Los Angeles Municipal Code and to be paid and deposited in the trust accounts of the Park and Recreation Fund.

C-3. That a landscape plan, prepared by a licensed landscape architect, be submitted to and approved by the Advisory Agency in accordance with CP-6730 prior to obtaining any grading or building permits before the recordation of the final map.

In the event the subdivider decides not to request a permit before the recordation of the final map, a covenant and agreement satisfactory to the Advisory Agency guaranteeing the submission of such plan before obtaining any permit shall be recorded.

C-4. In order to expedite the development, the applicant may apply for a building permit for an apartment building. However, prior to issuance of a building permit for apartments, 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 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.

OR



If a building permit for apartments will not be requested, the project civil engineer, architect or licensed land surveyor must certify in a letter to the Advisory Agency that the applicant will not request a permit for apartments and intends to acquire a building permit for a condominium building(s). Such letter is sufficient to clear this condition.

#### **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 Municipal Code.
- (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%.
- (l) That any necessary additional street dedications be provided to comply with the Americans with Disabilities Act (ADA) of 1990.

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 Traffic 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 streets 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 Engineer.
- (b) Construct any necessary drainage facilities.
- (c) Install street lighting facilities to serve the tract as required by the Bureau of Street Lighting.

1. Install tunnel and/or wall lighting on Lower Grand Avenue to the satisfaction of the Bureau of Street Lighting.
2. If street widening per S-3 (i) relocate and upgrade street lights; seven (7) on Grand Avenue (3) on 1<sup>st</sup>, and six (6) on Olive St.

Notes: The quantity of street lights identified may be modified slightly during the plan check process based on illumination calculations and equipment selection. Conditions set: 1) in compliance with a Specific Plan, 2) by LADOT, or 3) by other legal instrument excluding the Bureau of Engineering condition S-3 (i), requiring an improvement that will change the geometrics of the public roadway may require additional or the reconstruction of street lighting improvements as part of that 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 Street Tree 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 1990.
- (i) That the following improvements be either constructed prior to recordation of the final map or that the construction be suitably guaranteed:

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

1. Improve 1<sup>st</sup> Street being dedicated and adjoining the subdivision by the construction of:

- (a) A concrete curb, a concrete gutter, and a 17-foot full-width concrete sidewalk with tree wells.
  - (b) Any necessary removal and reconstruction of existing improvements.
2. Improve upper 2<sup>nd</sup> Street adjoining the subdivision by the construction of the following:
- (a) A concrete curb, a concrete gutter, and a minimum 10-foot full-width concrete sidewalk with tree wells.
  - (b) Suitable surfacing to join the existing pavement and to complete a minimum 40-foot roadway or as constructed by other entities.
  - (c) Any necessary removal and reconstruction of existing improvements.
  - (d) The necessary transitions to join the existing improvement.
  - (e) The improvement requirements may be deleted if the improvements have been suitably guaranteed by others in a manner satisfactory to the City Engineer.

**NOTES:**

The Advisory Agency approval is the maximum number of units permitted under the tract action, unless modified pursuant to the Equivalency Program contained in the Final EIR (State Clearinghouse No. 2005091041). However the existing or proposed zoning may not permit this number of units.

Approval from Board of Public Works may be necessary before removal of any street trees in conjunction with the improvements in this tract map through Bureau of Street Services Urban Forestry Division.

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 Section 17.05N of the Los Angeles Municipal Code.

The final map must record within 36 months of this approval, unless a time extension is granted before the end of such period or unless the life of the tentative map is extended under an approved Development Agreement.

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.

**Indemnification.** The applicant shall defend, indemnify and hold harmless the City, its agents, officers, or employees from any claim, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void or annul this approval which action is brought within the applicable limitation period. The City shall promptly notify the applicant of any claim, action, or proceeding and the City shall cooperate fully in the defense. If the City fails to promptly notify the applicant of any claim action or proceeding, or if the City fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the City.

### **FINDINGS OF FACT (CEQA)**

On November 20, 2006, the Los Angeles Grand Avenue Authority (Authority) adopted the Grand Avenue Final Environmental Impact Report (FEIR) (State Clearinghouse No. 2005091041), dated November 2006, and also adopted the necessary Resolutions and made findings required under California Public Resources Code Section 21081 and State CEQA Guideline 15091 (the "Authority's CEQZ Findings") stating the FEIR was completed in compliance with the California Environmental Quality Act Public Resources Code Section 21000 et seq., the CEQA Guidelines, all applicable local guidelines concerning the application and implementation of that statute, and all applicable case law concerning that statute and the CEQA Guidelines (collectively, "CEQA"). The Authority, which is an independent public agency established through a Joint Exercise of Powers Agreement (The "JPA Agreement") between the Community Redevelopment Agency of the City of Los Angeles ("CRA/LA") and the County of Los Angeles ("County"), was responsible for the preparation of the FEIR. The County and the CRA/LA have served as "Responsible Agencies" for the Project as that term is defined under CEQA Guidelines 15096 and 15381. As Responsible Agencies, the County and CRA/LA have worked closely with the Authority in ensuring the FEIR has examined all potential environmental impacts.

These agencies, as well as the City of Los Angeles reviewed and approved the Grand Avenue Implementation Plan, which formulated the framework of the project description evaluated in the EIR prepared by the Authority for the mixed use development. That plan generally described the location of the Project, its proposed uses and other elements. The governing bodies for the Authority, County, the CRA/LA and the City of Los Angeles each approved the Implementation Plan in 2005.

The Advisory Agency is a Responsible Agency, pursuant to State CEQA Guidelines Sections 15096, and must make those findings with respect to the project required under Public Resources Code Section 21081 and State CEQA Guidelines Sections 15091. The recommended actions implement and further the purposes of CEQA. In

making the decision to approve Tentative Tract Map No. 67490, the Advisory Agency of the City of Los Angeles certifies that it has reviewed and considered the information contained in the Addendum to EIR No. SCH 2005091041. The Advisory Agency hereby adopts the Findings and certifies the EIR, consistent with the action of the Authority.

- (a) The FEIR has been completed in compliance with CEQA.
- (b) The FEIR has been presented to the governing body of the Authority ("Board"), and the Board has independently reviewed and analyzed the information contained in the FEIR prior to acting on the Project.
- (c) The FEIR reflects the Authority's independent judgment and analysis.

The FEIR for the proposed Grand Avenue Project concluded that certain significant effects may occur as a result of the proposed Project, or may occur on a cumulative basis in conjunction with the development of the Project and other past, present, or reasonably foreseeable future projects. In addition to reviewing the Project's potential environmental impacts, these Findings also provide the Authority's analysis and conclusions regarding the applicability of possible alternatives and mitigation measures to reduce any significant environmental effects.

These Findings address the potentially significant environmental effects examined in the FEIR. The FEIR analyzed the environmental impacts at a project-specific level and on a "cumulative" impact basis. A cumulative impact is defined by CEQA Guidelines 15130 and 15355 as an impact which is created as a result of the combination of impacts of the project evaluated in the EIR and closely related past, present and reasonable foreseeable probable future projects (commonly known as "related projects"). The FEIR identified 93 related projects in the relevant geographic area. The inclusion of those 93 related projects in the cumulative impact analysis resulted in a conservative analysis since it is not likely that all of those projects will be developed.

The following environmental impacts have been determined to be less than significant in light of, among other reasons, the imposition of mitigation measures, regulatory measure and/or project design features:

Light and glare impacts; visual quality; noise impacts during Project operations; impact on parks and other recreational uses during Project operations; library services (project-specific); population, housing and employment impacts; hazardous materials; fire protection services; school services; water supply; wastewater; solid waste; police services (project-specific impact); shade and shadow impacts (project-specific impact), and land use compatibility and consistency with land use plans and policies.

The following environmental impacts were determined to be significant and unavoidable even after the imposition of all feasible mitigation measures, regulatory measures and project design features:

Land use and zoning impacts; traffic impacts during Project construction and operation; parking impacts due to inability to comply with certain City residential parking policies; view impacts; historical resources; air quality impacts during Project construction and operation; noise impacts during Project construction; police services (cumulative basis only); shade and shadow impacts (cumulative basis only); library services (cumulative basis only); and impact on parks and recreational uses during Project construction. The first seven identified impacts and the last impact are significant and unavoidable on a project-specific and cumulative basis.

**Potential Environmental Impacts Studied in the Initial Study But Not Analyzed Further in the Draft Environmental Impact Report:**

In accordance with CEQA Guideline 15063, the Authority prepared an Initial Study, which is included as Appendix A to the DEIR. The Initial Study determined which potentially significant effects may be caused by the Project and needed to be further examined in the DEIR, and which environmental effects would not be caused by the Project and, therefore, required no analysis in the DEIR. Based on that Initial Study and other substantial evidence, the Authority determined that the Project would not have the potential to cause significant impacts in the following areas: (1) agricultural resources, (2) biological resources, (3) geology and soils, (4) hydrology and water quality, and (5) mineral resources, and that it was appropriate that no further analysis of those five impact issues was included in the DEIR. The Authority further determined that the rationale provided in the Initial Study that no significant impacts would occur respecting these five impact areas satisfies the requirement of CEQA Guideline 15128. Thus, the Authority has no evidence before it to indicate that the Project could have any potential for an adverse effect on fish and wildlife resources or the habitat upon which the fish and wildlife depends.

During the public review process, a comment was raised as to whether the DEIR should have undertaken an additional analysis of the Project's potential energy impacts. No such analysis is warranted for a number of reasons. First, the Initial Study identified the Project's specific amounts of electricity and natural gas consumption, and based on those amounts, concluded that the Project's energy demands would fall within the projected energy demands for the Los Angeles Department of Water and Power (LADWP) and the Southern California Gas Company (SCGC). Accordingly, the Initial Study determined that no further analysis of this issue in the DEIR was warranted.

Second, the Project's sustainability, energy conservation, and efficiency is reflected throughout the EIR and in the DDA. For example, a number of the Project objectives emphasize the pedestrian and public transit opportunities that will be created by the Project, as well as its linkages between pedestrian, public transit and other public roadways. The Project will also promote energy efficiency through reduced reliance on the automobiles, an improvement of jobs/housing balance, and the encouragement of the use of public transportation to and from the downtown area.

Third, the Project's energy demands were disclosed in the DEIR (in addition to the Initial Study attached to the DEIR). For example, the Project's air quality analysis addresses emissions from fuel consumption by motor vehicles as well as consumption of natural gas and electricity during Project operations. That analysis provided a quantification of the Project's energy consumption.

Fourth, the incorporation of "Title 24" (the State's Energy Code) requirements into the Project is reflected in Regulatory Measure F-2, which states: "all residential and non-residential buildings shall, at minimum, meet the California Title 24 Energy Efficiency Standards for water heating, space heating and cooling." Thus, the Project will comply with all requirements of Title 24 applicable to the residential and commercial components. California's Title 24 is the most restrictive energy code in the nation, and imposes strict standards in order to achieve energy efficiency. With regard to comments suggesting the inclusion of Leadership in Energy and Environmental Design (LEED), as the Project's final building designs have not been developed as of this date, a commitment to specific LEED building design measures would be premature and, therefore, any further discussion of specific energy design features would be speculative.

Lastly, because the Project will be in compliance with the Title 24 requirements, the Project complies with CEQA and the CEQA Guidelines, including Appendix F thereto. Appendix F speaks to a discussion of energy impacts and applicable mitigation measures only when a project will be energy inefficient or wasteful. Through compliance with Title 24, the Project will not be energy inefficient or wasteful. For all these reasons, the Authority finds that no additional analysis of the potential energy impacts of the Project is required under CEQA.

Finally, certain comments were raised during the public review process as to whether the Project may exacerbate or not alleviate local labor issues, homelessness and other social issues. CEQA generally provides that an EIR is required to evaluate only the environmental impacts of a project, and economic and social effects of a project are not treated as significant effects on the environment. Thus, economic or social effects of a Project need not be analyzed in an EIR unless they may directly cause a physical impact on the environment. While such matters are important, the Authority finds that the economic and social issues raised during the 50-day public review and comment process for the DEIR described in Section VI of these Findings will not cause any potentially significant "environmental" impacts that are not addressed in the FEIR.

Notice of Preparation (NOP): In accordance with the requirements of CEQA, the Authority circulated a Notice of Preparation (NOP) for the proposed project on September 6, 2005. The purpose of the NOP was to solicit comments on the proposed content of the Draft EIR. The NOP was circulated for a period of 35 days, until October 10, 2005. The Parcels are identified by these letters in the Redevelopment Plan for the Bunker Hill Redevelopment Project Area.



During the following 35-day comment period, 14 letters were received. An open house and public scoping meeting for the Draft EIR was held on Tuesday, September 20, 2005. All NOP responses relating to the EIR were reviewed and the issues raised in those comments were addressed in the Draft EIR. The NOP, letters received during the NOP comment period, and scoping meeting transcript are included in Appendix A of the Draft EIR.

Notice of Completion (NOC): On June 14, 2006, the Authority prepared and distributed the Notice of Completion and Availability of the Draft EIR to all interested agencies, parties, organization, and persons. The Draft EIR was circulated for a 50-day review period, between June 14, 2006 and August 3, 2006.

The Authority received 17 letters from agencies, organization, and individual parties commenting on the Draft EIR. The Notice of Completion provided information of an open house and public meeting as an additional means to obtain information on the Project and to receive public comments on the content of the Draft EIR. The public meeting was held on Tuesday, July 18, 2006, between 6:00 p.m. and 8 p.m. at the Cathedral of Our Lady of the Angels, which is adjacent to the Project site. At the public meeting, thirteen speakers presented oral comments with regard to the content of the Draft EIR. In addition, one written comment form was submitted to the Authority. The written comments and transcript of the public meeting and responses to the comments are included in this Final EIR in Section V, Response to Comments.

The Authority finds no that no "new significant information" (as that term is defined in CEQA Guideline 15088.5 (a)) was added to the Draft EIR since the release of the Draft EIR that would warrant recirculation as provided in CEQA Guideline 15088.5. Among other reasons, the information added to the FEIR has not deprived the public of a meaningful opportunity to comment upon any significant environmental effect of the Project or any feasible way to mitigate or avoid such an effect. Instead, the new information that has been added to the FEIR merely clarifies information contained in the Draft EIR.

The FEIR consists of the DEIR, Responses to Comments, the Mitigation Monitoring Program sections entitled Preface, Introduction, Summary, and Corrections and Additions, and the appendices to these documents.

Location of Records: In accordance with CEQA Guideline 15091(e), the documents and materials that constitute the record of the proceedings concerning the Authority's decision to certify the FEIR and approve the Project and all associated agreements shall be kept and maintained by the Managing Director of the Grand Avenue Committee, whose offices are located at 445 South Figueroa Street, Suite 3400, Los Angeles, CA 90071, telephone number (213) 413-4130. The Authority has the discretion to transfer or locate these records at the office of the County CAO Asset Management Division, located at 500 West Temple Street, 7th Floor, Los Angeles, CA 90012, and/or CRA/LA, located at 354 South Spring Street, Los Angeles, CA 90013 and/or, located at 200 North Spring Street, Room 750, Los Angeles, CA 90012.

## 1.2 PROJECT FINDINGS INTRODUCTION

The Findings made by the Advisory Agency, pursuant to PRC Section 21081, and CEQA Guidelines Section 15091 are presented below. All significant environmental effects of the project identified in the Final EIR are included herein and are organized according to the area of potential impact. The Findings in this document apply only to this tract and are supported by information and analysis from the Final EIR. Where applicable, these Findings note the documents that contain the substantiation for each Finding.

CEQA and the CEQA Guidelines provide that no public agency shall approve or carry out a project for which an environmental impact report has been certified which identifies one or more significant effects on the environment that would occur if the project is approved or carried out, unless, for each significant impact, the public agency makes one or more of the following findings, as appropriate in accordance with PRC Section 21081 and CEQA Guidelines Section 15091:

- i. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR;
- ii. Such changes or alternatives are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency;
- iii. Specific economic, legal, social, technological and/or other considerations make infeasible the mitigation measures or project alternatives identified in the Final EIR.

A narrative of supporting facts follows the appropriate Finding. For many of the impacts, one or more of the Findings above have been made. Whenever Finding iii above is made, the Advisory Agency has determined that there will be, even after mitigation, an unavoidable significant level of impact due to the project and sufficient mitigation is not available to reduce the impact to a less than significant level. Such impacts are always specifically identified in the supporting discussions. The Statement of Overriding Considerations applies to all such unavoidable significant impacts, as required by Sections 15092 and 15093 of the CEQA Guidelines.

## 1.3 DESCRIPTION OF PROPOSED PROJECT

The Project consists of three major components: (1) the creation of the 16-acre Civic Park that builds upon and expands the Civic Mall, and when completed, will connect the Los Angeles City Hall to Grand Avenue; (2) streetscape improvements along Grand Avenue from Fifth Street to Cesar E. Chavez Avenue; and (3) the development of five parcels which are referred to as Parcels Q, W-1, W-2, L and M-2. Parcels Q and W-2

are currently owned by the County, Parcels L and M-2 are currently owned by CRA/LA, and Parcel W-1 is owned by a private third party. (While the developer is pursuing the acquisition of Parcel W-1, the development of the other parcels and components of the Project may proceed even if the developer does not acquire Parcel W-1.) The Parcels are identified by these letters in the Redevelopment Plan for the Bunker Hill Redevelopment Project Area. The Project currently consists of two development options, referred to in the Findings and the FEIR, as the "Project with County Office Building Option," and the "Project with Additional Residential Development Option." Under the Project with County Office Building Option, development of the five parcels will consist of up to 2,060 residential units, 20 percent of which (up to 412 units) would be provided as affordable housing; up to 275 hotel rooms, up to 449,000 square feet of retail space and up to 681,000 square feet of County office space. Under the Project with Additional Residential Development Option, the 681,000 square feet of County office space would be replaced with up to 600 additional residential units, 20 percent (up to 120 units) would be provided as affordable housing. All other components of the Project would be the same under this option, and would include 275 hotel rooms, and 449,000 square feet of retail space. The proposed County office space under the Project with County Office Building Option would be constructed in the third phase of the Project when parcels W-1 and W-2 are developed. The proposed residential units under the Project with Additional Residential Development Option would be developed on parcel W-2 of the Project. Under that certain Disposition and Development Agreement between the Authority and Related (the "DDA"), recommended to be approved subsequent to consideration and certification of the FEIR, the County's option for development of a public office building during the third phase of development expires on a specific date in the future. If the County does not exercise this option, the developer may develop the Project consistent with the Additional Residential Development Option.

Parking for the Project would be provided in podium and subterranean parking structures. 5,035 parking spaces would be provided under the County Office Building Option, and 5,255 parking spaces would be provided under the Additional Residential Development Option.

In addition to the development of the five parcels, the Project will revitalize and expand the existing Civic Center Mall through a new design. The main purpose of this new design is to facilitate a program of ongoing and special civic events and activities to take place in the new Civic Park. The current conceptual plan for the Civic Park maintains the existing organization of space in the Park, with the intent that specified areas would accommodate particular programmed uses and also work in unison for larger events. Under this plan, different sections of the Park would be developed for cultural and entertainment uses, a garden space for smaller scale uses, and civic and community activities.

The Project will also entail streetscape improvements along Grand Avenue from Fifth Street to Cesar E. Chavez Avenue. Streetscape improvements are anticipated to include widened shaded sidewalks where feasible, landscaping, as well as a range of street furnishings, including benches and chairs.

In order to fully respond to the future needs and demands of the Southern California economy, the proposed Project includes an Equivalency Program that would allow the composition of on-site development to be modified to respond to future needs in a manner that would not increase the Project's impacts on the environment. The Equivalency Program would provide flexibility for modifications to land uses and square footages within the five parcels. Within this framework, land uses can be exchanged for certain other permitted land uses so long as the limitations of the Equivalency Program are adhered to, which limitations were designed so no additional environmental impacts would occur. Thus, all permitted Project land use increases can be exchanged for corresponding decreases of other land uses under the proposed Equivalency Program without any further CEQA review.

This equivalency program was analyzed in the FEIR to confirm that exchange of Project uses set forth in the program can occur without the need for subsequent CEQA analysis. Proposed exchanges under the equivalency program would be implemented through the City of Los Angeles Planning Department procedures.

#### 1.4 FINDINGS OF FACT

After reviewing the Final EIR and the public record on the project, pursuant to Section 15091 of the CEQA Guidelines, the Advisory Agency hereby makes the Findings set forth below in this document regarding the significant effects of the Proposed Project. Except to the extent they conflict with the findings and determinations set forth for project impacts significant environmental effects that cannot be reduced to a less than significant level below, the analysis and conclusions of the Final EIR, including but not limited to the responses to comments, are incorporated herein by reference and are hereby adopted as findings. The Advisory Agency certifies that the Final EIR reflects the independent judgment and analysis of the City of Los Angeles.

##### Cumulative Impacts

Except as expressly provided to the contrary for significant effects that cannot be reduced to a less than significant level, all effects of the Project on the environment are hereby found to be not significant. Cumulative impacts of the Project in conjunction with other past, present and reasonably foreseeable future projects have been addressed where applicable and will not be significant after mitigation.

#### A. Land Use (Consistency With Land Use Plans and Compatibility With Surrounding Uses)

- i. Potential Impacts – The Project may have a significant land use in the areas of consistency with land use plans and compatibility with surrounding uses impact if:

- a. The Project development would be incompatible with surrounding land uses or land use patterns in relation to scale, use, or intensity.
  - b. The Project would not be consistent with any applicable land use plan or policy of an agency with jurisdiction over the Project adopted for the purpose of avoiding or mitigating an environmental effect.
- ii. Findings – The Project will not have a significant impact concerning consistency with land use plans or compatibility with surrounding uses. Therefore, no mitigation measures are required or were identified in the FEIR.
- iii. Supportive Evidence and Rationale – The Project's potential land use impacts concerning consistency with land use plans and compatibility with surrounding uses are analyzed in detail in Section IV.A. of the DEIR. The Project would be compatible with the adjacent and surrounding existing land uses and, as such, the Project would not create a division or disruption of an established community. Further, the Project's scale and mix of uses complement, and will be consistent with, the surrounding commercial and residential uses in the downtown area. In addition, the Project would be consistent with adopted land use plans, including the City's General Plan Framework, the Central City Community Plan, the Bunker Hill Redevelopment Plan, and the Southern California Association of Governments' Regional Comprehensive Plan and Guide. Thus, the Project would result in less than significant impacts relative to land use compatibility and adopted land use plans.
- iv. Cumulative Impacts – The 93 related projects that are planned or are under construction in the Project area are anticipated to occur in accordance with adopted land use plans and regulations. It is reasonable to assume that the projects under consideration in the area surrounding the Project would implement and support important local and regional planning goals and policies. It is also anticipated that any new projects would be subject to an environmental review process and would incorporate any mitigation measures necessary to reduce potential land use impacts. Therefore, no significant impacts with regard to adopted land use plans would occur.

B. Land Use (Zoning)

- i. Potential Impacts – The Project may have a significant zoning impact if:
  - a. The Project is not consistent with any land use or zoning law or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect.

- ii. Findings – The Project will cause a significant and unavoidable land use impact relative to the zoning regulations of the City of Los Angeles on a project-specific and cumulative basis. The Authority makes the following finding for this impact:
  - a. This impact can be mitigated to a level of less than significant if the City approves certain land use entitlements that have been applied for by the developer, which application is still pending as of the date of these Findings. Accordingly, the Authority finds that measures, such changes or alterations to the Project necessary to mitigate this impact are within the responsibility and jurisdiction of another public agency and not the Authority. The Authority further finds that such measures, changes or alterations should be adopted by such other agency.
  - b. For the reasons set forth in the Statement of Overriding Considerations adopted concurrently by the Authority, the Authority finds that the significant impact identified in this Section is acceptable in light of the Project's overall benefits.
- iii. Supportive Evidence and Rationale – The FEIR analyzed in detail the Project's land use impact relative to zoning in Section IV.A of the DEIR. The County Office Building Option and the Additional Residential Development Option would require zone changes and variances to permit the proposed development of five development parcels. With the granting of such zone changes and variances, which may be granted only after certification of the Final EIR by the Lead Agency and concurrently with action on the entitlements requested from the City by the developer, there would be no significant zoning impact. However, since the Project, under both Project Options, would be acted on by the Lead Agency (the Authority) prior to the City's decision on such zoning requests, the Project would not be in compliance with the current zoning provisions at the time of the Authority's approval of the Project. Therefore, it is conservatively concluded that, for purposes of CEQA, there would be a significant impact relative to zoning. No mitigation within the jurisdiction of the Authority exists to address non-compliance with the City's existing zoning regulations. The necessary change required in order to avoid this significant impact lies not with the Authority, but rather with the City of Los Angeles.
- iv. Cumulative Impact – Since the Project would create a significant impact with respect to the City's zoning and regulations, and related projects may require a variety of variances and zone changes, it is conservatively concluded that cumulative zoning impacts would be significant and unavoidable.

C. Traffic, Circulation and Parking (Traffic, Construction)

- i. Potential Impacts – The construction of the Project would cause a significant traffic impact due to (1) hauling activities; (2) temporary lane closures; (3) reconstruction of Civic Mall Ramps, (4) pedestrian access; (5) bus stop relocation; and (6) construction worker parking if:
  - a. The Project construction causes substantial delays and disruption of existing traffic and pedestrian flow.
  - b. The Project causes temporary relocation of existing bus stops to more than one-quarter mile from their existing stops.
- ii. Findings – The Project will not cause a significant traffic impact with respect to pedestrian access, bus stop relocation and construction worker parking due to, among other reasons, the adoption of the measures identified in this Section XI-B(a) of the Findings. The construction of the Project will cause a significant and unavoidable traffic impact with respect to hauling activities, temporary lane closures, and reconstruction of the Civic Mall's parking ramps on a project-specific and cumulative basis. With respect to those significant and unavoidable impacts, the Authority makes the following findings:
  - a. All feasible measures, changes and alterations have been required in, or incorporated into, the Project, which will lessen such significant environmental effects.
  - b. For the reasons set forth in the Statement of Overriding Considerations adopted concurrently by the Authority, the Authority finds that the significant impact identified in this Section XI-B(a) is acceptable in light of the Project's overall benefits.

Although the following mitigation measures aimed at reducing these significant and unavoidable traffic impacts during Project construction have been adopted, these mitigation measures will not reduce those impacts to a level of insignificance:

**Mitigation Measure B-1:** The developer with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements, shall prepare, prior to the start of each construction work phase, a Construction Traffic Control/Management Plan ("Plan") to be approved by the City of Los Angeles Department of Transportation ("LADOT") and implemented by the responsible party. The Plan shall include, but not be limited to, Project scheduling, the location and timing of any temporary land closures, traffic detours, haul routes, temporary roadway striping, and

signage for traffic flow, as necessary, as well as the identification and signage of alternative pedestrian routes in the immediate vicinity of the Project, if necessary. The Plan should also provide for the coordination of construction areas, and for safe pedestrian movement throughout the Project Area such that adequate and safe pedestrian movement access is maintained to adjacent uses including the Walt Disney Concert Hall, the Music Center, the County Courthouse, and the Metro Red Line station portals (on Parcel W-2 and on the Court of Flags).

**Mitigation Measure B-2:** After approval of the Construction Traffic Control/Management Plan(s) required under Mitigation Measure B-1 and prior to the start of each construction work phase, the developer with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements, shall submit a copy of the Plan(s) to the Authority or other appropriate agency, the City Chief Administrative Officer or designee, and the County of Los Angeles Chief Administrative Officer ("County CAO"). Following receipt of the Plan(s), the County CAO shall distribute that information to all County properties on Grand Avenue, including the Hall of Administration, County Courthouse, the Walt Disney Concert Hall, and the Music Center, for further distribution of information to employees and visitors on construction schedules, alternative travel routes, and land and sidewalk closure information, as appropriate, and the Authority or other appropriate agency, or the City, shall distribute to the appropriate City departments for the same purpose.

**Mitigation Measure B-3:** Prior to the start of each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements, shall enter into one or more temporary arrangements with parking garages in the area of the Project, or with surface lot operators elsewhere in downtown or its periphery, to provide a sufficient supply of off-street spaces for the construction workers during Project construction, and will require all construction workers to use these designated parking spaces. These temporary arrangements shall be to the satisfaction of (i) CRA/LA or (ii) the County's CAO or its designee.

- iii. Supportive Evidence and Rationale – The EIR analyzed in detail the potential traffic impacts caused by Project construction in Section IV.B of the DEIR. No significant impacts on pedestrian circulation during construction would occur, and a less than significant impact will result to bus stop relocation. Although sidewalk closures may occur, one side of the street will continue to be available. Any potential increase in walking distance for pedestrians would not amount to a significant impact. Further, the temporary relocation of bus stops would be within two blocks



of the Project site and within one-quarter mile of the original stop location, which is a distance that will not cause a significant impact. Also, with the implementation of Mitigation Measure B-3, no significant impact will result due to construction worker parking. The FEIR also evaluated the impact of construction trucks on A.M. peak hour traffic on roadways. During more than half of the Project's construction period, construction would generate approximately 40 trips a day, which would have minimal effect on peak hour roadway conditions. The highest number of daily truck trips would occur during the Project's peak excavation phases, and would range from approximately 130 to 300 haul trucks a day. As these trips would also be distributed throughout the day, the actual number of haul truck trips that would occur during the A.M. peak hour period would be relatively low. In addition, consistent with standard industry practice, the hauling of overweight or over-size equipment during construction would largely occur prior to the A.M. peak hour period. With respect to the probably low number of truck trips that would occur during the A.M. peak period, the Project shall comply with the requirements of the City of Los Angeles with regard to haul truck trips attributable to the construction of the Project, as will be established in connection with LADOT's review and approval of the Project's Construction Traffic Control/Management Plan and/or conditions of approval by the City in the various land use entitlements applied for by the Developer. However, it is conservatively concluded that because a portion of the construction truck trips could occur during peak hauling periods, including during the A.M. peak hour, a potentially significant and unavoidable short-term traffic impact may occur. Also, during the reconstruction of the Grand Avenue and Hill Street ramps to the existing Civic Center Mall garage, the diversion of traffic to alternate garage entrances would affect streets in the immediate vicinity of the County Garage block and potentially create a short-term significant and unavoidable traffic impact. Finally, complete closures of any streets are not expected during construction. However, such closures could occur due to unforeseen circumstances, in which case, they would cause temporary significant impacts. It is expected that, at most, one traffic or parking lane adjacent to the curb may need to be closed at certain locations for periods of up to 4 to 6 months, or up to approximately 18 to 24 months, depending on the stage of construction. Although temporary in nature, such closures would cause significant traffic impacts during such periods of time.

iv. Cumulative Impacts

- a. **Hauling.** The Project's highest periods of haul truck activity would be in the initial six to eight months of construction for each parcel, when trucks would carry excavated material from the site. During those periods a peak of 300 trucks a day are estimated. Because some of these trips could occur in the A.M. peak hour, haul truck trip

periods could cause short-term, significant cumulative traffic impacts. Hauling required for the construction of some of the 93 related projects would potentially overlap with the initial six to eight months of construction for each of the Project's development parcels. Therefore, haul truck impacts would be cumulatively significant.

- b. **Closure of Civic Mall Ramps.** In order to facilitate the development of the new Civic Park, the ramps to/from the County Mall parking garage on Grand Avenue will be reconfigured. Such work would require the ramps to be shut down for a period of time during the reconstruction. The diversion of traffic to alternate garage entrances would only affect streets in the immediate vicinity of the County Garage block, but could potentially create temporary and short-term cumulatively significant traffic impacts. The temporary closure of access to related project sites would not impact the same streets adjacent to the County Garage block. However, other temporary access closures at any of the other sites, particularly the 15 related projects located on Grand Avenue, Olive Street, and Hill Street, would cumulatively contribute to congestion and, as such, would be cumulatively significant.
- c. **Temporary Lane Closures.** Complete closures of any streets are not expected during construction. However, such lane closures could occur due to unforeseen circumstances, in which case they would cause temporary cumulatively significant impacts. The construction of any of the related projects has the potential to require temporary lane closures. Therefore, the impact of the Project and related projects, particularly the 15 related projects located on Grand Avenue, Olive Street, and Hill Street, would cumulatively contribute to congestion impacts resulting from temporary lane closures and such impacts are found to be cumulatively significant.
- d. **Construction Workers.** The 93 related projects would draw upon a construction workforce from all parts of the Los Angeles region. However, since the majority of construction workers are anticipated to arrive and depart the individual construction sites during off peak hours, cumulative traffic impacts due to construction workers trips are concluded to be less than significant.

C. Traffic, Circulation and Parking (Traffic, Operations)

- i. Impacts – Operation of the Project may cause a significant traffic impact relative to (1) intersection capacity; (2) the County-wide Congestion

Management Plan for Regional Highways ("CMP"); (3) driveway access; and (4) transit capacity.

- a. An intersection would be significantly impacted with an increase in V/C ratio equal to or greater than 0.04 for intersections operating at LOS C; an increase in V/C ratio equal to or greater than 0.02 for intersections operating at LOS D; and V/C ratio equal to or greater than 0.01 for intersections operating at LOS E or F, after the addition of related projects, ambient growth, and Project traffic.
  - b. A significant driveway access impact would occur if:
    - (1) Intersections at the primary site access locations would operate at LOS F during the A.M. or P.M. peak hours; and
    - (2) The design features or physical configurations of the Project would affect the visibility of pedestrians and bicyclists to drivers entering and exiting the site, and the visibility of cars to pedestrians and bicyclists so as to create a hazardous condition.
  - c. Under the CMP, a significant traffic impact would occur if a project increases the demand to capacity ratio (D/C) of a freeway segment of 2 percent or more (D/C ratio increase greater than or equal to 0.02), which causes or worsens LOS F conditions.
  - d. A significant impact would occur if projected transit riders substantially exceed available transit capacity.
- ii. Findings – The Project will not cause a significant traffic impact relative to driveway access, transit capacity and certain intersections due to, among other reasons, the adoption of the measures identified in this Section XI-B(b) of the Findings. The Project will cause a significant and unavoidable traffic impact with respect to certain intersections and, under the County Office Building Option, the CMP, on a project – specific and cumulative basis. With respect to those significant and unavoidable impacts, the Authority makes the following findings for this impact:
- a. All feasible measures, changes and alterations have been required in, or incorporated into, the Project, which will lessen such significant environmental effects.
  - b. For the reasons set forth in the Statement of Overriding Considerations adopted concurrently by the Authority, the Authority finds that the significant impact identified in this Section XI-B(b) is acceptable in light of the Project's overall benefits.

Although the following mitigation measures are aimed at reducing these significant and unavoidable traffic impacts attributable to Project operations, these mitigation measures will not reduce those significant impacts:

**Mitigation Measure B-4:** If the Project proceeds with the County office building option, the County, on an on-going basis following initial occupancy, shall fund and implement a Transportation Demand Management (TDM) program for the proposed County office use in Parcel W-1/W-2. The County's CAO shall ensure the County's review and approval of this TDM program. The TDM program could, for example, include an onsite transportation coordinator, post information on transit, and provide logistical support for the formation of carpools and vanpools, and other incentives to use transit and rideshare.

**Mitigation Measure B-5:** The developer, with regard to the five development parcels, shall implement ATCS in conjunction with the area-wide ATCS program, if not otherwise implemented, prior to the completion of the first phase of development at the intersections identified by LADOT, although the implementation of this measure will provide mitigation to all three Project phases. Implementation of ATCS shall occur in the northern part of downtown, north of Eighth Street, at the locations identified by LADOT. LADOT has determined that implementation of the ATCS mitigation improvements in the area surrounding the Project would comprise the following: (1) upgrades to Model 2070 traffic signal controllers at 35 intersections; (2) installation of 58 ATSAC/ATCS system vehicle detectors at 9 intersections; and (3) installation of CCTV cameras to provide video information to the ATSAC Center at eight locations. Subject to a final determination by LADOT of the improvements required for the Project, ATCS shall also include LADOT's Transit Priority System (TPS).

**Mitigation Measure B-6:** The following menu of mitigation measures have been developed to further reduce the Project's potential traffic and circulation impacts. The term "menu" refers to the various ways that each of the following measures can be implemented to achieve trip reduction. Selection shall be coordinated with the LADOT, who shall determine which of the mitigation measures are to be implemented.

1. Provide enhanced walking connections along the Project street frontages to transit service (to bus stops and to the Red Line station portals at First Street and Hill Street). These could comprise pedestrian amenities along the Project's street frontages, including landscaped sidewalks, wider crosswalks where feasible at key intersections, improved lighting for pedestrian safety at nighttime,

and pedestrian wayfinding signage, to facilitate walking in the Project area. The developer shall implement this measure with regard to the five development parcels prior to initial building occupancy for each development phase; while, the responsible parties for the implementation of the Civic Park and Streetscape Program, under the applicable agreements, shall implement these measures prior to the completion of construction for each of these Project components.

2. The developer, as determined by LADOT and prior to initial building occupancy for each development phase, shall provide enhanced bus stops on the street frontages of the five development parcels. These enhanced bus stops may include bus shelters with passenger amenities such as benches, shaded areas, and transit information that could be integrated into the overall urban design/landscaping of the Project.
3. Provide transit information kiosks at various strategic locations on the Project site. The developer shall implement this measure with regard to the five development parcels prior to initial building occupancy for each development phase; while, the responsible parties for the implementation of the Civic Park and Streetscape Program, under the applicable agreements, shall implement these measures prior to the completion of construction for each of those Project components.
4. The developer, with regard to the five development parcels, shall participate in an on-going basis during Project operations, in a Share-Car program (e.g., Flexcar) that makes cars available to registered members. It is anticipated that up to three on-street parking spaces, subject to a determination of feasibility by LADOT, could be provided at key locations adjacent to the Project frontage for up to three Share-Cars. The Share-Cars could be available to both Project and non-Project users as long as they were members of the Share-Car program. The Project shall support a Share-Car organization's application to the City, and following any implementation of such application shall promote the Share-Car concept and encourage its usage with Project residents and tenants.
5. Provide improved vehicular directional signage on surface streets approaching and within the Project area to direct vehicles to specific destinations and parking locations, as appropriate, to minimize vehicles circulating in the Project area. Such signage should be approved to the satisfaction of LADOT. The developer shall implement this measure with regard to the five development

parcels prior to initial building occupancy for each development phase; while, the responsible parties for the implementation of the Civic Park under the applicable agreements, shall implement these measures prior to the completion of construction for the Civic Park.

**Mitigation Measure B-7:** The Developer, with regard to the five development parcels, shall re-stripe the westbound approach of the Third Street and Hill Street intersection from the existing configuration of one left turn lane, one through lane, and one shared through/right-turn lane to a future configuration of one left turn lane, two through lanes, and one exclusive right-turn lane. This improvement would require a slight widening of Third Street west of Hill Street before the entrance to the tunnel within the public right-of-way. The final lane configuration of this intersection shall be to the satisfaction of the City of Los Angeles Department of Transportation. In addition, any street widening and construction activities shall be coordinated with the City of Los Angeles Department of Public Works, Bureau of Engineering.

iii. Supportive Evidence and Rationale – The FEIR analyzed in detail the potential traffic impacts that may be caused by Project operation in Section IV.B of the DEIR. Specifically:

- a. Intersections: The Project with County Office Building Option would generate approximately 1,551 A.M. peak hour trips and 2,464 P.M. peak hour trips. This Option would result in significant traffic impacts at seven intersections in the A.M. peak hour and in significant traffic impacts at seventeen intersections in the P.M. peak hour. The Project with Additional Residential Development Option would generate approximately 1,019 trips in the A.M. peak hour and 2,003 trips in the P.M. peak hour. This Option would result in a significant traffic impact at six intersections in the A.M. peak hour and seventeen intersections in the P.M. peak hour. With the implementation of all the mitigation measures, including the ATCS and the intersection mitigation measures, one intersection in the A.M. peak hour and 12 intersections in the P.M. peak hour would be significantly and unavoidably impacted under the Project with County Office Building Option. With the implementation of all the mitigation measures, including ATCS and intersection mitigation measures, no intersections in the A.M. peak hour and 7 intersections in the P.M. peak hour would be significantly and unavoidably impacted under the Project with Additional Residential Development Option.
- b. Access: No driveway intersection approach under either Project Option would exceed LOS D. Therefore, the Project would not

cause any significant traffic impacts at proposed driveway locations.

- c. Freeway/CMP Impacts. The Project with County Office Building Option would cause two significant traffic impacts on the freeway system, one of which would occur at a CMP monitoring location (US-101 Hollywood Freeway north of Vignes Street). However, the Project with Additional Residential Development Option would cause no significant freeway traffic impacts. The Project with County Office Building Option's significant impacts on the US-101 Hollywood Freeway between Grand Avenue and Hill Street, and on the US-101 Hollywood Freeway north of Vignes Street (a CMP location) would be reduced to a less than significant level through the implementation of the proposed mitigation measures. Freeway/CMP impacts under the Project with Additional Residential Development Option would be less than significant.
- d. Transit: Because Project transit trips would represent a very small proportion of the overall transit system capacity, it is concluded that the Project will result in a less than significant impact to the existing transit systems serving the Project area and downtown.
- e. Civic Park: Early evening events in the Civic Park, or events associated with concerts/programs at the Music Center and the Walt Disney Concert Hall, may worsen traffic conditions in the Project area during the P.M. peak hour. The number of such events would be infrequent and would not occur on a regular basis. Although Civic Park traffic impacts would be temporary in nature, impacts may, on occasion, be significant in magnitude. Annual events, festivals, and holiday events could also potentially have temporary and short-term (one-time) traffic impacts. Therefore, on occasion, the size of the event and other factors may cause Civic Park traffic impacts to be significant and unavoidable.

iv. Cumulative Impacts

- a. Intersections: The cumulative traffic impacts associated with the 93 related projects and ambient growth have been considered for the purpose of assessing the Project's traffic impacts. In conjunction with the significant Project impacts after mitigation, cumulative traffic impacts on certain intersections would be significant.
- b. Civic Park: Early evening events in the Civic Park may worsen traffic conditions in the P.M. peak hour. The number of such events would be infrequent and would not occur on a regular basis. Although Civic Park traffic impacts would be temporary in nature,

impacts may, on occasion, be significant in magnitude. As such, traffic impacts associated with such short-term activities would be considered cumulatively significant in conjunction with other projects' traffic.

- c. Driveway Access: None of the 93 related projects share adjoining or adjacent access points. Therefore, no significant cumulative impacts relative to access would occur since none of the related projects could cause problems in accessing the Project site. Similarly, the Project would cause no problems in the accessibility of the related projects.
- d. Transit: The employees, visitors, and residents of the 93 related projects would use overlapping transit systems, as would be the case with the Project. Under the City of Los Angeles transportation and land use policies, this effect is positive (i.e., the concentration of new employment and housing projects in close proximity to transit services). Further, the increased usage of transit system by users at the related projects would not cause exceedance of the capacity of existing transit systems. Consequently, the cumulative impacts relative to transit systems are concluded to be less than significant.
- e. CMP: The Project with County Office Building Option would cause an incremental increase in the D/C ratio of 0.021 at the US-101 Hollywood Freeway between Grand Avenue and Hill Street, and an incremental increase of the D/C ratio of 0.020 at the US-101 Hollywood Freeway north of Vignes Street, both in the P.M. peak hour. Since that increase would be at or slightly above the threshold of significance, it is concluded that the Project with County Office Building Option would cause two significant traffic impacts on the freeway system, one of which would occur at a CMP monitoring location (US-101 Hollywood Freeway north of Vignes Street). Since related projects would also contribute to freeway traffic levels, the combination of the Project's traffic with the related projects' traffic is considered to be cumulatively significant. The Project with Additional Residential Development Option would not exceed D/C threshold ratios, and cumulative impacts are considered to be less than significant under this option.

D. Traffic, Circulation and Parking (Parking Impacts)

- i. Potential Impacts – The Project may create a significant parking impact if:
  - a. The Project would be inconsistent with adopted parking codes, parking plans, or policies.



- ii. Findings – The Project will not cause significant and unavoidable parking impacts, except for the one project-specific and cumulative impact discussed in subsection iii. and iv., below. With respect to that impact, the Authority makes the following findings:
  - a. This impact can be mitigated to a level of less than significant if the City approves a certain land use entitlement that has been applied for by the developer, which application is still pending as of the date of these Findings. Accordingly, the Authority finds that the measures, such changes or alterations to the Project necessary to mitigate this impact are within the responsibility and jurisdiction of another public agency and not the Authority. The Authority further finds that such measures, changes or alterations should be adopted by such other agency.
  - b. For the reasons set forth in the Statement of Overriding Considerations adopted concurrently by the Authority, the Authority finds that the significant impact identified in this Section XI-B(c) is acceptable in light of the Project's overall benefits.
- iii. Supportive Evidence and Rationale – The FEIR analyzed in detail the Project's potential parking impacts in Section IV.B of the DEIR. Under both the Project with County Office Building Option and the Project with Additional Residential Development Option, commercial and residential parking would be consistent with the parking requirements of the LAMC. However, neither Option would meet the requirements of the Deputy Advisory Agency Residential Policy (DAARP), which requires 2.5 parking spaces per dwelling unit. As part of its entitlement application to the City, the developer will be seeking approval of a variance from the DAARP. The reasons for seeking a deviation from this policy are provided in Section IV.B, Traffic, Circulation and Parking, of the DEIR. If approved by the City, there would be no significant impact for this issue. However, using a worst-case perspective, a significant and unavoidable impact in regard to this policy is assumed. Should the variance be granted by the City, which would occur only after certification of the FEIR by the Lead Agency and concurrently with action on the entitlements requested from the City, there would be no significant residential parking impacts. However, until the exception is granted, it is conservatively concluded that, for purposes of CEQA, there would be a significant impact.

The Project's total parking supply will meet projected Project demand and also exceed many of the requirements of the City's parking requirements (except for the DAARP). For example, the first phase of development on the five development parcels will provide the approximately 1,129 parking spaces which is 155 parking spaces more than that is required by City

Code. Further, an additional 381 spaces will be provided due to the use of mechanical lifts, valet operations and other parking strategies.

A minor change in the Project's parking arrangements for this first phase of development has been proposed by the developer since publication of the DEIR. This change would cause up to 227 parking spaces to be provided off-site up to two blocks from the Project site. However, there would be no significant parking impacts associated with this parking strategy. During evenings and weekends, there are sufficient spaces available in the Civic Center/Bunker Hill area as office buildings are closed. During the daytime, the most likely location sufficient spaces in the Walt Disney Hall Concert Hall garage would be available, even with the relocation of existing spaces from Parcel Q and Parcel W-1/W-2 due to the Project. Further, because these spaces would be provided within one or two blocks of Parcel Q, and because they would represent only 4% of the total Project parking supply, it is not expected that the distribution patterns of Project traffic would be significantly different from the patterns analyzed in the FEIR. Accordingly, the Authority finds that this minor potential change in the Project will not cause a significant new environmental impact.

Finally, the Project would eliminate 1,818 parking spaces (of which 1,604 are usable) in the lots existing on the five development parcels. Existing County facilities would absorb up to 1,074 of these spaces at such facilities as the Walt Disney Concert Hall garage and the Civic Center and in the Civic Center, where excess parking spaces are now available. Further, under the proposed Civic Park conceptual design plan, the Court of Flags garage (Lot 10) would be repaired and would add 325 usable parking spaces this parking supply. In addition to those available spaces, the analysis in the FEIR concluded that excess space exists in the twenty-one other parking facilities in the general vicinity of the Project Area.

- iv. Cumulative Impacts – It is assumed that the related development projects would satisfy their demand for commercial and residential parking, as is the case with the Project. However, since the Project would not comply with the DAARP for residential uses, as may also be the case with one or more of the related projects, non-compliance with the DAARP is considered cumulatively significant.

E. Aesthetics and Visual Resources (Visual Quality, Construction)

- i. Potential Impacts – The Project may cause a significant visual quality impact if:

- a. The Project would substantially alter, degrade or eliminate the existing visual character of the area, including visually prominent existing features or other valued resources.
  - b. The Project features would substantially contrast with the visual character of the surrounding area and its aesthetic image.
  - c. The implementation of the Project would preclude the attainment of existing aesthetics regulations or applicable plans.
- ii. Findings - A potentially significant visual quality impact due to construction of the Project is identified in the EIR. However, with the implementation of a mitigation measure, a regulatory measure, and project design features, this potentially significant impact will be reduced to a less than significant impact.

**Mitigation Measure C-1:** During Project construction, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements, shall ensure, through appropriate postings and daily visual inspections, that no unauthorized materials remain posted on any temporary construction barriers or temporary pedestrian walkways, and that any such temporary barriers and walkways are maintained in a visually attractive manner throughout the construction period. The City's Department of Building and Safety or other appropriate City agency or department, shall determine compliance with this measure with regard to construction associated with the five development parcels and the Streetscape Program. The County's CAO or its designee shall determine compliance with this measure with regard to construction of the Civic Park.

**Regulatory Measure C-1:** Prior to the start of each construction work phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Streetscape Program under the applicable agreements, shall prepare and implement a tree replacement plan should mature trees along Grand Avenue be impacted by Project construction. Existing mature trees shall be replaced at a ratio of not less than 1:1, to the extent consistent with the final streetscape design. The City's Department of Building and Safety or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels and the Streetscape Program.

**Project Design Feature C-1:** Prior to the start of construction along the east side of Grand Avenue, between First and Temple Streets, the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements shall coordinate construction of park improvements in the westerly Civic Park sector with any installation

of streetscape and other improvements on Grand Avenue between First and Temple Streets to reduce the duration and visual impact of construction activities. Scheduling of construction activities for the Civic Park and the Streetscape Program shall be reviewed and approved by the Authority and shall be implemented by the responsible parties.

**Project Design Feature C-2:** Prior to the start of each construction work phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements, shall schedule and coordinate sidewalk construction with the development of the adjacent parcels to reduce the duration and visual impact of construction activities. Scheduling of construction activities for the five development parcels, the Civic Park and the Streetscape Program shall be reviewed and approved by the Authority and implemented by the responsible parties.

- iii. Supportive Evidence and Rationale – The FEIR analyzed in detail the potential visual quality impacts associated with the construction of the Project in Section IV.C of the DEIR. Construction activities may be detrimental to the aesthetic value of the Project area. In addition, the potential removal or relocation of mature landscaping in the existing Civic Center Mall in order to create the Civic Park would contrast and detract from the existing visual character of the park. Mature trees would be preserved or relocated to the extent feasible. However, construction activities that would contrast with the aesthetic image of the area would cease at the completion of the construction phases. Due to the short-term nature of these activities, construction impacts on aesthetic resources are concluded to be less than significant. Further, the visual quality impacts generated by construction activities would be reduced to a less than significant level through the implementation of Mitigation Measure C-1, Regulatory Measure C-1, and Project Design Features C-1 and C-2.
- iv. Cumulative Impact – The related projects would not be located close enough to the Project's development parcels to be within the same field of view as the Project as to create any potentially significant visual quality impact attributable to cumulative construction activities. Further, the construction of such other related projects will likely comply with the mitigation measures described in this Section XI-C(a). Therefore, this cumulative impact will be less than significant.

E. Aesthetics and Visual Resources (Visual Quality, Operation)

- i. Impacts – The Project may cause a significant visual quality impact if:

- a. The Project would substantially alter, degrade or eliminate the existing visual character of the area, including visually prominent existing features or other valued resources.
  - b. The Project features would substantially contrast with the visual character of the surrounding area and its aesthetic image.
  - c. The implementation of the Project would preclude the attainment of existing aesthetics regulations or applicable plans.
- ii. Findings - A less than significant visual quality impact due to operation of the Project is identified in the FEIR. However, the following regulatory measures, and a project design feature are identified in the FEIR to ensure a less than significant impact.

**Regulatory Measure C-4:** Prior to the start of each construction work phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park under the applicable agreements shall submit to the Authority or other appropriate agency, for review and approval, building plans and specifications that demonstrate that all ventilation, heating and air conditioning ducts, tubes, and other such mechanical equipment shall be screened from the line-of-sight from the street. Approved building plans and specifications shall be implemented by the responsible parties.

**Regulatory Measure C-5:** Prior to the start of each construction work phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements shall submit design plans that demonstrate that all utility lines and connections are constructed underground. Approved utility plans and connections with regard to the five development parcels shall be reviewed and approved by the Authority, whereas the City's Department of Building and Safety or other appropriate City agency or department, shall review and approve with regard to the Streetscape program. Approved utility lines and connections shall be implemented by the responsible parties.

**Regulatory Measure C-6:** Prior to construction, the developer, with regard to the five development parcels, shall submit design plans for trash collection areas to the Authority for review and approval. Trash collection areas shall be screened from line of sight from the street. Approved design plans shall be implemented by the developer.

**Project Design Feature C-3:** Prior to the start of each construction work phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape

Program under the applicable agreements, shall prepare architectural plans that shall be reviewed and approved by the Authority such that all ground-level building fixtures, including, but not limited to, security gates, landscape light fixtures, pedestrian lights, air intake shafts, and other appurtenances are integrated into the architectural theme and/or design of the respective Project components. Approved architectural plans shall be implemented by the developer and the responsible parties.

- iii. Supportive Evidence and Rationale – The FEIR discusses the less than significant visual quality impact caused by Project operations in Section IV.C of the DEIR. The Grand Avenue streetscape program would improve the aesthetic quality and ambience of Grand Avenue and would create an appealing pedestrian environment. Existing visual and pedestrian access into the Civic Park would be improved and the extension of the Civic Park to Spring Street would enhance the aesthetic context of Los Angeles' City Hall. The Project's towers would contribute to the visual continuity of the tall and varied structures comprising the City's skyline and would be consistent with the aesthetic components that represent downtown's aesthetic image. The Project is anticipated to be consistent with the urban design policies that call for the shaping of a skyline that parallels and accentuates the topography of Bunker Hill, the integration of street-front retail with the streetscape, and the addition of public art into the Grand Avenue right-of-way. As such, the Project's visual quality impacts would be less than significant.
- iv. Cumulative Impacts - The related development projects identified in the FEIR as Nos. 9, 27, 88, and 92 are located in close proximity to the Project site and, as such, have the potential to cumulatively contribute to the visual quality of the area. It is anticipated, however, that all of the related projects would be constructed with high-quality materials and architectural design and would be consistent in scale with the surrounding buildings. In addition, it is anticipated that the related projects would contribute to sidewalk and streetscape improvements and, therefore, would improve the visual quality of the downtown area. Therefore, cumulative impacts relative to the aesthetics and visual quality would be less than significant.

F. Aesthetics and Visual Resources (Views)

- i. Impacts – The Project may cause a significant impact if:
  - a. Project development would substantially obstruct an existing view of a visually prominent resource as viewed from a public street, sidewalk, park, community cultural center, trail, public vantage point, or residential use.

- ii. Findings – The Project would cause significant and unavoidable view impacts (1) to the residents' views from the Grand Promenade Tower residential building; (2) the view from Olive Street; and (3) to the residents' view from the Museum Tower residential building. These three view impacts are identified in the FEIR, and the Authority makes the following findings for these impacts:
  - a. For the reasons set forth in the Statement of Overriding Considerations adopted concurrently by the Authority, the Authority finds that the significant impact identified in this Section XI-C(c) is acceptable in light of the Project's overall benefits.
  - b. No feasible mitigation measures exist to mitigate these significant view impacts. The issue of project alternatives that may mitigate those view impacts is addressed in Section XI-C(c) of these Findings.
- iii. Supportive Evidence and Rationale – The FEIR discusses the significant and unavoidable view impacts in Section IV.C. The Project would obstruct views of the Walt Disney Concert Hall and distant vistas to the north, possibly including the San Gabriel Mountains, from the Grand Promenade Tower, a 28-story residential building located immediately south of Parcel M-2. Development on Parcels W-1/W-2 would substantially block views of City Hall from Olive Street, a public street, under both Project Options. In addition, development on Parcel Q would block distant vistas to the north, possibly including the San Gabriel Mountains, from the upper stories of the Museum Tower residential building located south of Parcel Q and east of MOCA. Therefore, view impacts on the Grand Promenade Tower, Olive Street, and Museum Tower would be significant. There are no feasible mitigation measures to reduce the significant and unavoidable view impacts to the Promenade Tower, the view from Olive Street, and the view from the Museum Tower. As described in Section XII of these Findings, certain elements of Alternative No. 4 avoid the significant view impact to the residents' views from the Grand Promenade Tower.
- iv. Cumulative Impacts - Related project No. 88 will be located to the east of Angelus Plaza and would potentially block some easterly views from the existing Angelus Plaza residential use toward Los Angeles City Hall. The blockage of views of City Hall would be considered potentially significant, and since the development in parcels W-1 and W-2 would also block views of City Hall from Olive Street, cumulative impacts relative to the views of City Hall are found to be significant.

G. Aesthetics and Visual Resources (Light and Glare)

- i. Potential Impacts – The Project may cause a significant impact if:

- a. Lighting would alter the character of the off-site areas surrounding the Project; or
  - b. Lighting would substantially interfere with the performance of an off-site activity.
- ii. Findings – A potential significant glare impact from reflected light on building surfaces is identified in the EIR. However, this potential significant impact will be reduced to a level of less than significance with the implementation of two identified mitigation measures and one regulatory measure.

**Mitigation Measure C-2:** Prior to the start of each construction work phase, the developer, with regard to the five development parcels, shall submit a design plan and technical analysis prepared by the Project's architect as part of the building permit submission that demonstrates that the final selection of building materials for the five development parcels shall not create a significant glare impact on any offsite sensitive uses, including line-of-sight glare on any street or commercial, residential, or cultural use. The approved design plan shall be implemented by the developer with regard to the five development parcels. The design plan and technical study shall be reviewed and approved by the Authority.

**Mitigation Measure C-3:** Prior to each construction phase, the developer with regard to the five development parcels, shall prepare, and, thereafter, implement plans and specifications to ensure that architectural lighting is directed onto the building surfaces and have low reflectivity in accordance with Illuminating Engineers Society (IES) standards to minimize glare and limit light onto adjacent properties.

**Regulatory Measure C-3:** Prior to the completion of final plans and specifications, the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements, shall prepare lighting plans and specifications for the design type of light fixtures, height of light standards, and orientation of light fixtures and standards within the public right-of-way to ensure that all light fixtures do not interfere with the activities occurring within these areas. Lighting plans with regard to the Streetscape Program shall be submitted to the City's Department of Building and Safety or other appropriate City agency or department, for review and approval. Lighting plans with regard to the Civic Park shall be submitted to the County CAO or its designee for review and approval. Approved lighting plans shall be implemented by the responsible parties.

- iii. Supportive Evidence and Rationale – The FEIR analyzed in detail the potential glare impact from reflected light on building surfaces in Section



IV.C of the DEIR. The Project would increase ambient light and artificial glare through the implementation street lighting, illuminated signs, architectural lighting, light spillage from the windows of high-rise buildings, special events lighting and security lighting. Since the Project's lighting would be similar to adjacent businesses (i.e., the nearby residential and office towers), it would not significantly impact the environment, which is currently characterized by high levels of ambient light. The increase in ambient light and artificial glare would not be great enough to interfere with activities at nearby residential, office and cultural uses. Natural sunlight reflected from building surfaces and windows have the potential to create glare. Further, special events lighting in the Civic Park has the potential to create a significant impact. However, with the implementation of Mitigation Measures C-2 and C-3, the potential light and glare impacts associated with special events lighting and reflected sunlight would be reduced to less than significant levels.

- iv. Cumulative Impact – The Project and 93 related projects would increase ambient light in downtown Los Angeles. However, the context of the downtown environment, illuminated signage associated with street front retail uses and restaurants would not substantially alter the character of the surrounding area. The related projects Nos. 27 and 92, which are located in the same line-of-sight as the Project, as viewed from adjacent westbound and northbound streets, respectively, have the potential to contribute to glare impacts. With the implementation of the recommended mitigation measures, which require a technical glare analysis of, and, if necessary, modification to, the Project's building materials, the Project's potentially significant glare impact would be reduced to a less than significant level. Since it is assumed that the related projects would be subject to the same measure concerning their potential glare impacts, cumulative impacts would be less than significant.

#### H. Aesthetics and Visual Resources (Shade and Shadow)

- i. Potential Impacts – The Project may cause a significant shade/shadow impact if:
  - a. The Project would shade currently unshaded off-site, shadow-sensitive uses more than three hours between the hours of 9:00 A.M. and 3:00 P.M. PST, between late October and early April, or more than four hours between the hours of 9:00 A.M. and 5:00 P.M. PDT between early April and late October.
- ii. Findings – A less than significant shade/shadow impact is identified in the FEIR. No mitigation measures are identified for this impact.

- iii. Supportive Evidence and Rationale – The Project's potential shade/shadow impact is analyzed in detail in Section IV.C of the DEIR. During certain seasons, the Project's towers have the potential to shade sensitive offsite uses, including the future Central Los Angeles Performing Arts Senior High School (currently under construction), the Bunker Hill Towers open space, and Angelus Plaza, depending on the season and hour of the day. However, shading would not exceed three hours between the hours of 9:00 A.M. and 3:00 P.M. during the winter solstice or spring equinox, or four hours between the hours of 8:00 A.M. and 5:00 P.M. during the summer solstice or fall equinox. Accordingly, the Project would have a less than significant shade/shadow impact.
- iv. Cumulative Impact - The combined morning shading from the Project and related project Nos. 9 and 27, with shading later in the day from related project No. 88, would create a potentially significant shade/shadow impact on the Angelus Plaza site, during the summer solstice only. No feasible mitigation measures exist for this cumulative impact due to the proposed location of these related projects. Although related project No. 92 would generate considerable shading of the Angelus Plaza site, substantially shading from related project No. 92 is not anticipated during the summer solstice. No other related projects would contribute to cumulative shading impacts.

I. Historical Resources

- i. Impacts – The Project may cause a significant historical resources impact if:
  - a. The Project will cause a substantial adverse change in the significance of a historical resource. A substantial adverse change means physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of a historical resource would be materially impaired.
- ii. Findings – The Project will cause significant and unavoidable historical resources impact on a project-specific and cumulative basis. The Authority makes the following findings for this impact:
  - a. All feasible measures, changes and alterations have been required in, or incorporated into, the Project, which will lessen such significant environmental effects.
  - b. For the reasons set forth in the Statement of Overriding Considerations adopted concurrently by the Authority, the Authority finds that the significant impact identified in this Section XI-D is acceptable in light of the Project's overall benefits.

Although the following mitigation measures aimed at reducing this significant and impact to historical resources have been adopted, these mitigation measures will not reduce this significant impact to a level of insignificance:

**Mitigation Measure D-1: Potential Los Angeles Civic Center Historic District.** Prior to the start of each construction phase, the responsible parties for implementation of the Streetscape Program under the applicable agreements shall submit plans to the Authority, for review and approval to ensure that impacts to the potential eligibility of the potential Los Angeles Civic Center Historic District are reduced to the maximum extent practicable through implementation of the following measures:

1. **Grand Avenue Streetscape Program Design Features.** If the Streetscape Program is implemented in substantial conformance to that set forth in the Project's Conceptual Plan, then the following mitigation measure is not required since such Plan is consistent with the Secretary of Interior's Standards for Rehabilitation of Historic Buildings and the Guidelines for the Treatment of Cultural Landscapes (collectively referred to as the "Standards"). However, should the final design for the Grand Avenue streetscape improvements not be implemented in substantial conformance with the Project's Conceptual Plan, then the landscape and hardscape features proposed as part of the Grand Avenue Streetscape Program shall respect the linear qualities of the street and sidewalks in respect to the adjacent historic resource. Such landscape treatments shall be unified and planted in a manner as to not obscure the sight lines to the facades of those properties identified as contributors to the potential Los Angeles Civic Center Historic District from the public right-of-ways. The design of the Project's streetscape improvements shall consider their height, width, and spatial placement and include a program of selective pruning of trees to retain sight lines on a regular basis.

**Mitigation Measure D-2: Music Center:** No mitigation measures are required if the Grand Avenue streetscape improvements are implemented in substantial conformance to that set forth in the Project's Conceptual Plan, as determined by the Authority, since such Plan is consistent with the Secretary of Interior's Standards for Rehabilitation of Historic Buildings and the Guidelines for the Treatment of Cultural Landscapes (collectively referred to as the "Standards"). However, should the final design for the Grand Avenue streetscape improvements not be implemented in substantial conformance with the Project's Conceptual Plan, then prior to the start of each construction phase, the entity responsible for implementing the Project's streetscape program under the applicable

agreements shall submit plans to the Authority for review and approval to ensure that impacts to the potential eligibility of the Music Center are reduced to the maximum extent practicable through implementation of the following mitigation measure:

1. Prior to implementation, the final design plans for the Grand Avenue streetscape improvements shall be reviewed by a qualified architectural historian or historic preservation consultant who satisfies the Secretary of the Interior's Professional Qualification Standards for History or Architectural History to assure that the final design for the streetscape improvements does not materially alter the Music Center's potential historic significance. This evaluation shall be conducted in accordance with the Secretary of the Interior's Standards for the Rehabilitation of Historic Buildings.

**Mitigation Measure D-3: Cathedral of Our Lady of the Angels.** No mitigation measures are required if the Grand Avenue streetscape improvements are implemented in substantial conformance to that set forth in the Project's Conceptual Plan, as determined by the Authority, since such Plan is consistent with the Secretary of Interior's Standards for Rehabilitation of Historic Buildings and the Guidelines for the Treatment of Cultural Landscapes (collectively referred to as the "Standards"). However, should the final design for the Grand Avenue streetscape improvements not be implemented in substantial conformance with the Project's Conceptual Plan, then prior to the start of each construction phase, the entity responsible for implementing the Project's streetscape program under the applicable agreements shall submit plans to the Authority, for review and approval to ensure that impacts to the potential eligibility of the Cathedral of Our Lady of the Angels are reduced to the maximum extent practicable through implementation of the following mitigation measure:

1. Prior to implementation, the final design plans for the Grand Avenue streetscape improvements shall be reviewed by a qualified architectural historian or historic preservation consultant who satisfies the Secretary of the Interior's Professional Qualification Standards for History or Architectural History to assure that the final design for the streetscape improvements does not materially alter the Cathedral of Our Lady of the Angels' potential historic significance. This evaluation shall be conducted in accordance with the Secretary of the Interior's Standards.

**Mitigation Measure D-4: Kenneth Hahn Hall of Administration.** No mitigation measures are required if the final design for the Civic Park and the Grand Avenue streetscape improvements are in substantial conformance to that set forth in the Project's Conceptual Plan, as

determined by the Authority, since such Plan is consistent with the Secretary of Interior's Standards for Rehabilitation of Historic Buildings and the Guidelines for the Treatment of Cultural Landscapes (collectively referred to as the "Standards"). However, should the final design for the Civic Park and the streetscape improvements not be implemented in substantial conformance with the Project's Conceptual Plan, prior to the start of each construction phase, the responsible parties for implementation of the Civic Park and Streetscape Program, under the applicable agreements, shall submit plans to the Authority, for review and approval to ensure that impacts to the potential eligibility of the Kenneth Hahn Hall of Administration as a contributing property to the potentially eligible Los Angeles Civic Center Historic District are reduced to the maximum extent practicable through implementation of the following mitigation measure:

1. Prior to implementation, the final design plans for the Civic Park and the Grand Avenue streetscape improvements shall be reviewed by a qualified architectural historian or historic preservation consultant who satisfies the Secretary of the Interior's Professional Qualification Standards for History or Architectural History to assure that the final designs for the Civic Park and streetscape improvements do not materially alter the Kenneth Hahn Hall of Administration's potential historic significance. This evaluation shall be conducted in accordance with the Secretary of the Interior's Standards. The County's CAO or its designee shall determine compliance for the Civic Park and the City's Department of Building and Safety shall determine compliance for the Streetscape Program.

**Mitigation Measure D-5: Civic Center Mall (El Paseo de los Pobladores de Los Angeles).** Prior to the start of each construction phase, the responsible parties for implementation of the Civic Park under the applicable agreements shall submit plans to the Authority, for review and approval to ensure that impacts to the potential eligibility of the Civic Center Mall for listing in the California Register is reduced to the maximum extent practicable. However, in the event that any one or more of the following occurs: (1) the water feature (both the fountain and pools) no longer serves as a focal point for the park; (2) many of the pink granite clad planters, pink granite clad retaining walls, and concrete benches are not retained and reused in-place or within the reconfigured park preferably near the water feature and adjacent to the civic buildings; (3) the existing elevator shaft structures are removed in their totality, or (4) many of the light poles with saucer-like canopies and the "hi-fi" speaker poles with saucer-like canopies are not retained in-place or relocated adjacent to or integrated along with the water feature, benches, retaining walls, and planter boxes, then the Standards shall be utilized to ensure that

rehabilitation work to the four character-defining features of the park referenced in this Mitigation Measure D-5 does not impair the historic characteristics that convey the Civic Center Mall's historical significance as an individual resource and as a contributing property to the potentially eligible Los Angeles Civic Center Historic District. If such compliance with such Standards cannot be achieved, then the following measures shall apply to the applicable character-defining features identified in this Measure:

1. **Recordation.** Prior to the issuance of a demolition permit for the Civic Center Mall and its associated features, a Historic American Building Survey (HABS) Level II-like recordation document shall be prepared for the Civic Center Mall. A qualified architectural historian or historic preservation consultant who satisfies the Secretary of the Interior's Professional Qualification Standards for History or Architectural History shall prepare this document. The HABS-like document shall record the existing landscape and hardscape features of the Civic Center Mall, including the four character-defining features identified in this measure. The report shall also document the history and architectural significance of the property and its contextual relationship with the surrounding civic buildings and environment. Its physical composition and condition, both historic and current, should also be noted in the document through the use of site plans, historic maps and photographs, and large-format photographs, newspaper articles, and written text. A sufficient number of large-format photographs shall be taken of the resource to visually capture its historical and architectural significance through general views and detail shots. Field photographs (35mm or digital format) may also be included in the recordation package. All document components and photographs should be completed in accordance with the Secretary of the Interior's Standards and Guidelines for Architectural and Engineering Documentation. Archival copies of the report, including the original photographs, shall be submitted to the California Office of Historic Preservation and the Huntington Library. Non-archival copies of the report and photographs shall be submitted to the County of Los Angeles, the City of Los Angeles Planning Division, the Los Angeles Public Library (Main Branch), and the Los Angeles Conservancy Modern Committee.
2. **Salvage and Reuse of Key Park Features.** Prior to the removal of the four character-defining features identified in this Measure, an inventory of significant landscape and hardscape elements shall be made by a qualified preservation consultant and landscape architect. Where feasible, these materials and elements shall be itemized, mapped, photographed, salvaged, and incorporated into

the new design of the park, wherever possible. To the extent salvageable materials cannot be reused on-site, they shall be disposed of in accordance with applicable county surplus procedures.

**Mitigation Measure D-6: Hall of Records.** No mitigation measures are required if the final design for the Civic Park is in substantial conformance to that set forth in the Project's Conceptual Plan, as determined by the Authority, since such Plan is consistent with the Secretary of Interior's Standards for Rehabilitation of Historic Buildings and the Guidelines for the Treatment of Cultural Landscapes (collectively referred to as the "Standards"). However, should the final design for the Civic Park not be implemented in substantial conformance with the Project's Conceptual Plan, prior to the start of each construction phase, the responsible parties for implementation of the Civic Park under the applicable agreements shall submit plans to the Authority, for review and approval to ensure that impacts to the potential eligibility of the Hall of Records building as a contributing property to the potentially eligible Los Angeles Civic Center Historic District are reduced to the maximum extent practicable through implementation of the following mitigation measure:

1. Prior to implementation, the final design plans for the Civic Park shall be reviewed by a qualified architectural historian or historic preservation consultant who satisfies the Secretary of the Interior's Professional Qualification Standards for History or Architectural History to assure that the proposed Civic Park design does not materially alter the Hall of Records' potential historic significance. This evaluation shall be conducted in accordance with the Secretary of the Interior's Standards for the Rehabilitation of Historic Building.

**Mitigation Measure D-7: Court of Flags.** No mitigation measures are required if the final design for the Civic Park is in substantial conformance to that set forth in the Project's Conceptual Plan, as determined by the Authority, since such Plan is consistent with the Secretary of Interior's Standards for Rehabilitation of Historic Buildings and the Guidelines for the Treatment of Cultural Landscapes (collectively referred to as the "Standards"). However, should the final design for the Civic Park not be implemented in substantial conformance with the Project's Conceptual Plan, prior to the start of each construction phase, the responsible parties for implementation of the Civic Park under the applicable agreements shall submit plans to the Authority for review and approval to ensure that impacts to the potential eligibility of the Court of Flags as a contributing property to the potentially eligible Los Angeles Civic Center Historic District are reduced to the maximum extent practicable through implementation of the following mitigation measure:

1. Prior to implementation, the final design plans for the Civic Park shall be reviewed by a qualified architectural historian or historic preservation consultant who satisfies the Secretary of the Interior's Professional Qualification Standards for History or Architectural History to assure that the proposed Civic Park design does not materially alter the Court of Flag's potential historic significance. This evaluation shall be conducted in accordance with the Secretary to Interior's Standards.

**Mitigation Measure D-8: Clara Shortridge Foltz Criminal Justice Center.** No mitigation measures are required if the final design for the Civic Park is in substantial conformance to that set forth in the Project's Conceptual Plan, as determined by the Authority, since such Plan is consistent with the Secretary of Interior's Standards for Rehabilitation of Historic Buildings and the Guidelines for the Treatment of Cultural Landscapes (collectively referred to as the "Standards"). However, should the final design for the Civic Park not be implemented in substantial conformance with the Project's Conceptual Plan, prior to the start of each construction phase, the responsible parties for implementation of the Civic Park under the applicable agreements shall submit plans to the Authority, for review and approval to ensure that impacts to the potential eligibility of the Clara Shortridge Foltz Criminal Justice Center as a contributing property to the potentially eligible Los Angeles Civic Center Historic District are reduced to the maximum extent practicable through implementation of the following mitigation measure:

1. Prior to implementation the final design plans for the Civic Park shall be reviewed by a qualified architectural historian or historic preservation consultant who satisfies the Secretary of the Interior's Professional Qualification Standards for History or Architectural History to assure that the proposed Civic Park does not materially alter the Clara Shortridge Foltz Criminal Justice Center's potential historic significance. This evaluation shall be conducted in accordance with the Secretary of the Interior's Standards.

**Mitigation Measure D-9: Los Angeles City Hall.** No mitigation measures are required if the final design for the Civic Park is in substantial conformance to that set forth in the Project's Conceptual Plan, as determined by the Authority, since such Plan is consistent with the Secretary of Interior's Standards for Rehabilitation of Historic Buildings and the Guidelines for the Treatment of Cultural Landscapes (collectively referred to as the "Standards"). However, should the final design for the Civic Park not be implemented in substantial conformance with the Project's Conceptual Plan, prior to the start of each construction phase, the responsible parties for implementation of the Civic Park under the



applicable agreements shall submit plans to the Authority, for review and approval to ensure that impacts to those historic characteristics that make the Los Angeles City Hall building historically significant as a designated resource and as a contributing property to the potentially eligible Los Angeles Civic Center Historic District, are reduced to the maximum extent practicable through implementation of the following mitigation measure:

1. Prior to implementation the final design plans for the Civic Park shall be reviewed by a qualified architectural historian or historic preservation consultant who satisfies the Secretary of the Interior's Professional Qualification Standards for History or Architectural History to assure that the proposed Civic Park design does not materially alter the historic significance of the Los Angeles City Hall. This evaluation shall be conducted in accordance with the Secretary of the Interior's Standards.

**Mitigation Measure D-10: Los Angeles County Law Library.** No mitigation measures are required if the final design for the Civic Park is in substantial conformance to that set forth in the Project's Conceptual Plan, as determined by the Authority, since such Plan is consistent with the Secretary of Interior's Standards for Rehabilitation of Historic Buildings and the Guidelines for the Treatment of Cultural Landscapes (collectively referred to as the "Standards"). However, should the final design for the Civic Park not be implemented in substantial conformance with the Project's Conceptual Plan, prior to the start of each construction phase, the responsible parties for implementation of the Civic Park under the applicable agreements shall submit plans to the Authority, for review and approval to ensure that impacts to the potential eligibility of the potentially eligible Los Angeles County Law Library as a contributing property to the Los Angeles Civic Center Historic District are reduced to the maximum extent practicable through implementation of the following mitigation measure:

1. Prior to implementation, the final design plans for the Civic Park shall be reviewed by a qualified architectural historian or historic preservation consultant who satisfies the Secretary of the Interior's Professional Qualification Standards for History or Architectural History to assure that the proposed Civic Park design does not materially alter the Los Angeles County Law Library's potential historic significance. This evaluation shall be conducted in accordance with the Secretary of the Interior's Standards.

**Mitigation Measure D-11: Los Angeles County Courthouse.** No mitigation measures are required if the final design for the Civic Park and the Grand Avenue streetscape improvements are in substantial conformance to that set forth in the Project's Conceptual Plan, as

determined by the Authority, since such Plan is consistent with the Secretary of Interior's Standards for Rehabilitation of Historic Buildings and the Guidelines for the Treatment of Cultural Landscapes (collectively referred to as the "Standards"). However, should the final design for the Civic Park and the streetscape improvements not be implemented in substantial conformance with the Project's Conceptual Plan, prior to the start of each construction phase, the responsible parties for implementation of the Civic Park and the Streetscape Program under the applicable agreements shall submit plans to the Authority, for review and approval to ensure that impacts to the potential eligibility of the Los Angeles County Courthouse as a contributing property to the potentially eligible Los Angeles Civic Center Historic District are reduced to the maximum extent practicable through implementation of the following mitigation measure:

1. Prior to implementation, the final design plans for the Civic Park and the Grand Avenue streetscape improvements shall be reviewed by a qualified architectural historian or historic preservation consultant who satisfies the Secretary of the Interior's Professional Qualification Standards for History or Architectural History to assure that the proposed final designs for the Civic Park and streetscape improvements do not materially alter the Los Angeles County Courthouse's potential historic significance. This evaluation shall be conducted in accordance with the Secretary of the Interior's Standards. The County's CAO or its designee shall determine compliance for the Civic Park and the City's Department of Building and Safety shall determine compliance for the Streetscape Program.

**Mitigation Measure D-12: Southern California Edison (One Bunker Hill) Building.** No mitigation measures are required if the Grand Avenue streetscape improvements are implemented in substantial conformance to that set forth in the Project's Conceptual Plan, as determined by the Authority, since such Plan is consistent with the Standards. However, should the final design for the Grand Avenue streetscape improvements are not implemented in substantial conformance with the Project's Conceptual Plan, the responsible parties for implementation of the Streetscape Program under the applicable agreements shall submit plans to the Authority, for review and approval to ensure that impacts to the historic characteristics that convey the Southern California Edison building's (One Bunker Hill) significance are reduced to the maximum extent practicable through implementation of the following mitigation measure:

1. Prior to implementation, the final design plans for the Grand Avenue streetscape improvements shall be reviewed by a qualified

architectural historian or historic preservation consultant who satisfies the Secretary of the Interior's Professional Qualification Standards for History or Architectural History to assure that the final design for the proposed streetscape improvements does not materially alter the Southern California Edison's (One Bunker Hill) Building's historic significance. This evaluation shall be conducted in accordance with Secretary of the Interior's Standards.

- iii. Supportive Evidence – The FEIR identifies a significant and unavoidable historical resources impact in Section IV.D of the DEIR. Under CEQA, implementation of the recommended mitigation measures would reduce all of the identified significant impacts to a less than significant level, with the exception of one impact associated with the Civic Center Mall. The Mall is individually eligible for listing on the California Register of Historic Resources and would be a contributory feature of the Civic Center since the Center is eligible as a California Register Historic District. The actual extent of that significant impact is dependent upon the Civic Park's final design. Significant impacts to the Park would result if one or more the following occurs: (1) the water feature (both the fountain and pools) no longer serves as a focal point for the park; (2) many of the pink granite clad planters, pink granite clad retaining walls, and concrete benches are not retained and reused in-place or within the reconfigured park preferably near the water feature and adjacent to the civic buildings; (3) the existing elevator shaft structures are removed in their totality, or (4) many of the light poles with saucer-like canopies and the "hi-fi" speaker poles with saucer-like canopies are not retained in-place or relocated adjacent to or integrated along with the water feature, benches, retaining walls, and planter boxes. The Standards should be utilized to ensure that rehabilitation work for the Civic Park does not impair those qualities and historic characteristics of these four key character-defining features. If these character-defining features were retained and reused in a manner consistent with the Standards as discussed in the EIR, then a significant impact to this resource would not occur. However, since the final design of the Park has not been completed, and, therefore, consistency with the Standards is not known at this time, it is conservatively assumed that a significant impact will occur.

Based on the analysis in the FEIR, the Authority finds that the Civic Mall is not eligible for listing in the National Register of Historic Places since the necessary criteria for such a listing are not satisfied. However, during the public review process, a comment was raised as to the need for the Civic Center Mall to be listed in the National Register in addition to the California Register of historic resources. For CEQA purposes, a resource need only be recognized at the local or state level in order to be afforded full protection as a historical resource. Thus, whether the Civic Center Mall is listed in the National Register or the California Register, it would be

afforded the same protections. Accordingly, the Authority finds that there is no additional impact associated with the Civic Mall's potential eligibility for the National Register.

- iv. Cumulative Impacts - The development of one or more related projects in the downtown area has the potential to affect listed or eligible historical resources. Each of the related projects having the potential to impact historical resources would be subject to CEQA review and it is anticipated that any potential impacts on historical resources would be addressed and reduced to less than significant levels through the CEQA process. However, as the Project may result in a potentially significant impact with regard to the Civic Center Mall on an individual basis as well as a contributor to the potential Civic Center historic district, the Project and the related projects may also have the potential to cause a significant cumulative impact on historical resources.

J. Population, Housing and Employment

- i. Potential Impact – The Project may cause a significant impact with regard to population, housing and employment if:
  - a. The Project would cause population or housing growth in Southern California Association of Governments ("SCAG") City of Los Angeles subregion to exceed SCAG's 2015 projections.
  - b. The Project would cause growth that is not compatible with adopted population and housing policies, including jobs/housing balance, as set forth in the Central City Community Plan, the City's General Plan Housing Element, the General Plan Framework, and SCAG's Regional Comprehensive Plan and Guide (RCPG).
- ii. Findings – The Project will not cause a significant impact with regard to population, housing and employment.
- iii. Supportive Evidence and Rationale – The FEIR analyzed in detail the Project's potential impacts associated with population, housing and employment in Section IV-E of the DEIR. Project development would not exceed SCAG's adopted projections for the City of Los Angeles Subregion. The Project would also be consistent with adopted policies, including jobs/housing balance, as set forth in the Central City Community Plan, the City's General Plan Housing Element, the General Plan Framework, and SCAG's Regional Comprehensive Plan and Guide. Therefore, the Project would result in less than significant environmental impacts to housing, employment and population. Thus, no mitigation measures are required.

- iv. Cumulative Impact – Additional growth from the 93 related projects would generate 28,952 estimated residents and 61,158 estimated employees. When combined with the Project with County Office Building Option, the estimated population growth would be 31,877 residents and 65,364 employees. Under the Project with Additional Residential Development Option, cumulative population growth would be 32,729 residents and 62,364 employees. According to SCAG forecasts for the City of Los Angeles Subregion, cumulative growth under both Project Options would represent approximately 18 percent of the forecasted residential growth and 29 percent of the forecasted employment growth. This level of cumulative growth would not exceed projections and would therefore be less than significant. The related projects are also anticipated to be consistent with SCAG and Los Angeles policies for development of the downtown area as a dense activity center and, as such, would not cause a significant cumulative impact in this area.

K. Air Quality (Project Construction)

- i. Impacts – The construction of the Project may cause a significant and unavoidable air quality impact if:
  - a. The Project's emission of "regional" air pollutants from both direct and indirect sources would exceed any of the following South Coast Air Quality Management District ("SCAQMD") prescribed threshold levels: (1) 75 pounds per day (lbs/day) for VOC; (2) 100 lbs/day for NOx; (3) 550 lbs/day for CO; and (4) 150 lbs/day for PM10 or SOx.
  - b. Project-related fugitive dust and construction equipment emissions cause an incremental increase in localized PM10 concentrations of 10.4 µg/m<sup>3</sup> or cause a violation of NO2 or CO ambient air quality standards.
- ii. Findings – A significant and unavoidable air quality impact caused by construction of the Project will occur on a project-specific and cumulative basis. The Authority makes the following findings for this impact:
  - a. All feasible measures, changes and alterations have been required in, or incorporated into, the Project, which will lessen such significant environmental effects.
  - b. For the reasons set forth in the Statement of Overriding Considerations adopted concurrently by the Authority, the Authority finds that the significant impact identified in this Section XI-F(a) is acceptable in light of the Project's overall benefits.

Although the following mitigation measures aimed at reducing these significant and unavoidable air quality impacts associated with Project construction have been adopted, these mitigation measures will not reduce those significant impacts to a level of insignificance:

**Mitigation Measure F-1:** During each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements shall implement a fugitive dust control program pursuant to the provisions of SCAQMD Rule 403. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with SCAQMD Rule 403 during construction with regard to construction associated with the five development parcels and the Grand Avenue Streetscape Program. The County's CAO or its designee shall determine compliance with regard to the Civic Park. The SCAQMD retains jurisdiction to enforce this measure in the case of non-compliance. Compliance with the applicable provisions of Rule 403 shall include, but not be limited to, using best available control measures listed in Table 1 of Rule 403 to minimize fugitive dust emissions from each fugitive dust source type within active operations, and will include at least the following specific best management practices (BMPs):

1. Water soils daily and not more than 15 minutes prior to earth moving activities;
2. Water surfaces two times per day or more in order to maintain a surface crust to prevent soil erosion
3. Apply soil conditioners or vegetative cover to areas that will be exposed for an extended duration:
4. Apply chemical stabilizers within five working days of ceasing grading;
5. Install of approved trackout prevention devices and provide street sweeping within the Project area:
6. Securely cover truck loads with a tarp;
7. Cease grading activities when wind speeds exceed 25 miles per hour; and
8. Permanently seal exposed surfaces as soon as possible after grading is finished.

9. Provide temporary wind fencing, consisting of wrapped chain links or solid fencing, around the sites that are being graded/excavated to reduce dirt/dust from being blown over to adjoining properties.

**Mitigation Measure F-2:** During each construction phase, the developer, with regard to the five development parcels and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements, shall utilize coatings and solvents that are consistent with applicable SCAQMD rules and regulations. The City's Department of Building and Safety, or other appropriate City agency or department, shall provide oversight with regard to compliance with this measure with regard to construction associated with the five development parcels and the Streetscape Program. The County's CAO or its designee shall determine compliance with regard to the Civic Park. The SCAQMD retains jurisdiction to enforce this measure in the case of non-compliance.

**Mitigation Measure F-3:** During each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements, shall comply with SCAQMD Rule 402 to reduce potential nuisance impacts due to odors from construction activities. The City's Department of Building and Safety, or other appropriate City agency or department, shall provide oversight with regard to compliance with this measure with regard to construction associated with the five development parcels and the Streetscape Program. The County's CAO or its designee shall provide oversight with regard to compliance with this measure with regard to the Civic Park. The SCAQMD retains jurisdiction to enforce this measure if it is not being complied with.

**Mitigation Measure F-4:** During each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements shall ensure that all haul truck tires shall be cleaned at the time these vehicles exit the Project site. The City's Department of Building and Safety, or other appropriate City agency or department, shall provide oversight with regard to compliance with this measure with regard to construction associated with the five development parcels and the Streetscape Program. The County's CAO or its designee shall provide oversight with regard to compliance with this measure with regard to the Civic Park. The SCAQMD retains jurisdiction to enforce this measure in the case of non-compliance.

**Mitigation Measure F-5:** During each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the

applicable agreements shall ensure that all export material carried by haul trucks shall be covered by a tarp or other means. The City's Department of Building and Safety, or other appropriate City agency or department, shall provide oversight with regard to compliance with this measure with regard to construction associated with the five development parcels and the Streetscape Program. The County's CAO or its designee shall provide oversight with regard to compliance with this measure with regard to the Civic Park. The SCAQMD retains jurisdiction to enforce this measure in the case of non-compliance.

**Mitigation Measure F-6:** During each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements shall ensure that all construction equipment shall be properly tuned and maintained in accordance with manufacturer's specifications. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to construction associated with the five development parcels and the Streetscape Program. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.

**Mitigation Measure F-7:** During each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements shall ensure that construction equipment is maintained and operated so as to minimize exhaust emissions. During construction, trucks and vehicles in loading and unloading queues shall turn off their engines, when not in use, to reduce vehicle emissions. Construction emissions shall be phased and scheduled to avoid emissions peaks and discontinued during second-stage smog alerts. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to construction activities associated with the five development parcels and the Streetscape Program. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.

**Mitigation Measure F-8:** During each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements shall ensure that electricity rather than temporary diesel- or gasoline-powered generators shall be used to the extent feasible. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to construction associated with the five development parcels and the Streetscape Program. The County's CAO or



its designee shall determine compliance with this measure with regard to the Civic Park.

**Mitigation Measure F-9:** During each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements shall ensure that all construction vehicles shall be prohibited from idling in excess of five minutes, both on- and off-site. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to construction associated with the five development parcels and the Streetscape Program. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.

**Mitigation Measure F-10:** During each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements shall ensure that heavy-duty construction equipment shall use alternative clean fuels, such as low sulfur diesel or compressed natural gas with oxidation catalysts or particulate traps, to the extent feasible. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels and the Streetscape Program. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.

**Mitigation Measure F-11:** During each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements shall ensure that shuttle service shall be provided to construction workers who are required to park in offsite parking lots if such lots are not within a walking distance of 1100 feet from the respective construction sites. CRA/LA shall determine compliance with this measure with regard to construction associated with the five development parcels and the Streetscape Program. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.

**Mitigation Measure F-12:** During each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements shall equip major earth moving equipment, haul trucks, and excavation equipment with particulate filters and catalytic converters. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to construction associated with the five

development parcels and the Streetscape Program. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.

**Project Design Feature F-2:** The developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park under the applicable agreements shall provide convenient pedestrian access throughout the Project site. The Developer shall implement this measure with regard to the five development parcels prior to initial building occupancy for each construction phase, while the responsible parties for the implementation of the Civic Park and Streetscape Program, under the applicable agreements, shall implement these measures prior to the completion of construction for each of these Project components. Pedestrian access plans shall be submitted to the Authority, for review and approval. Approved pedestrian access plans shall be implemented by the responsible parties

**Regulatory Measure F-2:** Prior to the start of each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park, under the applicable agreements, shall prepare and implement building plans and specifications that ensure that all residential and non-residential buildings shall, at a minimum, meet the California Title 24 Energy Efficiency standards for water heating, space heating and cooling. Approved building plans shall be implemented by the developer and the responsible parties. Building plans and specifications with regard to the five development parcels shall be reviewed and approved by the City's Department of Building and Safety, or other appropriate City agency or department. Building plans and specifications with regard to the Civic Park shall be reviewed and approved by the County's CAO or its designee.

**Regulatory Measure F-3:** During each construction phase, the developer with regard to the five development parcels, and the responsible parties for implementation of the Civic Park under the applicable agreements shall ensure that building materials, architectural coatings and cleaning solvents shall comply with all applicable SCAQMD rules and regulations. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to construction associated with the five development parcels. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park. The SCAQMD shall be responsible for the enforcement of this measure for all Project components in the case of non-compliance.

- iii. Supportive Evidence and Rationale – The FEIR discusses the Project's potentially significant air quality impacts in Section IV.F of the DEIR. With implementation of the above regulatory measures and mitigation measures, heavy-duty construction equipment emissions would be reduced by a minimum of 5 percent and fugitive dust emissions would be reduced by an additional 16 percent. However, regional construction activities would still exceed the SCAQMD daily emission thresholds for regional NO<sub>x</sub>, CO and VOC after implementation of all feasible mitigation measures. Therefore, construction of the Project would have a significant and unavoidable impact on regional air quality. Construction activities would also still exceed the SCAQMD daily localized emission threshold for PM<sub>10</sub> and NO<sub>2</sub> after implementation of all feasible mitigation measures. Therefore, construction of the Project would also have a significant and unavoidable impact on localized emissions.
- iv. Cumulative Impact - Buildout of those related development projects identified in the FEIR that would be constructed within a similar time frame as the Project would increase short-term emissions for concurrent activities during the Project's construction period. Since emissions of criteria pollutants under peak construction activities are concluded to be significant, any additional construction activities as part of any related project occurring during this time and in the vicinity of the Project site would be adding additional air pollutant emissions to these significant levels. As a result, a significant and unavoidable cumulative impact with respect to construction emissions would occur.

L. Air Quality (Project Operation)

- i. Potential Impacts –Project operations may cause a significant air quality impact if:
- a. Operation emissions exceed any of the daily thresholds presented below:

| Pollutant | Significance Threshold<br>(lbs/day) |
|-----------|-------------------------------------|
| VOC       | 55                                  |
| NOx       | 55                                  |

|      |     |
|------|-----|
| CO   | 550 |
| PM10 | 150 |
| SOx  | 150 |

ii. Findings – A significant and unavoidable air quality impact caused by Project operations will occur on a project-specific and cumulative basis. The Authority makes the following findings for this impact:

- a. All feasible measures, changes and alterations have been required in, or incorporated into, the Project, which will lessen such significant environmental effects.
- b. For the reasons set forth in the Statement of Overriding Considerations adopted concurrently by the Authority, the Authority finds that the significant impact identified in this Section XI-F(b) is acceptable in light of the Project's overall benefits.

Although the following mitigation measures aimed at reducing these significant and unavoidable air quality impacts during Project operations have been adopted, these mitigation measures will not reduce those significant impacts to a level of insignificance:

**Mitigation Measure F-13:** During Project operations, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park under the applicable agreements shall, to the extent feasible, ensure that deliveries are scheduled during off-peak traffic periods to encourage the reduction of trips during the most congested periods. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure, with regard to construction associated with the five development parcels. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.

**Mitigation Measure F-14:** During Project operations, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park, under the applicable agreements, shall coordinate with the MTA and the LADOT to provide information to Project employees, residents and guests with regard to local bus and rail services. The City's Department of Building and Safety, or other appropriate City

agency or department, shall determine compliance with this measure with regard to construction associated with the five development parcels and the Streetscape Program. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.

**Mitigation Measure F-15:** Provide the appropriate number of bicycle racks located at convenient locations in the Project site. The developer shall implement this measure with regard to the five development parcels prior to initial building occupancy for each construction phase, while the responsible parties for the implementation of the Civic Park, under the applicable agreements, shall implement these measures prior to the completion of each construction phase. The City's Department of Safety shall review and approve the number and location of the bicycle racks with regard to the five development parcels. The County's CAO or its designee shall perform the same function with regard to the Civic Park.

**Mitigation Measure F-16:** During on-going Project operations, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park, under the applicable agreements, shall ensure that all fixtures used for lighting of exterior common areas shall be regulated by automatic devices to turn off lights when they are not needed, but a minimum level of lighting should be provided for safety. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this mitigation measure with regard to the five development parcels. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.

**Regulatory Measure F-1:** During Project operations, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park under the applicable agreements shall ensure that all point source facilities shall obtain all required permits from the SCAQMD. The issuance of these permits by the SCAQMD shall require the operators of these facilities to implement Best Available Control Technology and other required measures that reduce emissions of criteria air pollutants. Proof of permit issuance by the SCAQMD shall be provided to the City's Department of Building and Safety, or other appropriate City agency or department, with regard to the five development parcels, and the County's CAO or its designee with regard to the Civic Park. Compliance with point source permits shall be enforced by the SCAQMD for all Project components.

**Project Design Feature F-3:** During Project operations, the developer, with regard to the five development parcels, shall ensure that commercial businesses located within the Project site shall be limited to those that do not emit high levels of potentially toxic air contaminants or odors (e.g., dry

cleaners with on-site processing plants that handle toxic chemicals). The City's Department of Building and Safety, or other appropriate City agency or department, shall be responsible for the enforcement of this measure with regard to the five development parcels.

- iii. Supportive Evidence and Rationale – The FEIR discusses the Project's potentially significant air quality impacts in Section IV.F of the DEIR. As with the analysis of air quality impacts due to construction of the Project, the analysis used to determine the air quality impacts attributable to Project operations employed protocol established by the SCAQMD. Potential impacts associated with the CO hot spots, toxic air contaminants, and regional air pollutants were analyzed in the FEIR. The analysis conservatively assumed that if any "screening" threshold set by the SCAQMD would be exceeded, then a significant impact would occur. Further, it was assumed that such an impact applied to the entire community surrounding the Project area, and, accordingly, no particular group of sensitive receptors was excluded. Under that analysis, operational emissions of "regional" air pollutants from the Project would exceed the SCAQMD daily emission threshold for regional CO, VOC, PM<sub>10</sub>, and NO<sub>x</sub> after implementation of all feasible mitigation measures. Therefore, operation of the Project would have a significant and unavoidable impact on regional air quality. In addition, regional operational emissions would still exceed SCAQMD daily thresholds for CO, VOC, PM<sub>10</sub>, and NO<sub>x</sub> after implementation of all feasible mitigation measures. Therefore, operation of the Project would have a significant and unavoidable impact on regional air quality.

During the public review process, a comment was raised regarding the inclusion of a mitigation measure that would encourage water-based coatings or coatings with a lower volatile organic compound (VOC) content than 100 grams per liter. In addition, the comment suggested the mitigation measure restrict the number of gallons of coatings used per day and mandate the use of materials that do not need to be painted, or that can be painted and, then, transported to the site. This mitigation measure, however is not necessary since Rule 1113 of the South Coast Air Quality Management District (SCAQMD) already applies to this issue. The SCAQMD imposes the strictest rules in the nation with regard to the application of architectural paints and coatings. District Rule 1113 restricts VOCs in virtually all types of paints and coatings, including but not limited to, wood finishes, lacquers, concrete-curing compounds, fire-proofing exterior coatings, paints, floor coatings, coatings for signs, mastic coatings, roof coatings, rust preventative coatings, stains, swimming pool coatings, wood preservatives, and water-proofing sealers. This rule reflects the most stringent industry-wide standards achievable in practice. Accordingly, and for the reasons stated in the FEIR, the Authority finds that such a mitigation measure is infeasible.

- iv. Cumulative Impact – Implementation of the Project would result in an increase in ongoing operational emissions, which would contribute to region-wide emissions on a cumulative basis. Accordingly, the Project's cumulative air quality impacts are also concluded to be significant. In such cases, the SCAQMD recommends that all projects, employ all feasible mitigation measures, which has been done with regard to the Project.

M. Noise (Construction)

- i. Impacts – The construction of the Project may cause a significant noise impact if:
  - a. Construction activities lasting more than 10 days in a three-month period would exceed existing ambient exterior noise levels by 5 dBA or more at a noise sensitive use;
  - b. Construction activities would exceed the ambient noise level by 5 dBA at a noise sensitive use between the hours of 9:00 P.M. and 7:00 A.M. Monday through Friday, before 8:00 A.M. or after 6 P.M. on Saturday, or at anytime on Sunday.
- ii. Findings – The Project will cause a significant and unavoidable noise impact during construction of the Project on a project-specific and cumulative basis. The Authority makes the following findings for this impact:
  - a. All feasible measures, changes and alterations have been required in, or incorporated into, the Project on a project-specific and cumulative basis, which will lessen such significant environmental effects.
  - b. For the reasons set forth in the Statement of Overriding Considerations adopted concurrently by the Authority, the Authority finds that the significant impact identified in this Section XI-G(a) is acceptable in light of the Project's overall benefits.

Although the following mitigation measures aimed at reducing these significant and unavoidable noise impacts associated with Project construction have been adopted, these mitigation measures will not reduce those significant impacts to a level of insignificance:

**Mitigation Measure G-1:** To reduce any impact on nearby venues that may be noise sensitive receptors, such as the Music Center, Disney Concert Hall, and the County Courthouse, the following Measures G-1 and G-2 shall be implemented as follows: During each construction phase, the developer, with regard to the five development parcels and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements shall limit (i) construction activities utilizing heavy equipment to Monday through Friday from 7:00 a.m. to 8:00 p.m., and (ii) interior construction work inside building shells and construction activities not utilizing heavy equipment to 7:00 a.m. to 9 p.m. Monday through Friday. Saturday construction shall be limited to 8:00 a.m. to 6 p.m. No exterior construction activities shall be permitted on Sundays or holidays per applicable City regulations. Construction noise measures shall also be implemented, which may include the use of noise mufflers on construction equipment used within 100 feet of these buildings. The City's Department of Building and Safety or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels and the Streetscape Program. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.

**Mitigation Measure G-2:** During each construction phase, the developer, with regard to the five development parcels and the responsible parties for implementation of the Streetscape Program shall not use heavy equipment within (to the maximum extent practicable) 100 feet of the County Courthouse building while Court is in session. Construction contracts must specify that all construction equipment shall be in proper operating condition and fitted with standard factory silencing features and other applicable attenuation devices such as mufflers. The City's Department of Building and Safety or other appropriate City agency or department shall determine compliance with this measure with regard to the five development parcels and the Streetscape Program. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.

**Mitigation Measure G-3:** During the initial stage of each construction phase (site demolition and site preparation/excavation) for each Project parcel and when construction activities are within 200 feet of noise sensitive land uses, the developer, with regard to the five development parcels, shall erect a temporary, 8-foot, ½-inch-thick plywood fence along the boundaries or each construction site adjacent to noise sensitive uses such that the "line of sight" between on-site construction activities and the residential or other sensitive uses is blocked, where feasible. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels.



**Mitigation Measure G-4:** During each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements shall ensure that pile drivers within the individual activity/development site under construction at that time shall be equipped with noise control devices having a minimum quieting factor of 10 dBA. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to construction in the five development parcels and the Streetscape Program. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.

**Mitigation Measure G-5:** During each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements shall, except as otherwise permitted by applicable agreements, ensure that construction loading and staging areas shall be located on the Project site within each respective construction site and away from noise-sensitive uses to the extent feasible. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to construction in the five development parcels and the Streetscape Program. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.

**Mitigation Measure G-6:** Prior to the issuance of grading permits for each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements, shall prepare, and thereafter implement, plans and specifications that include a requirement to route pedestrians (to the maximum extent practicable) 50 feet away from the construction area when heavy equipment such as hydraulic excavators are in use. Such routing may include the posting of signs at adjacent intersections. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels and the Streetscape Program. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.

**Mitigation Measure G-7:** During each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements, shall designate a construction relations officer to serve as a liaison with surrounding property owners who is responsible for

responding to any concerns regarding construction noise. The liaison shall coordinate with the Project construction manager(s) to implement remedial measures in the shortest time feasible. The liaison's telephone number(s) shall be prominently displayed at multiple locations along the perimeter of each construction site. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels and the Streetscape Program. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.

- c. Supportive Evidence and Rationale – The FEIR discusses the Project's potentially significant construction noise impacts in Section IV.G of the DEIR. The noise reduction measures prescribed in Mitigation Measure G-1 would achieve a minimum 5-dBA reduction along areas of sensitive receptors where the line-of-sight to ground-level construction activity that occurs on the Project site is broken. Regulatory Measure G-1 would preclude construction-period noise impacts from occurring during the noise-sensitive night time periods, or at any time on Sundays or holidays. In addition, the use of heavy construction equipment shall cease one hour earlier than otherwise allowed under City Code. Noise level reductions attributable to Mitigation Measures G-2 and G-3, and G-4, G-5, and G-6 (e.g., use of noise mufflers and on-site storage of construction equipment) are not easily quantifiable, but implementation of such measures would reduce the noise level impact associated with construction activities to the extent feasible. Further, construction noise from earthmoving equipment will be reduced since most of such equipment will sink below a surrounding soundwall as excavation proceeds during construction. Nevertheless, Project construction activities would intermittently increase the daytime noise levels at nearby sensitive land uses during construction activities by more than the 5-dBA significance threshold. As such, noise impacts during construction are concluded to be significant and unavoidable.
- d. Cumulative Impact – Noise impacts during construction of the Project and each related development project (that has not already been built) would be limited to the duration of construction and would be localized. In addition, it is anticipated that each of the related projects would comply with the applicable provisions of the City's noise ordinance, as well as mitigation measures that may be prescribed by the City that require significant impacts be reduced to the extent feasible. However, since noise impacts due to construction of the proposed Project would be significant on its own, it is conservatively concluded that noise impacts due to construction of the Project in combination with any of the related projects would also be significant.

**N. Noise (Operational)**

- i. **Potential Impacts** – The Project's operations may cause a significant impact if:
  - a. The Project causes the ambient noise level measured at the property line of affected uses to increase by 3dBA in CNEL to or within the "normally unacceptable" or "clearly unacceptable" category or by 5dBA in CNEL within the "normally acceptable" or "conditionally acceptable" category.
  - b. Project-related operational (i.e., non-roadway) noise sources increase ambient noise by 5 dBA, thus causes a violation of the City's Noise Ordinance.
- ii. **Findings** – The potentially significant noise impact attributable to Project operations will be mitigated to a level of less than significance with the implementation of Mitigation Measure G-8:

**Mitigation Measure G-8:** The developer, with regard to the five development parcels, shall prepare and implement building plans that ensure prior to the start of each construction phase which includes residential development, that all exterior walls, floor-ceiling assemblies (unless within a unit), and windows having a line of sight (30 degrees measured from the horizontal plane) of Grand Avenue, Hill Street, Hope Street, First Street, and Second Street of such residential development shall be constructed with double-paned glass or an equivalent and in a manner to provide an airborne sound insulation system achieving a lab-tested Sound Transmission Class of 30, subject to field testing, as defined in UBC Standard No. 35-1, 1982 edition. Sign off by the City's Department of Building and Safety, or other appropriate City agency or department, shall be required prior to obtaining a building permit. The developer, as an alternative, may retain an engineer registered in the State of California with expertise in acoustical engineering, who shall submit a signed report for an alternative means of sound simulation satisfactory to the City's Department of Building and Safety, or other appropriate City agency or department. Examples of alternative means may include, but are not limited to, the following: (1) acoustical seals for doors and windows opening to the exterior; (2) consideration of the type, location, and size of windows; and (3) sealing or baffling of openings and vents. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure.

- iii. **Supportive Evidence and Rationale** – The FEIR discusses the Project's potential noise impact attributable to Project operations in Section IV.G of the DEIR. Project development would not result in any significant noise

impacts to off-site receptors during long-term Project operations. With implementation of Mitigation Measure G-8, on-site residents would not be exposed to inappropriately high noise levels from off-site activities (e.g., vehicle traffic on adjacent roadways), and thus the potential noise impact caused during Project operations will be less than significant.

- iv. Cumulative Impact – Cumulative traffic volumes would result in a maximum increase of 2.5 dBA CNEL along Second Street, between Grand Avenue and Olive Street. As this noise level increase would be below the 3 dBA CNEL significance threshold, roadway noise impacts due to cumulative traffic volumes would be less than significant. Los Angeles Municipal Code limits stationary-source noise from items such as roof-top mechanical equipment and emergency generators, would maintain noise to less than significant levels at the property lines of the related projects. Therefore, on-site noise produced by any related project would not be additive to Project-related noise levels. Accordingly, cumulative stationary-source noise impacts attributable to cumulative development would also be less than significant.

O. Hazards and Hazardous Materials

- i. Potential Impacts – The Project may a significant impact with regard to hazards and hazardous materials if:
  - a. Project activities would involve the disturbance, removal, storage, or disposal of hazardous materials; or
  - b. The Project would expose people or structures to substantial risk resulting from the release of a hazardous material, or from exposure to a health hazard, in excess of regulatory standards.
- ii. Findings – The Project will not cause a significant impact with regard to hazards and hazardous material. Notwithstanding, the following regulatory measures have been identified to ensure the Project's less than significant impact concerning this issue:

**Regulatory Measure H-1:** Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall properly decommission all unused groundwater monitoring wells, per applicable regulations. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels. The Regional Water Quality Control Board shall enforce compliance with this measure.

**Regulatory Measure H-2:** Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall test for

the presence or absence of hydrogen sulfide and methane beneath the site by subsurface sampling. Should the sampling result in the discovery of hydrogen sulfide and/or methane, appropriate health and safety measures shall be implemented, in accordance with applicable regulations. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure.

**Regulatory Measure H-3:** Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall take fill samples from each of the five parcels, and shall analyze these samples for contaminants at elevated concentrations. Should elevated contaminant concentrations be discovered, appropriate measures shall be implemented, in accordance with applicable regulations. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure.

**Regulatory Measure H-4:** Prior to the start of each construction phase, the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements, shall undertake an appropriate investigation to ascertain whether any hazardous conditions would occur as a function of implementing the streetscape improvements along Grand Avenue and/or the Civic Park. Should elevated concentrations of contaminants be identified, appropriate measures shall be implemented in accordance with applicable regulations. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the Streetscape Program. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.

**Regulatory Measure H-5:** Prior to demolition or renovation in the Civic Center Mall, the responsible parties for implementation of the Civic Park under the applicable agreements shall perform an asbestos-sampling survey to determine the presence of asbestos containing materials. If such materials should be found, the responsible parties for implementation of the Civic Park shall prepare and implement an Operations and Maintenance Plan that meets all applicable federal, state and local requirements. This plan shall safely maintain asbestos containing materials that remain on the site. The County's CAO or its designee shall determine compliance with this measure.

**Regulatory Measure H-6:** Prior to the start of any demolition activities or renovation on any painted surfaces at the Project site, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park under the applicable agreements shall

conduct a survey of lead based paint (LBP) to determine the level of risk posed to maintenance personnel, construction workers, facility staff, and patrons from exposure to the paints present at the site. Any recommendations made in that survey related to the paints present at the Project site shall be implemented prior to the demolition or renovation of said painted surfaces. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.

- iii. Supportive Evidence and Rationale – The Project's potential impacts attributable to hazards and hazardous materials were analyzed in detail in Section IV-H of the DEIR. According to the Phase I environmental assessments completed for the Project site, there are no potential recognized environmental conditions (RECs) within any of the five development parcels. In addition, there is no evidence at the Project site of asbestos, hazardous materials use, storage or waste, or hazardous air emissions. It is anticipated that hazardous materials, including fertilizers, herbicides and pesticides, would be used to maintain the landscaping within the Civic Park, the Grand Avenue streetscape program and the five development parcels. In addition, hazardous materials associated with maintenance activity within the five development parcels would be present at the Project site. However, since the transport, use and storage of these materials would be managed in accordance with applicable federal, state, and local regulations, these materials would not be expected to pose significant risks to the public or the environment. Consequently, construction and operation under both Project Options would not expose people to substantial risk resulting from the release of a hazardous material, or from exposure to a health hazard in excess of regulatory standards. Accordingly, construction and operation under both Project Options would not result in a significant hazard to the public or the environment through the transport, use or disposal of hazardous materials, and impacts would be less than significant. Further, impacts associated with the potential discovery of hazardous and non-hazardous materials on the Project site would be reduced to a less than significant level with compliance with the above regulatory measures.
- iv. Cumulative Impact – In light of existing federal and state regulations, it is assumed that any potential hazardous materials located on any of the 93 related project sites would be identified and remediated prior to construction and operation of any habitable facility. As such, any groundwater or soil contamination occurring on the related project sites would be addressed in accordance with applicable regulations and mitigation measures during the permitting process by the applicable responsible agencies. Such remediation activities in accordance with

federal, state, and local regulations would reduce any significant impacts associated with hazardous materials to less than significant levels. Therefore, with monitoring and compliance with federal, state and local regulations and procedures, the potential for cumulative impacts attributable to the Project's and related projects' transport, use or disposal of hazardous materials would be less than significant.

P. Fire Protection and Related Services

- i. Potential Impacts – The Project would cause a significant impact to Los Angeles Fire Department fire prevention and suppression services and/or emergency medical services if:
  - a. The Project would cause a substantial increase in emergency response times as a result of increased traffic congestion; or
  - b. The Project would exceed the capability of existing fire stations and emergency personnel to serve the Project site.
- ii. Findings – The Project will not cause a significant impact with regard to fire prevention or emergency medical services. Notwithstanding, the following regulatory measures and project design features have been identified to ensure the Project's less than significant impact concerning this issue:

**Regulatory Measure I.1-1:** During demolition activities occurring during each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements shall ensure sure that emergency access shall remain clear and unobstructed. The LAFD shall determine compliance with this measure with regard to the five development parcels and the Streetscape Program. The County Fire Department (LACoFD) shall determine compliance with this measure with regard to the Civic Park.

**Regulatory Measure I.1-2:** Prior to each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park under the applicable agreements shall prepare, and thereafter implement, plans and specifications to ensure that the construction contractor is apprised of the requirement to maintain access to sub-surface parking structures associated with the Civic Center Mall, the Music Center, and the Colburn School for Performing Arts. The LAFD shall determine compliance with this measure with regard to the five development parcels. The LACoFD shall determine compliance with this measure with regard to the Civic Park.

**Regulatory Measure I.1-3:** During each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements shall maintain access for emergency response personnel to the Kenneth Hahn Hall of Administration, the Paseo de los Pobladores de Los Angeles, the County Courthouse, the Colburn School for Performing Arts, and the Walt Disney Concert Hall. The LAFD shall determine compliance with this measure with regard to construction in the five development parcels and the Streetscape Program. The LACoFD shall determine compliance with this measure with regard to the Civic Park.

**Regulatory Measure I.1-4:** Prior to each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements shall prepare, and thereafter implement, a plan to ensure that emergency evacuation from the northwest side of the County Mall and Colburn School for Performing Arts, the southeast side of the Music Center and the Walt Disney Concert Hall would not be impeded by construction of the individual Project elements. With respect to the plan for the Mall, it must be prepared to coordinate with emergency evacuation plans for the Courthouse and the Hall of Administration. The LAFD shall determine compliance with this measure with regard to the five development parcels and the Streetscape Program. The LACoFD shall determine compliance with this measure with regard to the Civic Park.

**Regulatory Measure I.1-5:** During each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements shall ensure that sufficient fire hydrants shall remain accessible at all times during Project construction. The LAFD shall determine compliance with this measure with regard to the five development parcels and the Streetscape Program. The LACoFD shall determine compliance with this measure with regard to the Civic Park.

**Regulatory Measure I.1-6:** Prior to the start of each construction phase and during Project operations, the developer, with regard to the five development parcels shall comply with all applicable State and local codes and ordinances, and the guidelines found in the Fire Protection and Fire Prevention Plan, and the Safety Plan, both of which are elements of the General Plan of the City of Los Angeles (C.P.C. 19708). The City of Los Angeles Fire Department (LAFD) shall determine compliance with this measure with regard to the five development parcels.



**Regulatory Measure I.1-7:** During Project operations, the developer, with regard to the five development parcels shall maintain all access roads, including fire lanes, in an unobstructed manner, and removal of obstructions shall be at the owner's expense. The entrance to all required fire lanes or required private driveways shall be posted with a sign no less than three square feet in area in accordance with Section 57.09.05 of the Los Angeles Municipal Code. The LAFD shall determine compliance with this measure with regard to the five development parcels.

**Regulatory Measure I.1-8:** Prior to the start of each construction phase, Related, with regard to the five development parcels and the responsible parties for implementation of the Streetscape Program under the applicable agreements, shall prepare, and thereafter implement, plans and specifications in accordance with LAFD requirements, and requirements for necessary permits shall be satisfied prior to commencement of construction on any portion of the five development parcels or the Streetscape Program. The LAFD shall determine compliance with this measure with regard to the five development parcels and the Streetscape Program.

**Regulatory Measure I.1-9:** Prior to the start of each construction phase, the responsible parties for implementation of the Civic Park under the applicable agreements shall prepare, and thereafter implement, plans in accordance with LACoFD requirements, and requirements for necessary permits shall be satisfied prior to commencement of construction on any portion of the Civic Park. The LACoFD shall determine compliance with this measure with regard to the Civic Park.

**Regulatory Measure I.1-10:** Prior to the start of each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements shall prepare, and thereafter implement, a plan that will assure that any required fire hydrants that are installed shall be fully operational and accepted by the Fire Department prior to any building construction. The LAFD shall determine compliance with this measure with regard to the five development parcels and the Streetscape Program. The LACoFD shall determine compliance with this measure with regard to the Civic Park.

**Regulatory Measure I.1-11:** Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall submit plot plans indicating access roads and turning areas to the LAFD for review and approval. The developer, with regard to the five development parcels shall implement the approved plot plans. The LAFD shall determine compliance with this measure.

**Regulatory Measure I.1-12:** Prior to the start of each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements shall prepare, and thereafter implement, engineering plans that show adequate fire flow and placement of adequate and required public and private fire hydrants. The LAFD shall determine compliance with this measure with regard to the five development parcels and the Streetscape Program. The LACoFD shall determine compliance with this measure with regard to the Civic Park.

**Regulatory Measure I.1-13:** During each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park under the applicable agreements shall provide emergency access for Fire Department apparatus and personnel to and into all structures. The LAFD shall determine compliance with this measure with regard to the five development parcels. The LACoFD shall determine compliance with this measure with regard to the Civic Park.

**Regulatory Measure I.1-14:** Prior to the start of each construction phase, the developer, with regard to the five development parcels shall prepare, and thereafter implement, a plan that will provide that any private roadways for general access use and fire lanes shall not be less than 20 feet wide and clear to the sky. The LAFD shall determine compliance with this measure with regard to the five development parcels.

**Regulatory Measure I.1-15:** Prior to the start of each construction phase, the developer, with regard to the five development parcels shall prepare, and thereafter implement, a plan that will provide that any fire lanes and dead end streets shall terminate in a cul-de-sac or other approved turning area. No dead end street or fire lane shall be greater than 700 feet in length or secondary access shall be required. The LAFD shall determine compliance with this measure with regard to the five development parcels.

**Regulatory Measure I.1-16:** Prior to the start of each construction phase, the developer, with regard to the five development parcels shall prepare, and thereafter implement, a plan that designs any proposed development utilizing cluster, group, or condominium design not more than 150 feet from the edge of the roadway of an improved street, access road, or designated fire lane. The LAFD shall determine compliance with this measure with regard to the five development parcels.

**Regulatory Measure I.1-17:** Prior to the start of each construction phase, the developer, with regard to the five development parcels shall prepare, and thereafter implement, a plan that designs fire lanes to be not less than 28 feet in width. 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. The LAFD shall determine compliance with this measure with regard to the five development parcels.

**Regulatory Measure I.1-18:** Prior to the start of each construction phase, the developer, with regard to the five development parcels, where above ground floors are used for residential purposes, shall prepare, and thereafter implement, a plan that interprets the access requirement as being the horizontal travel distance from the street, driveway, alley, or designated fire lane to the main entrance of the residential units. The LAFD shall determine compliance with this measure.

**Regulatory Measure I.1-19:** Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall prepare, and thereafter implement, a plan that designs the entrance or exit of all ground level residential units to be no more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane. The LAFD shall determine compliance with this measure.

**Regulatory Measure I.1-20:** Prior to the start of each construction phase, the developer, with regard to the five development parcels shall prepare, and thereafter implement, a plan that provides access that requires the accommodation of Fire Department apparatus, shall design the minimum outside radius of the paved surface to be 35 feet. An additional six feet of clear space must be maintained beyond the outside radius to a vertical point 13 feet 6 inches above the paved surface of the roadway. The LAFD shall determine compliance with this measure with regard to the five development parcels.

**Regulatory Measure I.1-21:** Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall not construct any building or portion of a building to be more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane. The LAFD shall determine compliance with this measure with regard to the five development parcels.

**Regulatory Measure I.1-22:** Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall prepare, and thereafter implement, a plan that provides for access that requires accommodation of Fire Department apparatus, a design for overhead clearances to be not less than 14 feet. The LAFD shall determine compliance with this measure with regard to the five development parcels.

**Regulatory Measure I.1-23:** Prior to the start of each construction phase, the developer, with regard to the five development parcels shall prepare,

and thereafter implement, a plan that provides for additional vehicular access required by the Fire Department, where buildings exceed 28 feet in height. The LAFD shall determine compliance with this measure with regard to the five development parcels.

**Regulatory Measure I.1-24:** Prior to the start of each construction phase, the developer, with regard to the five development parcels shall prepare, and thereafter implement, a plan that provides, where fire apparatus shall be driven onto the road level surface of the subterranean parking structure, for the structure to be engineered to withstand a bearing pressure of 8,600 pounds per square foot. The LAFD shall determine compliance with this measure with regard to the five development parcels.

**Regulatory Measure I.1-25:** Prior to the start of each construction phase, the developer, with regard to the five development parcels shall record any private streets as Private Streets and Fire Lanes. All private street plans shall show the words "Private Street and Fire Lane" within the private street easement. The LAFD shall determine compliance with this measure with regard to the five development parcels.

**Regulatory Measure I.1-26:** During operation of the Project, the developer, with regard to the five development parcels, shall provide that all electric gates approved by the Fire Department shall be tested by the Fire Department prior to Building and Safety, or other appropriate City agency or department, granting a Certificate of Occupancy. The LAFD shall determine compliance with this measure.

**Regulatory Measure I.1-27.** Prior to the start of each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park under the applicable agreements, shall prepare, and thereafter implement, a plan that would not construct any building or portion of a building more than 300 feet from an approved fire hydrant. Distance shall be computed along path of travel with the exception that dwelling unit travel distance shall be computed to the front door of the unit. The LAFD shall determine compliance with this measure with regard to the five development parcels. The LACoFD shall determine compliance with this measure with regard to the Civic Park.

**Regulatory Measure I.1-28.** Prior to the start of each construction phase, the developer, with regard to the five development parcels shall submit plans to the Fire Department for review and approval. Where rescue window access is required, the developer, with regard to the five development parcels, shall incorporate conditions and improvements necessary to meet accessibility standards as determined by the LAFD. The LAFD shall determine compliance with this measure.

**Regulatory Measure I.1-29.** During operations of the Project, the developer, with regard to the five development parcels shall have the curbs of all public street and fire lane cul-de-sacs painted red and/or be posted "No Parking at Any Time" prior to the issuance of a Certificate of Occupancy or Temporary Certificate of Occupancy for any structures adjacent to the cul-de-sac. The LAFD shall determine compliance with this measure with regard to the five development parcels.

**Regulatory Measure I.1-30.** During operations of the Project, planning for large events at the Civic Park shall be implemented by the County or County Park Operator to reduce potential adverse affects on emergency access. As part of the planning process, representatives of the LACoFD, County Office of Public Safety, LAFD, LAPD and LADOT shall be advised of the activities and consulted to establish appropriate procedures for crowd and traffic control. Plans shall be submitted to the County Chief Administrative Officer for review and approval.

**Project Design Feature I.1-1:** Prior to the start of each construction phase, the developer, with regard to the five development parcels shall submit building plans to the LAFD for review and approval that demonstrate that automatic fire sprinklers shall be installed in all structures. The LAFD shall determine compliance with this measure.

- iii. Supportive Evidence and Rationale – The FEIR analyzed in detail the Project's potential impacts on fire protection and related services in Section IV-I(1) of the DEIR. Construction may result in temporary lane closures that would potentially affect emergency access. Temporary lane closures could increase the time for fire protection vehicles and emergency medical vehicles responding to elderly or disabled residents in the downtown areas. However, the average response times for Fire Stations 3, 4, 9, and 10, which would serve the Project and currently serve the surrounding area are 5.3 minutes, 4.6 minutes, 4.8 minutes, and 4.9 minutes, respectively. Those response times are below the Citywide average response times of 5.5 minutes for EMS and 5.4 minutes for fire incidents, which indicates these existing services will be adequate to handle incidents during Project construction. To ensure adequate response times for these services, the LAFD would be notified of the scheduling of all Project construction in order to plan appropriate alternative response routes, if necessary. Public detour routes would be established where required to divert traffic from the affected street segments. In addition, emergency vehicle access to adjoining and nearby properties would be required to be maintained at all times. Thus, due to the better than City-wide response times, the large number of fire stations in the Project area, the temporary and limited nature of the closures along roadways and the wide selection of alternative routes to and through the Project site, construction of the Project will not significantly impact the

ability of the LAFD to respond to emergency incidents, as confirmed by the FEIR. With respect to Project operations, automatic fire sprinkler systems in all structures, fire hydrants installed to LAFD specifications, and supplemental fire protection devices would be incorporated into new Project structures, as required by the Fire Code. As the Project site is within the service area of four Task Force truck and engine companies, Project operations are anticipated to result in less than significant impacts to LAFD staff and equipment capabilities. In addition, the Project will comply with all fire safety regulations and the incorporation of regulatory measures. No significant impacts will occur with respect to fire protection and related services.

- iv. Cumulative Impact – The LAFD has determined that development of the Project, in conjunction with other approved and planned projects, may result in the need for the following: (1) increased staffing at existing facilities; (2) additional fire protection facilities; and (3) relocation of existing fire protection facilities. However, as related project applicants would be required to coordinate with the LAFD to ensure that related project construction and operations would not significantly impact LAFD services and facilities, no significant cumulative impacts are anticipated.

Q. Police Protection Services

- i. Potential Impacts – The Project may cause a significant impact on police protection services provided by the LAPD if:
  - a. The Project will generate demand for additional police protection services that substantially exceeds the capability of the LAPD to serve the Project site.
  - b. The Project would cause a substantial increase in emergency response times as a result of increased traffic congestion and/or limited emergency access, during either construction or operation of the Project.
- ii. Findings - The Project will not cause a significant impact with regard to police services. Notwithstanding, the following regulatory measures have been identified to ensure a less than significant impact concerning this issue.

**Regulatory Measure I.2-1:** During each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements, shall provide clear and unobstructed LAPD access to the construction site. The LAPD shall determine compliance with this measure with regard to the five

development parcels and the Streetscape Program. The County Office of Public Safety shall determine compliance with this measure with regard to the Civic Park.

**Regulatory Measure I.2-2:** During ongoing construction, the developer, with regard to the five development parcels shall provide security features on the construction site(s), such as guards, fencing, and locked entrances. The LAPD shall determine compliance with this measure.

**Regulatory Measure I.2-3:** Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall submit plot plans for all proposed development to the Los Angeles Police Department's Crime Prevention Section for review and comment. Security features subsequently recommended by the LAPD shall be implemented by the developer to the extent feasible.

**Regulatory Measure I.2-4:** Prior to the start of each construction phase, the responsible parties for implementation of the Civic Park under the applicable agreements shall submit plot plans for all proposed development to the County Office of Public Safety for review and comment. Security features subsequently recommended by the Office of Public Safety shall be implemented by the County or County Park Operator to the extent feasible.

**Regulatory Measure I.2-5:** At the completion of each construction phase, the developer, with regard to the five development parcels shall file as-built building plans with the LAPD Central Area Commanding Officer. Plans shall include access routes, floor plans, and any additional information that might facilitate prompt and efficient police response. The LAPD shall determine compliance with this measure.

**Regulatory Measure I.2-6:** During Project operations, the developer, with regard to the five development parcels and the responsible parties for implementation of the Civic Park shall install alarms and/or locked gates on doorways providing public access to commercial facilities. The LAPD shall determine compliance with this measure with regard to the five development parcels. The County Office of Public Safety shall determine compliance with this measure with regard to the Civic Park.

**Regulatory Measure I.2-7:** During Project operations, the developer, with regard to the five development parcels shall not plant landscaping in a way that could provide cover for persons tampering with doors or windows of commercial facilities, or for persons lying in wait for pedestrians or parking garage users. The LAPD shall determine compliance with this measure with regard to the five development parcels and the Streetscape Program.

**Regulatory Measure I.2-8:** Additional lighting shall be installed where appropriate, including on the Project site and in parking garages, as determined in consultation with the LAPD with regard to the five development parcels and the County Office of Public Safety with regard to the Civic Park. The developer shall implement this measure with regard to the five development parcels prior to initial building occupancy for each construction phase, while the responsible parties for the implementation of the Civic Park and Streetscape Program under the applicable agreements shall implement these measures prior to the completion of construction for each of those Project components.

**Regulatory Measure I.2-9:** Prior to the start of each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements, shall prepare, and thereafter implement, a plan that incorporates safety features into the Project's design to assure pedestrian safety, assist in controlling pedestrian traffic flows, and avoid pedestrian/vehicular conflicts on-site. Safety measures may include the provision of security personnel; clearly designated, well-lighted pedestrian walkways on-site; special street and pedestrian-level lighting; physical barriers (e.g., low walls, landscaping), particularly around the perimeter of the parking garages, to direct pedestrians to specific exit locations that correspond to designated crosswalk locations on adjacent streets. The LAPD shall determine compliance with this measure with regard to the five development parcels. The County Office of Public Safety shall determine compliance with this measure with regard to the Civic Park.

**Regulatory Measure I.2-10:** Prior to the issuance of a certificate of occupancy for each construction phase and during Project operations, the developer, with regard to the five development parcels, shall develop, and thereafter implement, a new or modified Security Plan to minimize the potential for on-site crime and the need for LAPD services. The plan would outline the security services and features to be implemented, as determined in consultation with the LAPD. The LAPD shall determine compliance with this measure with regard to the five development parcels. The following shall be included in the plan:

1. Provision of an on-site security force that would monitor and patrol the Project site. During operational hours, security officers shall perform pedestrian, vehicular, and/or bicycle patrols.
2. Implementation of a video camera surveillance system and/or a closed-circuit television system;



3. Additional security features shall be incorporated into the design of proposed parking facilities, including "spotters" for parking areas, and ensuring the availability of sufficient parking either on- or off-site for all building employees and anticipated patrons and visitors;
4. Security lighting incorporating good illumination and minimum dead space in the design of entryways, seating areas, lobbies, elevators, service areas, and parking areas to eliminate areas of concealment. Security lighting shall incorporate full cutoff fixtures which minimize glare from the light source and provide light downward and inward to structures to maximize visibility;
5. Provision of lockable doors at appropriate Project entryways, offices, retail stores, and restaurants;
6. Installation of alarms at appropriate Project entryways and ancillary commercial structures;
7. All businesses desiring to sell or allow consumption of alcoholic beverages are subject to the issuance of a Conditional Use Permit by the City;
8. Accessibility for emergency service personnel and vehicles into each structure, and detailed diagram(s) of the Project site, including access routes, unit numbers, and any information that would facilitate police response shall be provided to the Central Area Commanding Officer.
9. In addition, security procedures regarding initial response, investigation, detainment of crime suspects, LAPD notification, crowd and traffic control, and general public assistance shall be outlined in the Security Plan. The plan would be subject to review by the LAPD, and any provisions pertaining to access would be subject to approval by the LADOT.

**Regulatory Measure I.2-11:** Prior to the issuance of a certificate of occupancy for each construction phase and on-going during operations, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park under the applicable agreements, shall develop, and thereafter implement, a Emergency Procedures Plan to address emergency concerns and practices. The plan shall be subject to review by the LAPD with regard to the five development parcels and the County Office of Public Safety with regard to the Civic Park, and any provisions pertaining to access would be subject to approval by LADOT.

- iii. Supportive Evidence and Rationale – The FEIR analyzed in detail the Project's potential impacts on police protection and related services in Section IV-I(2) of the DEIR. The Project's impacts on police protection services or response times would continue to be less than significant. Project construction may result in temporary lane closures that would potentially affect emergency access. Given notification to the LAPD of all construction scheduling, the temporary nature of any closures, and the availability of alternative routes, the Project would not significantly affect emergency access or response times. Furthermore, during construction, traffic management personnel (flag persons) would be trained to assist in emergency response, and on-site security measures would reduce theft and other demands on police services. Therefore, construction activities are not expected to significantly affect the capacity of the LAPD to adequately serve the Project site. With regard to Project operation, it is anticipated that activity in the Civic Park would increase on both a daily basis and during special events. As the current Civic Center Mall is currently used extensively on a daily basis, the additional increase in activity on a daily basis is not anticipated to increase to such an extent so as to exceed the capabilities of the County Office of Public Safety. During special events, when the numbers of people using the park would increase substantially, the park operator would employ private security personnel to supplement police services during these events and, therefore, reduce the demand on police services created by these large events. The use of additional security staff would be commensurate with the size of the event. Access to the park would be governed by a set of rules that are consistent with those used throughout public parks in the area. Those who comply with the posted rules will not be denied access to the park, whereas on the other hand, those individuals who chose not to comply with the rules would, out of courtesy to others, be required to leave the park. The Project's combined residential and employment population would reduce the officer per resident ratio and, assuming the same number of officers in the LAPD Central Area station as under existing conditions, the ratio of crimes that are handled by each officer would increase from approximately 20 to 23.4. This level of increased demand in the context of occurring over an entire year would not substantially exceed LAPD's capacity. Accordingly, the Project's impact to police services would be less than significant.
- iv. Cumulative Impact – Although the operation of Project would have a less-than-significant impact on police services, because the list of related projects is extensive and, if all related projects were built, the combined Project and related projects would have a significant cumulative impact with regard to police protection services. This level of increased demand would substantially exceed the LAPD's capacity to provide services from the Central Area station. For example, under the County Office Building Option, if the current 337 officers in the area were to remain constant at

337 officers, the ratio of population to officers would increase from 130 persons for each officer to 382 persons for each officer. If the per capita crime rate were to remain constant at 154 crimes per 1,000 population, there would be 19,849 additional crimes, and the crimes that would need to be handled by each officer would increase from 20 to 59. However, if the City added police resources in response to such growth, then the cumulative impact to police services would be less than significant. Yet, it is conservatively assumed that the City may not be able to add such resources commensurate with such population growth, and, therefore, the cumulative impact to police services is determined to be significant.

R. School Services

- i. Potential Impacts – The Project may cause a significant impact on Los Angeles Unified School District (“LAUSD”) schools if:
  - a. The demand for school services anticipated at the time of Project build out exceeds the expected level of service available; or
  - b. The increased demand would require the construction of new facilities, a major reorganization of students or classrooms, major revisions to the school calendar (i.e., multi-track calendar), or other actions that would create a temporary or permanent impact on the school(s) serving the Project site.
- ii. Findings – Through compliance with Mitigation Measure I.3.1 and Government Code Section 65995, the Project will not cause a significant impact on schools, and no other mitigation measures are required.

**Mitigation Measure I.3-1:** Prior to the issuance of each building permit, the developer, with regard to the five development parcels, shall pay school mitigation fees pursuant to the provisions of California Government Code Section 65995. Compliance with this measure shall be determined by the City’s Department of Building and Safety, or other appropriate City agency or department.

- iii. Supportive Evidence and Rationale – The FEIR analyzed in detail the Project’s potential impacts on schools in Section IV-I(3) of the DEIR. Pursuant to the provisions of Government Code Section 65995, a project’s impact on school facilities is fully mitigated through the payment of the requisite school facility development fees current at the time building permits are issued. As the developer is required to pay school facility development fees, impacts under the Project are concluded to be less than significant.

- iv. Cumulative Impact – The middle and high school students that would be generated by the 93 related projects would when combined with the Project's students, be dispersed throughout the attendance boundaries of both the existing and the newly constructed schools. As a result, sufficient capacity would be available at the middle and high school level to accommodate the students generated by the Project in conjunction with all of the related projects and a less than significant cumulative impact would occur. In contrast, the students generated by the related projects combined with the Project's students could not be accommodated within the existing or future elementary school capacities. However, the Project and each related project would pay new school facility development fees and, under the provisions of Government Code Section 65995, the payment of these fees would constitute full mitigation. Thus, cumulative impacts on schools would be less than significant.

S. Parks and Recreation(Project Construction)

- i. Potential Impacts – The construction of the Project may cause a significant impact on parks and recreational facilities if:
  - a. The Project generates a demand for park or recreational facilities that cannot be adequately accommodated by existing or planned facilities and services.
- ii. Findings – The Project will not cause a significant impact to park and recreational facilities, except for a short-term significant and unavoidable impact during construction of the new Civic Park at the Civic Mall, which impact is a project-specific and cumulative impact. With respect to that latter impact, the Authority makes the following findings:
  - a. All feasible measures, changes and alterations have been required in, or incorporated into, the Project, which will lessen such significant environmental effects.
  - b. For the reasons set forth in the Statement of Overriding Considerations adopted concurrently by the Authority, the Authority finds that the significant impact identified in this Section XI-L(a) is acceptable in light of the Project's overall benefits.
- iii. Supportive Evidence and Rationale – The FEIR discusses the Project's potentially significant impact to park and recreational facilities in Section IV.I.4 of the DEIR. Construction of the proposed improvements in Civic Park would require closure of the existing Civic Mall to implement those improvements. This would limit park availability and usage. Impacts on park usage would likely occur within the immediate area of construction

activity and adjacent park areas that might be sensitive to construction activities. It is not known if the entire Park area would be affected at a single time, or if Park improvements would be implemented on a smaller basis (e.g., block by block). As the construction activities could adversely affect park usage, the Project is considered to have a significant, short-term impact on parks during construction of the Civic Park. Upon completion of the Project, the affected park areas would return to operations with an enhanced level of operation due to improvements that were implemented during the construction phase. Construction of the remainder of the Project, namely, the five development parcels and the Grand Avenue street improvements would not cause any significant impacts to parks and recreational facilities since those sites currently include no parks or recreational facilities.

- iv. Cumulative Impact – No related projects are known to affect the use or availability of those existing recreational resources that would be affected by the Project, either during their construction or operations phases. However, as the Project would prohibit the recreational use of the existing Civic Center Mall during the construction of the Project's Civic Park, it is conservatively concluded that cumulative impacts on recreational resources are considered significant.

T. Parks and Recreation (Project Operation)

- i. Potential Impacts – The operation of the Project may cause a potentially significant impact to parks and recreational facilities if:
  - a. The Project generates a demand for park or recreational facilities that cannot be adequately accommodated by existing or planned facilities and services.
- ii. Findings – The Project will not cause a significant impact to park and recreational services due to the implementation of Mitigation Measure I.4-1.

**Mitigation Measure I.4-1:** Prior to the issuance of a certificate of occupancy, the developer, with regard to the five development parcels, shall: (1) dedicate additional parkland such that the Project would provide a total of 3 acres per 1,000 Project residents; (2) pay in-lieu fees for any land dedication requirement shortfall; or (3) a combination of the above. Compliance with this measure shall be determined by the City's Department of Building and Safety or other appropriate City agency or department.

- iii. Supportive Evidence and Rationale – The EIR discusses the potential impact to park and recreation services caused by Project operations in Section IV.I.4 of the DEIR. Compliance with the mitigation measure for meeting park demand would reduce any impacts due to park dedication shortfalls to less than significant levels. The required dedication of parkland from a project is determined by the number of residents within the project. Under the Quimby Act, which is implemented through the City's Municipal Code, three acres per 1,000 residents are required. The Project with County Office Building Option is anticipated to generate approximately 2,925 residents and would be required to provide approximately 8.8 acres of park/recreation space. The Additional Residential Development Option is anticipated to generate approximately 3,777 residents and would be required to provide approximately 11.33 acres of park/recreation space. Since these requirements would not be fully achievable on-site, the developer would be required to either dedicate additional parkland or pay in-lieu fees per the Quimby Act. If in lieu fees are paid, such fees would be used by the City to enhance park and recreational facilities in the appropriate geographic areas. Compliance with the Quimby Act would offset the Project's park and recreational facility shortfall and would avoid a significant impact.
- iv. Cumulative Impact – As with the Project, compliance by related projects with the Quimby Act to either dedicate additional parkland or pay in-lieu fees would offset the park/recreation demands of such related projects and, therefore, avoid a significant cumulative impact.

U. Library Services

- i. Potential Impacts – The Project may cause a significant impact on library services caused by the Project. A Project could have a significant impact on library services if:
  - a. The Project would generate a demand for library facilities or services that would cause an increase in the community population that would exceed Los Angeles Public Library ("LAPL") defined target service population.
- ii. Findings – The Project will not cause significant impacts on library services, and no mitigation measures are required.
- iii. Supportive Evidence and Rationale – The FEIR analyzed in detail the Project's potential impacts on libraries in Section IV-I(5) of the DEIR. The increase in residential population, employees and patrons associated under the Project would increase demand on LAPL facilities in this area, including the Central Library, the Little Tokyo and Chinatown Branch Libraries. However, the Project is not expected to cause an increase in

the community population that would exceed the LAPL-defined service target population. The LAPL has indicated in comments to the NOP for the EIR that the Project should pay a fee of \$200 per capita to offset the increase in library service demand. However, the detailed analysis provided in the EIR demonstrates that the Project would not cause a significant impact on library services, and the LAPL did not provide any data in its NOP response letter to the contrary. In addition, the LAPL did not provide any comments on the DEIR. Further, it should be noted that the LAPL has not taken the necessary legal steps to impose a mitigation fee on all new development projects in its jurisdiction.

- iv. Cumulative Impacts – Population increases created by the 93 related projects in combination with the Project would increase the demand for LAPL services within the Project area. If a large number of these related projects are eventually developed and such future development causes a demand on library services beyond the capacity of the then existing libraries, then the LAPL may take the necessary steps to adopt an impact fee program that would adequately mitigate that cumulative impact on library services. However, since the LAPL has not adopted such a fee program, the Authority conservatively determines that the cumulative impact on library services will be significant.

V. Water Supply

- i. Potential Impacts – The Project may cause a significant impact on the water supply if:
  - a. The public water system's total projected water supplies available during normal, single dry and multiple dry water years during the current 20-year projection would not meet the projected water demand associated with the proposed Project, as well as all other future uses, including agricultural and manufacturing uses.
  - b. The estimated water demand for the Project would exceed the available capacity within the distribution infrastructure that would serve the Project site.
  - c. The construction of a new or upgraded water distribution infrastructure would result in substantial obstruction of vehicle and/or pedestrian access.
- ii. Findings – With the implementation of Mitigation Measure J.1-1, the Project's potentially significant impact on water supply will be reduced to a less than significant level. In addition, a series of regulatory measures are identified that would result in reducing the water demand attributable to the Project.

**Mitigation Measure J.1-1:** Prior to initial occupancy of the buildings within Parcels L and W-1/W-2, the developer shall install new water lines along Second Street, from Olive Street to Hill Street to serve Parcels W-1/W-2, and from Hope Street to Lower Grand Avenue to serve Parcel L. The City's Department of Public Works shall review and approve all plans related to these new water lines. The developer shall be responsible for the implementation of these improvements.

**Regulatory Measure J.1-1:** Prior to the start of each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements, shall call DIG-ALERT to identify and mark on the ground surface the locations of existing underground utilities. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels and the Streetscape Program. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.

**Regulatory Measure J.1-2:** Prior to the start off each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements shall perform potholing of existing water and gas mains to verify the depth of cover. If the depth of cover over the lines is shallow and the total street pavement section is thick (around 24 inches), then the temporary cover over the lines during construction may be reduced to 12 inches or less. Under these circumstances, protective measures shall be implemented to prevent damage or breakage of the lines during the pavement sub-grade preparation process. Notices of service interruption, if necessary, shall be provided to customers in accordance with DWP-Water and ACG requirements. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels and the Streetscape Program. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.

**Regulatory Measure J.1-3:** Prior to issuance of building permits for each construction phase, the developer, with regard to the five development parcels, shall pay the appropriate fees as may be imposed by the City's Department of Building and Safety, or other appropriate City agency or department. A percentage of building permit fees is contributed to the fire hydrant fund, which provides for citywide fire protection improvements. Compliance with this measure shall be determined by the City's



Department of Building and Safety, or other appropriate City agency or department.

**Regulatory Measure J.1-4:** Prior the issuance of building permits for each construction phase, the developer, with regard to the five development parcels and the responsible parties for implementation of the Civic Park Plan under the applicable agreements, shall coordinate with the Los Angeles Department of Water and Power to conduct a flow test to confirm that the existing water system meets fire flow requirements imposed by the LAFD for the Project. The developer, with regard to the five development parcels and the responsible parties for implementation of the Civic Park Plan under the applicable agreements, shall undertake and complete required improvements as identified by the LADWP, based on the findings of the flow test. The City's Department of Public Works, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels. The County's CAO Department of shall determine compliance with this measure with regard to the Civic Park.

**Regulatory Measure J.1-5:** During Project operations, the developer, with regard to the five development parcels, shall incorporate Phase I of the City of Los Angeles' Emergency Water Conservation Plan into all privately operated parcels. The Plan prohibits hose watering of driveways and associated walkways, mandates decorative fountains to use recycled water, mandates drinking water in restaurants to be served upon request only, and provides that water leaks are repaired in a timely manner. The City's Department of Public Works, or other appropriate City agency or department, shall determine compliance with this measure.

**Regulatory Measure J.1-6:** During Project operations, incorporate Los Angeles County water conservation policies into the operation of the Civic Park, and the County Office Building, if the Project proceeds with the County office building option. The responsible parties for the implementation of the Civic Park under the applicable agreements, and the County with regard to the County Office Building, if the Project proceeds with the County office building option, shall be responsible for implementing this measure. The implementation of this measure shall be subject to the review and approval of the County's CAO or its designee.

**Regulatory Measure J.1-7:** During Project operations, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements and the County Office Building operator shall comply with any additional mandatory water use restrictions imposed as a result of drought conditions. The City's Department of Public Works, or other appropriate City agency or department, shall determine compliance

with this measure with regard to the five development parcels and the Streetscape Program. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.

**Regulatory Measure J.1-8:** During Project operations, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements, shall install automatic sprinkler systems to irrigate landscaping during morning hours or during the evening to reduce water losses from evaporation, and sprinklers shall be reset to water less often in cooler months and during the rainfall season so that water is not wasted by excessive landscape irrigation. The City's Department of Public Works, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels and the Streetscape Program. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.

- iii. Supportive Evidence and Rationale – The Project's potentially significant impact on the water supply is analyzed in Section IV.J.1 of the DEIR. Based on a Water Supply Assessment certified by the Los Angeles Department of Water and Power ("LADWP"), the total estimated water demand for the Project at build-out is not expected to exceed available supplies during normal, single dry and multiple dry water years during the 20-year planning period projection. Further, the Project is not anticipated to exceed the available capacity within the distribution infrastructure that would serve the Project site. Other than connections from the Project site to the water mains and the installation of new water lines along Second Street, the construction of a new or upgraded distribution and conveyance infrastructure would not be required. With regulatory compliance and incorporation of the mitigation measures discussed above, impacts to water supply associated with the Project would be less than significant.
- iv. Cumulative Impact – Development of the 93 related projects would cumulatively contribute, in conjunction with the Project to the water demand in the Project area. Related projects are anticipated to be developed in compliance with all applicable water conservation regulations and within the build-out scenario of the Community Plans and the City of Los Angeles General Plan elements. Further, the LADWP Water Supply Assessment concluded that there are adequate water supplies to meet all existing and future water demands for the next 20 years. As such, impacts associated with cumulative water demand would be less than significant.

**W. Wastewater**

- i. **Potential Impacts** – The Project may cause a significant impact on wastewater conveyance and treatment facilities if:
  - a. The Project's additional wastewater flows would substantially or incrementally exceed the future scheduled capacity of the Hyperion Treatment Plant ("HTP").
  - b. The Project would cause a measurable increase in wastewater flows at a point where, and a time when, a sewer's capacity is already constrained or that would cause a sewer's capacity to become constrained.
  - c. The construction of new or upgraded wastewater distribution infrastructure would result in a substantial obstruction of vehicle and/or pedestrian access.
- ii. **Findings** – The Project will not cause a significant impact with regard to wastewater service. Notwithstanding, the following regulatory measures have been identified to ensure the Project's less than significant impact concerning this issue.

**Regulatory Measure J.2-1:** Prior to the start of each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park shall comply with City ordinances limiting connections to the City sewer system, in accordance with City Bureau of Sanitation procedures. The City's Department of Public Works, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels. The County's CAO or its designee shall ensure compliance with this measure.

**Regulatory Measure J.2-2:** Prior to the start of each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park Plan, shall prepare, and thereafter implement, building plan specifications for the installation of low-flow water fixtures and further encourage reduction of water consumption to minimize wastewater flow to the sewer system, in accordance with applicable water conservation requirements. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels. The County's CAO or its designee shall ensure compliance with this measure.

- iii. Supportive Evidence and Rationale – The FEIR analyzed in detail the Project's potential impact on wastewater facilities in Section IV-J(2) of the DEIR. The operation of the Project under the County Office Building Option would generate 631,650 gallons per day (gpd) of wastewater and a peak flow of 1,073,805 gpd. The Project under the Additional Residential Development Option would generate 592,070 gpd on average and a peak flow of 1,006,519 gpd. By complying with the provisions of the City's Sewer Allocation Ordinance, wastewater generation resulting from operation of the Project would not substantially exceed the future scheduled capacity of the HTP. Nor, would the Project cause a measurable increase in wastewater flows at a point where, and a time when, a sewer's capacity is already constrained or would cause a sewer's capacity to become constrained. Therefore, implementation of the Project would result in a less than significant impact to wastewater facilities.
- iv. Cumulative Impact – Development of the 93 related projects, in conjunction with the Project would cumulatively contribute to wastewater generation in the Project area. The Project with Additional Residential Option would generate nearly seven percent less wastewater than that of the proposed Project with County Office Building Option. The wastewater anticipated to be discharged by the related projects along with the Project with County Office Building Option is 7.3 million gpd, which represents approximately 1.6 percent of the HTP's full capacity of 450 million gpd. Each of the individual related projects would be subject to the LADWP's determination of whether there is allotted sewer capacity available prior to the formal acceptance of plans and specifications by the Department of Building and Safety. Therefore, cumulative impacts to the local and regional sewer system for the Project, in conjunction with the related projects, would be less than significant.

X. Solid Waste

- i. Potential Impacts – The Project may cause a significant impact concerning solid waste if:
  - a. The Project generates solid waste at a level that exceeds the available capacity of the existing and/or planned landfills.
  - b. The Project conflicts with diversion and recycling goals set forth in the City of Los Angeles Solid Waste Management Policy Plan (CiSWMPP) and Source Reduction and Recycling Element (SRRE).
- ii. Findings - The Project will not cause a less than significant impact with regard to solid waste services. Notwithstanding, the following regulatory

measures have been identified to ensure the Project's less than significant impact concerning this matter.

**Regulatory Measure J.3-1:** Prior to the issuance of a certificate of occupancy for each construction phase, and thereafter during Project operations, the developer, with regard to the five development parcels, shall comply with the provisions of City of Los Angeles Ordinance No. 171687 with regard to all new structures constructed as part of the five development parcels. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure.

**Regulatory Measure J.3-2:** Prior to the issuance of each certificate of occupancy, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements, shall prepare, and thereafter implement, a plan that designs all structures constructed or uses established within any part of the proposed Project site to be permanently equipped with clearly marked, durable, source sorted recyclable bins at all times to facilitate the separation and deposit of recyclable materials. The City's Department of Public Works, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels and the Streetscape Program. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.

**Regulatory Measure J.3-3:** Prior to the issuance of each certificate of occupancy, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park under the applicable agreements, shall prepare, and thereafter implement, a plan that designs primary collection bins to facilitate mechanized collection of such recyclable wastes for transport to on- or off-site recycling facilities. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.

**Regulatory Measure J.3-4:** During Project operations, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements, shall continuously maintain in good order for the convenience of businesses, patrons, employees and park visitors clearly marked, durable and separate bins on the same lot, or parcel to facilitate the commingled recyclables and deposit of recyclable or commingled waste metal, cardboard, paper, glass, and plastic therein; maintain

accessibility to such bins at all times, for collection of such wastes for transport to on- or off-site recycling plants; and require waste haulers to utilize local or regional material recovery facilities as feasible and appropriate. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels and the Streetscape Program. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.

**Regulatory Measure J.3-5:** During each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements, shall implement a demolition and construction debris recycling plan, with the explicit intent of requiring recycling during all phases of site preparation and building construction. The City's Department of Building and Safety, or other appropriate City agency or department, shall review and approve the plan with regard to the five development parcels and the Streetscape Program. The County's CAO or its designee shall review and approve the plan with regard to the Civic Park.

- iii. Supportive Evidence and Rationale – The FEIR analyzed in detail the Project's potential impact on solid waste facilities in Section IV-J(3) of the DEIR. The Project would not cause the available capacity of the existing and/or planned landfills to be exceeded, and impacts due to construction and operations would be less than significant. Nonetheless, regulatory mitigation measures have been identified concerning compliance with existing plans, programs and policies promoting recycling, waste reduction and waste diversion.
- iv. Cumulative Impact – Development of the 93 related projects would generate solid waste during their respective construction periods and on an on-going basis following the completion of construction. The total cumulative construction debris from the related projects and proposed Project would total 63,000 tons. This would comprise approximately 0.1 percent of the remaining inert landfill disposal capacity of 69.94 million tons and, as such, cumulative impacts on inert landfill capacity would be less than significant. During operation, the total cumulative solid waste generation is estimated to be 112,015 tons per year under the Project with County Office Building Option and 107,660 tons per year under the Project with Additional Residential Development Option. These levels of cumulative annual solid waste generation represent approximately 1.2 percent of the total solid waste generated in Los Angeles County in 2003. Based on these small percentages, and the County's forecast of 15 years

of landfill availability, cumulative impacts on municipal landfill capacity are concluded to be less than significant.

CEQA Guideline 15126.6 requires an EIR to (1) describe a range of reasonable alternatives to the proposed project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project; and (2) evaluate the comparative merits of the alternatives. In analyzing the feasibility of an alternative, the CEQA Guidelines list the following factors: site suitability; economic viability; infrastructure viability; social, legal and technological issues; and jurisdictional boundaries. The purpose of the consideration and discussion of alternatives to the proposed project is to identify ways to mitigate or avoid the significant effects that a project may have on the environment. In doing so, CEQA Guideline 15126.6 directs that the analysis of alternatives be limited to alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of project objectives, or would be more costly.

The selection and discussion of alternatives to the project is intended to foster meaningful public participation and informed decision-making. An EIR need not consider an alternative whose effect cannot be reasonably ascertained and whose implementation is remote or speculative. CEQA Guideline 15126.6 also requires the analysis of a "No Project" alternative and the identification of an "Environmentally Superior Alternative." If the environmentally superior alternative is the No Project Alternative, then the EIR is required to identify an environmentally superior alternative among the remaining alternatives.

Finally, CEQA Guideline 15126.6 requires an EIR to identify any alternatives that were considered by the lead agency but were rejected as infeasible during the scoping process and briefly explain the reasons underlying the lead agency's determination of such infeasibility.

#### Alternatives Considered But Rejected

Two alternatives were identified but subsequently rejected from further analysis in the FEIR. The first such rejected alternative was the Alternative Location Alternative. With respect to alternative sites for any proposed project, CEQA Guideline 15126.6(f)(2)(A) provides that: "The key question and first step in analysis is whether any of the significant effects of the project would be avoided or substantially lessened by putting the project in another location. Only locations that would avoid or substantially lessen any of the significant effects of the project need be considered for inclusion in the EIR."

Based on substantial evidence, the Authority determined that the relocation of the Project to another location would not substantially reduce the Project's

primary significant impacts relative to traffic, air quality, and noise, and would likely have a greater impact regarding land use compatibility, visual context and scale since it is specific to a highly urbanized environment. Although an alternative location may eliminate potentially significant historical and specific view impacts, it would likely cause view impacts in an alternative location due to the size of the proposed buildings. Further, since the Project location is specific to the Civic Center Mall, Grand Avenue, and the Bunker Hill Redevelopment Project parcels, it would not be feasible to expand and renovate of the Civic Center Mall or develop the Grand Avenue streetscape improvements between Fifth Street and Cesar E. Chavez Avenue in another location. For all these reasons, the Alternative Location Analysis was properly rejected.

The second rejected alternative was the development of institutional uses, such schools and hospitals, in the remaining Bunker Hill Redevelopment Project parcels, Parcels Q, W-1/W-2, L and M-2. This alternative was rejected since it would have a significant land use impact in relation to the implementation of the policies of adopted plans and policies, including housing policies of the General Plan Framework; policies of the Central City Community Plan to encourage a mix of uses which create a 24-hour downtown environment; policies of the Bunker Hill Redevelopment Plan to provide convenient and efficient living accommodations for downtown employees and a range of housing types, including affordable housing; the policies of the existing Bunker Hill Design for Development which call for a mix of commercial and residential uses in these parcels; and policies of the Downtown Strategic Plan, which recognize the need to substantially increase the residential presence in the downtown community. Such an alternative would also not implement the jobs/housing balance goals of SCAG's Regional Comprehensive Plan and Guide or the goals of that plan to place high-density multi-family uses within urban centers in close proximity to transit and other multi-modal transportation opportunities. This alternative would also not meet the basic objectives of the Project to provide a mixed-use development with a mix of uses that are economically viable. For all these reasons, this alternative was properly rejected.

Finally, a commentator during the public review process suggested that the Project should be modified to include a higher percentage of affordable housing units. However, the developer has committed to 20 percent of the overall housing units in the Project being affordable units, and substantial evidence supports the conclusion that additional subsidies from the LA/CRA or others for an even greater number of affordable housing units in the Project are not available or feasible, and that key Project objectives would not be achieved if more financial resources of the Project are devoted to additional affordable housing units, including the use of funds to improve and extend the existing County Mall into a Civic Park that can serve as a public gathering place for the entire region. Accordingly, the Authority finds that such an alternative to the Project is not feasible within the meaning of CEQA.



The Five Alternatives Evaluated in the FEIR

The following alternatives were analyzed in detail in the FEIR since they could (i) meet some of the Project Objectives and avoid or lessen some impacts or (ii) were required to be analyzed by the applicable provisions of CEQA (namely, the No Project Alternative):

- Alternative 1: No Project "A" – The Project site remains in its existing conditions.
- Alternative 2: No Project "B" – Development on Parcels Q and W-2 would occur per the provisions of the 1991 Owner Participation Agreement applicable to those parcels, while development on Parcels W-1, L, and M-2 would occur per current City zoning. Under the No Project "B" Alternative, the Grand Avenue streetscape program would be limited to only improvements along the frontage of Parcel Q, while no improvements to the existing Civic Center Mall would occur.
- Alternative 3: Reduced Density Alternative – Development on the five parcels would be reduced by 25 percent, as would proposed building heights. Improvements within the Civic Park as well as along the Grand Avenue streetscape program would be reduced commensurate with the reduced funding for Phase 1 that would be available from prepaid lease revenues.
- Alternative 4: Alternative Design Alternative – Two unrelated components of the Project would be changed under this Alternative – the Civic Park and the location of the towers on Parcels L and M-2. Under this Alternative, the existing Civic Center Mall's four character-defining features would remain as they exist today and in their current locations, or they would be retained and reused within the Civic Park in accordance with the Secretary of the Interior's Standards for the Rehabilitation of Historic Buildings. Also under this Alternative, the towers proposed for development on Parcels L and M-2 would be reversed, such that the tower proposed for the southeast corner of Parcels L and M-2 would be moved to the southwest corner, and the tower proposed for the northwest corner would be moved to the northeast corner.
- Alternative 5: Alternative land Use Alternative – development on all five development parcels would be residential supported by a limited amount of retail development. The Civic Park and Grand Avenue streetscape program under this Alternative would be the same as the Project.

As described in this Section XII, the FEIR analyzed the issues of whether each of these alternatives (i) could achieve most of the Project Objectives and (ii) could reduce the Project's potentially significant impacts.

Alternative 1 - No Project "A"

a. Ability to Achieve Most of the Project Objectives

The No Project "A" Alternative would not meet the ultimate goal of the Project to provide an economically viable, architecturally distinguished community-oriented, mixed-use development with welcoming public open spaces or create, define, and celebrate the Civic and Cultural Center as a regional destination in downtown Los Angeles. In addition, the No Project "A" Alternative would also not meet any of the Project's priority objectives. This alternative would not meet the priority objective to create a vibrant 24-hour development that activates the Civic and Cultural Center through a mix of uses that complement each other, and that add to those that already exist on Bunker Hill; or meet the priority objective to implement the redevelopment plan objectives to permit a maximum density of development commensurate with the highest standards of architecture and landscape design. This alternative would also not meet the priority objective to generate at least \$50 million in funds from the Project itself, and at least \$45 million from Phase 1 by the lease of public land, and use these funds to improve and extend the existing Civic Center Mall into a Civic Park that can serve the entire region. This alternative would also not meet the priority objective of providing affordable units and it would not meet the priority objective to create a long-term stream of additional tax revenues for the City, the CRA/LA and the County. The No Project "A" Alternative would also not meet the additional objectives of the Project in that it would not generate specific public benefits; activate downtown Los Angeles, create a civic gathering place, enhance pedestrian connections, create distinguished architectural design, or facilitate achievement of redevelopment goals for the Bunker Hill District and the Central Business District.

b. Ability to Reduce the Project's Residual Significant Impacts

The No Project "A" Alternative would avoid the Project's significant and unavoidable impacts associated with compliance with existing zoning designations, construction hauling, periodic closures of the Grand Avenue and Hill Street ramps to the garage beneath the existing Civic Center Mall during their relocation, any temporary lane closures, intersection service thresholds, occasional traffic congestion during evening and large-scale events in the Civic Park, DAARP residential parking requirements, view obstruction, character-defining features in the Civic Center Mall, air quality (constructions and operation), noise (construction), and parks and

recreation (during construction of Civic Park), but would be less beneficial in relation to the implementation of existing land use plans and visual quality. The No Project "A" Alternative, however, would not eliminate significant, unavoidable traffic impacts that would occur under future baseline traffic conditions due to ambient growth and the development of other projects.

c. Determination of Infeasibility

Based on the findings set forth in this subsection, the analysis contained in the FEIR, and other substantial evidence in the record of the proceedings concerning the Project, the Authority finds that this alternative is not feasible within the meaning of CEQA.

Alternative 2 - No Project "B"

a. Ability to Achieve Most of the Project's Objectives

The No Project "B" Alternative would not meet the ultimate goal of the Project to provide an economically viable, community-oriented, mixed-use development. In addition, the No Project "B" Alternative would not meet any of the Project's priority objectives. The No Project "B" Alternative would not meet the Project's priority objective to establish Grand Avenue as a vibrant 24-hour urban place that activates the Civic and Cultural Center through a mix of uses and complement each other due to the substantial reduction of the Grand Avenue Streetscape Program, and no development of street front retail uses along Parcels L and M-2. This Alternative would not meet the Project's priority objective to generate at least \$50 million in funds from the Project itself, and at least \$45 million from Phase 1 by the lease of public land, and then using these funds to create the proposed Civic Park, nor implement the Grand Avenue Streetscape Program as envisioned. As such, it would not meet the Project objectives to create a civic gathering place and to enhance pedestrian connections. This Alternative would also not meet the priority objective of the Project to implement redevelopment plan objectives to permit a maximum density of development, since this Alternative would not maximize density on Parcels W-1/W-2, L and M.

Although the No Project "A" Alternative would meet the Project's priority objective to create a long-term stream of additional tax revenues for the City, the CRA/LA and the County, the magnitude of revenue generation would be substantially reduced under this Alternative as compared to the Project, since Parcels W-2/W-2, L and M-2 would not be developed to their full potential. Furthermore, this Alternative would meet the priority objective to ensure that 20 percent of all residential units are affordable,

since it would contain only a fraction of the number of affordable units that would be generated by the proposed Project's residential units.

b. Ability to Reduce the Project's Residual Significant Impact

The No Project "B" Alternative would reduce, but not completely avoid, the Project's significant and unavoidable impacts associated with construction hauling, lane closures, intersection service levels (although it would incrementally reduce peak hour traffic), DAARP residential parking requirements, view obstruction, air quality (construction and operation), and noise (construction). This alternative would be less beneficial than the Project in relation to the implementation of existing land use plans, which call for a greater mix of residential uses in the urban center and revitalization of the downtown. The No Project "B" Alternative would, however, avoid the Project's potential significant impacts associated with zoning compliance, periodic closures of the Grand Avenue and Hill Street ramps to the Civic Center mall during the reconstruction of the ramps, occasional traffic congestion during evening and large-scale events in the Civic Park, possible removal of historically significant character-defining features in the existing Civic Center Mall, and short-term recreational impacts associated with the closure of the existing Civic Center Mall during the construction of the Civic Park.

c. Determination of Infeasibility

Based on the findings set forth in this subsection, the analysis contained in the FEIR, and other substantial evidence in the record of the proceedings concerning the Project, the Authority finds that this alternative is not feasible within the meaning of CEQA.

Alternative 3 - Reduced Density Alternative

a. Ability to Achieve Most of Project's Objectives

The reduced Density Alternative may not meet the ultimate goal of the Project to provide an economically viable development since, with the reduction in scale, the Reduced Density Alternative would not be as economically viable as the Project. In addition, the Reduce Density Alternative would not meet the majority of the Project's priority objectives to create a vibrant, 24-hour development that activates the Civic and Cultural Center to the same extent as the Project. Furthermore, since the Alternative has less development than the Project, it would not meet the priority objective to implement redevelopment plan objectives to permit a maximum density of development. The Reduced density Alternative also would not implement the Project's priority objective to generate at least \$50 million in funds from the Project itself, and at least \$45 million from

Phase 1 by the lease of public land, and then to use these funds to improve and extend the existing Civic Center Mall into the proposed Civic Park. In addition, this Alternative would not implement the Grand Avenue Streetscape Program (except adjacent to Parcel Q), further reducing the ability of this Alternative to meet the objectives of the Project to create a civic gathering place and to enhance pedestrian connections.

The Reduce Density Alternative would meet the priority objectives to ensure that 20 percent of all residential units in the Project are affordable units; however, due to the reduction in residential units, this would provide 25 percent fewer affordable units than the Project. This Alternative would also meet the priority objective to create a long-term stream of additional tax revenues for the City, the CRA/LA and the County. However, since it would represent a reduction in scale, the stream of additional tax revenues would be incrementally less than under the Project.

The Reduced Density Alternative would meet the Project's objective to encourage public transit opportunities through the development of high-density residences in close proximity to existing transit systems. The Reduced Density Alternative would also meet the Project objective to provide residential densities in the Bunker Hill Redevelopment Project area as well as improve the jobs/housing balance downtown and establish a variety of housing types, although it would not maximize residential densities as well as the Project. The Reduced Density Alternative would also implement the redevelopment plan objectives to provide housing for workers who seek housing near their employment, but to a lesser degree than would occur under the Project.

b. Ability to Reduce the Project's Residual Significant Impacts

The Reduced Density Alternative would reduce, but not completely avoid, the Project's significant and unavoidable impacts associated with zoning compliance construction hauling, lane closures, periodic closures of the Grand Avenue and Hill Street ramps to the garage beneath the Civic Center Mall during their reconstruction, operation traffic, occasional traffic congestion during evening and large-scale events in the Civic Park, DAARP residential parking requirements, view obstruction, air quality (construction and operation), and noise (construction). Additionally, this Alternative may possibly reduce impacts associated with the possible removal of the historically significant character-defining features in the Civic Center Mall, and short-term recreational impacts associated with the closure of Civic Center Mall during the Civic Park's construction phase, if the scope of the development in the Civic Park were reduced.

c. Determination of Infeasibility

Based on the findings set forth in this subsection, the analysis contained in the FEIR, and other substantial evidence in the record of the proceedings concerning the Project, the Authority finds that this alternative is not feasible within the meaning of CEQA.

Alternative 4 - Alternative Design Alternative

a. Ability to Achieve Most of Project Objectives

As with the Project, the Alternative Design Alternative would meet the ultimate goal of the Project to provide an economically viable, architecturally distinguished, community-oriented, mixed-use development with notable public open spaces that would create, define, and celebrate the Civic and Cultural Center as a regional destination. In addition, the Alternative Design Alternative would meet all the Project's priority objectives. This Alternative would meet all of the Project's specific objectives that are intended to ensure that the proposed development would generate specific public benefits, activate downtown Los Angeles, create a civic gathering place, enhance pedestrian connections, create distinguished architectural design, facilitate achievement of redevelopment goals for the Bunker Hill District and the amended Central Business District Redevelopment Plans.

b. Ability to Reduce the Project's Residual Significant Impacts

Through the retention of historically significant character-defining features, the Alternative Design Alternative would avoid the Project's potential significant impact on the historic resources present within the existing Civic Center Mall. However, the feasibility of retaining those elements of Civic Center Mall is not known at this time since the final design of Civic Park has not been completed. Due to, among other considerations, that final design may call for not retaining all of those features because of economic factors or planning objectives inherent in the Civic Park program.

This alternative would also reduce the Project's significant view impact for the residents of the Grand Promenade Tower building that have northerly views to a less than significant level. However, the Alternative Design Alternative would not avoid the Project's significant and unavoidable impacts associated with zoning compliance, construction hauling, lane closures, periodic closures of the Civic Mall Garage's Grand Avenue and Hill Street ramps to the garage beneath the existing Civic Center Mall during their reconstruction, intersection service levels, DAARP residential

parking requirements, views from locations other than the Grand Promenade Tower apartments, air quality (construction and operation), noise (construction). This Alternative would avoid the Project's potentially significant impacts on character-defining features in the existing Civic Center Mall.

c. Determination of Infeasibility

Based on the findings set forth in this subsection, the analysis contained in the FEIR, and other substantial evidence in the record of the proceedings concerning the Project, the Authority finds that (i) the component of this alternative concerning mandatory retention of the character-defining features of the Civic Center Mall is not feasible within the meaning of CEQA since the final design of the Civic Park is not known at this time, and (ii) the component of this alternative that concerns the reversal of the location of the two towers on Parcels L and M-2 is feasible.

Alternative 5 - Alternative Land Use Alternative

a. Ability to Achieve Most of Project Objectives

The Alternative Land Use Alternative, which would not provide a mixture of hotel and retail uses with the proposed residential uses, would not meet the ultimate goal of the Project to provide an economically viable, community-oriented, mixed-use development. Additionally, since this Alternative would not provide a hotel and would provide a limited amount of street-front retail uses and restaurants, this Alternative would not meet the priority objective of the Project to the same extent as the Project to create a vibrant, 24-hour development that activates the Civic and Cultural Center by attracting both residents and visitors through a mix of uses that complement each other. Although this Alternative anticipates implementation of the Grand Avenue Streetscape Program, with the absence of street-front retail uses and restaurants, this Alternative would not meet the priority objective to create a pleasant living and working environment to the same degree as the Project. This Alternative would meet the priority objective to generate at least \$50 million in funds from the Project itself, and at least \$45 million from Phase 1 by the lease of public land, and use these funds to improve and extend the existing Civic Center Mall into the proposed Civic Park. This Alternative would also meet the priority objective to ensure that 20 percent of all residential units in the Project are affordable units for low-income residents. This objective would also meet the priority objective to create a long-term stream of additional tax revenues for the City, the CRA/LA and the County. However, since taxes on residences are less than on commercial uses, this Alternative would not meet this objective to the same extent as the Project.

b. Ability to Reduce the Project's Residual Impacts

The Alternative Land Use Alternative would not avoid the Project's significant and unavoidable impacts associated with zoning compliance (due to residential uses in existing C2 zones), construction hauling, lane closures, periodic closures of the Grand Avenue and Hill Street ramps to the garage beneath the existing Civic Center Garage's during their reconstruction, intersection service levels, occasional traffic congestion during evening and large-scale events in the Civic Park, and DAARP residential parking requirements. However, the Alternative Land Use Alternative would incrementally reduce peak hour traffic. This Alternative would also not avoid the Project's potential significant impacts associated with air quality (construction and operation), noise (construction), and short-term recreational impacts associated with the closure of the existing Civic Center Mall during the construction of the proposed Civic Park.

c. Determination of Infeasibility

Based on the findings set forth in this subsection, the analysis contained in the FEIR, and other substantial evidence in the record of the proceedings concerning the Project, the Authority finds that this alternative is not feasible within the meaning of CEQA.

The Environmentally Superior Alternative

CEQA Guideline 15126.6 requires the identification of an environmentally superior alternative to the proposed Project and, if the environmentally superior alternative is the "No Project Alternative," the identification of an environmentally superior alternative from among the remaining alternatives. An environmentally superior alternative is an alternative that would reduce and/or eliminate the significant, unavoidable environmental impacts associated with a project without creating other significant impacts and without substantially reducing and/or eliminating the environmental benefits attributable to the Project. Accordingly, selection of an environmentally superior alternative is based on an evaluation of the extent to which the alternatives reduce or eliminate the significant impacts associated with the Project, and on a comparison of the remaining environmental impacts of each alternative. The determination of the environmentally superior alternative is not based on any assessment of the Alternative's ability to meet the Project objectives.

In this matter, the No Project "A" Alternative (Alternative 1) would be the environmentally superior alternative as this alternative would have less impact relative to the Project than the other evaluated alternatives. CEQA requires that when the No Project Alternative is the environmentally superior alternative, another alternative needs to be selected as environmentally superior. Based on the findings set forth in this section XII and the analysis contained in the FEIR,



the Authority determines that the Reduced Density Alternative would be the environmentally superior alternative, since it may reduce the Project's impacts more broadly than the other Project alternatives.

CEQA Guidelines Sections 15093(a) and (b) provides that:

"(a) CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered 'acceptable.'

(b) When the lead agency approves a project which will result in the occurrence of significant effects which are identified in the final EIR but are not avoided or substantially lessened, the agency shall state in writing the specific reasons to support its action based on the final EIR and/or other information in the record."

The Authority adopts and makes this Statement of Overriding Considerations ("SOC") concerning the Project's unavoidable significant impacts to explain why the Project's benefits override and outweigh its unavoidable environmental impacts. Based on substantial evidence in the record, the Authority finds that each benefit of the Project set forth in this SOC constitutes an overriding consideration warranting approval of the Project, despite the unavoidable impacts.

1. The Project will create a vibrant, 24-hour development that activates the Civic and Cultural Center by attracting both residents and visitors, day and night, through a mix of uses that are economically viable, that complement each other, and that add to those that already exist on Bunker Hill.
2. The Project will provide substantial economic benefits for the entire region, generating an estimated \$252 million annually in direct business revenues and over \$362 million in indirect (off-site) business revenues throughout the County, for a total of \$615 million in direct and indirect revenues generated by the Project each year.
3. The business activity generated by the Project is estimated to create up to 5,900 permanent jobs, both on-site and throughout the region. These workers will earn an estimated \$165 million in pre-tax wages and salaries.

All jobs generated on the Project site will comply with the CRA/LA's Living Wage Policy.

4. The Project will also create a significant number of construction jobs. Over the life of the construction of the Project, approximately 29,000 direct and indirect construction jobs will be created. These workers will earn over \$1 billion in wages and salaries. All on-site construction jobs will comply with the Prevailing Wage law.
5. Significant tax revenues, an estimated \$105 million, will be generated annually by the Project. These tax revenues will be shared by all levels of government. Approximately \$74 million will go to the federal government, \$21 million to the State government, \$5.7 million to the County government, and approximately \$4.1 million to local governments, all on an on-going, annual basis.
6. The Project will generate at least \$50 million in funds from the earlier phases of the Project itself, and at least \$45 million from Phase 1 of the overall development, through the lease of public land. These funds will be used to improve and extend the existing Los Angeles County Mall into a Civic Park that can serve as a public gathering place for the entire region. The ground lease of the development parcels was structured in a manner to ensure completion of the new Civic Park by the time Phase 1 of the development is completed.
7. The Project will revitalize, expand upon and activate the existing Los Angeles County Mall by developing it into a Civic Park stretching from the Music Center to City Hall. The new Civic Park will be operated to serve as an active, welcoming setting for daily activity as well as a gathering place for community celebrations, cultural and ethnic celebrations, festivals, holiday events, political gatherings and the like. The new Civic Park will be designed to accommodate a variety of sizes of community events and to encourage use of the Metro Red Line, which passes underground through the park at Hill Street.
8. The Project will provide a substantial amount of affordable housing units for low-income and very low income residents. The number of affordable units will equal 20 percent of the total number of housing units developed in the Project, which could yield up to 532 affordable units under the Additional Residential Development Option at full build-out. Long-term affordability covenants to guarantee the availability of such units to such qualified residents will be imposed.
9. The Project will develop a substantial number of housing units in the downtown, up to a total number of 2,660 units under the Additional

Residential Development Option. This mix of additional housing units will greatly expand the diversity of downtown living options.

10. The Project will encourage and accommodate pedestrian activity by improving the streetscape along Grand Avenue between Fifth Street and Cesar Chavez Avenue. Streetscape improvements will include the strategic use of landscaping, benches and lighting, improved paving, and wider sidewalks where feasible. Such improvements will create an urban street that will foster pedestrian activity without comprising the functional requirements of vehicular circulation.
11. The Project will create new public spaces on the development parcels that are open and accessible to the public, including plaza areas, outdoor terraces and other gathering places, all with seating areas and landscaping.
12. The Project will increase the value of the four publicly owned, underutilized development parcels, while minimizing public investment in the Project. The value of these uniquely located public parcels will be further increased by the synergistic combination of the parcels into a unified development.
13. The Project will maintain the potential for a new County office building within the later phases of the Project.
14. The Project will create a northern anchor for the downtown area, complementing the southern anchor at "LA Live" to create a more diverse and vibrant downtown core.
15. The Project will enhance the use of public transit by creating easy access to the Metro Red Line at its Civic Center station, and easy access to the many local and commuter bus lines that surround the Project site.
16. The Project will improve pedestrian access from transit stops to the many regional attractions on Grand Avenue, including the Music Center, the Walt Disney Concert Hall, the Colburn School, and the Museum of Contemporary Art. Public access through the Project site will be facilitated by escalators, elevators, and a bridge over Olive Street, all assisting the pedestrian in transitioning the steep slope of Bunker Hill from Hill Street (where the Metro Red Line station exists) to Grand Avenue.
17. The Project will improve the jobs/housing balance in downtown, an area considered to be a "jobs rich" environment. By increasing the amount of housing available in a jobs rich area, there is a greater likelihood that people will work and live in areas in close proximity, thereby reducing traffic congestion and improving air quality when compared to traditional

commuting patterns where the residence and job locations are separated by great distances.

18. The Project will comply with the CRA/LA's public art policy, which will facilitate the placement and maintenance of more public art in the downtown area.
19. The Project will create a job outreach and training program that will provide opportunities for local and low-income residents to secure jobs generated by the construction and operation of the Project through, among other ways, hiring and apprentice goals, coordination with the applicable unions, and on-the-job training requirements for such resident workers.
20. The Project will implement and satisfy numerous objectives of the Bunker Hill Redevelopment Plan (as listed in greater detail in Section V of the Findings and hereby incorporated into this SOC), including, but not limited to, the development of a project with a maximum density commensurate with the highest standards of architecture and landscape design aimed at creating a pleasant living and working environment.

Each and all of the findings and determinations contained herein are based on the competent and substantial evidence, both oral and written, contained in the entire record relating to the FEIR. All of the language included in these Findings constitutes findings by the Authority, whether or not any particular sentence or clause includes a statement to that effect. All summaries of information in these Findings are based on the entire record of the proceedings, and the absence of any particular fact from any such summary herein is not an indication that a particular finding is not based, in part, on that fact.

The Authority's analysis and evaluation of the FEIR and the Project is based on the best information currently available. This practical limitation is acknowledged in CEQA Guideline 15151, which provides that "the sufficiency of an EIR is to be reviewed in light of what is feasible."

**FINDINGS OF FACT (SUBDIVISION MAP ACT)**

In connection with the approval of Tentative Tract Map No. 67490, the Advisory Agency of the City of Los Angeles, pursuant to Sections 66473.1, 66474.60, .61 and .63 of the State of California Government Code (the Subdivision Map Act), makes the prescribed findings as follows:

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

The Tentative Tract Map was prepared by a licensed land surveyor and contains the required components, dimensions, areas, notes, legal description, ownership, applicant and site address information as required by the Los Angeles Municipal Code and Subdivision Map Act. The Tentative Tract Map describes and illustrates land uses consistent with those described in the "Grand Avenue Environmental Impact Report" (SCH No. 2005 091041) for Parcel "Q" and the proposed entitlements described in City Planning Commission Case No. CPC-2006-9702-ZC-CU-CUB-CUX-ZV-DA. Approval of this Tentative Tract Map is contingent upon the recommendations of the City Planning Commission for final approval by the City of Los Angeles' City Council for the proposed entitlements directly associated with Parcel "Q" and any other applicable agreements, contracts and necessary approval processes executed by the Grand Avenue Authority, The Community Redevelopment Agency, The County of Los Angeles and the City of Los Angeles. Therefore, the proposed map is substantially consistent with the applicable General and Specific Plans affecting the project site and demonstrates compliance with Section 17.01 et. seq. and Section 17.05 (C) of the Los Angeles Municipal Code.

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

Pursuant to Section 66418 of the Subdivision Map Act, "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.

The proposed subdivision demonstrates through its design, compliance with Section 17.05(C) of the Los Angeles Municipal Code and Section 66418 of the Subdivision Map Act. Section 17.05(C) of the Los Angeles Municipal Code enumerates design standards for Subdivisions and requires that each Tentative Tract Map be designed in compliance with the zoning applying to the subject

property. The proposed Tentative Tract Map demonstrates compliance with the applicable zoning as follows:

The Community Plan designates the subject property for Regional Center Commercial Land uses with the corresponding R5-4D and C2-4D Zones. The project proposes a Zone Change for Parcel Q from R5-4D to C2-4D, consistent with the Regional Center Commercial Land Use Designation. Parcel Q contains approximately 3.02 net acres (131,525 net square feet) and would contain one master lot and 19 airspace lots for the construction of 400 residential condominium units and 100 apartment units (a grand total of 500 residential units), 284,000 square feet of commercial/retail, and a 275-room hotel. A total of 1,510 parking spaces would be provided. Furthermore, 20% of the total proposed residential units would be provided as affordable residential units (35% set aside for extremely low-income and 65% for very low-income). In consideration of the concurrent City Planning Commission case (recordation of the Final Map is contingent upon the recommendations of the City Planning Commission and final approval by the City of Los Angeles' City Council), the project is consistent with the land use designation and proposed zoning for Parcel Q. The project would be subject to the conditions and requirements of the Lead Agency and Responsible Agencies identified in the "Grand Avenue" Environmental Impact Report and would be further bound to the Conditions of Approval required by the Advisory Agency and to the provisions of the Development Agreement.

The project is also subject to specific design and improvement conditions (e.g., street dedications, improvements, street lighting, sewer connection, infrastructure improvements, etc.) as listed under the Tract's "Conditions of Approval." Performance of certain conditions must be demonstrated prior to the recordation of the Final Tract Map while others are demonstrated prior to a specific permit or Certificate of Occupancy. Therefore, as conditioned, the design and improvement of the proposed subdivision would be consistent with the intent and purpose of the applicable General and Specific Plans as expressed in Section 17.05(C) of the Los Angeles Municipal Code.

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

Parcel Q contains approximately 225,295 gross square feet of land and would result in a net area of 131, 525 square feet after required street dedications. The site is located within a Hillside Grading District and would be subject to numerous geological measures required by the Department of Building and Safety, Grading Division, to satisfy the City's Grading Regulations as enumerated under Section 91.3000 of the Los Angeles Municipal Code (Division 70 of the Building Code). The proposed Tract Map's lot areas are consistent with Sections 12.14-C,3 and 12.12-C,4 of the Los Angeles Municipal Code.

The subject site lies within Flood Zone "C" which is identified as an area of minimal flooding as shown on Flood Insurance Rate Map Community Panel No. 060137 0074C. The project site is not subject to the Specific Plan for the Management of Flood Hazards (floodways, floodplains, mud prone areas, coastal high-hazard and flood-related erosion hazard areas).

The project was subject to an Environmental Impact Report ("EIR") conducted by the Grand Avenue Authority (State Clearinghouse Number No. 2005 091041). The environmental analyses contained in the EIR establishes that the physical characteristics of the site and surrounding area is conducive for the type of development proposed relative to the site's existing urban character, applicable land use regulations and zoning. The EIR identifies that the physical implementation of the project would cause significant impacts on the environment. However, Mitigation Measures identified in the FEIR, are incorporated into the project's conditions of approval to minimize the environmental impacts to less than significant levels. Said Mitigation Measures have been adopted by the Advisory Agency as indicated in the CEQA Findings ("Findings of Fact (CEQA)") of this decision.

The proposed Project includes an Equivalency Program that would allow the composition of on-site development to be modified to respond to future needs in a manner that would not increase the project's impacts on the environment. The Equivalency Program would provide flexibility for modifications to land uses and square footages for parcel "Q" relative to the other three tract maps that are part of the whole project defined as "The Grand Avenue Project" (Tentative Tract's 67490, 67491, and 67492). Within this framework, land uses can be exchanged for certain other permitted land uses so long as the limitations of the Equivalency Program are adhered to, which limitations were designed so no additional environmental impacts would occur. Thus, all permitted Project land use increases can be exchanged for corresponding decreases of other land uses under the proposed Equivalency Program without any further CEQA review.

This equivalency program was analyzed in the FEIR to confirm that exchange of Project uses set forth in the program can occur without the need for subsequent CEQA analysis. Proposed exchanges under the equivalency program would be implemented through the City of Los Angeles, Department of City Planning procedures. These procedures ensure that any exchanges occurring in the future are within the scope of the FEIR's equivalency program. Therefore, material evidence supports that the project site is 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 applying to subject sites throughout the city, are allocated based on the type of land use, physical suitability and population growth that is expected to occur. The proposed C2-4D Zone affecting the project site permits the proposed densities as follows:

There are no minimum lot area requirements for the C2 Zone where commercial uses are proposed. However, residential uses permitted in the C2 Zone are subject to lot area requirements. Section 12.22-A,18(a) of the Los Angeles Municipal Code provides that any land use permitted in the R5 Zone be permitted on project sites where the General Plan Land Use Designation is identified as Regional Center Commercial or within any Redevelopment Project Area within the Central City Community Plan.

The density of 400 residential condominium units and 100 residential apartment units (a grand total of 500 residential units) is consistent with the general provisions and area requirements of the Planning and Zoning Code (Section 12.12-C,4 of the LAMC). The project's proposed 275-room hotel and 284,000 square feet of commercial space is also consistent with section 12.14 et seq. of the Los Angeles Municipal Code (Planning and Zoning Code). Additionally, the project falls within the scope of those uses analyzed in the Grand Avenue Environmental Impact Report and as adopted by the City Council.

The proposed Project includes an Equivalency Program that would allow the composition of on-site development to be modified to respond to future needs in a manner that would not increase the Project's impacts on the environment. The Equivalency Program would provide flexibility for modifications to land uses and square footages within the five parcels. Within this framework, land uses can be exchanged for certain other permitted land uses so long as the limitations of the Equivalency Program are adhered to, which limitations were designed so no additional environmental impacts would occur. Thus, all permitted Project land use increases can be exchanged for corresponding decreases of other land uses under the proposed Equivalency Program without any further CEQA review.

This equivalency program was analyzed in the FEIR to confirm that the exchange of Project uses set forth in the program can occur without the need for subsequent CEQA analysis. Proposed exchanges under the equivalency program would be implemented through the City of Los Angeles, Department of City Planning procedures.

Based on the density proposed, land uses in the vicinity and the environmental impact report, this subdivision would be consistent with the General Plan and proposed zoning for the development. There are no known physical impediments or hazards that would be materially detrimental to the public welfare or injurious to the property or improvements in the same zone or vicinity in which the property is located as a result of the project's proposed density. Therefore, the site is physically suitable for the proposed density of development.



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

On November 20, 2006, the Los Angeles Grand Avenue Authority (Authority) certified the Grand Avenue Final Environmental Impact Report (FEIR) (State Clearinghouse No. 2005091041), stating the FEIR was completed in compliance with the California Environmental Quality Act, Public Resources Code Section 21000 et seq., the CEQA Guidelines, and all applicable local guidelines concerning the application and implementation of that statute.

The Environmental Impact Report identifies no potential adverse impacts to fish or wildlife resources as far as earth, air, water, plant life, animal life, or risk of upset to these resources is concerned. The project site is presently developed with a parking structure and similar structures associated with urban uses; these land uses do not provide for natural habitat for fish or wildlife. With regards to impact categories identified in the environmental impact report as having potentially significant or significant impacts, Mitigation Measures identified in the FEIR to mitigate said impacts, have been incorporated into the project's conditions of approval. Mitigation Monitoring and other procedures and processes will be implemented to ensure the performance of all Mitigation Measures. Mitigation Monitoring is indicated as Condition No. 25 of this subdivision project approval.

Furthermore, the CEQA Findings of this decision and indicated in the staff report presented at the public hearing on March 29, 2007 ("Finding of Fact (CEQA)"), establish that the Lead Agency used its independent judgment in reviewing, adopting and certifying the FEIR, based on the finding that the FEIR is adequate and in conformance with the applicable provisions of the CEQA Guidelines. Therefore, in light of the whole record, the proposed project would not cause substantial environmental damage or substantially and unavoidably injure fish or wildlife and/or their habitat.

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

The Grand Avenue Environmental Impact Report establishes that no potential public health problems would be caused by the design or improvement of the proposed subdivision. The project is subject to setback and yard requirements, the Fire Code, and other health and safety related requirements as mandated by law. The development is required to be connected to the City's sanitary sewer system, where the sewage will be directed to the LA Hyperion Treatment Plant, which is currently being upgraded to meet Statewide ocean discharge standards. The Bureau of Engineering has reported that the proposed subdivision does not

violate the existing California Water Code because the subdivision will be connected to the public sewer system and will have only a minor incremental impact on the quality of the effluent from the Hyperion Treatment Plant. Therefore, the design of the subdivision and the proposed improvements are not likely to cause serious public health problems.

- (g) THE DESIGN OF THE SUBDIVISION AND THE PROPOSED IMPROVEMENTS WILL NOT CONFLICT WITH EASEMENTS ACQUIRED BY THE PUBLIC AT LARGE FOR ACCESS THROUGH OR USE OF PROPERTY WITHIN THE PROPOSED SUBDIVISION.

There are no recorded instruments identifying easements encumbering the project site for the purpose of requiring access by the public at large. The project site contains legally recorded lots as identified by the Assessor Parcel Record and Assessor Parcel Map - Map No. 5149-010-946. The site is surrounded by private and public properties that adjoin improved public streets and sidewalks designed and required by the City of Los Angeles to provide public access throughout the area. The project site does not adjoin or provide access to a public resource, natural habitat, Public Park or any officially recognized public recreation area. The project design encourages pedestrian oriented uses, including public amenities and a public park. Therefore, the design of the subdivision and the proposed improvements would not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.

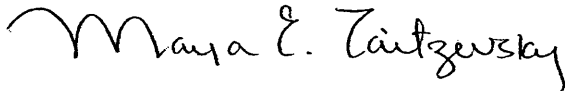
- (h) THE DESIGN OF THE PROPOSED SUBDIVISION WILL PROVIDE, TO THE EXTENT FEASIBLE, FOR FUTURE PASSIVE OR NATURAL HEATING OR COOLING OPPORTUNITIES IN THE SUBDIVISION. (REF. SECTION 66473.1)

In assessing the feasibility of passive or natural heating or cooling opportunities in the proposed subdivision design, the applicant has prepared and submitted materials which consider the local climate, contours, configuration of the parcel(s) to be subdivided and other design and improvement requirements.

Providing for passive or natural heating or cooling opportunities will not result in reducing allowable densities or the percentage of a lot which may be occupied by a building or structure under applicable planning and zoning in effect at the time the tentative map was filed. The lot layout of the subdivision has taken into consideration the maximizing of the north/south orientation. The topography of the site has been considered in the maximization of passive or natural heating and cooling opportunities. In addition, prior to obtaining a building permit, the subdivider shall consider building construction techniques, such as overhanging eaves, location of windows, insulation, exhaust fans; planting of trees for shade purposes and the height of the buildings on the site in relation to adjacent development.

These findings shall apply to both the tentative and final maps for Tract Map No. 67490.

S. Gail Goldberg, AICP  
Advisory Agency



MAYA ZAITZEVSKY  
Deputy Advisory Agency

MZ:NH:(jh)

**Note:** If you wish to file an appeal, it must be filed within 10 calendar days from the decision date as noted in this letter. For an appeal to be valid to the City Planning Commission, it must be accepted as complete by the City Planning Department and appeal fees paid, prior to expiration of the above 10-day time limit. Such appeal must be submitted on Master Appeal Form No. CP-7769 at the Department's Public Offices, located at:

Figueroa Plaza  
201 N. Figueroa St., 4<sup>th</sup> Floor  
Los Angeles, CA 90012  
213.482.7077

Marvin Braude San Fernando  
Valley Constituent Service Center  
6262 Van Nuys Blvd., Room 251  
Van Nuys, CA 91401  
818.374.5050

**Forms are also available on-line at [www.lacity.org/pln](http://www.lacity.org/pln).**

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.

If you have any questions, please call Subdivision staff at (213) 978-1362.

DEPARTMENT OF  
CITY PLANNING  
200 N. SPRING STREET, ROOM 525  
LOS ANGELES, CA 90012-4801

CITY PLANNING COMMISSION

JANE ELLISON USHER  
PRESIDENT  
WILLIAM ROSCHEN  
VICE-PRESIDENT  
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CINDY MONTANEZ  
MICHAEL K. WOO  
GABRIELE WILLIAMS  
COMMISSION EXECUTIVE ASSISTANT  
(213) 978-1300

CITY OF LOS ANGELES  
CALIFORNIA



ANTONIO R. VILLARAIGOSA  
MAYOR

EXECUTIVE OFFICES

S. GAIL GOLDBERG, AICP  
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DEPUTY DIRECTOR  
(213) 978-1273

FAX: (213) 978-1275

INFORMATION  
(213) 978-1270  
[www.lacity.org/PLN](http://www.lacity.org/PLN)

Decision Date: June 22, 2007

Appeal Period Ends: July 2, 2007

David Janssen  
County of Los Angeles (O)  
500 West Temple Street, Room 713  
Los Angeles, CA 90012

Duane Cameron  
System Property Development Co. (O)  
c/o Munger, Tolles & Olson LLP /  
O'Malley Miller  
355 S. Grand Avenue, 35<sup>th</sup> Street  
Los Angeles, CA 90071

Beatrice Hsu  
The Related Companies (A)  
333 S. Grand Avenue, Suite 4050  
Los Angeles, CA 90071

Jennifer Yakubik & John Chiappe (E/R)  
PSOMAS  
11444 West Olympic Blvd., Suite 750  
Los Angeles, CA 90064

Tentative Tract Map No. 67491  
Related Cases: TT-67490 and TT-67492  
Incidental Case: CPC-2006-9702-ZC-CU-  
CUB-CUX-ZV-DA  
Address: 130 S. Olive Street  
Council District: 9  
Existing Zone: C2-4D and R5-4D  
Community Plan: Central City  
CEQA No.: "Grand Avenue Final EIR"  
SCH 2005091041

In accordance with provisions of Section 17.03 of the Los Angeles Municipal Code, the Advisory Agency approved Tentative Tract Map No. 67491 composed of 2 master lots and 27 airspace lots, located at 130 S. Olive Street for a maximum of either 1) 720 residential units, 20% of which shall be affordable apartment units with 50% at very low and 50% at low income levels, 64,000 square feet of commercial/retail, and 681,000 square feet of commercial office with a total of 1,955 parking spaces; or 2) 1,310 residential units, 20% of which shall be affordable apartment units with 50% at very low and 50% at low income levels, and 64,000 square feet of commercial/retail with a total of 2,175 parking spaces, as shown on map stamp-dated December 21, 2006 in the Central City Community Plan. This unit density is based on the C2 Zone and the approval of Case No. CPC-2006-9702-ZC-CU-CUB-ZV-DA. (The subdivider is hereby advised that the Municipal Code may not

**EXHIBIT 5B**

permit this maximum approved density. Therefore, verification should be obtained from the Department of Building and Safety, which will legally interpret the Zoning code as it applies to this particular property.)

An approved Equivalency Program described in the Grand Avenue Final Environmental Impact Report (State Clearinghouse No. 2005091041), allows for modifications to land uses and square footages within and between Tentative Tract Map Nos. 67490, 67491, and 67492. All permitted project land use increases can be exchanged for corresponding decreases of other land uses under the approved Equivalency Program. Any modifications to land uses and square footages shall be within the constraints and limitations of the Equivalency Program. Furthermore, pursuant to the Disposition and Development Agreement ("DDA") approved by the Grand Avenue Joint Powers Authority, twenty percent (20%) of all residential units in this tentative tract map (TT-67490) shall be affordable.

For an appointment with the Advisory Agency or a City Planner call (213) 978-1362. The Advisory Agency's approval is subject to the following conditions:

**NOTE** on clearing conditions: When two or more **agencies** must clear a condition, subdivider should follow the sequence indicated in the condition. For the benefit of the applicant, subdivider shall maintain record of all conditions cleared, including all material supporting clearances and be prepared to present copies of the clearances to each reviewing agency as may be required by its staff at the time of its review.

#### **BUREAU OF ENGINEERING - SPECIFIC CONDITIONS**

1. That a 7-foot wide strip of land be dedicated along 1<sup>st</sup> Street adjoining the subdivision to complete a 57-foot wide half right-of-way dedication in accordance with Major Highway Standards, including 20-foot radius property line returns at the intersection with Hill Street and with Olive Street all satisfactory to the City Engineer.
2. That a portion of Olive Street between elevations of 390 feet and 408 feet as shown on the tentative map be permitted to be merged with the remainder of the subdivision pursuant to Section 66499.20-1/2 of the State Government Code. The exact limits of the merger area shall be determined during the revised map process. In addition, the following be done and be 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: The Advisory Agency hereby finds that the dedications to be merged are unnecessary for present or prospective public purposes and all owners of the interest in the real property within the subdivision have or will have consented to the merger prior to the recordation of the final map.

3. That a set of drawings be submitted to the City Engineer showing the followings:
  - a. Plan view at different elevations.
  - b. Isometric views.
  - c. Elevations views.
  - d. Section cuts at all locations where air space lot boundaries change.
4. That the owners of the property record an agreement satisfactory to the City Engineer stating that they will grant the necessary 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 a safe condition for use at all times.
5. That the subdivider make a request to the Central District Office of the Bureau of Engineering to determine the capacity of the existing sewers in this area.
6. That the petitioners record a covenant and agreement to run with the land pertaining to the pedestrian bridge over Olive Street to include the following:
  - a. That the owners be required to maintain and support all elements of the pedestrian bridge within the proposed airspace merger area as well as structures in the private property that support the pedestrian bridge for safety and usability to the satisfaction of the City Engineer. An annual fee of \$0.10 per plan square foot (with automatic annual escalation proportioned to the cost of Living index) shall be paid to the City Engineer for the purposes of City inspection of the facilities. The City shall be given reasonable access to the structure within and adjacent to the vacation area for this purpose upon request during normal business hours. The City may request the owners to repair or replace damaged, defective or unsafe structural elements or to correct unacceptable conditions at the owners' expense. The City may make such repairs at the owner's expense if the owner elects not to do so or does not respond within a reasonable time. Owners shall grant reasonable access to the City's contractor to make said repairs.
  - b. That the owners be required to limit use and occupancy of the structure within the merged airspace area to pedestrian bridges and retail space. No storage of combustibles will be allowed, nor will any other use or occupancy be allowed except as approved in writing by the Department of Building and Safety and the Department of Public Works.
7. That the following conditions regarding the pedestrian bridge within the merged airspace area above Olive Street be complied with satisfactory to the City Engineer:

- a. That the owners obtain approval of the City Engineer for any substantial structural modification within the area and for any structural element outside the merged area which provides lateral or vertical support to the structures within the merged area.
  - b. That plans of structural details shown on standard size City sheets and structural calculations of the bridge structures, both signed by a Civil or Structural Engineer registered in the State of California, be submitted to the City Engineer for review and approval.
  - c. That a Class "B" permit be obtained from the Bureau of Engineering and that a deposit be made with said Bureau sufficient to cover the City's cost for plan checking, construction inspection, and incidental costs relative thereto.
  - d. That a building permit from the Department of Building and Safety be obtained for the construction of the portion of the structure located within the private property.
  - e. That the owners provide and maintain a policy of general liability insurance in an amount not less than \$2,000,000.00 combined single limit per occurrence. Evidence of such insurance shall be on the City's General Liability Special Endorsement form or other form acceptable to the City Attorney and shall provide coverage for premises/operations and contractual liability.
  - f. That a Waiver of Damages agreement and an Indemnification Agreement and Right of Ingress and Egress - Covenant to run with the land be executed by the owners and submitted to the Bureau of Engineering for approval, and subsequently be recorded relieving the City of any liability arising from the construction, maintenance and use of the proposed pedestrian bridge structure, unless such damage is primarily caused by the City's willful misconduct or gross negligence. The forms to be used for these agreements shall be obtained from the Bureau of Engineering, Central District office, 201 N. Figueroa Street, Revocable Permit Section, Los Angeles, California 90012.
  - g. That a minimum clearance of 20 feet under the bridge to the roadway of Olive Street be provided at all points of the bridge from curb to curb in the vehicular lanes.
8. That a soil and geology report be submitted to the Geotechnical Engineering Group of the Bureau of Engineering for their review and approval which may add additional relevant conditions.
  9. That a revised map be submitted for information purposes satisfactory to the City Engineer and Advisory Agency showing the exact locations, including upper and

lower elevations, of merger areas. This revised map will be used for the final map checking process and should show only one master lot.

#### DEPARTMENT OF BUILDING AND SAFETY, GRADING DIVISION

10. 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, Soils File 2, dated March 27, 2007 and attached to the case file for Tract No. 67491.

#### DEPARTMENT OF BUILDING AND SAFETY, ZONING DIVISION

11. That 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. Parking is required for the existing structures and uses to remain. Show location of all parking spaces and access driveways. Dimension all parking spaces.
  - b. Provide copy of building permit records, plot plan, certificate of occupancy for all the existing buildings on the lot to clarify the last legal use and the required parking spaces. Records can be obtained at 201 North Figueroa Street Room 110, Los Angeles, CA 90012.
  - c. Show all street dedication(s) 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.
  - d. Indicate the type of construction and building dimensions for the buildings on the site.
  - e. 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.
  - f. Submit a revised map that dimensions each air space lot with a finite width, length, and upper and lower elevations. The final map shall be based upon a site plan which accurately describes the location of such lots.
  - g. Provide a copy of [D] condition(s). Show compliance with the above condition(s) as applicable or Department of City Planning approval is required.



Notes: The existing or proposed building plans have not been checked for Building or Zoning Code requirements. Any vested approvals for parking layouts, open space, required yards or building height, should be "to the satisfaction of the Department of Building and Safety at the time of Plan Check."

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

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 Cabrera at (213) 482-0474 to schedule an appointment.

## DEPARTMENT OF TRANSPORTATION

12. That prior to recordation of the final map, satisfactory arrangements shall be made with the Department of Transportation to assure:
  - a. The applicant complies with Traffic Impact Assessment report for the proposed Grand Avenue Project as stated in the September 8, 2006 DOT letter to Martha Welborne, Los Angeles Grand Avenue Authority.
  - b. A minimum of 60-foot and 40-foot reservoir space(s) be provided between any ingress security gate(s) and the property line when driveway is serving more than 300 and 100 parking spaces respectively.
  - c. Parking stalls shall be designed so that a vehicle is not required to back into or out of any public street or sidewalk.
  - d. 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 Suite 400, Station 3.

## FIRE DEPARTMENT

13. That prior to the recordation of the final map, a suitable arrangement shall be made satisfactory to the Fire Department, binding the subdivider and all successors to the following:
  - a. Submittal of plot plans for Fire Department review and approval prior to recordation of Tract Map Action.

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

#### **DEPARTMENT OF WATER AND POWER**

14. 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).)

#### **BUREAU OF SANITATION**

15. Satisfactory arrangements shall be made with the Bureau of Sanitation, Wastewater Collection Systems Division for compliance with its sewer system review and requirements. Upon compliance with its conditions and requirements, the Bureau of Sanitation, Wastewater Collection Systems Division will forward the necessary clearances to the Bureau of Engineering. (This condition shall be deemed cleared at the time the City Engineer clears Condition No. S-1. (d).)

#### **INFORMATION TECHNOLOGY AGENCY**

16. That satisfactory arrangements be made in accordance with the requirements of the Information Technology Agency to assure that cable television facilities will be installed in the same manner as other required improvements. Refer to the Los Angeles Municipal Code Section 17.05N. Written evidence of such arrangements must be submitted to the Information Technology Agency, 200 N. Main Street, 12<sup>th</sup> Floor, Los Angeles, CA 90012, (213) 922-8363.

#### **DEPARTMENT OF RECREATION AND PARKS**

17. That the Quimby fee be based on the C2 Zone.

#### **URBAN FORESTRY DIVISION AND THE DEPARTMENT OF CITY PLANNING**

18. Prior to the issuance of a grading permit, a plot plan prepared by a reputable tree expert, indicating the location, size, type, and condition of all existing trees on the site shall be submitted for approval by the Department of City Planning. All trees in the public right-of-way shall be provided per the current Urban Forestry Division standards.

Replacement by a minimum of 36-inch box trees in the parkway and on the site of the (12) twelve trees to be removed, shall be required for the unavoidable loss of

desirable trees on the site, and to the satisfaction of the Advisory Agency.

**Note:** Removal of all trees in the public right-of-way shall require approval of the Board of Public Works. Contact: Urban Forestry Division at: 213-485-5675. Failure to comply with this condition as written shall require the filing of a modification to this tract map in order to clear the condition.

#### DEPARTMENT OF CITY PLANNING-SITE SPECIFIC CONDITIONS

19. Prior to 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 a maximum of: 1) 720 residential units, 20% of which shall be affordable apartment units with 50% at very low and 50% at low income levels, 64,000 square feet of commercial/retail, and 681,000 square feet of commercial office with a total of 1,955 parking spaces; or 2) 1,310 residential units, 20% of which shall be affordable apartment units with 50% at very low and 50% at low income levels, 64,000 square feet of commercial/retail with a total of 2,175 parking spaces.
  - b. In addition, prior to issuance of a building permit, a parking plan showing off-street parking spaces, as required by the Advisory Agency, be submitted for review and approval by the Department of City Planning (200 No. Spring Street, Room 750).
  - c. In accordance with the Equivalency Program contained in the Final EIR (State Clearinghouse No. 2005091041) for the project, land uses can be exchanged for certain other permitted land uses within and between Tentative Tract Maps 67490, 67491 and 67492 so long as the limitations of the Equivalency Program are satisfied and no additional environmental impacts occur. All permitted land use increases can also be exchanged for corresponding decreases of other land uses. The Department of City Planning shall be the implementing agency for the Program.
  - d. The applicant shall install an air filtration system(s) to reduce the effects of diminished air quality on occupants of the project.
  - e. That a solar access report shall be submitted to the satisfaction of the Advisory Agency prior to obtaining a grading permit.
  - f. 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.

- g. Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material.
  - h. The applicant shall install shielded lighting to reduce any potential illumination affecting adjacent properties.
  - i. Prior to the clearance of any tract map conditions, the applicant shall show proof that all fees have been paid to the Department of City Planning, Expedited Processing Section.
20. That prior to the issuance of the building permit or the recordation of the final map, a copy of the CPC-2006-9702-ZC-CU-CUB-CUX-ZV-DA shall be submitted to the satisfaction of the Advisory Agency. In the event that CPC-2006-9702-ZC-CU-CUB-CUX-ZV-DA is not approved, the subdivider shall submit a tract modification.
21. That the subdivider shall make suitable arrangements for clearance with the Community Redevelopment Agency for the Bunker Hill Redevelopment Project area.

#### DEPARTMENT OF CITY PLANNING-ENVIRONMENTAL MITIGATION MEASURES

22. That prior to 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 requiring the subdivider to identify mitigation monitors who shall provide periodic status reports on the implementation of mitigation items required by Mitigation Condition No. 23 of the Tract's approval satisfactory to the Advisory Agency. The mitigation monitors shall be identified as to their areas of responsibility, and phase of intervention (pre-construction, construction, post-construction/maintenance) to ensure continued implementation of the above mentioned mitigation items. Subject to review and approval by the Department of City Planning/Advisory Agency, the subdivider may satisfy this requirement by submitting the Mitigation monitoring Program previously approved by the Joint Powers Authority, as further described at Page 134, Section 1.9 of this Report.
23. Prior to the recordation of the final map, the subdivider will 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:

Aesthetics and Visual Resources

- MM-1 During Project construction, the Developer, with regard to the five development parcels, shall ensure, through appropriate postings and daily visual inspections, that no unauthorized materials remain posted on any temporary construction barriers or temporary pedestrian walkways, and that any such temporary barriers and walkways are maintained in a visually attractive manner throughout the construction period. The City's Department of Building and Safety or other appropriate City agency or department, shall determine compliance with this measure with regard to construction associated with the five development parcels.
- MM-2 Prior to the start of each construction work phase, the developer, with regard to the five development parcels, shall prepare and implement a tree replacement plan should mature trees along Grand Avenue be impacted by Project construction. Existing mature trees shall be replaced at a ratio of not less than 1:1, to the extent consistent with the final streetscape design. The City's Department of Building and Safety or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels.
- MM-4 Prior to the start of each construction work phase, the developer, with regard to the five development parcels, shall schedule and coordinate sidewalk construction with the development of the adjacent parcels to reduce the duration and visual impact of construction activities. Scheduling of construction activities for the five development parcels shall be reviewed and approved by the Authority and implemented by the responsible parties.
- MM-5 Prior to the start of each construction work phase, the developer, with regard to the five development parcels, shall submit a design plan and technical analysis prepared by the Project's architect as part of the building permit submission that demonstrates that the final selection of building materials for the five development parcels shall not create a significant glare impact on any offsite sensitive uses, including line-of-sight glare on any street or commercial, residential, or cultural use. The approved design plan shall be implemented by the developer with regard to the five development parcels. The design plan and technical study shall be reviewed and approved by the Authority.
- MM-6 Prior to each construction phase, the developer with regard to the five development parcels, shall prepare, and, thereafter, implement plans and specifications to ensure that architectural lighting is directed onto the building surfaces and have low reflectivity in accordance with

Illuminating Engineers Society (IES) standards to minimize glare and limit light onto adjacent properties.

- MM-7 Prior to the start of each construction work phase, the developer, with regard to the five development parcels, shall submit to the Authority or other appropriate agency, for review and approval, building plans and specifications that demonstrate that all ventilation, heating and air conditioning ducts, tubes, and other such mechanical equipment shall be screened from the line-of-sight from the street. Approved building plans and specifications shall be implemented by the responsible parties.
- MM-8 Prior to the start of each construction work phase, the developer, with regard to the five development parcels, shall submit design plans that demonstrate that all utility lines and connections are constructed underground. Approved utility plans and connections with regard to the five development parcels shall be reviewed and approved by the Authority. Approved utility lines and connections shall be implemented by the responsible parties.
- MM-9 Prior to construction, the developer, with regard to the five development parcels, shall submit design plans for trash collection areas to the Authority for review and approval. Trash collection areas shall be screened from line of sight from the street. Approved design plans shall be implemented by the developer.
- MM-10 Prior to the start of each construction work phase, the developer, with regard to the five development parcels shall prepare architectural plans that shall be reviewed and approved by the Authority such that all ground-level building fixtures, including, but not limited to, security gates, landscape light fixtures, pedestrian lights, air intake shafts, and other appurtenances are integrated into the architectural theme and/or design of the respective Project components. Approved architectural plans shall be implemented by the developer and the responsible parties.

#### Air Quality

- MM-11 During each construction phase, the developer, with regard to the five development parcels, shall implement a fugitive dust control program pursuant to the provisions of SCAQMD Rule 403. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with SCAQMD Rule 403 during construction with regard to construction associated with the five development parcels. The SCAQMD retains jurisdiction to enforce this measure in the case of

non-compliance. Compliance with the applicable provisions of Rule 403 shall include, but not be limited to, using best available control measures listed in Table 1 of Rule 403 to minimize fugitive dust emissions from each fugitive dust source type within active operations, and will include at least the following specific best management practices (BMPs):

- Water soils daily and not more than 15 minutes prior to earth moving activities;
- Water surfaces two times per day or more in order to maintain a surface crust to prevent soil erosion;
- Apply soil conditioners or vegetative cover to areas that will be exposed for an extended duration;
- Apply chemical stabilizers within five working days of ceasing grading;
- Install approved trackout prevention devices and provide street sweeping within the Project area;
- Securely cover truck loads with a tarp;
- Cease grading activities when wind speeds exceed 25 miles per hour; and
- Permanently seal exposed surfaces as soon as possible after grading is finished; and
- Provide temporary wind fencing, consisting of wrapped chain link or solid fencing, around the sites that are being graded/excavated to reduce dirt/dust from being blown over to adjoining properties.

MM-12 During each construction phase, the developer, with regard to the five development parcels, shall utilize coatings and solvents that are consistent with applicable SCAQMD rules and regulations. The City's Department of Building and Safety, or other appropriate City agency or department, shall provide oversight with regard to compliance with this measure with regard to construction associated with the five development parcels. The SCAQMD retains jurisdiction to enforce this measure in the case of non-compliance.

MM-13 During each construction phase, the developer, with regard to the five development parcels, shall comply with SCAQMD Rule 402 to reduce potential nuisance impacts due to odors from construction activities. The City's Department of Building and Safety, or other appropriate City agency or department, shall provide oversight with regard to compliance with this measure with regard to construction associated with the five development parcels. The SCAQMD retains jurisdiction to enforce this measure in the case of non-compliance.

- MM-14 During each construction phase, the developer, with regard to the five development parcels, shall ensure that all haul truck tires shall be cleaned at the time these vehicles exit the Project site. The City's Department of Building and Safety, or other appropriate City agency or department, shall provide oversight with regard to compliance with this measure with regard to construction associated with the five development parcels. The SCAQMD retains jurisdiction to enforce this measure in the case of non-compliance.
- MM-15 During each construction phase, the developer, with regard to the five development parcels, shall ensure that all export material carried by haul trucks shall be covered by a tarp or other means. The City's Department of Building and Safety, or other appropriate City agency or department, shall provide oversight with regard to compliance with this measure with regard to construction associated with the five development parcels. The SCAQMD retains jurisdiction to enforce this measure in the case of non-compliance.
- MM-16 During each construction phase, the developer, with regard to the five development parcels, shall ensure that all construction equipment shall be properly tuned and maintained in accordance with manufacturer's specifications. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to construction associated with the five development parcels.
- MM-18 During each construction phase, the developer, with regard to the five development parcels, shall ensure that construction equipment is maintained and operated so as to minimize exhaust emissions. During construction, trucks and vehicles in loading and unloading queues shall turn off their engines, when not in use, to reduce vehicle emissions. Construction emissions shall be phased and scheduled to avoid emissions peaks and discontinued during second-stage smog alerts. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to construction activities associated with the five development parcels.
- MM-17 During each construction phase, the developer, with regard to the five development parcels, shall ensure that electricity rather than temporary diesel- or gasoline-powered generators shall be used to the extent feasible. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to construction associated with the five development parcels.



- MM-18 During each construction phase, the developer, with regard to the five development parcels, shall ensure that all construction vehicles shall be prohibited from idling in excess of five minutes, both on- and off-site. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to construction associated with the five development.
- MM-19 During each construction phase, the developer, with regard to the five development parcels, shall ensure that heavy-duty construction equipment shall use alternative clean-fuels, such as low sulfur diesel or compressed natural gas with oxidation catalysts or particulate traps, to the extent feasible. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels.
- MM-20 During each construction phase, the developer, with regard to the five development parcels shall ensure that shuttle service shall be provided to construction workers who are required to park in offsite parking lots if such lots are not within a walking distance of 1100 feet from the respective construction sites. CRA/LA shall determine compliance with this measure with regard to construction associated with the five development parcels.
- MM-21 During each construction phase, the developer, with regard to the five development parcels, shall equip major earth moving equipment, haul trucks, and excavation equipment with particulate filters and catalytic converters. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to construction associated with the five development parcels.
- MM-22 During each construction phase, the developer with regard to the five development parcels, shall ensure that building materials, architectural coatings and cleaning solvents shall comply with all applicable SCAQMD rules and regulations. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to construction associated with the five development parcels. The SCAQMD shall be responsible for the enforcement of this measure for all Project components in the case of non-compliance.
- MM-23 During Project operations, the developer, with regard to the five development parcels, shall, to the extent feasible, ensure that deliveries are scheduled during off-peak traffic periods to encourage the reduction

of trips during the most congested periods. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure, with regard to construction associated with the five development parcels.

- MM-24 During Project operations, the developer, with regard to the five development parcels, shall coordinate with the MTA and the Los Angeles Department of Transportation to provide information to Project employees, residents and guests with regard to local bus and rail services. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to construction associated with the five development parcels.
- MM-25 Provide the appropriate number of bicycle racks located at convenient locations in the Project site. The developer shall implement this measure with regard to the five development parcels prior to initial building occupancy for each construction phase. The City's Department of Safety shall review and approve the number and location of the bicycle racks with regard to the five development parcels.
- MM-26 The developer, with regard to the five development parcels, shall provide convenient pedestrian access throughout the Project site. The Developer shall implement this measure with regard to the five development parcels prior to initial building occupancy for each construction phase. Pedestrian access plans shall be submitted to the Authority, for review and approval. Approved pedestrian access plans shall be implemented by the responsible parties.
- MM-27 During on-going Project operations, the developer, with regard to the five development parcels, shall ensure that all fixtures used for lighting of exterior common areas shall be regulated by automatic devices to turn off lights when they are not needed, but a minimum level of lighting should be provided for safety. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this mitigation measure with regard to the five development parcels.
- MM-28 During Project operations, the developer, with regard to the five development parcels, shall ensure that all point source facilities shall obtain all required permits from the SCAQMD. The issuance of these permits by the SCAQMD shall require the operators of these facilities to implement Best Available Control Technology and other required measures that reduce emissions of criteria air pollutants. Proof of permit issuance by the SCAQMD shall be provided to the City's Department

of Building and Safety, or other appropriate City agency or department, with regard to the five development parcels. Compliance with point source permits shall be enforced by the SCAQMD for all Project components.

MM-29 During Project operations, the developer, with regard to the five development parcels, shall ensure that commercial businesses located within the Project site shall be limited to those that do not emit high levels of potentially toxic air contaminants or odors (e.g., dry cleaners with on-site processing plants that handle toxic chemicals). The City's Department of Building and Safety, or other appropriate City agency or department, shall be responsible for the enforcement of this measure with regard to the five development parcels.

MM-30 Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall prepare and implement building plans and specifications that ensure that all residential and non-residential buildings shall, at a minimum, meet the California Title 24 Energy Efficiency standards for water heating, space heating and cooling. Approved building plans shall be implemented by the developer and the responsible parties. Building plans and specifications with regard to the five development parcels shall be reviewed and approved by the City's Department of Building and Safety, or other appropriate City agency or department.

MM-31 During each construction phase, the Developer with regard to the five development parcels, shall ensure that building materials, architectural coatings and cleaning solvents shall comply with all applicable SCAQMD rules and regulations. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to construction associated with the five development parcels. The SCAQMD retains enforcement of this measure for all Project components in the case on non-compliance.

#### Fire Protection and Related Services

MM-32 During demolition activities occurring during each construction phase, the developer, with regard to the five development parcels, shall ensure sure that emergency access shall remain clear and unobstructed. The LAFD shall determine compliance with this measure with regard to the five development parcels.

MM-33 Prior to each construction phase, the developer, with regard to the five development parcels, shall prepare, and thereafter implement, plans

and specifications to ensure that the construction contractor is apprised of the requirement to maintain access to sub-surface parking structures associated with the Civic Center Mall, the Music Center, and the Colburn School for Performing Arts. The LAFD shall determine compliance with this measure with regard to the five development parcels.

- MM-34 During each construction phase, the developer, with regard to the five development parcels, shall maintain access for emergency response personnel to the Kenneth Hahn Hall of Administration, the Paseo de los Pobladores de Los Angeles, the County Courthouse, the Colburn School for Performing Arts, and the Walt Disney Concert Hall. The LAFD shall determine compliance with this measure with regard to construction in the five development parcels.
- MM-35 Prior to each construction phase, the developer, with regard to the five development parcels, shall prepare, and thereafter implement, a plan to ensure that emergency evacuation from the northwest side of the County Mall and Colburn School for Performing Arts, the southeast side of the Music Center and the Walt Disney Concert Hall would not be impeded by construction of the individual Project elements. With respect to the plan for the Mall, it must be prepared to coordinate with emergency evacuation plans for the Courthouse and the Hall of Administration. The LAFD shall determine compliance with this measure with regard to the five development parcels.
- MM-36 During each construction phase, the developer, with regard to the five development parcels, shall ensure that sufficient fire hydrants shall remain accessible at all times during Project construction. The LAFD shall determine compliance with this measure with regard to the five development parcels.
- MM-37 Prior to the start of each construction phase and during Project operations, the developer, with regard to the five development parcels shall comply with all applicable State and local codes and ordinances, and the guidelines found in the Fire Protection and Fire Prevention Plan, and the Safety Plan, both of which are elements of the General Plan of the City of Los Angeles (C.P.C. 19708). The City of Los Angeles Fire Department (LAFD) shall determine compliance with this measure with regard to the five development parcels.
- MM-38 During Project operations, the developer, with regard to the five development parcels shall maintain all access roads, including fire lanes, in an unobstructed manner, and removal of obstructions shall be at the owner's expense. The entrance to all required fire lanes or required

private driveways shall be posted with a sign no less than three square feet in area in accordance with Section 57.09.05 of the Los Angeles Municipal Code. The LAFD shall determine compliance with this measure with regard to the five development parcels.

- MM-39 Prior to the start of each construction phase, the Developer, with regard to the five development parcels, shall prepare, and thereafter implement, plans and specifications in accordance with LAFD requirements, and requirements for necessary permits shall be satisfied prior to commencement of construction on any portion of the five development parcels. The LAFD shall determine compliance with this measure with regard to the five development parcels.
- MM-40 Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall prepare, and thereafter implement, a plan that will assure that any required fire hydrants that are installed shall be fully operational and accepted by the Fire Department prior to any building construction. The LAFD shall determine compliance with this measure with regard to the five development parcels.
- MM-41 Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall submit plot plans indicating access roads and turning areas to the LAFD for review and approval. The developer, with regard to the five development parcels shall implement the approved plot plans. The LAFD shall determine compliance with this measure.
- MM-42 Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall prepare, and thereafter implement, engineering plans that show adequate fire flow and placement of adequate and required public and private fire hydrants. The LAFD shall determine compliance with this measure with regard to the five development parcels.
- MM-43 During each construction phase, the developer, with regard to the five development parcels, shall provide emergency access for Fire Department apparatus and personnel to and into all structures. The LAFD shall determine compliance with this measure with regard to the five development parcels.
- MM-44 Prior to the start of each construction phase, the developer, with regard to the five development parcels shall prepare, and thereafter implement, a plan that will provide that any private roadways for general access use and fire lanes shall not be less than 20 feet wide

and clear to the sky. The LAFD shall determine compliance with this measure with regard to the five development parcels.

- MM-45 Prior to the start of each construction phase, the developer, with regard to the five development parcels shall prepare, and thereafter implement, a plan that will provide that any fire lanes and dead end streets shall terminate in a cul-de-sac or other approved turning area. No dead end street or fire lane shall be greater than 700 feet in length or secondary access shall be required. The LAFD shall determine compliance with this measure with regard to the five development parcels.
- MM-46 Prior to the start of each construction phase, the developer, with regard to the five development parcels shall prepare, and thereafter implement, a plan that designs any proposed development utilizing cluster, group, or condominium design not more than 150 feet from the edge of the roadway of an improved street, access road, or designated fire lane. The LAFD shall determine compliance with this measure with regard to the five development parcels.
- MM-47 Prior to the start of each construction phase, the developer, with regard to the five development parcels shall prepare, and thereafter implement, a plan that designs fire lanes to be not less than 28 feet in width. 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. The LAFD shall determine compliance with this measure with regard to the five development parcels.
- MM-48 Prior to the start of each construction phase, the developer, with regard to the five development parcels, where above ground floors are used for residential purposes, shall prepare, and thereafter implement, a plan that interprets the access requirement as being the horizontal travel distance from the street, driveway, alley, or designated fire lane to the main entrance of the residential units. The LAFD shall determine compliance with this measure.
- MM-49 Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall prepare, and thereafter implement, a plan that designs the entrance or exit of all ground level residential units to be no more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane. The LAFD shall determine compliance with this measure.

- MM-50 Prior to the start of each construction phase, the developer, with regard to the five development parcels shall prepare, and thereafter implement, a plan that provides access that requires the accommodation of Fire Department apparatus, shall design the minimum outside radius of the paved surface to be 35 feet. An additional six feet of clear space must be maintained beyond the outside radius to a vertical point 13 feet 6 inches above the paved surface of the roadway. The LAFD shall determine compliance with this measure with regard to the five development parcels.
- MM-51 Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall not construct any building or portion of a building to be more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane. The LAFD shall determine compliance with this measure with regard to the five development parcels.
- MM-52 Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall prepare, and thereafter implement, a plan that provides for access that requires accommodation of Fire Department apparatus, a design for overhead clearances to be not less than 14 feet. The LAFD shall determine compliance with this measure with regard to the five development parcels.
- MM-53 Prior to the start of each construction phase, the developer, with regard to the five development parcels shall prepare, and thereafter implement, a plan that provides for additional vehicular access required by the Fire Department, where buildings exceed 28 feet in height. The LAFD shall determine compliance with this measure with regard to the five development parcels.
- MM-54 Prior to the start of each construction phase, the developer, with regard to the five development parcels shall prepare, and thereafter implement, a plan that provides, where fire apparatus shall be driven onto the road level surface of the subterranean parking structure, for the structure to be engineered to withstand a bearing pressure of 8,600 pounds per square foot. The LAFD shall determine compliance with this measure with regard to the five development parcels.
- MM-55 Prior to the start of each construction phase, the developer, with regard to the five development parcels shall record any private streets as Private Streets and Fire Lanes. All private street plans shall show the words "Private Street and Fire Lane" within the private street easement. The LAFD shall determine compliance with this measure with regard to

the five development parcels.

- MM-56 During operation of the Project, the developer, with regard to the five development parcels, shall provide that all electric gates approved by the Fire Department shall be tested by the Fire Department prior to Building and Safety, or other appropriate City agency or department, granting a Certificate of Occupancy. The LAFD shall determine compliance with this measure.
- MM-57 Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall prepare, and thereafter implement, a plan that would not construct any building or portion of a building more than 300 feet from an approved fire hydrant. Distance shall be computed along path of travel with the exception that dwelling unit travel distance shall be computed to the front door of the unit. The LAFD shall determine compliance with this measure with regard to the five development parcels.
- MM-58 Prior to the start of each construction phase, the developer, with regard to the five development parcels shall submit plans to the Fire Department for review and approval. Where rescue window access is required, the developer, with regard to the five development parcels, shall incorporate conditions and improvements necessary to meet accessibility standards as determined by the LAFD. The LAFD shall determine compliance with this measure.
- MM-59 During operations of the Project, the developer, with regard to the five development parcels shall have the curbs of all public street and fire lane cul-de-sacs painted red and/or be posted "No Parking at Any Time" prior to the issuance of a Certificate of Occupancy or Temporary Certificate of Occupancy for any structures adjacent to the cul-de-sac. The LAFD shall determine compliance with this measure with regard to the five development parcels.
- MM-60 Prior to the start of each construction phase, the developer, with regard to the five development parcels shall submit building plans to the LAFD for review and approval that demonstrate that automatic fire sprinklers shall be installed in all structures. The LAFD shall determine compliance with this measure.

#### Hazards and Hazardous Materials

- MM-61 Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall properly decommission all



unused groundwater monitoring wells, per applicable regulations. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels. The Regional Water Quality Control Board shall enforce compliance with this measure.

- MM-62 Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall test for the presence or absence of hydrogen sulfide and methane beneath the site by subsurface sampling. Should the sampling result in the discovery of hydrogen sulfide and/or methane, appropriate health and safety measures shall be implemented, in accordance with applicable regulations. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure.
- MM-63 Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall take fill samples from each of the five parcels, and shall analyze these samples for contaminants at elevated concentrations. Should elevated contaminant concentrations be discovered, appropriate measures shall be implemented, in accordance with applicable regulations. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure.
- MM-64 Prior to the start of any demolition activities or renovation on any painted surfaces at the Project site, the developer, with regard to the five development parcels, shall conduct a survey of lead based paint (LBP) to determine the level of risk posed to maintenance personnel, construction workers, facility staff, and patrons from exposure to the paints present at the site. Any recommendations made in that survey related to the paints present at the Project site shall be implemented prior to the demolition or renovation of said painted surfaces. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels.

#### Noise

- MM-65 To reduce any impact on nearby venues that may be noise sensitive receptors, such as the Music Center, Disney Concert Hall, and the County Courthouse, the following Measures G-1 and G-2 shall be implemented as follows: During each construction phase, the developer, with regard to the five development parcels, shall limit (i) construction activities utilizing heavy equipment to Monday through Friday from 7:00

a.m. to 8:00 p.m., and (ii) interior construction work inside building shells and construction activities not utilizing heavy equipment to 7:00 a.m. to 9:00 p.m. Monday through Friday. Saturday construction shall be limited to 8:00 a.m. to 6 p.m. No exterior construction activities shall be permitted on Sundays or holidays per applicable City regulations. Construction noise measures shall also be implemented, which may include the use of noise mufflers on construction equipment used within 100 feet of these buildings. The City's Department of Building and Safety or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels.

- MM-66 During each construction phase, the developer, with regard to the five development parcels shall not use heavy equipment within (to the maximum extent practicable) 100 feet of the County Courthouse building while Court is in session. Construction contracts must specify that all construction equipment shall be in proper operating condition and fitted with standard factory silencing features and other applicable attenuation devices such as mufflers. The City's Department of Building and Safety or other appropriate City agency or department shall determine compliance with this measure with regard to the five development parcels.
- MM-67 During the initial stage of each construction phase (site demolition and site preparation/excavation) for each Project parcel and when construction activities are within 200 feet of noise sensitive land uses, the developer, with regard to the five development parcels, shall erect a temporary, 8-foot, ½-inch-thick plywood fence along the boundaries or each construction site adjacent to noise sensitive uses such that the "line of sight" between on-site construction activities and the residential or other sensitive uses is blocked, where feasible. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels.
- MM-68 During each construction phase, the developer, with regard to the five development parcels, shall ensure that pile drivers within the individual activity/development site under construction at that time shall be equipped with noise control devices having a minimum quieting factor of 10 dBA. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to construction in the five development parcels.
- MM-69 During each construction phase, the developer, with regard to the five development parcels, shall, except as otherwise permitted by applicable

agreements, ensure that construction loading and staging areas shall be located on the Project site within each respective construction site and away from noise-sensitive uses to the extent feasible. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to construction in the five development parcels.

- MM-70 Prior to the issuance of grading permits for each construction phase, the developer, with regard to the five development parcels, shall prepare, and thereafter implement, plans and specifications that include a requirement to route pedestrians (to the maximum extent practicable) 50 feet away from the construction area when heavy equipment such as hydraulic excavators are in use. Such routing may include the posting of signs at adjacent intersections. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels.
- MM-71 During each construction phase, the developer, with regard to the five development parcels, shall designate a construction relations officer to serve as a liaison with surrounding property owners who is responsible for responding to any concerns regarding construction noise. The liaison shall coordinate with the Project construction manager(s) to implement remedial measures in the shortest time feasible. The liaison's telephone number(s) shall be prominently displayed at multiple locations along the perimeter of each construction site. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels.
- MM-72 The developer, with regard to the five development parcels, shall prepare and implement building plans that ensure prior to the start of each construction phase which includes residential development, that all exterior walls, floor-ceiling assemblies (unless within a unit), and windows having a line of sight (30 degrees measured from the horizontal plane) of Grand Avenue, Hill Street, Hope Street, First Street, and Second Street of such residential development shall be constructed with double-paned glass or an equivalent and in a manner to provide an airborne sound insulation system achieving a lab-tested Sound Transmission Class of 30, subject to field testing, as defined in UBC Standard No. 35-1, 1982 edition. Sign off by the City's Department of Building and Safety, or other appropriate City agency or department, shall be required prior to obtaining a building permit. The developer, as an alternative, may retain an engineer registered in the State of California with expertise in

acoustical engineering, who shall submit a signed report for an alternative means of sound simulation satisfactory to the City's Department of Building and Safety, or other appropriate City agency or department. Examples of alternative means may include, but are not limited to, the following: (1) acoustical seals for doors and windows opening to the exterior; (2) consideration of the type, location, and size of windows; and (3) sealing or baffling of openings and vents. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure.

#### Parks and Recreation

- MM-73 Prior to the issuance of a certificate of occupancy, the developer, with regard to the five development parcels, shall: (1) dedicate additional parkland such that the Project would provide a total of 3 acres per 1,000 Project residents; (2) pay in-lieu fees for any land dedication requirement shortfall; or (3) a combination of the above. The City's Department of Building and Safety, or other appropriate City agency or department shall determine compliance with this measure.

#### Police Protection Services

- MM-74 During each construction phase, the developer, with regard to the five development parcels, shall provide clear and unobstructed LAPD access to the construction site. The LAPD shall determine compliance with this measure with regard to the five development parcels.
- MM-75 During ongoing construction, the developer, with regard to the five development parcels shall provide security features on the construction site(s), such as guards, fencing, and locked entrances. The LAPD shall determine compliance with this measure.
- MM-76 Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall submit plot plans for a proposed development to the Los Angeles Police Department's Crime Prevention Section for review and comment. Security features subsequently recommended by the LAPD shall be implemented by the developer to the extent feasible.
- MM-77 At the completion of each construction phase, the developer, with regard to the five development parcels shall file as-built building plans with the LAPD Central Area Commanding Officer. Plans shall include access routes, floor plans, and any additional information that might facilitate prompt and efficient police response. The LAPD shall determine

compliance with this measure.

- MM-78 During Project operations, the developer, with regard to the five development parcels shall install alarms and/or locked gates on doorways providing public access to commercial facilities. The LAPD shall determine compliance with this measure with regard to the five development parcels.
- MM-79 During Project operations, the developer, with regard to the five development parcels shall not plant landscaping in a way that could provide cover for persons tampering with doors or windows of commercial facilities, or for persons lying in wait for pedestrians or parking garage users. The LAPD shall determine compliance with this measure with regard to the five development parcels.
- MM-80 Additional lighting shall be installed where appropriate, including on the Project site and in parking garages, as determined in consultation with the LAPD with regard to the five development parcels. The developer shall implement this measure with regard to the five development parcels prior to initial building occupancy for each construction phase.
- MM-81 Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall prepare, and thereafter implement, a plan that incorporates safety features into the Project's design to assure pedestrian safety, assist in controlling pedestrian traffic flows, and avoid pedestrian/vehicular conflicts on-site. Safety measures may include the provision of security personnel; clearly designated, well-lighted pedestrian walkways on-site; special street and pedestrian-level lighting; physical barriers (e.g., low walls, landscaping), particularly around the perimeter of the parking garages, to direct pedestrians to specific exit locations that correspond to designated crosswalk locations on adjacent streets. The LAPD shall determine compliance with this measure with regard to the five development parcels.
- MM-82 Prior to the issuance of a certificate of occupancy for each construction phase and during Project operations, the developer, with regard to the five development parcels, shall develop, and thereafter implement, a new or modified Security Plan to minimize the potential for on-site crime and the need for LAPD services. The plan would outline the security services and features to be implemented, as determined in consultation with the LAPD. The LAPD shall determine compliance with this measure with regard to the five development parcels.

The following shall be included in the plan:

1. Provision of an on-site security force that would monitor and patrol the Project site. During operational hours, security officers shall perform pedestrian, vehicular, and/or bicycle patrols.
2. Implementation of a video camera surveillance system and/or a closed-circuit television system;
3. Additional security features shall be incorporated into the design of proposed parking facilities, including "spotters" for parking areas, and ensuring the availability of sufficient parking either on- or off-site for all building employees and anticipated patrons and visitors;
4. Security lighting incorporating good illumination and minimum dead space in the design of entryways, seating areas, lobbies, elevators, service areas, and parking areas to eliminate areas of concealment. Security lighting shall incorporate full cutoff fixtures which minimize glare from the light source and provide light downward and inward to structures to maximize visibility;
5. Provision of lockable doors at appropriate Project entryways, offices, retail stores, and restaurants;
6. Installation of alarms at appropriate Project entryways and ancillary commercial structures;
7. All businesses desiring to sell or allow consumption of alcoholic beverages are subject to the issuance of a Conditional Use Permit by the City;
8. Accessibility for emergency service personnel and vehicles into each structure, and detailed diagram(s) of the Project site, including access routes, unit numbers, and any information that would facilitate police response shall be provided to the Central Area Commanding Officer.
9. In addition, security procedures regarding initial response, investigation, detainment of crime suspects, LAPD notification, crowd and traffic control, and general public assistance shall be outlined in the Security Plan. The plan would be subject to review by the LAPD, and any provisions pertaining to access would be subject to approval by the Los Angeles Department of Transportation.

MM-83 Prior to the issuance of a certificate of occupancy for each construction phase and on-going during operations, the developer, with regard to the five development parcels, shall develop, and thereafter implement, an Emergency Procedures Plan to address emergency concerns and practices. The plan shall be subject to review by the LAPD with regard to the five development parcels and any provisions pertaining to access would be subject to approval by LADOT.

School Services

- MM-84 Prior to the issuance of each building permit, the developer, with regard to the five development parcels, shall pay school mitigation fees pursuant to the provisions of California Government Code Section 65995. The City's Department of Building and Safety, or other appropriate City agency or department shall determine compliance with this measure.

Solid Waste

- MM-85 Prior to the issuance of a certificate of occupancy for each construction phase, and thereafter during Project operations, the developer, with regard to the five development parcels, shall comply with the provisions of City of Los Angeles Ordinance No. 171687 with regard to all new structures constructed as part of the five development parcels. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure.
- MM-86 Prior to the issuance of each certificate of occupancy, the developer, with regard to the five development parcels, shall prepare, and thereafter implement, a plan that designs all structures constructed or uses established within any part of the proposed Project site to be permanently equipped with clearly marked, durable, source sorted recyclable bins at all times to facilitate the separation and deposit of recyclable materials. The City's Department of Public Works, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels.
- MM-87 Prior to the issuance of each certificate of occupancy, the developer, with regard to the five development parcels, shall prepare, and thereafter implement, a plan that designs primary collection bins to facilitate mechanized collection of such recyclable wastes for transport to on- or off-site recycling facilities. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels.
- MM-88 During Project operations, the developer, with regard to the five development parcels, shall continuously maintain in good order for the convenience of businesses, patrons, employees and park visitors clearly marked, durable and separate bins on the same lot, or parcel to facilitate the commingled recyclables and deposit of recyclable or commingled waste metal, cardboard, paper, glass, and plastic therein; maintain accessibility to such bins at all times, for collection of such wastes for transport to on- or off-site recycling plants; and require waste haulers to

utilize local or regional material recovery facilities as feasible and appropriate. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels.

- MM-89 During each construction phase, the developer, with regard to the five development parcels, shall implement a demolition and construction debris recycling plan, with the explicit intent of requiring recycling during all phases of site preparation and building construction. The City's Department of Building and Safety, or other appropriate City agency or department, shall review and approve the plan with regard to the five development parcels.

#### Traffic, Circulation and Parking

- MM-90 The developer with regard to the five development parcels, shall prepare, prior to the start of each construction work phase, a Construction Traffic Control/Management Plan ("Plan") to be approved by the City of Los Angeles Department of Transportation ("LADOT") and implemented by the responsible party. The Plan shall include, but not be limited to, Project scheduling, the location and timing of any temporary land closures, traffic detours, haul routes, temporary roadway striping, and signage for traffic flow, as necessary, as well as the identification and signage of alternative pedestrian routes in the immediate vicinity of the Project, if necessary. The Plan should also provide for the coordination of construction areas, and for safe pedestrian movement throughout the Project Area such that adequate and safe pedestrian movement access is maintained to adjacent uses including the Walt Disney Concert Hall, the Music Center, the County Courthouse, and the Metro Red Line station portals (on Parcel W-2 and on the Court of Flags).
- MM-91 After approval of the Construction Traffic Control/Management Plan(s) required under MM-110 and prior to the start of each construction work phase, the developer with regard to the five development parcels, shall submit a copy of the Plan(s) to the Authority or other appropriate agency, and/or the City Chief Administrative Officer or designee, and the County of Los Angeles Chief Administrative Officer. Following receipt of the Plan(s), the County Chief Administrative Officer shall distribute that information to all County properties on Grand Avenue, including the Hall of Administration, County Courthouse, the Walt Disney Concert Hall, and the Music Center, for further distribution of information to employees and visitors on construction schedules, alternative travel routes, and land and sidewalk closure information, as appropriate, and the Authority or other



appropriate agency, or the City, shall distribute to the appropriate City departments for the same purpose.

- MM-92 Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall enter into one or more temporary arrangements with parking garages in the area of the Project, or with surface lot operators elsewhere in downtown or its periphery, to provide a sufficient supply of off-street spaces for the construction workers during Project construction, and will require all construction workers to use these designated parking spaces. These temporary arrangements shall be to the satisfaction of (i) CRA/LA or (ii) the County's CAO or its designee.
- MM-93 If the Project proceeds with the County office building option, the County, on an on-going basis following initial occupancy, shall fund and implement a Transportation Demand Management (TDM) program for the proposed County office use in Parcel W-1/W-2. The County's Chief Administrative Officer shall ensure the County's review and approval of this TDM program. The TDM program could, for example, include an onsite transportation coordinator, post information on transit, and provide logistical support for the formation of carpools and vanpools, and other incentives to use transit and rideshare.
- MM-94 The developer, with regard to the five development parcels, shall implement ATCS in conjunction with the area-wide ATCS program, if not otherwise implemented, prior to the completion of the first phase of development at the intersections identified by LADOT, although the implementation of this measure will provide mitigation to all three Project phases. Implementation of ATCS shall occur in the northern part of downtown, north of Eighth Street, at the locations identified by LADOT. LADOT has determined that implementation of the ATCS mitigation improvements in the area surrounding the Project would comprise the following: (1) upgrades to Model 2070 traffic signal controllers at 35 intersections; (2) installation of 58 ATSAC/ATCS system vehicle detectors at 9 intersections; and (3) installation of CCTV cameras to provide video information to the ATSAC Center at eight locations. Subject to a final determination by LADOT of the improvements required for the Project, ATCS shall also include LADOT's Transit Priority System (TPS).
- MM-95 The following menu of MMs have been developed to further reduce the Project's potential traffic and circulation impacts. The term "menu" refers to the various ways that each of the following measures can be implemented to achieve trip reduction. Selection shall be coordinated with the LADOT, who shall determine which of the MMs are to be

implemented.

1. Provide enhanced walking connections along the Project street frontages to transit service (to bus stops and to the Red Line station portals at First Street and Hill Street). These could comprise pedestrian amenities along the Project's street frontages, including landscaped sidewalks, wider crosswalks where feasible at key intersections, improved lighting for pedestrian safety at nighttime, and pedestrian wayfinding signage, to facilitate walking in the Project area. The developer shall implement this measure with regard to the five development parcels prior to initial building occupancy for each development phase.
2. The developer, as determined by LADOT and prior to initial building occupancy for each development phase, shall provide enhanced bus stops on the street frontages of the five development parcels. These enhanced bus stops may include bus shelters with passenger amenities such as benches, shaded areas, and transit information that could be integrated into the overall urban design/landscaping of the Project.
3. Provide transit information kiosks at various strategic locations on the Project site. The developer shall implement this measure with regard to the five development parcels prior to initial building occupancy for each development phase.
4. The developer, with regard to the five development parcels, shall participate, to the extent feasible, in an on-going basis during Project operations, in a Share-Car program (e.g., Flexcar) that makes cars available to registered members. It is anticipated that up to three on-street parking spaces, subject to a determination of feasibility by LADOT, could be provided at key locations adjacent to the Project frontage for up to three Share-Cars. The Share-Cars could be available to both Project and non-Project users as long as they were members of the Share-Car program. The Project shall support a Share-Car organization's application to the City, and following any implementation of such application shall promote the Share-Car concept and encourage its usage with Project residents and tenants.
5. Provide improved vehicular directional signage on surface streets approaching and within the Project area to direct vehicles to specific destinations and parking locations, as appropriate, to minimize vehicles circulating in the Project area. Such signage

should be approved to the satisfaction of LADOT. The developer shall implement this measure with regard to the five development parcels prior to initial building occupancy for each development phase.

- MM-96 The Developer, with regard to the five development parcels, shall re-stripe the westbound approach of the Third Street and Hill Street intersection from the existing configuration of one left turn lane, one through lane, and one shared through/right-turn lane to a future configuration of one left turn lane, two through lanes, and one exclusive right-turn lane. This improvement would require a slight widening of Third Street west of Hill Street before the entrance to the tunnel within the public right-of-way. The final lane configuration of this intersection shall be to the satisfaction of the City of Los Angeles Department of Transportation. In addition, any street widening and construction activities shall be coordinated with the City of Los Angeles Department of Public Works, Bureau of Engineering.

#### Wastewater

- MM-97 Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall comply with City ordinances limiting connections to the City sewer system, in accordance with City Bureau of Sanitation procedures. The City's Department of Public Works, Sanitation Bureau or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels.
- MM-98 Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall prepare, and thereafter implement, building plan specifications for the installation of low-flow water fixtures and further encourage reduction of water consumption to minimize wastewater flow to the sewer system, in accordance with applicable water conservation requirements. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels.

#### Water Supply

- MM-99 Prior to initial occupancy of the buildings within Parcels L and W-1/W-2, the developer shall install new water lines along Second Street, from Olive Street to Hill Street to serve Parcels W-1/W-2, and from Hope Street to Lower Grand Avenue to serve Parcel L. The City's Department of

Public Works shall review and approve all plans related to these new water lines. The developer shall be responsible for the implementation of these improvements.

- MM-100 Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall call DIG-ALERT to identify and mark on the ground surface the locations of existing underground utilities. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels.
- MM-101 Prior to the start off each construction phase, the developer, with regard to the five development parcels, shall perform potholing of existing water and gas mains to verify the depth of cover. If the depth of cover over the lines is shallow and the total street pavement section is thick (around 24 inches), then the temporary cover over the lines during construction may be reduced to 12 inches or less. Under these circumstances, protective measures shall be implemented to prevent damage or breakage of the lines during the pavement sub-grade preparation process, notices of service interruption, if necessary, shall be provided to customers in accordance with DWP-Water and ACG requirements. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels.
- MM-102 Prior to issuance of building permits for each construction phase, the developer, with regard to the five development parcels, shall pay the appropriate fees as may be imposed by the City's Department of Building and Safety, or other appropriate City agency or department. A percentage of building permit fees is contributed to the fire hydrant fund, which provides for citywide fire protection improvements. Compliance with this measure shall be determined by the City's Department of Building and Safety, or other appropriate City agency or department.
- MM-103 Prior the issuance of building permits for each construction phase, the developer, with regard to the five development parcels shall coordinate with the Los Angeles Department of Water and Power to conduct a flow test to confirm that the existing water system meets fire flow requirements imposed by the LAFD for the Project. The developer, with regard to the five development parcels shall undertake and complete required improvements as identified by the LADWP, based on the findings of the flow test. The City's Department of Public Works, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels.

- MM-104 During Project operations, the developer, with regard to the five development parcels, shall incorporate Phase I of the City of Los Angeles' Emergency Water Conservation Plan into all privately operated parcels. The Plan prohibits hose watering of driveways and associated walkways, mandates decorative fountains to use recycled water, mandates drinking water in restaurants to be served upon request only, and provides that water leaks are repaired in a timely manner. The City's Department of Public Works, or other appropriate City agency or department, shall determine compliance with this measure.
- MM-105 During Project operations, incorporate Los Angeles County water conservation policies into the County Office Building, if the Project proceeds with the County office building option. The County with regard to the County Office Building, if the Project proceeds with the County office building option, shall be responsible for implementing this measure. The implementation of this measure shall be subject to the review and approval of the County's CAO or its designee.
- MM-106 During Project operations, the developer, with regard to the five development parcels, and the County Office Building operator shall comply with any additional mandatory water use restrictions imposed as a result of drought conditions. The City's Department of Public Works, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels.
- MM-107 During Project operations, the developer, with regard to the five development parcels, shall install automatic sprinkler systems to irrigate landscaping during morning hours or during the evening to reduce water losses from evaporation, and sprinklers shall be reset to water less often in cooler months and during the rainfall season so that water is not wasted by excessive landscape irrigation. The City's Department of Public Works, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels.

#### **DEPARTMENT OF CITY PLANNING-STANDARD CONDOMINIUM CONDITIONS**

- C-1. That approval of this tract constitutes approval of model home uses, including a sales office and off-street parking. Where the existing zoning is (T) or (Q) for multiple residential use, no construction or use of model homes shall be permitted until the final map has recorded or the proper zone has been effectuated. If models are constructed under this tract approval, the following conditions shall apply:

1. Prior to recordation of the final map, the subdivider shall submit a plot plan for approval by the Division of Land Section of the Department of City Planning showing the location of the model dwellings, sales office and off-street parking. The sales office must be within one of the model buildings.
  2. All other conditions applying to Model Dwellings under Section 12.22A, 10 and 11 and Section 17.05 O of the Code shall be fully complied with satisfactory to the Department of Building and Safety.
- C-2. That prior to recordation of the final map, the subdivider shall record an "Agreement for Development of Units for Lease or Sale ("15% Ordinance")" covenant, to benefit the Housing Authority, for certification of the development in accordance with Section 12.39A. Arrangements shall be made with the Department of Building and Safety, Zoning Section - Subdivisions (213.482.0000) to approve the covenant format, prior to recording the covenant.
- C-3. That a landscape plan, prepared by a licensed landscape architect, be submitted to and approved by the Advisory Agency in accordance with CP-6730 prior to obtaining any grading or building permits before the recordation of the final map.

In the event the subdivider decides not to request a permit before the recordation of the final map, a covenant and agreement satisfactory to the Advisory Agency guaranteeing the submission of such plan before obtaining any permit shall be recorded.

- C-4. In order to expedite the development, the applicant may apply for a building permit for an apartment building. However, prior to issuance of a building permit for apartments, 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 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.

OR

If a building permit for apartments will not be requested, the project civil engineer, architect or licensed land surveyor must certify in a letter to the Advisory Agency that the applicant will not request a permit for apartments and intends to acquire a building permit for a condominium building(s). Such letter is sufficient to clear this condition.

**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 Municipal Code.
- (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%.

- (l) That any necessary additional street dedications be provided to comply with the Americans with Disabilities Act (ADA) of 1990.

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 Traffic 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 Engineer.
- (b) Construct any necessary drainage facilities.
- (c) Install street lighting facilities to serve the tract as required by the Bureau of Street Lighting. The quantity of street lights identified may be modified slightly during the plan check process based on illumination calculations and equipment selection. Conditions set: 1) in compliance with a Specific Plan, 2) by LADOT, or 3) by other legal instrument excluding the Bureau of Engineering condition S-3 (i), requiring an improvement that will change the geometrics of the public roadway may require additional or the reconstruction of street lighting improvements as part of that 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 Street Tree 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 1990.
- (i) That the following improvements be either constructed prior to recordation of the final map or that the construction be suitably guaranteed:
  - i. Improve Olive Street adjoining the tract by the construction of an integral concrete curb and gutter, and a 12-foot full-width concrete sidewalk with tree wells including the curb return and bus pad at the intersection with 1<sup>st</sup> Street together with any necessary removal and reconstruction of the existing improvements all satisfactory to the City Engineer.
  - ii. Improve 1<sup>st</sup> Street being dedicated and adjoining the subdivision by the construction of a 17-foot full-width concrete sidewalk with tree wells, including any necessary removal and reconstruction of existing improvements all satisfactory to the City Engineer.
  - iii. Construct the necessary off-site and on-site mainline sewers satisfactory to the City Engineer.

**NOTES:**

The Advisory Agency approval is the maximum number of units permitted under the tract action, unless modified pursuant to the Equivalency Program contained in the Final EIR (State Clearinghouse No. 2005091041). However the existing or proposed zoning may not permit this number of units.

Approval from Board of Public Works may be necessary before removal of any street trees in conjunction with the improvements in this tract map through Bureau of Street Services

Urban Forestry Division.

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 Section 17.05N of the Los Angeles Municipal Code.

The final map must record within 36 months of this approval, unless a time extension is granted before the end of such period or unless the life of the tentative tract map is extended under an approved Development Agreement.

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.

**Indemnification.** The applicant shall defend, indemnify and hold harmless the City, its agents, officers, or employees from any claim, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void or annul this approval which action is brought within the applicable limitation period. The City shall promptly notify the applicant of any claim, action, or proceeding and the City shall cooperate fully in the defense. If the City fails to promptly notify the applicant of any claim action or proceeding, or if the City fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the City.

### **FINDINGS OF FACT (CEQA)**

On November 20, 2006, the Los Angeles Grand Avenue Authority adopted the Grand Avenue Final Environmental Impact Report (FEIR), State Clearinghouse No. 2005091041 and dated November 2006, and also adopted the necessary Resolutions and made findings required under California Public Resources Code Section 21081 and State CEQA Guideline 15091 (the "Authority's CEQA Findings") stating that the FEIR was completed in compliance with the California Environmental Quality Act Public Resources Code Section 21000 et seq., the CEQA Guidelines, all applicable local guidelines concerning the application and implementation of that statute, and all applicable case law concerning that statute and the CEQA Guidelines (collectively, "CEQA"). The Authority, which is an independent public agency established through a Joint Exercise of Powers Agreement (The "JPA Agreement") between the Community Redevelopment Agency of the City of Los Angeles (CRA/LA) and the County of Los Angeles, was responsible for the preparation of the FEIR. The County

and the CRA/LA have served as "Responsible Agencies" for the Project as that term is defined under CEQA Guidelines 15096 and 15381. As Responsible Agencies, the County and CRA/LA have worked closely with the Authority in ensuring the FEIR has examined all potential environmental impacts.

The Advisory Agency is a Responsible Agency, pursuant to State CEQA Guidelines Sections 15096, and must make those findings with respect to the project required under Public Resources Code Section 21081 and State CEQA Guidelines Section 15091. The recommended actions implement and further the purpose of CEQA. In making the decision to approve Tentative Tract Map No. 67491, the Advisory Agency of the City of Los Angeles certifies that it has reviewed and considered the information contained in EIR No. SCH 2005091041. Further, the Advisory Agency hereby adopts as its CEQA findings, as set forth below.

These agencies, as well as the City of Los Angeles reviewed and approved the Grand Avenue Implementation Plan, which formulated the framework of the project description evaluated in the EIR prepared by the Authority for the mixed use development. That plan generally described the location of the Project, its proposed uses and other elements. The governing bodies for the Authority, County, the CRA/LA and the City of Los Angeles each approved the Implementation Plan in 2005.

Staff for the Authority and its member agencies, the County and the CRA/LA independently reviewed, analyzed and required changes to all of the documents comprising the Draft Environmental Impact (DEIR), dated June 2006, and the FEIR prior to the publication of those documents. The DEIR which was circulated for public comment as well as the Final EIR reflect the independent judgment of the Authority. Therefore, in accordance with the applicable provisions of CEQA, the Authority hereby made findings and certified that:

- (a) The FEIR has been completed in compliance with CEQA.
- (b) The FEIR has been presented to the governing body of the Authority ("Board"), and the Board has independently reviewed and analyzed the information contained in the FEIR prior to acting on the Project.
- (c) The FEIR reflects the Authority's independent judgment and analysis.

The FEIR for the proposed Grand Avenue Project concluded that certain significant effects may occur as a result of the proposed Project, or may occur on a cumulative basis in conjunction with the development of the Project and other past, present, or reasonably foreseeable future projects. In addition to reviewing the Project's potential environmental impacts, these Findings also provide the Authority's analysis and conclusions regarding the applicability of possible alternatives and mitigation measures to reduce any significant environmental effects.

These Findings address the potentially significant environmental effects examined in the FEIR. The FEIR analyzed the environmental impacts at a project-specific level and on a

"cumulative" impact basis. A cumulative impact is defined by CEQA Guidelines 15130 and 15355 as an impact which is created as a result of the combination of impacts of the project evaluated in the EIR and closely related past, present and reasonable foreseeable probable future projects (commonly known as "related projects"). The FEIR identified 93 related projects in the relevant geographic area. The inclusion of those 93 related projects in the cumulative impact analysis resulted in a conservative analysis since it is not likely that all of those projects will be developed.

The following environmental impacts have been determined to be less than significant in light of, among other reasons, the imposition of mitigation measures, regulatory measure and/or project design features:

Light and glare impacts; visual quality; noise impacts during Project operations; impact on parks and other recreational uses during Project operations; library services (project-specific); population, housing and employment impacts; hazardous materials; fire protection services; school services; water supply; wastewater; solid waste; police services (project-specific impact); shade and shadow impacts (project-specific impact), and land use compatibility and consistency with land use plans and policies.

The following environmental impacts were determined to be significant and unavoidable even after the imposition of all feasible mitigation measures, regulatory measures and project design features:

Land use and zoning impacts; traffic impacts during Project construction and operation; parking impacts due to inability to comply with certain City residential parking policies; view impacts; historical resources; air quality impacts during Project construction and operation; noise impacts during Project construction; police services (cumulative basis only); shade and shadow impacts (cumulative basis only); library services (cumulative basis only); and impact on parks and recreational uses during Project construction. The first seven identified impacts and the last impact are significant and unavoidable on a project-specific and cumulative basis.

#### Potential Environmental Impacts Studied in the Initial Study But Not Analyzed Further in the Draft Environmental Impact Report

In accordance with CEQA Guideline 15063, the Authority prepared an Initial Study, which is included as Appendix A to the DEIR. The Initial Study determined which potentially significant effects may be caused by the Project and needed to be further examined in the DEIR, and which environmental effects would not be caused by the Project and, therefore, required no analysis in the DEIR. Based on that Initial Study and other substantial evidence, the Authority determined that the Project would not have the potential to cause significant impacts in the following areas: (1) agricultural resources, (2) biological resources, (3) geology and soils, (4) hydrology and water quality, and (5) mineral resources, and that it was appropriate that no further analysis of those five impact issues was included

in the DEIR. The Authority further determined that the rationale provided in the Initial Study that no significant impacts would occur respecting these five impact areas satisfies the requirement of CEQA Guideline 15128. Thus, the Authority has no evidence before it to indicate that the Project could have any potential for an adverse effect on fish and wildlife resources or the habitat upon which the fish and wildlife depends.

The FEIR contained Regulatory Measure A-1, which related to impacts to the Civic Park. The park is not under the jurisdiction of the Advisory Agency. As such, this measure has been deleted. The Advisory Agency does not have the authority to approve or carry out this measure since this measure is not applicable to the subject tract. Pursuant to Section 15091 of CEQA Guidelines, 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 adopted by such other agency or can and should be adopted by such other agency.

A comment was raised during the public review process concerning the potential impact to biological resources associated with the removal of mature landscaping, including trees. More specifically, the comment notes that the removal of mature trees and landscaping from in the existing Civic Center Mall during construction activities may cause this impact. Although the impact to biological resources is still determined to be less than significant, the following regulatory measure has been identified to ensure this less than significant impact to biological resources:

During the public review process, a comment was raised as to whether the DEIR should have undertaken an additional analysis of the Project's potential energy impacts. No such analysis is warranted for a number of reasons. First, the Initial Study identified the Project's specific amounts of electricity and natural gas consumption, and based on those amounts, concluded that the Project's energy demands would fall within the projected energy demands for the Los Angeles Department of Water and Power (LADWP) and the Southern California Gas Company (SCGC). Accordingly, the Initial Study determined that no further analysis of this issue in the DEIR was warranted.

Second, the Project's sustainability, energy conservation, and efficiency is reflected throughout the EIR and in the DDA. For example, a number of the Project objectives emphasize the pedestrian and public transit opportunities that will be created by the Project, as well as its linkages between pedestrian, public transit and other public roadways. The Project will also promote energy efficiency through reduced reliance on the automobiles, an improvement of jobs/housing balance, and the encouragement of the use of public transportation to and from the downtown area.

Third, the Project's energy demands were disclosed in the DEIR (in addition to the Initial Study attached to the DEIR). For example, the Project's air quality analysis addresses emissions from fuel consumption by motor vehicles as well as consumption of natural gas

and electricity during Project operations. That analysis provided a quantification of the Project's energy consumption.

Fourth, the incorporation of "Title 24" (the State's Energy Code) requirements into the Project is reflected in Regulatory Measure F-2, which states: "all residential and non-residential buildings shall, at minimum, meet the California Title 24 Energy Efficiency Standards for water heating, space heating and cooling." Thus, the Project will comply with all requirements of Title 24 applicable to the residential and commercial components. California's Title 24 is the most restrictive energy code in the nation, and imposes strict standards in order to achieve energy efficiency. With regard to comments suggesting the inclusion of Leadership in Energy and Environmental Design (LEED), the Project final building designs have not been developed as of this date, a commitment to specific LEED building design measures would be premature and, therefore, any further discussion of specific energy design features would be speculative.

Lastly, because the Project will be in compliance with the Title 24 requirements, the Project complies with CEQA and the CEQA Guidelines, including Appendix F thereto. Appendix F speaks to a discussion of energy impacts and applicable mitigation measures only when a project will be energy inefficient or wasteful. Through compliance with Title 24, the Project will not be energy inefficient or wasteful. For all these reasons, the Authority finds that no additional analysis of the potential energy impacts of the Project is required under CEQA.

Finally, certain comments were raised during the public review process as to whether the Project may exacerbate or not alleviate local labor issues, homelessness and other social issues. CEQA generally provides that an EIR is required to evaluate only the environmental impacts of a project, and economic and social effects of a project are not treated as significant effects on the environment. Thus, economic or social effects of a Project need not be analyzed in an EIR unless they may directly cause a physical impact on the environment. While such matters are important, the Authority finds that the economic and social issues raised during the 50-day public review and comment process for the DEIR described in Section VI of these Findings will not cause any potentially significant "environmental" impacts that are not addressed in the FEIR.

## 1.1 PROJECT BACKGROUND AND THE ENVIRONMENTAL IMPACT REPORT PROCESS

Notice of Preparation (NOP): In accordance with the requirements of CEQA, the Authority circulated a Notice of Preparation (NOP) for the proposed project on September 6, 2005. The purpose of the NOP was to solicit comments on the proposed content of the Draft EIR. The NOP was circulated for a period of 35 days, until October 10, 2005. The Parcels are identified by these letters in the Redevelopment Plan for the Bunker Hill Redevelopment Project Area.

During the following 35-day comment period, 14 letters were received. An open house and public scoping meeting for the Draft EIR was held on Tuesday, September 20, 2005. All NOP responses relating to the EIR were reviewed and the issues raised in those comments were addressed in the Draft EIR. The NOP, letters received during the NOP comment period, and scoping meeting transcript are included in Appendix A of the Draft EIR.

Notice of Completion (NOC): On June 14, 2006, the Authority prepared and distributed the Notice of Completion and Availability of the Draft EIR to all interested agencies, parties, organization, and persons. The Draft EIR was circulated for a 50-day review period, between June 14, 2006 and August 3, 2006.

The Authority received 17 letters from agencies, organization, and individual parties commenting on the Draft EIR. The Notice of Completion provided information of an open house and public meeting as an additional means to obtain information on the Project and to receive public comments on the content of the Draft EIR. The public meeting was held on Tuesday, July 18, 2006, between 6:00 p.m. and 8 p.m. at the Cathedral of Our Lady of the Angels, which is adjacent to the Project site. At the public meeting, thirteen speakers presented oral comments with regard to the content of the Draft EIR. In addition, one written comment form was submitted to the Authority. The written comments and transcript of the public meeting and responses to the comments are included in this Final EIR in Section V, Response to Comments.

The Authority finds no that no "new significant information" (as that term is defined in CEQA Guideline 15088.5 (a)) was added to the Draft EIR since the release of the Draft EIR that would warrant recirculation as provided in CEQA Guideline 15088.5. Among other reasons, the information added to the FEIR has not deprived the public of a meaningful opportunity to comment upon any significant environmental effect of the Project or any feasible way to mitigate or avoid such an effect. Instead, the new information that has been added to the FEIR merely clarifies information contained in the Draft EIR.

The FEIR consists of the DEIR, Responses to Comments, the Mitigation Monitoring Program sections entitled Preface, Introduction, Summary, and Corrections and Additions, and the appendices to these documents.

Location of Records: In accordance with CEQA Guideline 15091(e), the documents and materials that constitute the record of the proceedings concerning the Authority's decision to certify the FEIR and approve the Project and all associated agreements shall be kept and maintained by the Managing Director of the Grand Avenue Committee, whose offices are located at 445 South Figueroa Street, Suite 3400, Los Angeles, CA 90071, telephone number (213) 413-4130. The Authority has the discretion to transfer or locate these records at the office of the County CAO Asset Management Division, located at 500 West Temple Street, 7th Floor, Los Angeles, CA 90012, and/or CRA/LA, located at 354 South Spring Street, Los Angeles, CA 90013.

## 1.2 PROJECT FINDINGS INTRODUCTION

The Findings made by the Advisory Agency, pursuant to PRC Section 21081, and CEQA Guidelines Section 15091 are presented below. All significant environmental effects of the project identified in the Final EIR are included herein and are organized according to the area of potential impact. The Findings in this document apply only to this tract and are supported by information and analysis from the Final EIR. Where applicable, these Findings note the documents that contain the substantiation for each Finding.

CEQA and the CEQA Guidelines provide that no public agency shall approve or carry out a project for which an environmental impact report has been certified which identifies one or more significant effects on the environment that would occur if the project is approved or carried out, unless, for each significant impact, the public agency makes one or more of the following findings, as appropriate in accordance with PRC Section 21081 and CEQA Guidelines Section 15091:

- i. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR;
- ii. Such changes or alternatives are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency;
- iii. Specific economic, legal, social, technological and/or other considerations make infeasible the mitigation measures or project alternatives identified in the Final EIR.

A narrative of supporting facts follows the appropriate Finding. For many of the impacts, one or more of the Findings above have been made. Whenever Finding iii above is made, the Advisory Agency has determined that there will be, even after mitigation, an unavoidable significant level of impact due to the project and sufficient mitigation is not available to reduce the impact to a less than significant level. Such impacts are always specifically identified in the supporting discussions. The Statement of Overriding Considerations applies to all such unavoidable significant impacts, as required by Sections 15092 and 15093 of the CEQA Guidelines.

## 1.3 DESCRIPTION OF PROPOSED PROJECT

The Project consists of three major components: (1) the creation of the 16-acre Civic Park that builds upon and expands the Civic Mall, and when completed, will connect the Los Angeles City Hall to Grand Avenue; (2) streetscape improvements along Grand Avenue from Fifth Street to Cesar E. Chavez Avenue; and (3) the development of five parcels which are referred to as Parcels Q, W-1, W-2, L and M-2. Parcels Q and W-2 are currently owned by the County, Parcels L and M-2 are currently owned by CRA/LA, and Parcel W-1 is



owned by a private third party. (While the developer is pursuing the acquisition of Parcel W-1, the development of the other parcels and components of the Project may proceed even if the developer does not acquire Parcel W-1.) The Parcels are identified by these letters in the Redevelopment Plan for the Bunker Hill Redevelopment Project Area. The Project currently consists of two development options, referred to in the Findings and the FEIR, as the "Project with County Office Building Option," and the "Project with Additional Residential Development Option." Under the Project with County Office Building Option, development of the five parcels will consist of up to 2,060 residential units, 20 percent of which would be provided as affordable housing; up to 275 hotel rooms, up to 449,000 square feet of retail space and up to 681,000 square feet of County office space. Under the Project with Additional Residential Development Option, the 681,000 square feet of County office space would be replaced with up to 600 additional residential units, 20 percent would be provided as affordable housing. All other components of the Project would be the same under this option, and would include 275 hotel rooms, and 449,000 square feet of retail space. The proposed County office space under the Project with County Office Building Option would be constructed in the third phase of the Project when parcels W-1 and W-2 are developed. The proposed residential units under the Project with Additional Residential Development Option would be developed on parcel W-2 of the Project. Under that certain Disposition and Development Agreement between the Authority and Related (the "DDA"), recommended to be approved subsequent to consideration and certification of the FEIR, the County's option for development of a public office building during the third phase of development expires on a specific date in the future. If the County does not exercise this option, the developer may develop the Project consistent with the Additional Residential Development Option.

Parking for the Project are to be provided in podium and subterranean parking structures. 5,035 parking spaces would be provided under the County Office Building Option, and 5,255 parking spaces would be provided under the Additional Residential Development Option.

In addition to the development of the five parcels, the Project will revitalize and expand the existing Civic Center Mall through a new design. The main purpose of this new design is to facilitate a program of ongoing and special civic events and activities to take place in the new Civic Park. The current conceptual plan for the Civic Park maintains the existing organization of space in the Park, with the intent that specified areas would accommodate particular programmed uses and also work in unison for larger events. Under this plan, different sections of the Park would be developed for cultural and entertainment uses, a garden space for smaller scale uses, and civic and community activities.

The Project will also entail streetscape improvements along Grand Avenue from Fifth Street to Cesar E. Chavez Avenue. Streetscape improvements are anticipated to include widened shaded sidewalks where feasible, landscaping, as well as a range of street furnishings, including benches and chairs.

In order to fully respond to the future needs and demands of the Southern California economy, the proposed Project includes an Equivalency Program that would allow the composition of on-site development to be modified to respond to future needs in a manner that would not increase the Project's impacts on the environment. The Equivalency Program would provide flexibility for modifications to land uses and square footages within the five parcels. Within this framework, land uses can be exchanged for certain other permitted land uses so long as the limitations of the Equivalency Program are adhered to, which limitations were designed so no additional environmental impacts would occur. Thus, all permitted Project land use increases can be exchanged for corresponding decreases of other land uses under the proposed Equivalency Program without any further CEQA review.

This equivalency program was analyzed in the FEIR to confirm that exchange of Project uses set forth in the program can occur without the need for subsequent CEQA analysis. Proposed exchanges under the equivalency program would be implemented through the City of Los Angeles Planning Department procedures.

#### 1.4 FINDINGS OF FACT

After reviewing the Final EIR and the public record on the project, pursuant to Section 15091 of the CEQA Guidelines, the Advisory Agency hereby makes the Findings set forth below in this document regarding the significant effects of the Proposed Project. Except to the extent they conflict with the findings and determinations set forth for project impacts significant environmental effects that cannot be reduced to a less than significant level below, the analysis and conclusions of the Final EIR, including but not limited to the responses to comments, are incorporated herein by reference and are hereby adopted as findings. The Advisory Agency certifies that the Final EIR reflects the independent judgment and analysis of the City of Los Angeles.

##### Cumulative Impacts

Except as expressly provided to the contrary for significant effects that cannot be reduced to a less than significant level, all effects of the Project on the environment are hereby found to be not significant. Cumulative impacts of the Project in conjunction with other past, present and reasonably foreseeable future projects have been addressed where applicable and will not be significant after mitigation.

#### 1.5 POTENTIAL ENVIRONMENTAL EFFECTS ANALYZED IN FEIR

##### A. Land Use (Consistency With Land Use Plans and Compatibility With Surrounding Uses)

- i. Potential Impacts – The Project may have a significant land use in the areas of consistency with land use plans and compatibility with surrounding uses impact if:

- a. The Project development would be incompatible with surrounding land uses or land use patterns in relation to scale, use, or intensity.
  - b. The Project would not be consistent with any applicable land use plan or policy of an agency with jurisdiction over the Project adopted for the purpose of avoiding or mitigating an environmental effect.
- ii. Findings – The Project will not have a significant impact concerning consistency with land use plans or compatibility with surrounding uses. Therefore, no mitigation measures are required or were identified in the FEIR.
- iii. Supportive Evidence and Rationale – The Project's potential land use impacts concerning consistency with land use plans and compatibility with surrounding uses are analyzed in detail in Section IV.A. of the DEIR. The Project would be compatible with the adjacent and surrounding existing land uses and, as such, the Project would not create a division or disruption of an established community. Further, the Project's scale and mix of uses complement, and will be consistent with, the surrounding commercial and residential uses in the downtown area. In addition, the Project would be consistent with adopted land use plans, including the City's General Plan Framework, the Central City Community Plan, the Bunker Hill Redevelopment Plan, and the Southern California Association of Governments' Regional Comprehensive Plan and Guide. Thus, the Project would result in less than significant impacts relative to land use compatibility and adopted land use plans.
- iv. Cumulative Impacts – The 93 related projects that are planned or are under construction in the Project area are anticipated to occur in accordance with adopted land use plans and regulations. It is reasonable to assume that the projects under consideration in the area surrounding the Project would implement and support important local and regional planning goals and policies. It is also anticipated that any new projects would be subject to an environmental review process and would incorporate any mitigation measures necessary to reduce potential land use impacts. Therefore, no significant impacts with regard to adopted land use plans would occur.

B. Land Use (Zoning)

- i. Potential Impacts – The Project may have a significant zoning impact if:
  - a. The Project is not consistent with any land use or zoning law or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect.

- ii. Findings – The Project will cause a significant and unavoidable land use impact relative to the zoning regulations of the City of Los Angeles on a project-specific and cumulative basis. The Authority makes the following finding for this impact:
  - a. This impact can be mitigated to a level of less than significant if the City approves certain land use entitlements that have been applied for by the developer, which application is still pending as of the date of these Findings. Accordingly, the Authority finds that measures, such changes or alterations to the Project necessary to mitigate this impact are within the responsibility and jurisdiction of another public agency and not the Authority. The Authority further finds that such measures, changes or alterations should be adopted by such other agency.
  - b. For the reasons set forth in the Statement of Overriding Considerations adopted concurrently by the Authority, the Authority finds that the significant impact identified in this Section is acceptable in light of the Project's overall benefits.
- iii. Supportive Evidence and Rationale – The FEIR analyzed in detail the Project's land use impact relative to zoning in Section IV.A of the DEIR. The County Office Building Option and the Additional Residential Development Option would require zone changes and variances to permit the proposed development of five development parcels. With the granting of such zone changes and variances, which may be granted only after certification of the Final EIR by the Lead Agency and concurrently with action on the entitlements requested from the City by the developer, there would be no significant zoning impact. However, since the Project, under both Project Options, would be acted on by the Lead Agency (the Authority) prior to the City's decision on such zoning requests, the Project would not be in compliance with the current zoning provisions at the time of the Authority's approval of the Project. Therefore, it is conservatively concluded that, for purposes of CEQA, there would be a significant impact relative to zoning. No mitigation within the jurisdiction of the Authority exists to address non-compliance with the City's existing zoning regulations. The necessary change required in order to avoid this significant impact lies not with the Authority, but rather with the City of Los Angeles.
- iv. Cumulative Impact – Since the Project would create a significant impact with respect to the City's zoning and regulations, and related projects may require a variety of variances and zone changes, it is conservatively concluded that cumulative zoning impacts would be significant and unavoidable.

C. Traffic, Circulation and Parking (Traffic, Construction)

- i. Potential Impacts – The construction of the Project would cause a significant traffic impact due to (1) hauling activities; (2) temporary lane closures; (3) reconstruction of Civic Mall Ramps, (4) pedestrian access; (5) bus stop relocation; and (6) construction worker parking if:
  - a. The Project construction causes substantial delays and disruption of existing traffic and pedestrian flow.
  - b. The Project causes temporary relocation of existing bus stops to more than one-quarter mile from their existing stops.
- ii. Findings – The Project will not cause a significant traffic impact with respect to pedestrian access, bus stop relocation and construction worker parking due to, among other reasons, the adoption of the measures identified in this Section XI-B(a) of the Findings. The construction of the Project will cause a significant and unavoidable traffic impact with respect to hauling activities, temporary lane closures, and reconstruction of the Civic Mall's parking ramps on a project-specific and cumulative basis. With respect to those significant and unavoidable impacts, the Authority makes the following findings:
  - a. All feasible measures, changes and alterations have been required in, or incorporated into, the Project, which will lessen such significant environmental effects.
  - b. For the reasons set forth in the Statement of Overriding Considerations adopted concurrently by the Authority, the Authority finds that the significant impact identified in this Section XI-B(a) is acceptable in light of the Project's overall benefits.

Although the following mitigation measures aimed at reducing these significant and unavoidable traffic impacts during Project construction have been adopted, these mitigation measures will not reduce those impacts to a level of insignificance:

**Mitigation Measure B-1:** The developer with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements, shall prepare, prior to the start of each construction work phase, a Construction Traffic Control/Management Plan ("Plan") to be approved by the City of Los Angeles Department of Transportation ("LADOT") and implemented by the responsible party. The Plan shall include, but not be limited to, Project scheduling, the location and timing of any temporary land closures, traffic detours, haul

routes, temporary roadway striping, and signage for traffic flow, as necessary, as well as the identification and signage of alternative pedestrian routes in the immediate vicinity of the Project, if necessary. The Plan should also provide for the coordination of construction areas, and for safe pedestrian movement throughout the Project Area such that adequate and safe pedestrian movement access is maintained to adjacent uses including the Walt Disney Concert Hall, the Music Center, the County Courthouse, and the Metro Red Line station portals (on Parcel W-2 and on the Court of Flags).

**Mitigation Measure B-2:** After approval of the Construction Traffic Control/Management Plan(s) required under Mitigation Measure B-1 and prior to the start of each construction work phase, the developer with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements, shall submit a copy of the Plan(s) to the Authority or other appropriate agency, the City Chief Administrative Officer or designee, and the County of Los Angeles Chief Administrative Officer ("County CAO"). Following receipt of the Plan(s), the County CAO shall distribute that information to all County properties on Grand Avenue, including the Hall of Administration, County Courthouse, the Walt Disney Concert Hall, and the Music Center, for further distribution of information to employees and visitors on construction schedules, alternative travel routes, and land and sidewalk closure information, as appropriate, and the Authority or other appropriate agency, or the City, shall distribute to the appropriate City departments for the same purpose.

**Mitigation Measure B-3:** Prior to the start of each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements, shall enter into one or more temporary arrangements with parking garages in the area of the Project, or with surface lot operators elsewhere in downtown or its periphery, to provide a sufficient supply of off-street spaces for the construction workers during Project construction, and will require all construction workers to use these designated parking spaces. These temporary arrangements shall be to the satisfaction of (i) CRA/LA or (ii) the County's CAO or its designee.

- iii. Supportive Evidence and Rationale – The EIR analyzed in detail the potential traffic impacts caused by Project construction in Section IV.B of the DEIR. No significant impacts on pedestrian circulation during construction would occur, and a less than significant impact will result to bus stop relocation. Although sidewalk closures may occur, one side of the street will continue to be available. Any potential increase in walking distance for pedestrians would not amount to a significant impact. Further, the temporary relocation of bus

stops would be within two blocks of the Project site and within one-quarter mile of the original stop location, which is a distance that will not cause a significant impact. Also, with the implementation of Mitigation Measure B-3, no significant impact will result due to construction worker parking. The FEIR also evaluated the impact of construction trucks on A.M. peak hour traffic on roadways. During more than half of the Project's construction period, construction would generate approximately 40 trips a day, which would have minimal effect on peak hour roadway conditions. The highest number of daily truck trips would occur during the Project's peak excavation phases, and would range from approximately 130 to 300 haul trucks a day. As these trips would also be distributed throughout the day, the actual number of haul truck trips that would occur during the A.M. peak hour period would be relatively low. In addition, consistent with standard industry practice, the hauling of overweight or over-size equipment during construction would largely occur prior to the A.M. peak hour period. With respect to the probably low number of truck trips that would occur during the A.M. peak period, the Project shall comply with the requirements of the City of Los Angeles with regard to haul truck trips attributable to the construction of the Project, as will be established in connection with LADOT's review and approval of the Project's Construction Traffic Control/Management Plan and/or conditions of approval by the City in the various land use entitlements applied for by the Developer. However, it is conservatively concluded that because a portion of the construction truck trips could occur during peak hauling periods, including during the A.M. peak hour, a potentially significant and unavoidable short-term traffic impact may occur. Also, during the reconstruction of the Grand Avenue and Hill Street ramps to the existing Civic Center Mall garage, the diversion of traffic to alternate garage entrances would affect streets in the immediate vicinity of the County Garage block and potentially create a short-term significant and unavoidable traffic impact. Finally, complete closures of any streets are not expected during construction. However, such closures could occur due to unforeseen circumstances, in which case, they would cause temporary significant impacts. It is expected that, at most, one traffic or parking lane adjacent to the curb may need to be closed at certain locations for periods of up to 4 to 6 months, or up to approximately 18 to 24 months, depending on the stage of construction. Although temporary in nature, such closures would cause significant traffic impacts during such periods of time.

iv. Cumulative Impacts

- a. **Hauling.** The Project's highest periods of haul truck activity would be in the initial six to eight months of construction for each parcel, when trucks would carry excavated material from the site. During those periods a peak of 300 trucks a day are estimated. Because some of these trips could occur in the A.M. peak hour, haul truck trip periods

could cause short-term, significant cumulative traffic impacts. Hauling required for the construction of some of the 93 related projects would potentially overlap with the initial six to eight months of construction for each of the Project's development parcels. Therefore, haul truck impacts would be cumulatively significant.

- b. **Closure of Civic Mall Ramps.** In order to facilitate the development of the new Civic Park, the ramps to/from the County Mall parking garage on Grand Avenue will be reconfigured. Such work would require the ramps to be shut down for a period of time during the reconstruction. The diversion of traffic to alternate garage entrances would only affect streets in the immediate vicinity of the County Garage block, but could potentially create temporary and short-term cumulatively significant traffic impacts. The temporary closure of access to related project sites would not impact the same streets adjacent to the County Garage block. However, other temporary access closures at any of the other sites, particularly the 15 related projects located on Grand Avenue, Olive Street, and Hill Street, would cumulatively contribute to congestion and, as such, would be cumulatively significant.
- c. **Temporary Lane Closures.** Complete closures of any streets are not expected during construction. However, such lane closures could occur due to unforeseen circumstances, in which case they would cause temporary cumulatively significant impacts. The construction of any of the related projects has the potential to require temporary lane closures. Therefore, the impact of the Project and related projects, particularly the 15 related projects located on Grand Avenue, Olive Street, and Hill Street, would cumulatively contribute to congestion impacts resulting from temporary lane closures and such impacts are found to be cumulatively significant.
- d. **Construction Workers.** The 93 related projects would draw upon a construction workforce from all parts of the Los Angeles region. However, since the majority of construction workers are anticipated to arrive and depart the individual construction sites during off peak hours, cumulative traffic impacts due to construction workers trips are concluded to be less than significant.

C. Traffic, Circulation and Parking (Traffic, Operations)

- i. Impacts – Operation of the Project may cause a significant traffic impact relative to (1) intersection capacity; (2) the County-wide Congestion Management Plan for Regional Highways ("CMP"); (3) driveway access; and (4) transit capacity.



- a. An intersection would be significantly impacted with an increase in V/C ratio equal to or greater than 0.04 for intersections operating at LOS C; an increase in V/C ratio equal to or greater than 0.02 for intersections operating at LOS D; and V/C ratio equal to or greater than 0.01 for intersections operating at LOS E or F, after the addition of related projects, ambient growth, and Project traffic.
  - b. A significant driveway access impact would occur if:
    - (1) Intersections at the primary site access locations would operate at LOS F during the A.M. or P.M. peak hours; and
    - (2) The design features or physical configurations of the Project would affect the visibility of pedestrians and bicyclists to drivers entering and exiting the site, and the visibility of cars to pedestrians and bicyclists so as to create a hazardous condition.
  - c. Under the CMP, a significant traffic impact would occur if a project increases the demand to capacity ratio (D/C) of a freeway segment of 2 percent or more (D/C ratio increase greater than or equal to 0.02), which causes or worsens LOS F conditions.
  - d. A significant impact would occur if projected transit riders substantially exceed available transit capacity.
- ii. Findings – The Project will not cause a significant traffic impact relative to driveway access, transit capacity and certain intersections due to, among other reasons, the adoption of the measures identified in this Section XI-B(b) of the Findings. The Project will cause a significant and unavoidable traffic impact with respect to certain intersections and, under the County Office Building Option, the CMP, on a project – specific and cumulative basis. With respect to those significant and unavoidable impacts, the Authority makes the following findings for this impact:
- a. All feasible measures, changes and alterations have been required in, or incorporated into, the Project, which will lessen such significant environmental effects.
  - b. For the reasons set forth in the Statement of Overriding Considerations adopted concurrently by the Authority, the Authority finds that the significant impact identified in this Section XI-B(b) is acceptable in light of the Project's overall benefits.

Although the following mitigation measures are aimed at reducing these significant and unavoidable traffic impacts attributable to Project operations, these mitigation measures will not reduce those significant impacts:

**Mitigation Measure B-4:** If the Project proceeds with the County office building option, the County, on an on-going basis following initial occupancy, shall fund and implement a Transportation Demand Management (TDM) program for the proposed County office use in Parcel W-1/W-2. The County's CAO shall ensure the County's review and approval of this TDM program. The TDM program could, for example, include an onsite transportation coordinator, post information on transit, and provide logistical support for the formation of carpools and vanpools, and other incentives to use transit and rideshare.

**Mitigation Measure B-5:** The developer, with regard to the five development parcels, shall implement ATCS in conjunction with the area-wide ATCS program, if not otherwise implemented, prior to the completion of the first phase of development at the intersections identified by LADOT, although the implementation of this measure will provide mitigation to all three Project phases. Implementation of ATCS shall occur in the northern part of downtown, north of Eighth Street, at the locations identified by LADOT. LADOT has determined that implementation of the ATCS mitigation improvements in the area surrounding the Project would comprise the following: (1) upgrades to Model 2070 traffic signal controllers at 35 intersections; (2) installation of 58 ATSAC/ATCS system vehicle detectors at 9 intersections; and (3) installation of CCTV cameras to provide video information to the ATSAC Center at eight locations. Subject to a final determination by LADOT of the improvements required for the Project, ATCS shall also include LADOT's Transit Priority System (TPS).

**Mitigation Measure B-6:** The following menu of mitigation measures have been developed to further reduce the Project's potential traffic and circulation impacts. The term "menu" refers to the various ways that each of the following measures can be implemented to achieve trip reduction. Selection shall be coordinated with the LADOT, who shall determine which of the mitigation measures are to be implemented.

1. Provide enhanced walking connections along the Project street frontages to transit service (to bus stops and to the Red Line station portals at First Street and Hill Street). These could comprise pedestrian amenities along the Project's street frontages, including landscaped sidewalks, wider crosswalks where feasible at key intersections, improved lighting for pedestrian safety at nighttime, and pedestrian wayfinding signage, to facilitate walking in the Project area.

The developer shall implement this measure with regard to the five development parcels prior to initial building occupancy for each development phase; while, the responsible parties for the implementation of the Civic Park and Streetscape Program, under the applicable agreements, shall implement these measures prior to the completion of construction for each of these Project components.

2. The developer, as determined by LADOT and prior to initial building occupancy for each development phase, shall provide enhanced bus stops on the street frontages of the five development parcels. These enhanced bus stops may include bus shelters with passenger amenities such as benches, shaded areas, and transit information that could be integrated into the overall urban design/landscaping of the Project.
3. Provide transit information kiosks at various strategic locations on the Project site. The developer shall implement this measure with regard to the five development parcels prior to initial building occupancy for each development phase; while, the responsible parties for the implementation of the Civic Park and Streetscape Program, under the applicable agreements, shall implement these measures prior to the completion of construction for each of those Project components.
4. The developer, with regard to the five development parcels, shall participate in an on-going basis during Project operations, in a Share-Car program (e.g., Flexcar) that makes cars available to registered members. It is anticipated that up to three on-street parking spaces, subject to a determination of feasibility by LADOT, could be provided at key locations adjacent to the Project frontage for up to three Share-Cars. The Share-Cars could be available to both Project and non-Project users as long as they were members of the Share-Car program. The Project shall support a Share-Car organization's application to the City, and following any implementation of such application shall promote the Share-Car concept and encourage its usage with Project residents and tenants.
5. Provide improved vehicular directional signage on surface streets approaching and within the Project area to direct vehicles to specific destinations and parking locations, as appropriate, to minimize vehicles circulating in the Project area. Such signage should be approved to the satisfaction of LADOT. The developer shall implement this measure with regard to the five development parcels prior to initial building occupancy for each development phase; while, the responsible parties for the implementation of the Civic Park under the applicable

agreements, shall implement these measures prior to the completion of construction for the Civic Park.

**Mitigation Measure B-7:** The Developer, with regard to the five development parcels, shall re-stripe the westbound approach of the Third Street and Hill Street intersection from the existing configuration of one left turn lane, one through lane, and one shared through/right-turn lane to a future configuration of one left turn lane, two through lanes, and one exclusive right-turn lane. This improvement would require a slight widening of Third Street west of Hill Street before the entrance to the tunnel within the public right-of-way. The final lane configuration of this intersection shall be to the satisfaction of the City of Los Angeles Department of Transportation. In addition, any street widening and construction activities shall be coordinated with the City of Los Angeles Department of Public Works, Bureau of Engineering.

- iii. Supportive Evidence and Rationale – The FEIR analyzed in detail the potential traffic impacts that may be caused by Project operation in Section IV.B of the DEIR. Specifically:
  - a. Intersections: The Project with County Office Building Option would generate approximately 1,551 A.M. peak hour trips and 2,464 P.M. peak hour trips. This Option would result in significant traffic impacts at seven intersections in the A.M. peak hour and in significant traffic impacts at seventeen intersections in the P.M. peak hour. The Project with Additional Residential Development Option would generate approximately 1,019 trips in the A.M. peak hour and 2,003 trips in the P.M. peak hour. This Option would result in a significant traffic impact at six intersections in the A.M. peak hour and seventeen intersections in the P.M. peak hour. With the implementation of all the mitigation measures, including the ATCS and the intersection mitigation measures, one intersection in the A.M. peak hour and 12 intersections in the P.M. peak hour would be significantly and unavoidably impacted under the Project with County Office Building Option. With the implementation of all the mitigation measures, including ATCS and intersection mitigation measures, no intersections in the A.M. peak hour and 7 intersections in the P.M. peak hour would be significantly and unavoidably impacted under the Project with Additional Residential Development Option.
  - b. Access: No driveway intersection approach under either Project Option would exceed LOS D. Therefore, the Project would not cause any significant traffic impacts at proposed driveway locations.

- c. Freeway/CMP Impacts. The Project with County Office Building Option would cause two significant traffic impacts on the freeway system, one of which would occur at a CMP monitoring location (US-101 Hollywood Freeway north of Vignes Street). However, the Project with Additional Residential Development Option would cause no significant freeway traffic impacts. The Project with County Office Building Option's significant impacts on the US-101 Hollywood Freeway between Grand Avenue and Hill Street, and on the US-101 Hollywood Freeway north of Vignes Street (a CMP location) would be reduced to a less than significant level through the implementation of the proposed mitigation measures. Freeway/CMP impacts under the Project with Additional Residential Development Option would be less than significant.
  - d. Transit: Because Project transit trips would represent a very small proportion of the overall transit system capacity, it is concluded that the Project will result in a less than significant impact to the existing transit systems serving the Project area and downtown.
  - e. Civic Park: Early evening events in the Civic Park, or events associated with concerts/programs at the Music Center and the Walt Disney Concert Hall, may worsen traffic conditions in the Project area during the P.M. peak hour. The number of such events would be infrequent and would not occur on a regular basis. Although Civic Park traffic impacts would be temporary in nature, impacts may, on occasion, be significant in magnitude. Annual events, festivals, and holiday events could also potentially have temporary and short-term (one-time) traffic impacts. Therefore, on occasion, the size of the event and other factors may cause Civic Park traffic impacts to be significant and unavoidable.
- iv. Cumulative Impacts
- a. Intersections: The cumulative traffic impacts associated with the 93 related projects and ambient growth have been considered for the purpose of assessing the Project's traffic impacts. In conjunction with the significant Project impacts after mitigation, cumulative traffic impacts on certain intersections would be significant.
  - b. Civic Park: Early evening events in the Civic Park may worsen traffic conditions in the P.M. peak hour. The number of such events would be infrequent and would not occur on a regular basis. Although Civic Park traffic impacts would be temporary in nature, impacts may, on occasion, be significant in magnitude. As such, traffic impacts associated with such short-term activities would be considered

cumulatively significant in conjunction with other projects" traffic.

- c. Driveway Access: None of the 93 related projects share conjoining or adjacent access points. Therefore, no significant cumulative impacts relative to access would occur since none of the related projects could cause problems in accessing the Project site. Similarly, the Project would cause no problems in the accessibility of the related projects.
- d. Transit: The employees, visitors, and residents of the 93 related projects would use overlapping transit systems, as would be the case with the Project. Under the City of Los Angeles transportation and land use policies, this effect is positive (i.e., the concentration of new employment and housing projects in close proximity to transit services). Further, the increased usage of transit system by users at the related projects would not cause exceedance of the capacity of existing transit systems. Consequently, the cumulative impacts relative to transit systems are concluded to be less than significant.
- e. CMP: The Project with County Office Building Option would cause an incremental increase in the D/C ratio of 0.021 at the US-101 Hollywood Freeway between Grand Avenue and Hill Street, and an incremental increase of the D/C ratio of 0.020 at the US-101 Hollywood Freeway north of Vignes Street, both in the P.M. peak hour. Since that increase would be at or slightly above the threshold of significance, it is concluded that the Project with County Office Building Option would cause two significant traffic impacts on the freeway system, one of which would occur at a CMP monitoring location (US-101 Hollywood Freeway north of Vignes Street). Since related projects would also contribute to freeway traffic levels, the combination of the Project's traffic with the related projects' traffic is considered to be cumulatively significant. The Project with Additional Residential Development Option would not exceed D/C threshold ratios, and cumulative impacts are considered to be less than significant under this option.

D. Traffic, Circulation and Parking (Parking Impacts)

- i. Potential Impacts – The Project may create a significant parking impact if:
  - a. The Project would be inconsistent with adopted parking codes, parking plans, or policies.
- ii. Findings – The Project will not cause significant and unavoidable parking impacts, except for the one project-specific and cumulative impact discussed in subsection iii. and iv., below. With respect to that impact, the Authority

makes the following findings:

- a. This impact can be mitigated to a level of less than significant if the City approves a certain land use entitlement that has been applied for by the developer, which application is still pending as of the date of these Findings. Accordingly, the Authority finds that the measures, such changes or alterations to the Project necessary to mitigate this impact are within the responsibility and jurisdiction of another public agency and not the Authority. The Authority further finds that such measures, changes or alterations should be adopted by such other agency.
- b. For the reasons set forth in the Statement of Overriding Considerations adopted concurrently by the Authority, the Authority finds that the significant impact identified in this Section XI-B(c) is acceptable in light of the Project's overall benefits.
- iii. Supportive Evidence and Rationale – The FEIR analyzed in detail the Project's potential parking impacts in Section IV.B of the DEIR. Under both the Project with County Office Building Option and the Project with Additional Residential Development Option, commercial and residential parking would be consistent with the parking requirements of the LAMC. However, neither Option would meet the requirements of the Deputy Advisory Agency Residential Policy (DAARP), which requires 2.5 parking spaces per dwelling unit. As part of its entitlement application to the City, the developer will be seeking approval of a variance from the DAARP. The reasons for seeking a deviation from this policy are provided in Section IV.B, Traffic, Circulation and Parking, of the DEIR. If approved by the City, there would be no significant impact for this issue. However, using a worst-case perspective, a significant and unavoidable impact in regard to this policy is assumed. Should the variance be granted by the City, which would occur only after certification of the FEIR by the Lead Agency and concurrently with action on the entitlements requested from the City, there would be no significant residential parking impacts. However, until the exception is granted, it is conservatively concluded that, for purposes of CEQA, there would be a significant impact.

The Project's total parking supply will meet projected Project demand and also exceed many of the requirements of the City's parking requirements (except for the DAARP). For example, the first phase of development on the five development parcels will provide the approximately 1,129 parking spaces which is 155 parking spaces more than that is required by City Code. Further, an additional 381 spaces will be provided due to the use of mechanical lifts, valet operations and other parking strategies.

A minor change in the Project's parking arrangements for this first phase of development has been proposed by the developer since publication of the DEIR. This change would cause up to 227 parking spaces to be provided off-site up to two blocks from the Project site. However, there would be no significant parking impacts associated with this parking strategy. During evenings and weekends, there are sufficient spaces available in the Civic Center/Bunker Hill area as office buildings are closed. During the daytime, the most likely location sufficient spaces in the Walt Disney Hall Concert Hall garage would be available, even with the relocation of existing spaces from Parcel Q and Parcel W-1/W-2 due to the Project. Further, because these spaces would be provided within one or two blocks of Parcel Q, and because they would represent only 4% of the total Project parking supply, it is not expected that the distribution patterns of Project traffic would be significantly different from the patterns analyzed in the FEIR. Accordingly, the Authority finds that this minor potential change in the Project will not cause a significant new environmental impact.

Finally, the Project would eliminate 1,818 parking spaces (of which 1,604 are usable) in the lots existing on the five development parcels. Existing County facilities would absorb up to 1,074 of these spaces at such facilities as the Walt Disney Concert Hall garage and the Civic Center and in the Civic Center, where excess parking spaces are now available. Further, under the proposed Civic Park conceptual design plan, the Court of Flags garage (Lot 10) would be repaired and would add 325 usable parking spaces this parking supply. In addition to those available spaces, the analysis in the FEIR concluded that excess space exists in the twenty-one other parking facilities in the general vicinity of the Project Area.

- iv. Cumulative Impacts – It is assumed that the related development projects would satisfy their demand for commercial and residential parking, as is the case with the Project. However, since the Project would not comply with the DAARP for residential uses, as may also be the case with one or more of the related projects, non-compliance with the DAARP is considered cumulatively significant.

E. Aesthetics and Visual Resources (Visual Quality, Construction)

- i. Potential Impacts – The Project may cause a significant visual quality impact if:
  - a. The Project would substantially alter, degrade or eliminate the existing visual character of the area, including visually prominent existing features or other valued resources.



- b. The Project features would substantially contrast with the visual character of the surrounding area and its aesthetic image.
  - c. The implementation of the Project would preclude the attainment of existing aesthetics regulations or applicable plans.
- ii. Findings - A potentially significant visual quality impact due to construction of the Project is identified in the EIR. However, with the implementation of a mitigation measure, a regulatory measure, and project design features, this potentially significant impact will be reduced to a less than significant impact.

**Mitigation Measure C-1:** During Project construction, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements, shall ensure, through appropriate postings and daily visual inspections, that no unauthorized materials remain posted on any temporary construction barriers or temporary pedestrian walkways, and that any such temporary barriers and walkways are maintained in a visually attractive manner throughout the construction period. The City's Department of Building and Safety or other appropriate City agency or department, shall determine compliance with this measure with regard to construction associated with the five development parcels and the Streetscape Program. The County's CAO or its designee shall determine compliance with this measure with regard to construction of the Civic Park.

**Regulatory Measure C-1:** Prior to the start of each construction work phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Streetscape Program under the applicable agreements, shall prepare and implement a tree replacement plan should mature trees along Grand Avenue be impacted by Project construction. Existing mature trees shall be replaced at a ratio of not less than 1:1, to the extent consistent with the final streetscape design. The City's Department of Building and Safety or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels and the Streetscape Program.

**Project Design Feature C-1:** Prior to the start of construction along the east side of Grand Avenue, between First and Temple Streets, the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements shall coordinate construction of park improvements in the westerly Civic Park sector with any installation of streetscape and other improvements on Grand Avenue between First and Temple Streets to reduce the duration and visual impact of construction activities. Scheduling of construction activities for the Civic Park and the

Streetscape Program shall be reviewed and approved by the Authority and shall be implemented by the responsible parties.

**Project Design Feature C-2:** Prior to the start of each construction work phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements, shall schedule and coordinate sidewalk construction with the development of the adjacent parcels to reduce the duration and visual impact of construction activities. Scheduling of construction activities for the five development parcels, the Civic Park and the Streetscape Program shall be reviewed and approved by the Authority and implemented by the responsible parties.

- iii. Supportive Evidence and Rationale – The FEIR analyzed in detail the potential visual quality impacts associated with the construction of the Project in Section IV.C of the DEIR. Construction activities may be detrimental to the aesthetic value of the Project area. In addition, the potential removal or relocation of mature landscaping in the existing Civic Center Mall in order to create the Civic Park would contrast and detract from the existing visual character of the park. Mature trees would be preserved or relocated to the extent feasible. However, construction activities that would contrast with the aesthetic image of the area would cease at the completion of the construction phases. Due to the short-term nature of these activities, construction impacts on aesthetic resources are concluded to be less than significant. Further, the visual quality impacts generated by construction activities would be reduced to a less than significant level through the implementation of Mitigation Measure C-1, Regulatory Measure C-1, and Project Design Features C-1 and C-2.
- iv. Cumulative Impact – The related projects would not be located close enough to the Project's development parcels to be within the same field of view as the Project as to create any potentially significant visual quality impact attributable to cumulative construction activities. Further, the construction of such other related projects will likely comply with the mitigation measures described in this Section XI-C(a). Therefore, this cumulative impact will be less than significant.

E. Aesthetics and Visual Resources (Visual Quality, Operation)

- i. Impacts – The Project may cause a significant visual quality impact if:
  - a. The Project would substantially alter, degrade or eliminate the existing visual character of the area, including visually prominent existing features or other valued resources.

- b. The Project features would substantially contrast with the visual character of the surrounding area and its aesthetic image.
  - c. The implementation of the Project would preclude the attainment of existing aesthetics regulations or applicable plans.
- ii. Findings - A less than significant visual quality impact due to operation of the Project is identified in the FEIR. However, the following regulatory measures, and a project design feature are identified in the FEIR to ensure a less than significant impact.

**Regulatory Measure C-4:** Prior to the start of each construction work phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park under the applicable agreements shall submit to the Authority or other appropriate agency, for review and approval, building plans and specifications that demonstrate that all ventilation, heating and air conditioning ducts, tubes, and other such mechanical equipment shall be screened from the line-of-sight from the street. Approved building plans and specifications shall be implemented by the responsible parties.

**Regulatory Measure C-5:** Prior to the start of each construction work phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements shall submit design plans that demonstrate that all utility lines and connections are constructed underground. Approved utility plans and connections with regard to the five development parcels shall be reviewed and approved by the Authority, whereas the City's Department of Building and Safety or other appropriate City agency or department, shall review and approve with regard to the Streetscape program. Approved utility lines and connections shall be implemented by the responsible parties.

**Regulatory Measure C-6:** Prior to construction, the developer, with regard to the five development parcels, shall submit design plans for trash collection areas to the Authority for review and approval. Trash collection areas shall be screened from line of sight from the street. Approved design plans shall be implemented by the developer.

**Project Design Feature C-3:** Prior to the start of each construction work phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements, shall prepare architectural plans

that shall be reviewed and approved by the Authority such that all ground-level building fixtures, including, but not limited to, security gates, landscape light fixtures, pedestrian lights, air intake shafts, and other appurtenances are integrated into the architectural theme and/or design of the respective Project components. Approved architectural plans shall be implemented by the developer and the responsible parties.

- iii. Supportive Evidence and Rationale – The FEIR discusses the less than significant visual quality impact caused by Project operations in Section IV.C of the DEIR. The Grand Avenue streetscape program would improve the aesthetic quality and ambience of Grand Avenue and would create an appealing pedestrian environment. Existing visual and pedestrian access into the Civic Park would be improved and the extension of the Civic Park to Spring Street would enhance the aesthetic context of Los Angeles' City Hall. The Project's towers would contribute to the visual continuity of the tall and varied structures comprising the City's skyline and would be consistent with the aesthetic components that represent downtown's aesthetic image. The Project is anticipated to be consistent with the urban design policies that call for the shaping of a skyline that parallels and accentuates the topography of Bunker Hill, the integration of street-front retail with the streetscape, and the addition of public art into the Grand Avenue right-of-way. As such, the Project's visual quality impacts would be less than significant.
- iv. Cumulative Impacts - The related development projects identified in the FEIR as Nos. 9, 27, 88, and 92 are located in close proximity to the Project site and, as such, have the potential to cumulatively contribute to the visual quality of the area. It is anticipated, however, that all of the related projects would be constructed with high-quality materials and architectural design and would be consistent in scale with the surrounding buildings. In addition, it is anticipated that the related projects would contribute to sidewalk and streetscape improvements and, therefore, would improve the visual quality of the downtown area. Therefore, cumulative impacts relative to the aesthetics and visual quality would be less than significant.

F. Aesthetics and Visual Resources (Views)

- i. Impacts – The Project may cause a significant impact if:
  - a. Project development would substantially obstruct an existing view of a visually prominent resource as viewed from a public street, sidewalk, park, community cultural center, trail, public vantage point, or residential use.

- ii. Findings – The Project would cause significant and unavoidable view impacts (1) to the residents' views from the Grand Promenade Tower residential building; (2) the view from Olive Street; and (3) to the residents' view from the Museum Tower residential building. These three view impacts are identified in the FEIR, and the Authority makes the following findings for these impacts:
  - a. For the reasons set forth in the Statement of Overriding Considerations adopted concurrently by the Authority, the Authority finds that the significant impact identified in this Section XI-C(c) is acceptable in light of the Project's overall benefits.
  - b. No feasible mitigation measures exist to mitigate these significant view impacts. The issue of project alternatives that may mitigate those view impacts is addressed in Section XI-C(c) of these Findings.
- iii. Supportive Evidence and Rationale – The FEIR discusses the significant and unavoidable view impacts in Section IV.C. The Project would obstruct views of the Walt Disney Concert Hall and distant vistas to the north, possibly including the San Gabriel Mountains, from the Grand Promenade Tower, a 28-story residential building located immediately south of Parcel M-2. Development on Parcels W-1/W-2 would substantially block views of City Hall from Olive Street, a public street, under both Project Options. In addition, development on Parcel Q would block distant vistas to the north, possibly including the San Gabriel Mountains, from the upper stories of the Museum Tower residential building located south of Parcel Q and east of MOCA. Therefore, view impacts on the Grand Promenade Tower, Olive Street, and Museum Tower would be significant. There are no feasible mitigation measures to reduce the significant and unavoidable view impacts to the Promenade Tower, the view from Olive Street, and the view from the Museum Tower. As described in Section XII of these Findings, certain elements of Alternative No. 4 avoid the significant view impact to the residents' views from the Grand Promenade Tower.
- iv. Cumulative Impacts - Related project No. 88 will be located to the east of Angelus Plaza and would potentially block some easterly views from the existing Angelus Plaza residential use toward Los Angeles City Hall. The blockage of views of City Hall would be considered potentially significant, and since the development in parcels W-1 and W-2 would also block views of City Hall from Olive Street, cumulative impacts relative to the views of City Hall are found to be significant.

G. Aesthetics and Visual Resources (Light and Glare)

- i. Potential Impacts – The Project may cause a significant impact if:

- a. Lighting would alter the character of the off-site areas surrounding the Project; or
  - b. Lighting would substantially interfere with the performance of an off-site activity.
- ii. Findings – A potential significant glare impact from reflected light on building surfaces is identified in the EIR. However, this potential significant impact will be reduced to a level of less than significance with the implementation of two identified mitigation measures and one regulatory measure.

**Mitigation Measure C-2:** Prior to the start of each construction work phase, the developer, with regard to the five development parcels, shall submit a design plan and technical analysis prepared by the Project's architect as part of the building permit submission that demonstrates that the final selection of building materials for the five development parcels shall not create a significant glare impact on any offsite sensitive uses, including line-of-sight glare on any street or commercial, residential, or cultural use. The approved design plan shall be implemented by the developer with regard to the five development parcels. The design plan and technical study shall be reviewed and approved by the Authority.

**Mitigation Measure C-3:** Prior to each construction phase, the developer with regard to the five development parcels, shall prepare, and, thereafter, implement plans and specifications to ensure that architectural lighting is directed onto the building surfaces and have low reflectivity in accordance with Illuminating Engineers Society (IES) standards to minimize glare and limit light onto adjacent properties.

**Regulatory Measure C-3:** Prior to the completion of final plans and specifications, the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements, shall prepare lighting plans and specifications for the design type of light fixtures, height of light standards, and orientation of light fixtures and standards within the public right-of-way to ensure that all light fixtures do not interfere with the activities occurring within these areas. Lighting plans with regard to the Streetscape Program shall be submitted to the City's Department of Building and Safety or other appropriate City agency or department, for review and approval. Lighting plans with regard to the Civic Park shall be submitted to the County CAO or its designee for review and approval. Approved lighting plans shall be implemented by the responsible parties.

- iii. Supportive Evidence and Rationale – The FEIR analyzed in detail the potential glare impact from reflected light on building surfaces in Section IV.C of the DEIR. The Project would increase ambient light and artificial glare through the implementation street lighting, illuminated signs, architectural lighting, light spillage from the windows of high-rise buildings, special events lighting and security lighting. Since the Project's lighting would be similar to adjacent businesses (i.e., the nearby residential and office towers), it would not significantly impact the environment, which is currently characterized by high levels of ambient light. The increase in ambient light and artificial glare would not be great enough to interfere with activities at nearby residential, office and cultural uses. Natural sunlight reflected from building surfaces and windows have the potential to create glare. Further, special events lighting in the Civic Park has the potential to create a significant impact. However, with the implementation of Mitigation Measures C-2 and C-3, the potential light and glare impacts associated with special events lighting and reflected sunlight would be reduced to less than significant levels.
- iv. Cumulative Impact – The Project and 93 related projects would increase ambient light in downtown Los Angeles. However, the context of the downtown environment, illuminated signage associated with street front retail uses and restaurants would not substantially alter the character of the surrounding area. The related projects Nos. 27 and 92, which are located in the same line-of-sight as the Project, as viewed from adjacent westbound and northbound streets, respectively, have the potential to contribute to glare impacts. With the implementation of the recommended mitigation measures, which require a technical glare analysis of, and, if necessary, modification to, the Project's building materials, the Project's potentially significant glare impact would be reduced to a less than significant level. Since it is assumed that the related projects would be subject to the same measure concerning their potential glare impacts, cumulative impacts would be less than significant.

#### H. Aesthetics and Visual Resources (Shade and Shadow)

- i. Potential Impacts – The Project may cause a significant shade/shadow impact if:
  - a. The Project would shade currently unshaded off-site, shadow-sensitive uses more than three hours between the hours of 9:00 A.M. and 3:00 P.M. PST, between late October and early April, or more than four hours between the hours of 9:00 A.M. and 5:00 P.M. PDT between early April and late October.
- ii. Findings – A less than significant shade/shadow impact is identified in the

FEIR. No mitigation measures are identified for this impact.

- iii. Supportive Evidence and Rationale – The Project's potential shade/shadow impact is analyzed in detail in Section IV.C of the DEIR. During certain seasons, the Project's towers have the potential to shade sensitive offsite uses, including the future Central Los Angeles Performing Arts Senior High School (currently under construction), the Bunker Hill Towers open space, and Angelus Plaza, depending on the season and hour of the day. However, shading would not exceed three hours between the hours of 9:00 A.M. and 3:00 P.M. during the winter solstice or spring equinox, or four hours between the hours of 8:00 A.M. and 5:00 P.M. during the summer solstice or fall equinox. Accordingly, the Project would have a less than significant shade/shadow impact.
- iv. Cumulative Impact - The combined morning shading from the Project and related project Nos. 9 and 27, with shading later in the day from related project No. 88, would create a potentially significant shade/shadow impact on the Angelus Plaza site, during the summer solstice only. No feasible mitigation measures exist for this cumulative impact due to the proposed location of these related projects. Although related project No. 92 would generate considerable shading of the Angelus Plaza site, substantially shading from related project No. 92 is not anticipated during the summer solstice. No other related projects would contribute to cumulative shading impacts.

I. Historical Resources

- i. Impacts – The Project may cause a significant historical resources impact if:
  - a. The Project will cause a substantial adverse change in the significance of a historical resource. A substantial adverse change means physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of a historical resource would be materially impaired.
- ii. Findings – The Project will cause significant and unavoidable historical resources impact on a project-specific and cumulative basis. The Authority makes the following findings for this impact:
  - a. All feasible measures, changes and alterations have been required in, or incorporated into, the Project, which will lessen such significant environmental effects.



- b. For the reasons set forth in the Statement of Overriding Considerations adopted concurrently by the Authority, the Authority finds that the significant impact identified in this Section XI-D is acceptable in light of the Project's overall benefits.

Although the following mitigation measures aimed at reducing this significant and impact to historical resources have been adopted, these mitigation measures will not reduce this significant impact to a level of insignificance:

**Mitigation Measure D-1: Potential Los Angeles Civic Center Historic District.** Prior to the start of each construction phase, the responsible parties for implementation of the Streetscape Program under the applicable agreements shall submit plans to the Authority, for review and approval to ensure that impacts to the potential eligibility of the potential Los Angeles Civic Center Historic District are reduced to the maximum extent practicable through implementation of the following measures:

1. **Grand Avenue Streetscape Program Design Features.** If the Streetscape Program is implemented in substantial conformance to that set forth in the Project's Conceptual Plan, then the following mitigation measure is not required since such Plan is consistent with the Secretary of Interior's Standards for Rehabilitation of Historic Buildings and the Guidelines for the Treatment of Cultural Landscapes (collectively referred to as the "Standards"). However, should the final design for the Grand Avenue streetscape improvements not be implemented in substantial conformance with the Project's Conceptual Plan, then the landscape and hardscape features proposed as part of the Grand Avenue Streetscape Program shall respect the linear qualities of the street and sidewalks in respect to the adjacent historic resource. Such landscape treatments shall be unified and planted in a manner as to not obscure the sight lines to the facades of those properties identified as contributors to the potential Los Angeles Civic Center Historic District from the public right-of-ways. The design of the Project's streetscape improvements shall consider their height, width, and spatial placement and include a program of selective pruning of trees to retain sight lines on a regular basis.

**Mitigation Measure D-2: Music Center:** No mitigation measures are required if the Grand Avenue streetscape improvements are implemented in substantial conformance to that set forth in the Project's Conceptual Plan, as determined by the Authority, since such Plan is consistent with the Secretary of Interior's Standards for Rehabilitation of Historic Buildings and the Guidelines for the Treatment of Cultural Landscapes (collectively referred to as the "Standards"). However, should the final design for the Grand Avenue

streetscape improvements not be implemented in substantial conformance with the Project's Conceptual Plan, then prior to the start of each construction phase, the entity responsible for implementing the Project's streetscape program under the applicable agreements shall submit plans to the Authority for review and approval to ensure that impacts to the potential eligibility of the Music Center are reduced to the maximum extent practicable through implementation of the following mitigation measure:

1. Prior to implementation, the final design plans for the Grand Avenue streetscape improvements shall be reviewed by a qualified architectural historian or historic preservation consultant who satisfies the Secretary of the Interior's Professional Qualification Standards for History or Architectural History to assure that the final design for the streetscape improvements does not materially alter the Music Center's potential historic significance. This evaluation shall be conducted in accordance with the Secretary of the Interior's Standards for the Rehabilitation of Historic Buildings.

**Mitigation Measure D-3: Cathedral of Our Lady of the Angels.** No mitigation measures are required if the Grand Avenue streetscape improvements are implemented in substantial conformance to that set forth in the Project's Conceptual Plan, as determined by the Authority, since such Plan is consistent with the Secretary of Interior's Standards for Rehabilitation of Historic Buildings and the Guidelines for the Treatment of Cultural Landscapes (collectively referred to as the "Standards"). However, should the final design for the Grand Avenue streetscape improvements not be implemented in substantial conformance with the Project's Conceptual Plan, then prior to the start of each construction phase, the entity responsible for implementing the Project's streetscape program under the applicable agreements shall submit plans to the Authority, for review and approval to ensure that impacts to the potential eligibility of the Cathedral of Our Lady of the Angels are reduced to the maximum extent practicable through implementation of the following mitigation measure:

1. Prior to implementation, the final design plans for the Grand Avenue streetscape improvements shall be reviewed by a qualified architectural historian or historic preservation consultant who satisfies the Secretary of the Interior's Professional Qualification Standards for History or Architectural History to assure that the final design for the streetscape improvements does not materially alter the Cathedral of Our Lady of the Angels' potential historic significance. This evaluation shall be conducted in accordance with the Secretary of the Interior's Standards.

**Mitigation Measure D-4: Kenneth Hahn Hall of Administration.** No mitigation measures are required if the final design for the Civic Park and the Grand Avenue streetscape improvements are in substantial conformance to that set forth in the Project's Conceptual Plan, as determined by the Authority, since such Plan is consistent with the Secretary of Interior's Standards for Rehabilitation of Historic Buildings and the Guidelines for the Treatment of Cultural Landscapes (collectively referred to as the "Standards"). However, should the final design for the Civic Park and the streetscape improvements not be implemented in substantial conformance with the Project's Conceptual Plan, prior to the start of each construction phase, the responsible parties for implementation of the Civic Park and Streetscape Program, under the applicable agreements, shall submit plans to the Authority, for review and approval to ensure that impacts to the potential eligibility of the Kenneth Hahn Hall of Administration as a contributing property to the potentially eligible Los Angeles Civic Center Historic District are reduced to the maximum extent practicable through implementation of the following mitigation measure:

1. Prior to implementation, the final design plans for the Civic Park and the Grand Avenue streetscape improvements shall be reviewed by a qualified architectural historian or historic preservation consultant who satisfies the Secretary of the Interior's Professional Qualification Standards for History or Architectural History to assure that the final designs for the Civic Park and streetscape improvements do not materially alter the Kenneth Hahn Hall of Administration's potential historic significance. This evaluation shall be conducted in accordance with the Secretary of the Interior's Standards. The County's CAO or its designee shall determine compliance for the Civic Park and the City's Department of Building and Safety shall determine compliance for the Streetscape Program.

**Mitigation Measure D-5: Civic Center Mall (El Paseo de los Pobladores de Los Angeles).** Prior to the start of each construction phase, the responsible parties for implementation of the Civic Park under the applicable agreements shall submit plans to the Authority, for review and approval to ensure that impacts to the potential eligibility of the Civic Center Mall for listing in the California Register is reduced to the maximum extent practicable. However, in the event that any one or more of the following occurs: (1) the water feature (both the fountain and pools) no longer serves as a focal point for the park; (2) many of the pink granite clad planters, pink granite clad retaining walls, and concrete benches are not retained and reused in-place or within the reconfigured park preferably near the water feature and adjacent to the civic buildings; (3) the existing elevator shaft structures are removed in their totality, or (4) many of the light poles with saucer-like canopies and the "hi-fi" speaker poles with saucer-like canopies are not retained in-place or

relocated adjacent to or integrated along with the water feature, benches, retaining walls, and planter boxes, then the Standards shall be utilized to ensure that rehabilitation work to the four character-defining features of the park referenced in this Mitigation Measure D-5 does not impair the historic characteristics that convey the Civic Center Mall's historical significance as an individual resource and as a contributing property to the potentially eligible Los Angeles Civic Center Historic District. If such compliance with such Standards cannot be achieved, then the following measures shall apply to the applicable character-defining features identified in this Measure:

1. **Recordation.** Prior to the issuance of a demolition permit for the Civic Center Mall and its associated features, a Historic American Building Survey (HABS) Level II-like recordation document shall be prepared for the Civic Center Mall. A qualified architectural historian or historic preservation consultant who satisfies the Secretary of the Interior's Professional Qualification Standards for History or Architectural History shall prepare this document. The HABS-like document shall record the existing landscape and hardscape features of the Civic Center Mall, including the four character-defining features identified in this measure. The report shall also document the history and architectural significance of the property and its contextual relationship with the surrounding civic buildings and environment. Its physical composition and condition, both historic and current, should also be noted in the document through the use of site plans, historic maps and photographs, and large-format photographs, newspaper articles, and written text. A sufficient number of large-format photographs shall be taken of the resource to visually capture its historical and architectural significance through general views and detail shots. Field photographs (35mm or digital format) may also be included in the recordation package. All document components and photographs should be completed in accordance with the Secretary of the Interior's Standards and Guidelines for Architectural and Engineering Documentation. Archival copies of the report, including the original photographs, shall be submitted to the California Office of Historic Preservation and the Huntington Library. Non-archival copies of the report and photographs shall be submitted to the County of Los Angeles, the City of Los Angeles Planning Division, the Los Angeles Public Library (Main Branch), and the Los Angeles Conservancy Modern Committee.
2. **Salvage and Reuse of Key Park Features.** Prior to the removal of the four character-defining features identified in this Measure, an inventory of significant landscape and hardscape elements shall be made by a qualified preservation consultant and landscape architect.

Where feasible, these materials and elements shall be itemized, mapped, photographed, salvaged, and incorporated into the new design of the park, wherever possible. To the extent salvageable materials cannot be reused on-site, they shall be disposed of in accordance with applicable county surplus procedures.

**Mitigation Measure D-6: Hall of Records.** No mitigation measures are required if the final design for the Civic Park is in substantial conformance to that set forth in the Project's Conceptual Plan, as determined by the Authority, since such Plan is consistent with the Secretary of Interior's Standards for Rehabilitation of Historic Buildings and the Guidelines for the Treatment of Cultural Landscapes (collectively referred to as the "Standards"). However, should the final design for the Civic Park not be implemented in substantial conformance with the Project's Conceptual Plan, prior to the start of each construction phase, the responsible parties for implementation of the Civic Park under the applicable agreements shall submit plans to the Authority, for review and approval to ensure that impacts to the potential eligibility of the Hall of Records building as a contributing property to the potentially eligible Los Angeles Civic Center Historic District are reduced to the maximum extent practicable through implementation of the following mitigation measure:

1. Prior to implementation, the final design plans for the Civic Park shall be reviewed by a qualified architectural historian or historic preservation consultant who satisfies the Secretary of the Interior's Professional Qualification Standards for History or Architectural History to assure that the proposed Civic Park design does not materially alter the Hall of Records' potential historic significance. This evaluation shall be conducted in accordance with the Secretary of the Interior's Standards for the Rehabilitation of Historic Building.

**Mitigation Measure D-7: Court of Flags.** No mitigation measures are required if the final design for the Civic Park is in substantial conformance to that set forth in the Project's Conceptual Plan, as determined by the Authority, since such Plan is consistent with the Secretary of Interior's Standards for Rehabilitation of Historic Buildings and the Guidelines for the Treatment of Cultural Landscapes (collectively referred to as the "Standards"). However, should the final design for the Civic Park not be implemented in substantial conformance with the Project's Conceptual Plan, prior to the start of each construction phase, the responsible parties for implementation of the Civic Park under the applicable agreements shall submit plans to the Authority for review and approval to ensure that impacts to the potential eligibility of the Court of Flags as a contributing property to the potentially eligible Los Angeles Civic Center Historic District are reduced to the maximum extent practicable through implementation of the following mitigation measure:

1. Prior to implementation, the final design plans for the Civic Park shall be reviewed by a qualified architectural historian or historic preservation consultant who satisfies the Secretary of the Interior's Professional Qualification Standards for History or Architectural History to assure that the proposed Civic Park design does not materially alter the Court of Flag's potential historic significance. This evaluation shall be conducted in accordance with the Secretary to Interior's Standards.

**Mitigation Measure D-8: Clara Shortridge Foltz Criminal Justice Center.**

No mitigation measures are required if the final design for the Civic Park is in substantial conformance to that set forth in the Project's Conceptual Plan, as determined by the Authority, since such Plan is consistent with the Secretary of Interior's Standards for Rehabilitation of Historic Buildings and the Guidelines for the Treatment of Cultural Landscapes (collectively referred to as the "Standards"). However, should the final design for the Civic Park not be implemented in substantial conformance with the Project's Conceptual Plan, prior to the start of each construction phase, the responsible parties for implementation of the Civic Park under the applicable agreements shall submit plans to the Authority, for review and approval to ensure that impacts to the potential eligibility of the Clara Shortridge Foltz Criminal Justice Center as a contributing property to the potentially eligible Los Angeles Civic Center Historic District are reduced to the maximum extent practicable through implementation of the following mitigation measure:

1. Prior to implementation the final design plans for the Civic Park shall be reviewed by a qualified architectural historian or historic preservation consultant who satisfies the Secretary of the Interior's Professional Qualification Standards for History or Architectural History to assure that the proposed Civic Park does not materially alter the Clara Shortridge Foltz Criminal Justice Center's potential historic significance. This evaluation shall be conducted in accordance with the Secretary of the Interior's Standards.

**Mitigation Measure D-9: Los Angeles City Hall.** No mitigation measures are required if the final design for the Civic Park is in substantial conformance to that set forth in the Project's Conceptual Plan, as determined by the Authority, since such Plan is consistent with the Secretary of Interior's Standards for Rehabilitation of Historic Buildings and the Guidelines for the Treatment of Cultural Landscapes (collectively referred to as the "Standards").

However, should the final design for the Civic Park not be implemented in substantial conformance with the Project's Conceptual Plan, prior to the start of each construction phase, the responsible parties for implementation of the Civic Park under the applicable agreements shall submit plans to the

Authority, for review and approval to ensure that impacts to those historic characteristics that make the Los Angeles City Hall building historically significant as a designated resource and as a contributing property to the potentially eligible Los Angeles Civic Center Historic District, are reduced to the maximum extent practicable through implementation of the following mitigation measure:

1. Prior to implementation the final design plans for the Civic Park shall be reviewed by a qualified architectural historian or historic preservation consultant who satisfies the Secretary of the Interior's Professional Qualification Standards for History or Architectural History to assure that the proposed Civic Park design does not materially alter the historic significance of the Los Angeles City Hall. This evaluation shall be conducted in accordance with the Secretary of the Interior's Standards.

**Mitigation Measure D-10: Los Angeles County Law Library.** No mitigation measures are required if the final design for the Civic Park is in substantial conformance to that set forth in the Project's Conceptual Plan, as determined by the Authority, since such Plan is consistent with the Secretary of Interior's Standards for Rehabilitation of Historic Buildings and the Guidelines for the Treatment of Cultural Landscapes (collectively referred to as the "Standards"). However, should the final design for the Civic Park not be implemented in substantial conformance with the Project's Conceptual Plan, prior to the start of each construction phase, the responsible parties for implementation of the Civic Park under the applicable agreements shall submit plans to the Authority, for review and approval to ensure that impacts to the potential eligibility of the potentially eligible Los Angeles County Law Library as a contributing property to the Los Angeles Civic Center Historic District are reduced to the maximum extent practicable through implementation of the following mitigation measure:

1. Prior to implementation, the final design plans for the Civic Park shall be reviewed by a qualified architectural historian or historic preservation consultant who satisfies the Secretary of the Interior's Professional Qualification Standards for History or Architectural History to assure that the proposed Civic Park design does not materially alter the Los Angeles County Law Library's potential historic significance. This evaluation shall be conducted in accordance with the Secretary of the Interior's Standards.

**Mitigation Measure D-11: Los Angeles County Courthouse.** No mitigation measures are required if the final design for the Civic Park and the Grand Avenue streetscape improvements are in substantial conformance to that set

forth in the Project's Conceptual Plan, as determined by the Authority, since such Plan is consistent with the Secretary of Interior's Standards for Rehabilitation of Historic Buildings and the Guidelines for the Treatment of Cultural Landscapes (collectively referred to as the "Standards"). However, should the final design for the Civic Park and the streetscape improvements not be implemented in substantial conformance with the Project's Conceptual Plan, prior to the start of each construction phase, the responsible parties for implementation of the Civic Park and the Streetscape Program under the applicable agreements shall submit plans to the Authority, for review and approval to ensure that impacts to the potential eligibility of the Los Angeles County Courthouse as a contributing property to the potentially eligible Los Angeles Civic Center Historic District are reduced to the maximum extent practicable through implementation of the following mitigation measure:

1. Prior to implementation, the final design plans for the Civic Park and the Grand Avenue streetscape improvements shall be reviewed by a qualified architectural historian or historic preservation consultant who satisfies the Secretary of the Interior's Professional Qualification Standards for History or Architectural History to assure that the proposed final designs for the Civic Park and streetscape improvements do not materially alter the Los Angeles County Courthouse's potential historic significance. This evaluation shall be conducted in accordance with the Secretary of the Interior's Standards. The County's CAO or its designee shall determine compliance for the Civic Park and the City's Department of Building and Safety shall determine compliance for the Streetscape Program.

**Mitigation Measure D-12: Southern California Edison (One Bunker Hill) Building.** No mitigation measures are required if the Grand Avenue streetscape improvements are implemented in substantial conformance to that set forth in the Project's Conceptual Plan, as determined by the Authority, since such Plan is consistent with the Standards. However, should the final design for the Grand Avenue streetscape improvements are not implemented in substantial conformance with the Project's Conceptual Plan, the responsible parties for implementation of the Streetscape Program under the applicable agreements shall submit plans to the Authority, for review and approval to ensure that impacts to the historic characteristics that convey the Southern California Edison building's (One Bunker Hill) significance are reduced to the maximum extent practicable through implementation of the following mitigation measure:

1. Prior to implementation, the final design plans for the Grand Avenue streetscape improvements shall be reviewed by a qualified architectural historian or historic preservation consultant who satisfies



the Secretary of the Interior's Professional Qualification Standards for History or Architectural History to assure that the final design for the proposed streetscape improvements does not materially alter the Southern California Edison's (One Bunker Hill) Building's historic significance. This evaluation shall be conducted in accordance with Secretary of the Interior's Standards.

- iii. Supportive Evidence – The FEIR identifies a significant and unavoidable historical resources impact in Section IV.D of the DEIR. Under CEQA, implementation of the recommended mitigation measures would reduce all of the identified significant impacts to a less than significant level, with the exception of one impact associated with the Civic Center Mall. The Mall is individually eligible for listing on the California Register of Historic Resources and would be a contributory feature of the Civic Center since the Center is eligible as a California Register Historic District. The actual extent of that significant impact is dependent upon the Civic Park's final design. Significant impacts to the Park would result if one or more the following occurs: (1) the water feature (both the fountain and pools) no longer serves as a focal point for the park; (2) many of the pink granite clad planters, pink granite clad retaining walls, and concrete benches are not retained and reused in-place or within the reconfigured park preferably near the water feature and adjacent to the civic buildings; (3) the existing elevator shaft structures are removed in their totality, or (4) many of the light poles with saucer-like canopies and the "hi-fi" speaker poles with saucer-like canopies are not retained in-place or relocated adjacent to or integrated along with the water feature, benches, retaining walls, and planter boxes. The Standards should be utilized to ensure that rehabilitation work for the Civic Park does not impair those qualities and historic characteristics of these four key character-defining features. If these character-defining features were retained and reused in a manner consistent with the Standards as discussed in the EIR, then a significant impact to this resource would not occur. However, since the final design of the Park has not been completed, and, therefore, consistency with the Standards is not known at this time, it is conservatively assumed that a significant impact will occur.

Based on the analysis in the FEIR, the Authority finds that the Civic Mall is not eligible for listing in the National Register of Historic Places since the necessary criteria for such a listing are not satisfied. However, during the public review process, a comment was raised as to the need for the Civic Center Mall to be listed in the National Register in addition to the California Register of historic resources. For CEQA purposes, a resource need only be recognized at the local or state level in order to be afforded full protection as a historical resource. Thus, whether the Civic Center Mall is listed in the National Register or the California Register, it would be afforded the same protections. Accordingly, the Authority finds that there is no

additional impact associated with the Civic Mall's potential eligibility for the National Register.

- iv. Cumulative Impacts - The development of one or more related projects in the downtown area has the potential to affect listed or eligible historical resources. Each of the related projects having the potential to impact historical resources would be subject to CEQA review and it is anticipated that any potential impacts on historical resources would be addressed and reduced to less than significant levels through the CEQA process. However, as the Project may result in a potentially significant impact with regard to the Civic Center Mall on an individual basis as well as a contributor to the potential Civic Center historic district, the Project and the related projects may also have the potential to cause a significant cumulative impact on historical resources.

J. Population, Housing and Employment

- i. Potential Impact – The Project may cause a significant impact with regard to population, housing and employment if:
  - a. The Project would cause population or housing growth in Southern California Association of Governments ("SCAG") City of Los Angeles subregion to exceed SCAG's 2015 projections.
  - b. The Project would cause growth that is not compatible with adopted population and housing policies, including jobs/housing balance, as set forth in the Central City Community Plan, the City's General Plan Housing Element, the General Plan Framework, and SCAG's Regional Comprehensive Plan and Guide (RCPG).
- ii. Findings – The Project will not cause a significant impact with regard to population, housing and employment.
- iii. Supportive Evidence and Rationale – The FEIR analyzed in detail the Project's potential impacts associated with population, housing and employment in Section IV-E of the DEIR. Project development would not exceed SCAG's adopted projections for the City of Los Angeles Subregion. The Project would also be consistent with adopted policies, including jobs/housing balance, as set forth in the Central City Community Plan, the City's General Plan Housing Element, the General Plan Framework, and SCAG's Regional Comprehensive Plan and Guide. Therefore, the Project would result in less than significant environmental impacts to housing, employment and population. Thus, no mitigation measures are required.

- iv. Cumulative Impact – Additional growth from the 93 related projects would generate 28,952 estimated residents and 61,158 estimated employees. When combined with the Project with County Office Building Option, the estimated population growth would be 31,877 residents and 65,364 employees. Under the Project with Additional Residential Development Option, cumulative population growth would be 32,729 residents and 62,364 employees. According to SCAG forecasts for the City of Los Angeles Subregion, cumulative growth under both Project Options would represent approximately 18 percent of the forecasted residential growth and 29 percent of the forecasted employment growth. This level of cumulative growth would not exceed projections and would therefore be less than significant. The related projects are also anticipated to be consistent with SCAG and Los Angeles policies for development of the downtown area as a dense activity center and, as such, would not cause a significant cumulative impact in this area.

K. Air Quality (Project Construction)

- i. Impacts – The construction of the Project may cause a significant and unavoidable air quality impact if:
- a. The Project's emission of "regional" air pollutants from both direct and indirect sources would exceed any of the following South Coast Air Quality Management District ("SCAQMD") prescribed threshold levels: (1) 75 pounds per day (lbs/day) for VOC; (2) 100 lbs/day for NO<sub>x</sub>; (3) 550 lbs/day for CO; and (4) 150 lbs/day for PM<sub>10</sub> or SO<sub>x</sub>.
  - b. Project-related fugitive dust and construction equipment emissions cause an incremental increase in localized PM<sub>10</sub> concentrations of 10.4 µg/m<sup>3</sup> or cause a violation of NO<sub>2</sub> or CO ambient air quality standards.
- ii. Findings – A significant and unavoidable air quality impact caused by construction of the Project will occur on a project-specific and cumulative basis. The Authority makes the following findings for this impact:
- a. All feasible measures, changes and alterations have been required in, or incorporated into, the Project, which will lessen such significant environmental effects.
  - b. For the reasons set forth in the Statement of Overriding Considerations adopted concurrently by the Authority, the Authority finds that the significant impact identified in this Section XI-F(a) is acceptable in light of the Project's overall benefits.

Although the following mitigation measures aimed at reducing these significant and unavoidable air quality impacts associated with Project construction have been adopted, these mitigation measures will not reduce those significant impacts to a level of insignificance:

**Mitigation Measure F-1:** During each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements shall implement a fugitive dust control program pursuant to the provisions of SCAQMD Rule 403. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with SCAQMD Rule 403 during construction with regard to construction associated with the five development parcels and the Grand Avenue Streetscape Program. The County's CAO or its designee shall determine compliance with regard to the Civic Park. The SCAQMD retains jurisdiction to enforce this measure in the case of non-compliance. Compliance with the applicable provisions of Rule 403 shall include, but not be limited to, using best available control measures listed in Table 1 of Rule 403 to minimize fugitive dust emissions from each fugitive dust source type within active operations, and will include at least the following specific best management practices (BMPs):

1. Water soils daily and not more than 15 minutes prior to earth moving activities;
2. Water surfaces two times per day or more in order to maintain a surface crust to prevent soil erosion
3. Apply soil conditioners or vegetative cover to areas that will be exposed for an extended duration:
4. Apply chemical stabilizers within five working days of ceasing grading;
5. Install of approved trackout prevention devices and provide street sweeping within the Project area:
6. Securely cover truck loads with a tarp;
7. Cease grading activities when wind speeds exceed 25 miles per hour; and
8. Permanently seal exposed surfaces as soon as possible after grading is finished.
9. Provide temporary wind fencing, consisting of wrapped chain links or solid fencing, around the sites that are being graded/excavated to reduce dirt/dust from being blown over to adjoining properties.

**Mitigation Measure F-2:** During each construction phase, the developer, with regard to the five development parcels and the responsible parties for implementation of the Civic Park and Streetscape Program under the

applicable agreements, shall utilize coatings and solvents that are consistent with applicable SCAQMD rules and regulations. The City's Department of Building and Safety, or other appropriate City agency or department, shall provide oversight with regard to compliance with this measure with regard to construction associated with the five development parcels and the Streetscape Program. The County's CAO or its designee shall determine compliance with regard to the Civic Park. The SCAQMD retains jurisdiction to enforce this measure in the case of non-compliance.

**Mitigation Measure F-3:** During each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements, shall comply with SCAQMD Rule 402 to reduce potential nuisance impacts due to odors from construction activities. The City's Department of Building and Safety, or other appropriate City agency or department, shall provide oversight with regard to compliance with this measure with regard to construction associated with the five development parcels and the Streetscape Program. The County's CAO or its designee shall provide oversight with regard to compliance with this measure with regard to the Civic Park. The SCAQMD retains jurisdiction to enforce this measure if it is not being complied with.

**Mitigation Measure F-4:** During each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements shall ensure that all haul truck tires shall be cleaned at the time these vehicles exit the Project site. The City's Department of Building and Safety, or other appropriate City agency or department, shall provide oversight with regard to compliance with this measure with regard to construction associated with the five development parcels and the Streetscape Program. The County's CAO or its designee shall provide oversight with regard to compliance with this measure with regard to the Civic Park. The SCAQMD retains jurisdiction to enforce this measure in the case of non-compliance.

**Mitigation Measure F-5:** During each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements shall ensure that all export material carried by haul trucks shall be covered by a tarp or other means. The City's Department of Building and Safety, or other appropriate City agency or department, shall provide oversight with regard to compliance with this measure with regard to construction associated with the five development parcels and the Streetscape Program. The County's CAO or its designee shall provide

oversight with regard to compliance with this measure with regard to the Civic Park. The SCAQMD retains jurisdiction to enforce this measure in the case of non-compliance.

**Mitigation Measure F-6:** During each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements shall ensure that all construction equipment shall be properly tuned and maintained in accordance with manufacturer's specifications. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to construction associated with the five development parcels and the Streetscape Program. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.

**Mitigation Measure F-7:** During each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements shall ensure that construction equipment is maintained and operated so as to minimize exhaust emissions. During construction, trucks and vehicles in loading and unloading queues shall turn off their engines, when not in use, to reduce vehicle emissions. Construction emissions shall be phased and scheduled to avoid emissions peaks and discontinued during second-stage smog alerts. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to construction activities associated with the five development parcels and the Streetscape Program. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.

**Mitigation Measure F-8:** During each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements shall ensure that electricity rather than temporary diesel- or gasoline-powered generators shall be used to the extent feasible. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to construction associated with the five development parcels and the Streetscape Program. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.

**Mitigation Measure F-9:** During each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements shall ensure that all construction vehicles shall be

prohibited from idling in excess of five minutes, both on- and off-site. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to construction associated with the five development parcels and the Streetscape Program. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.

**Mitigation Measure F-10:** During each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements shall ensure that heavy-duty construction equipment shall use alternative clean fuels, such as low sulfur diesel or compressed natural gas with oxidation catalysts or particulate traps, to the extent feasible. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels and the Streetscape Program. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.

**Mitigation Measure F-11:** During each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements shall ensure that shuttle service shall be provided to construction workers who are required to park in offsite parking lots if such lots are not within a walking distance of 1100 feet from the respective construction sites. CRA/LA shall determine compliance with this measure with regard to construction associated with the five development parcels and the Streetscape Program. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.

**Mitigation Measure F-12:** During each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements shall equip major earth moving equipment, haul trucks, and excavation equipment with particulate filters and catalytic converters. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to construction associated with the five development parcels and the Streetscape Program. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.

**Project Design Feature F-2:** The developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park under the applicable agreements shall provide convenient

pedestrian access throughout the Project site. The Developer shall implement this measure with regard to the five development parcels prior to initial building occupancy for each construction phase, while the responsible parties for the implementation of the Civic Park and Streetscape Program, under the applicable agreements, shall implement these measures prior to the completion of construction for each of these Project components. Pedestrian access plans shall be submitted to the Authority, for review and approval. Approved pedestrian access plans shall be implemented by the responsible parties

**Regulatory Measure F-2:** Prior to the start of each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park, under the applicable agreements, shall prepare and implement building plans and specifications that ensure that all residential and non-residential buildings shall, at a minimum, meet the California Title 24 Energy Efficiency standards for water heating, space heating and cooling. Approved building plans shall be implemented by the developer and the responsible parties. Building plans and specifications with regard to the five development parcels shall be reviewed and approved by the City's Department of Building and Safety, or other appropriate City agency or department. Building plans and specifications with regard to the Civic Park shall be reviewed and approved by the County's CAO or its designee.

**Regulatory Measure F-3:** During each construction phase, the developer with regard to the five development parcels, and the responsible parties for implementation of the Civic Park under the applicable agreements shall ensure that building materials, architectural coatings and cleaning solvents shall comply with all applicable SCAQMD rules and regulations. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to construction associated with the five development parcels. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park. The SCAQMD shall be responsible for the enforcement of this measure for all Project components in the case of non-compliance.

- iii. Supportive Evidence and Rationale – The FEIR discusses the Project's potentially significant air quality impacts in Section IV.F of the DEIR. With implementation of the above regulatory measures and mitigation measures, heavy-duty construction equipment emissions would be reduced by a minimum of 5 percent and fugitive dust emissions would be reduced by an additional 16 percent. However, regional construction activities would still exceed the SCAQMD daily emission thresholds for regional NO<sub>x</sub>, CO and VOC after implementation of all feasible mitigation measures. Therefore,



construction of the Project would have a significant and unavoidable impact on regional air quality. Construction activities would also still exceed the SCAQMD daily localized emission threshold for PM<sub>10</sub> and NO<sub>2</sub> after implementation of all feasible mitigation measures. Therefore, construction of the Project would also have a significant and unavoidable impact on localized emissions.

- iv. Cumulative Impact - Buildout of those related development projects identified in the FEIR that would be constructed within a similar time frame as the Project would increase short-term emissions for concurrent activities during the Project's construction period. Since emissions of criteria pollutants under peak construction activities are concluded to be significant, any additional construction activities as part of any related project occurring during this time and in the vicinity of the Project site would be adding additional air pollutant emissions to these significant levels. As a result, a significant and unavoidable cumulative impact with respect to construction emissions would occur.

L. Air Quality (Project Operation)

- i. Potential Impacts - Project operations may cause a significant air quality impact if:
- a. Operation emissions exceed any of the daily thresholds presented below:

| Pollutant | Significance Threshold (lbs/day) |
|-----------|----------------------------------|
| VOC       | 55                               |
| NOx       | 55                               |
| CO        | 550                              |
| PM10      | 150                              |
| SOx       | 150                              |

- ii. Findings - A significant and unavoidable air quality impact caused by Project operations will occur on a project-specific and cumulative basis. The Authority makes the following findings for this impact:
- a. All feasible measures, changes and alterations have been required in, or incorporated into, the Project, which will lessen such significant environmental effects.

- b. For the reasons set forth in the Statement of Overriding Considerations adopted concurrently by the Authority, the Authority finds that the significant impact identified in this Section XI-F(b) is acceptable in light of the Project's overall benefits.

Although the following mitigation measures aimed at reducing these significant and unavoidable air quality impacts during Project operations have been adopted, these mitigation measures will not reduce those significant impacts to a level of insignificance:

**Mitigation Measure F-13:** During Project operations, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park under the applicable agreements shall, to the extent feasible, ensure that deliveries are scheduled during off-peak traffic periods to encourage the reduction of trips during the most congested periods. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure, with regard to construction associated with the five development parcels. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.

**Mitigation Measure F-14:** During Project operations, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park, under the applicable agreements, shall coordinate with the MTA and the LADOT to provide information to Project employees, residents and guests with regard to local bus and rail services. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to construction associated with the five development parcels and the Streetscape Program. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.

**Mitigation Measure F-15:** Provide the appropriate number of bicycle racks located at convenient locations in the Project site. The developer shall implement this measure with regard to the five development parcels prior to initial building occupancy for each construction phase, while the responsible parties for the implementation of the Civic Park, under the applicable agreements, shall implement these measures prior to the completion of each construction phase. The City's Department of Safety shall review and approve the number and location of the bicycle racks with regard to the five development parcels. The County's CAO or its designee shall perform the same function with regard to the Civic Park.

**Mitigation Measure F-16:** During on-going Project operations, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park, under the applicable agreements, shall ensure that all fixtures used for lighting of exterior common areas shall be regulated by automatic devices to turn off lights when they are not needed, but a minimum level of lighting should be provided for safety. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this mitigation measure with regard to the five development parcels. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.

**Regulatory Measure F-1:** During Project operations, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park under the applicable agreements shall ensure that all point source facilities shall obtain all required permits from the SCAQMD. The issuance of these permits by the SCAQMD shall require the operators of these facilities to implement Best Available Control Technology and other required measures that reduce emissions of criteria air pollutants. Proof of permit issuance by the SCAQMD shall be provided to the City's Department of Building and Safety, or other appropriate City agency or department, with regard to the five development parcels, and the County's CAO or its designee with regard to the Civic Park. Compliance with point source permits shall be enforced by the SCAQMD for all Project components.

**Project Design Feature F-3:** During Project operations, the developer, with regard to the five development parcels, shall ensure that commercial businesses located within the Project site shall be limited to those that do not emit high levels of potentially toxic air contaminants or odors (e.g., dry cleaners with on-site processing plants that handle toxic chemicals). The City's Department of Building and Safety, or other appropriate City agency or department, shall be responsible for the enforcement of this measure with regard to the five development parcels.

- iii. Supportive Evidence and Rationale – The FEIR discusses the Project's potentially significant air quality impacts in Section IV.F of the DEIR. As with the analysis of air quality impacts due to construction of the Project, the analysis used to determine the air quality impacts attributable to Project operations employed protocol established by the SCAQMD. Potential impacts associated with the CO hot spots, toxic air contaminants, and regional air pollutants were analyzed in the FEIR. The analysis conservatively assumed that if any "screening" threshold set by the SCAQMD would be exceeded, then a significant impact would occur. Further, it was assumed that such an impact applied to the entire community surrounding the Project area, and, accordingly, no particular group of sensitive receptors was

excluded. Under that analysis, operational emissions of "regional" air pollutants from the Project would exceed the SCAQMD daily emission threshold for regional CO, VOC, PM<sub>10</sub>, and NO<sub>x</sub> after implementation of all feasible mitigation measures. Therefore, operation of the Project would have a significant and unavoidable impact on regional air quality. In addition, regional operational emissions would still exceed SCAQMD daily thresholds for CO, VOC, PM<sub>10</sub>, and NO<sub>x</sub> after implementation of all feasible mitigation measures. Therefore, operation of the Project would have a significant and unavoidable impact on regional air quality.

During the public review process, a comment was raised regarding the inclusion of a mitigation measure that would encourage water-based coatings or coatings with a lower volatile organic compound (VOC) content than 100 grams per liter. In addition, the comment suggested the mitigation measure restrict the number of gallons of coatings used per day and mandate the use of materials that do not need to be painted, or that can be painted and, then, transported to the site. This mitigation measure, however is not necessary since Rule 1113 of the South Coast Air Quality Management District (SCAQMD) already applies to this issue. The SCAQMD imposes the strictest rules in the nation with regard to the application of architectural paints and coatings. District Rule 1113 restricts VOCs in virtually all types of paints and coatings, including but not limited to, wood finishes, lacquers, concrete-curing compounds, fire-proofing exterior coatings, paints, floor coatings, coatings for signs, mastic coatings, roof coatings, rust preventative coatings, stains, swimming pool coatings, wood preservatives, and water-proofing sealers. This rule reflects the most stringent industry-wide standards achievable in practice. Accordingly, and for the reasons stated in the FEIR, the Authority finds that such a mitigation measure is infeasible.

- iv. Cumulative Impact – Implementation of the Project would result in an increase in ongoing operational emissions, which would contribute to region-wide emissions on a cumulative basis. Accordingly, the Project's cumulative air quality impacts are also concluded to be significant. In such cases, the SCAQMD recommends that all projects, employ all feasible mitigation measures, which has been done with regard to the Project.

M. Noise (Construction)

- i. Impacts – The construction of the Project may cause a significant noise impact if:
  - a. Construction activities lasting more than 10 days in a three-month period would exceed existing ambient exterior noise levels by 5 dBA or more at a noise sensitive use;

- b. Construction activities would exceed the ambient noise level by 5 dBA at a noise sensitive use between the hours of 9:00 P.M. and 7:00 A.M. Monday through Friday, before 8:00 A.M. or after 6 P.M. on Saturday, or at anytime on Sunday.
- ii. Findings – The Project will cause a significant and unavoidable noise impact during construction of the Project on a project-specific and cumulative basis. The Authority makes the following findings for this impact:
  - a. All feasible measures, changes and alterations have been required in, or incorporated into, the Project on a project-specific and cumulative basis, which will lessen such significant environmental effects.
  - b. For the reasons set forth in the Statement of Overriding Considerations adopted concurrently by the Authority, the Authority finds that the significant impact identified in this Section XI-G(a) is acceptable in light of the Project's overall benefits.

Although the following mitigation measures aimed at reducing these significant and unavoidable noise impacts associated with Project construction have been adopted, these mitigation measures will not reduce those significant impacts to a level of insignificance:

**Mitigation Measure G-1:** To reduce any impact on nearby venues that may be noise sensitive receptors, such as the Music Center, Disney Concert Hall, and the County Courthouse, the following Measures G-1 and G-2 shall be implemented as follows: During each construction phase, the developer, with regard to the five development parcels and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements shall limit (i) construction activities utilizing heavy equipment to Monday through Friday from 7:00 a.m. to 8:00 p.m., and (ii) interior construction work inside building shells and construction activities not utilizing heavy equipment to 7:00 a.m. to 9 p.m. Monday through Friday. Saturday construction shall be limited to 8:00 a.m. to 6 p.m. No exterior construction activities shall be permitted on Sundays or holidays per applicable City regulations. Construction noise measures shall also be implemented, which may include the use of noise mufflers on construction equipment used within 100 feet of these buildings. The City's Department of Building and Safety or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels and the Streetscape Program. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.

**Mitigation Measure G-2:** During each construction phase, the developer, with regard to the five development parcels and the responsible parties for implementation of the Streetscape Program shall not use heavy equipment within (to the maximum extent practicable) 100 feet of the County Courthouse building while Court is in session. Construction contracts must specify that all construction equipment shall be in proper operating condition and fitted with standard factory silencing features and other applicable attenuation devices such as mufflers. The City's Department of Building and Safety or other appropriate City agency or department shall determine compliance with this measure with regard to the five development parcels and the Streetscape Program. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.

**Mitigation Measure G-3:** During the initial stage of each construction phase (site demolition and site preparation/excavation) for each Project parcel and when construction activities are within 200 feet of noise sensitive land uses, the developer, with regard to the five development parcels, shall erect a temporary, 8-foot, 1/2-inch-thick plywood fence along the boundaries of each construction site adjacent to noise sensitive uses such that the "line of sight" between on-site construction activities and the residential or other sensitive uses is blocked, where feasible. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels.

**Mitigation Measure G-4:** During each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements shall ensure that pile drivers within the individual activity/development site under construction at that time shall be equipped with noise control devices having a minimum quieting factor of 10 dBA. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to construction in the five development parcels and the Streetscape Program. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.

**Mitigation Measure G-5:** During each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements shall, except as otherwise permitted by applicable agreements, ensure that construction loading and staging areas shall be located on the Project site within each respective construction site and away from noise-sensitive uses to the extent feasible. The City's Department of Building and Safety, or other appropriate City agency or department, shall

determine compliance with this measure with regard to construction in the five development parcels and the Streetscape Program. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.

**Mitigation Measure G-6:** Prior to the issuance of grading permits for each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements, shall prepare, and thereafter implement, plans and specifications that include a requirement to route pedestrians (to the maximum extent practicable) 50 feet away from the construction area when heavy equipment such as hydraulic excavators are in use. Such routing may include the posting of signs at adjacent intersections. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels and the Streetscape Program. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.

**Mitigation Measure G-7:** During each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements, shall designate a construction relations officer to serve as a liaison with surrounding property owners who is responsible for responding to any concerns regarding construction noise. The liaison shall coordinate with the Project construction manager(s) to implement remedial measures in the shortest time feasible. The liaison's telephone number(s) shall be prominently displayed at multiple locations along the perimeter of each construction site. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels and the Streetscape Program. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.

- c. Supportive Evidence and Rationale – The FEIR discusses the Project's potentially significant construction noise impacts in Section IV.G of the DEIR. The noise reduction measures prescribed in Mitigation Measure G-1 would achieve a minimum 5-dBA reduction along areas of sensitive receptors where the line-of-sight to ground-level construction activity that occurs on the Project site is broken. Regulatory Measure G-1 would preclude construction-period noise impacts from occurring during the noise-sensitive night time periods, or at any time on Sundays or holidays. In addition, the use of heavy construction equipment shall cease one hour earlier than otherwise allowed under

City Code. Noise level reductions attributable to Mitigation Measures G-2 and G-3, and G-4, G-5, and G-6 (e.g., use of noise mufflers and on-site storage of construction equipment) are not easily quantifiable, but implementation of such measures would reduce the noise level impact associated with construction activities to the extent feasible. Further, construction noise from earthmoving equipment will be reduced since most of such equipment will sink below a surrounding soundwall as excavation proceeds during construction. Nevertheless, Project construction activities would intermittently increase the daytime noise levels at nearby sensitive land uses during construction activities by more than the 5-dBA significance threshold. As such, noise impacts during construction are concluded to be significant and unavoidable.

- d. Cumulative Impact – Noise impacts during construction of the Project and each related development project (that has not already been built) would be limited to the duration of construction and would be localized. In addition, it is anticipated that each of the related projects would comply with the applicable provisions of the City's noise ordinance, as well as mitigation measures that may be prescribed by the City that require significant impacts be reduced to the extent feasible. However, since noise impacts due to construction of the proposed Project would be significant on its own, it is conservatively concluded that noise impacts due to construction of the Project in combination with any of the related projects would also be significant.

N. Noise (Operational)

- i. Potential Impacts – The Project's operations may cause a significant impact if:
  - a. The Project causes the ambient noise level measured at the property line of affected uses to increase by 3dBA in CNEL to or within the "normally unacceptable" or "clearly unacceptable" category or by 5dBA in CNEL within the "normally acceptable" or "conditionally acceptable" category.
  - b. Project-related operational (i.e., non-roadway) noise sources increase ambient noise by 5 dBA, thus causes a violation of the City's Noise Ordinance.
- ii. Findings – The potentially significant noise impact attributable to Project operations will be mitigated to a level of less than significance with the implementation of Mitigation Measure G-8:



**Mitigation Measure G-8:** The developer, with regard to the five development parcels, shall prepare and implement building plans that ensure prior to the start of each construction phase which includes residential development, that all exterior walls, floor-ceiling assemblies (unless within a unit), and windows having a line of sight (30 degrees measured from the horizontal plane) of Grand Avenue, Hill Street, Hope Street, First Street, and Second Street of such residential development shall be constructed with double-paned glass or an equivalent and in a manner to provide an airborne sound insulation system achieving a lab-tested Sound Transmission Class of 30, subject to field testing, as defined in UBC Standard No. 35-1, 1982 edition. Sign off by the City's Department of Building and Safety, or other appropriate City agency or department, shall be required prior to obtaining a building permit. The developer, as an alternative, may retain an engineer registered in the State of California with expertise in acoustical engineering, who shall submit a signed report for an alternative means of sound simulation satisfactory to the City's Department of Building and Safety, or other appropriate City agency or department. Examples of alternative means may include, but are not limited to, the following: (1) acoustical seals for doors and windows opening to the exterior; (2) consideration of the type, location, and size of windows; and (3) sealing or baffling of openings and vents. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure.

- iii. Supportive Evidence and Rationale – The FEIR discusses the Project's potential noise impact attributable to Project operations in Section IV.G of the DEIR. Project development would not result in any significant noise impacts to off-site receptors during long-term Project operations. With implementation of Mitigation Measure G-8, on-site residents would not be exposed to inappropriately high noise levels from off-site activities (e.g., vehicle traffic on adjacent roadways), and thus the potential noise impact caused during Project operations will be less than significant.
- iv. Cumulative Impact – Cumulative traffic volumes would result in a maximum increase of 2.5 dBA CNEL along Second Street, between Grand Avenue and Olive Street. As this noise level increase would be below the 3 dBA CNEL significance threshold, roadway noise impacts due to cumulative traffic volumes would be less than significant. Los Angeles Municipal Code limits stationary-source noise from items such as roof-top mechanical equipment and emergency generators, would maintain noise to less than significant levels at the property lines of the related projects. Therefore, on-site noise produced by any related project would not be additive to Project-related noise levels. Accordingly, cumulative stationary-source noise impacts attributable to cumulative development would also be less than significant.

O. Hazards and Hazardous Materials

- i. Potential Impacts – The Project may a significant impact with regard to hazards and hazardous materials if:
  - a. Project activities would involve the disturbance, removal, storage, or disposal of hazardous materials; or
  - b. The Project would expose people or structures to substantial risk resulting from the release of a hazardous material, or from exposure to a health hazard, in excess of regulatory standards.
- ii. Findings – The Project will not cause a significant impact with regard to hazards and hazardous material. Notwithstanding, the following regulatory measures have been identified to ensure the Project's less than significant impact concerning this issue:

**Regulatory Measure H-1:** Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall properly decommission all unused groundwater monitoring wells, per applicable regulations. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels. The Regional Water Quality Control Board shall enforce compliance with this measure.

**Regulatory Measure H-2:** Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall test for the presence or absence of hydrogen sulfide and methane beneath the site by subsurface sampling. Should the sampling result in the discovery of hydrogen sulfide and/or methane, appropriate health and safety measures shall be implemented, in accordance with applicable regulations. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure.

**Regulatory Measure H-3:** Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall take fill samples from each of the five parcels, and shall analyze these samples for contaminants at elevated concentrations. Should elevated contaminant concentrations be discovered, appropriate measures shall be implemented, in accordance with applicable regulations. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure.

**Regulatory Measure H-4:** Prior to the start of each construction phase, the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements, shall undertake an appropriate investigation to ascertain whether any hazardous conditions would occur as a function of implementing the streetscape improvements along Grand Avenue and/or the Civic Park. Should elevated concentrations of contaminants be identified, appropriate measures shall be implemented in accordance with applicable regulations. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the Streetscape Program. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.

**Regulatory Measure H-5:** Prior to demolition or renovation in the Civic Center Mall, the responsible parties for implementation of the Civic Park under the applicable agreements shall perform an asbestos-sampling survey to determine the presence of asbestos containing materials. If such materials should be found, the responsible parties for implementation of the Civic Park shall prepare and implement an Operations and Maintenance Plan that meets all applicable federal, state and local requirements. This plan shall safely maintain asbestos containing materials that remain on the site. The County's CAO or its designee shall determine compliance with this measure.

**Regulatory Measure H-6:** Prior to the start of any demolition activities or renovation on any painted surfaces at the Project site, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park under the applicable agreements shall conduct a survey of lead based paint (LBP) to determine the level of risk posed to maintenance personnel, construction workers, facility staff, and patrons from exposure to the paints present at the site. Any recommendations made in that survey related to the paints present at the Project site shall be implemented prior to the demolition or renovation of said painted surfaces. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.

- iii. Supportive Evidence and Rationale – The Project's potential impacts attributable to hazards and hazardous materials were analyzed in detail in Section IV-H of the DEIR. According to the Phase I environmental assessments completed for the Project site, there are no potential recognized environmental conditions (RECs) within any of the five development parcels. In addition, there is no evidence at the Project site of asbestos, hazardous

materials use, storage or waste, or hazardous air emissions. It is anticipated that hazardous materials, including fertilizers, herbicides and pesticides, would be used to maintain the landscaping within the Civic Park, the Grand Avenue streetscape program and the five development parcels. In addition, hazardous materials associated with maintenance activity within the five development parcels would be present at the Project site. However, since the transport, use and storage of these materials would be managed in accordance with applicable federal, state, and local regulations, these materials would not be expected to pose significant risks to the public or the environment. Consequently, construction and operation under both Project Options would not expose people to substantial risk resulting from the release of a hazardous material, or from exposure to a health hazard in excess of regulatory standards. Accordingly, construction and operation under both Project Options would not result in a significant hazard to the public or the environment through the transport, use or disposal of hazardous materials, and impacts would be less than significant. Further, impacts associated with the potential discovery of hazardous and non-hazardous materials on the Project site would be reduced to a less than significant level with compliance with the above regulatory measures.

- iv. Cumulative Impact – In light of existing federal and state regulations, it is assumed that any potential hazardous materials located on any of the 93 related project sites would be identified and remediated prior to construction and operation of any habitable facility. As such, any groundwater or soil contamination occurring on the related project sites would be addressed in accordance with applicable regulations and mitigation measures during the permitting process by the applicable responsible agencies. Such remediation activities in accordance with federal, state, and local regulations would reduce any significant impacts associated with hazardous materials to less than significant levels. Therefore, with monitoring and compliance with federal, state and local regulations and procedures, the potential for cumulative impacts attributable to the Project's and related projects' transport, use or disposal of hazardous materials would be less than significant.

P. Fire Protection and Related Services

- i. Potential Impacts – The Project would cause a significant impact to Los Angeles Fire Department fire prevention and suppression services and/or emergency medical services if:
  - a. The Project would cause a substantial increase in emergency response times as a result of increased traffic congestion; or

- b. The Project would exceed the capability of existing fire stations and emergency personnel to serve the Project site.
- ii. Findings – The Project will not cause a significant impact with regard to fire prevention or emergency medical services. Notwithstanding, the following regulatory measures and project design features have been identified to ensure the Project's less than significant impact concerning this issue:

**Regulatory Measure I.1-1:** During demolition activities occurring during each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements shall ensure sure that emergency access shall remain clear and unobstructed. The LAFD shall determine compliance with this measure with regard to the five development parcels and the Streetscape Program. The County Fire Department (LACoFD) shall determine compliance with this measure with regard to the Civic Park.

**Regulatory Measure I.1-2:** Prior to each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park under the applicable agreements shall prepare, and thereafter implement, plans and specifications to ensure that the construction contractor is apprised of the requirement to maintain access to sub-surface parking structures associated with the Civic Center Mall, the Music Center, and the Colburn School for Performing Arts. The LAFD shall determine compliance with this measure with regard to the five development parcels. The LACoFD shall determine compliance with this measure with regard to the Civic Park.

**Regulatory Measure I.1-3:** During each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements shall maintain access for emergency response personnel to the Kenneth Hahn Hall of Administration, the Paseo de los Pobladores de Los Angeles, the County Courthouse, the Colburn School for Performing Arts, and the Walt Disney Concert Hall. The LAFD shall determine compliance with this measure with regard to construction in the five development parcels and the Streetscape Program. The LACoFD shall determine compliance with this measure with regard to the Civic Park.

**Regulatory Measure I.1-4:** Prior to each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements shall prepare, and thereafter implement, a plan to

ensure that emergency evacuation from the northwest side of the County Mall and Colburn School for Performing Arts, the southeast side of the Music Center and the Walt Disney Concert Hall would not be impeded by construction of the individual Project elements. With respect to the plan for the Mall, it must be prepared to coordinate with emergency evacuation plans for the Courthouse and the Hall of Administration. The LAFD shall determine compliance with this measure with regard to the five development parcels and the Streetscape Program. The LACoFD shall determine compliance with this measure with regard to the Civic Park.

**Regulatory Measure I.1-5:** During each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements shall ensure that sufficient fire hydrants shall remain accessible at all times during Project construction. The LAFD shall determine compliance with this measure with regard to the five development parcels and the Streetscape Program. The LACoFD shall determine compliance with this measure with regard to the Civic Park.

**Regulatory Measure I.1-6:** Prior to the start of each construction phase and during Project operations, the developer, with regard to the five development parcels shall comply with all applicable State and local codes and ordinances, and the guidelines found in the Fire Protection and Fire Prevention Plan, and the Safety Plan, both of which are elements of the General Plan of the City of Los Angeles (C.P.C. 19708). The City of Los Angeles Fire Department (LAFD) shall determine compliance with this measure with regard to the five development parcels.

**Regulatory Measure I.1-7:** During Project operations, the developer, with regard to the five development parcels shall maintain all access roads, including fire lanes, in an unobstructed manner, and removal of obstructions shall be at the owner's expense. The entrance to all required fire lanes or required private driveways shall be posted with a sign no less than three square feet in area in accordance with Section 57.09.05 of the Los Angeles Municipal Code. The LAFD shall determine compliance with this measure with regard to the five development parcels.

**Regulatory Measure I.1-8:** Prior to the start of each construction phase, Related, with regard to the five development parcels and the responsible parties for implementation of the Streetscape Program under the applicable agreements, shall prepare, and thereafter implement, plans and specifications in accordance with LAFD requirements, and requirements for necessary permits shall be satisfied prior to commencement of construction on any portion of the five development parcels or the Streetscape Program. The

LAFD shall determine compliance with this measure with regard to the five development parcels and the Streetscape Program.

**Regulatory Measure I.1-9:** Prior to the start of each construction phase, the responsible parties for implementation of the Civic Park under the applicable agreements shall prepare, and thereafter implement, plans in accordance with LACoFD requirements, and requirements for necessary permits shall be satisfied prior to commencement of construction on any portion of the Civic Park. The LACoFD shall determine compliance with this measure with regard to the Civic Park.

**Regulatory Measure I.1-10:** Prior to the start of each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements shall prepare, and thereafter implement, a plan that will assure that any required fire hydrants that are installed shall be fully operational and accepted by the Fire Department prior to any building construction. The LAFD shall determine compliance with this measure with regard to the five development parcels and the Streetscape Program. The LACoFD shall determine compliance with this measure with regard to the Civic Park.

**Regulatory Measure I.1-11:** Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall submit plot plans indicating access roads and turning areas to the LAFD for review and approval. The developer, with regard to the five development parcels shall implement the approved plot plans. The LAFD shall determine compliance with this measure.

**Regulatory Measure I.1-12:** Prior to the start of each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements shall prepare, and thereafter implement, engineering plans that show adequate fire flow and placement of adequate and required public and private fire hydrants. The LAFD shall determine compliance with this measure with regard to the five development parcels and the Streetscape Program. The LACoFD shall determine compliance with this measure with regard to the Civic Park.

**Regulatory Measure I.1-13:** During each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park under the applicable agreements shall provide emergency access for Fire Department apparatus and personnel to and into all structures. The LAFD shall determine compliance with this

measure with regard to the five development parcels. The LACoFD shall determine compliance with this measure with regard to the Civic Park.

**Regulatory Measure I.1-14:** Prior to the start of each construction phase, the developer, with regard to the five development parcels shall prepare, and thereafter implement, a plan that will provide that any private roadways for general access use and fire lanes shall not be less than 20 feet wide and clear to the sky. The LAFD shall determine compliance with this measure with regard to the five development parcels.

**Regulatory Measure I.1-15:** Prior to the start of each construction phase, the developer, with regard to the five development parcels shall prepare, and thereafter implement, a plan that will provide that any fire lanes and dead end streets shall terminate in a cul-de-sac or other approved turning area. No dead end street or fire lane shall be greater than 700 feet in length or secondary access shall be required. The LAFD shall determine compliance with this measure with regard to the five development parcels.

**Regulatory Measure I.1-16:** Prior to the start of each construction phase, the developer, with regard to the five development parcels shall prepare, and thereafter implement, a plan that designs any proposed development utilizing cluster, group, or condominium design not more than 150 feet from the edge of the roadway of an improved street, access road, or designated fire lane. The LAFD shall determine compliance with this measure with regard to the five development parcels.

**Regulatory Measure I.1-17:** Prior to the start of each construction phase, the developer, with regard to the five development parcels shall prepare, and thereafter implement, a plan that designs fire lanes to be not less than 28 feet in width. 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. The LAFD shall determine compliance with this measure with regard to the five development parcels.

**Regulatory Measure I.1-18:** Prior to the start of each construction phase, the developer, with regard to the five development parcels, where above ground floors are used for residential purposes, shall prepare, and thereafter implement, a plan that interprets the access requirement as being the horizontal travel distance from the street, driveway, alley, or designated fire lane to the main entrance of the residential units. The LAFD shall determine compliance with this measure.

**Regulatory Measure I.1-19:** Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall prepare, and



thereafter implement, a plan that designs the entrance or exit of all ground level residential units to be no more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane. The LAFD shall determine compliance with this measure.

**Regulatory Measure I.1-20:** Prior to the start of each construction phase, the developer, with regard to the five development parcels shall prepare, and thereafter implement, a plan that provides access that requires the accommodation of Fire Department apparatus, shall design the minimum outside radius of the paved surface to be 35 feet. An additional six feet of clear space must be maintained beyond the outside radius to a vertical point 13 feet 6 inches above the paved surface of the roadway. The LAFD shall determine compliance with this measure with regard to the five development parcels.

**Regulatory Measure I.1-21:** Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall not construct any building or portion of a building to be more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane. The LAFD shall determine compliance with this measure with regard to the five development parcels.

**Regulatory Measure I.1-22:** Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall prepare, and thereafter implement, a plan that provides for access that requires accommodation of Fire Department apparatus, a design for overhead clearances to be not less than 14 feet. The LAFD shall determine compliance with this measure with regard to the five development parcels.

**Regulatory Measure I.1-23:** Prior to the start of each construction phase, the developer, with regard to the five development parcels shall prepare, and thereafter implement, a plan that provides for additional vehicular access required by the Fire Department, where buildings exceed 28 feet in height. The LAFD shall determine compliance with this measure with regard to the five development parcels.

**Regulatory Measure I.1-24:** Prior to the start of each construction phase, the developer, with regard to the five development parcels shall prepare, and thereafter implement, a plan that provides, where fire apparatus shall be driven onto the road level surface of the subterranean parking structure, for the structure to be engineered to withstand a bearing pressure of 8,600 pounds per square foot. The LAFD shall determine compliance with this measure with regard to the five development parcels.

**Regulatory Measure I.1-25:** Prior to the start of each construction phase, the developer, with regard to the five development parcels shall record any private streets as Private Streets and Fire Lanes. All private street plans shall show the words "Private Street and Fire Lane" within the private street easement. The LAFD shall determine compliance with this measure with regard to the five development parcels.

**Regulatory Measure I.1-26:** During operation of the Project, the developer, with regard to the five development parcels, shall provide that all electric gates approved by the Fire Department shall be tested by the Fire Department prior to Building and Safety, or other appropriate City agency or department, granting a Certificate of Occupancy. The LAFD shall determine compliance with this measure.

**Regulatory Measure I.1-27.** Prior to the start of each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park under the applicable agreements, shall prepare, and thereafter implement, a plan that would not construct any building or portion of a building more than 300 feet from an approved fire hydrant. Distance shall be computed along path of travel with the exception that dwelling unit travel distance shall be computed to the front door of the unit. The LAFD shall determine compliance with this measure with regard to the five development parcels. The LACoFD shall determine compliance with this measure with regard to the Civic Park.

**Regulatory Measure I.1-28.** Prior to the start of each construction phase, the developer, with regard to the five development parcels shall submit plans to the Fire Department for review and approval. Where rescue window access is required, the developer, with regard to the five development parcels, shall incorporate conditions and improvements necessary to meet accessibility standards as determined by the LAFD. The LAFD shall determine compliance with this measure.

**Regulatory Measure I.1-29.** During operations of the Project, the developer, with regard to the five development parcels shall have the curbs of all public street and fire lane cul-de-sacs painted red and/or be posted "No Parking at Any Time" prior to the issuance of a Certificate of Occupancy or Temporary Certificate of Occupancy for any structures adjacent to the cul-de-sac. The LAFD shall determine compliance with this measure with regard to the five development parcels.

**Regulatory Measure I.1-30.** During operations of the Project, planning for large events at the Civic Park shall be implemented by the County or County Park Operator to reduce potential adverse affects on emergency access. As

part of the planning process, representatives of the LACoFD, County Office of Public Safety, LAFD, LAPD and LADOT shall be advised of the activities and consulted to establish appropriate procedures for crowd and traffic control. Plans shall be submitted to the County Chief Administrative Officer for review and approval.

**Project Design Feature I.1-1:** Prior to the start of each construction phase, the developer, with regard to the five development parcels shall submit building plans to the LAFD for review and approval that demonstrate that automatic fire sprinklers shall be installed in all structures. The LAFD shall determine compliance with this measure.

- iii. Supportive Evidence and Rationale – The FEIR analyzed in detail the Project's potential impacts on fire protection and related services in Section IV-I(1) of the DEIR. Construction may result in temporary lane closures that would potentially affect emergency access. Temporary lane closures could increase the time for fire protection vehicles and emergency medical vehicles responding to elderly or disabled residents in the downtown areas. However, the average response times for Fire Stations 3, 4, 9, and 10, which would serve the Project and currently serve the surrounding area are 5.3 minutes, 4.6 minutes, 4.8 minutes, and 4.9 minutes, respectively. Those response times are below the Citywide average response times of 5.5 minutes for EMS and 5.4 minutes for fire incidents, which indicates these existing services will be adequate to handle incidents during Project construction. To ensure adequate response times for these services, the LAFD would be notified of the scheduling of all Project construction in order to plan appropriate alternative response routes, if necessary. Public detour routes would be established where required to divert traffic from the affected street segments. In addition, emergency vehicle access to adjoining and nearby properties would be required to be maintained at all times. Thus, due to the better than City-wide response times, the large number of fire stations in the Project area, the temporary and limited nature of the closures along roadways and the wide selection of alternative routes to and through the Project site, construction of the Project will not significantly impact the ability of the LAFD to respond to emergency incidents, as confirmed by the FEIR. With respect to Project operations, automatic fire sprinkler systems in all structures, fire hydrants installed to LAFD specifications, and supplemental fire protection devices would be incorporated into new Project structures, as required by the Fire Code. As the Project site is within the service area of four Task Force truck and engine companies, Project operations are anticipated to result in less than significant impacts to LAFD staff and equipment capabilities. In addition, the Project will comply with all fire safety regulations and the incorporation of regulatory measures. No significant impacts will occur with respect to fire protection and related services.

- iv. Cumulative Impact – The LAFD has determined that development of the Project, in conjunction with other approved and planned projects, may result in the need for the following: (1) increased staffing at existing facilities; (2) additional fire protection facilities; and (3) relocation of existing fire protection facilities. However, as related project applicants would be required to coordinate with the LAFD to ensure that related project construction and operations would not significantly impact LAFD services and facilities, no significant cumulative impacts are anticipated.

Q. Police Protection Services

- i. Potential Impacts – The Project may cause a significant impact on police protection services provided by the LAPD if:
  - a. The Project will generate demand for additional police protection services that substantially exceeds the capability of the LAPD to serve the Project site.
  - b. The Project would cause a substantial increase in emergency response times as a result of increased traffic congestion and/or limited emergency access, during either construction or operation of the Project.
- ii. Findings - The Project will not cause a significant impact with regard to police services. Notwithstanding, the following regulatory measures have been identified to ensure a less than significant impact concerning this issue.

**Regulatory Measure I.2-1:** During each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements, shall provide clear and unobstructed LAPD access to the construction site. The LAPD shall determine compliance with this measure with regard to the five development parcels and the Streetscape Program. The County Office of Public Safety shall determine compliance with this measure with regard to the Civic Park.

**Regulatory Measure I.2-2:** During ongoing construction, the developer, with regard to the five development parcels shall provide security features on the construction site(s), such as guards, fencing, and locked entrances. The LAPD shall determine compliance with this measure.

**Regulatory Measure I.2-3:** Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall submit plot plans

for all proposed development to the Los Angeles Police Department's Crime Prevention Section for review and comment. Security features subsequently recommended by the LAPD shall be implemented by the developer to the extent feasible.

**Regulatory Measure I.2-4:** Prior to the start of each construction phase, the responsible parties for implementation of the Civic Park under the applicable agreements shall submit plot plans for all proposed development to the County Office of Public Safety for review and comment. Security features subsequently recommended by the Office of Public Safety shall be implemented by the County or County Park Operator to the extent feasible.

**Regulatory Measure I.2-5:** At the completion of each construction phase, the developer, with regard to the five development parcels shall file as-built building plans with the LAPD Central Area Commanding Officer. Plans shall include access routes, floor plans, and any additional information that might facilitate prompt and efficient police response. The LAPD shall determine compliance with this measure.

**Regulatory Measure I.2-6:** During Project operations, the developer, with regard to the five development parcels and the responsible parties for implementation of the Civic Park shall install alarms and/or locked gates on doorways providing public access to commercial facilities. The LAPD shall determine compliance with this measure with regard to the five development parcels. The County Office of Public Safety shall determine compliance with this measure with regard to the Civic Park.

**Regulatory Measure I.2-7:** During Project operations, the developer, with regard to the five development parcels shall not plant landscaping in a way that could provide cover for persons tampering with doors or windows of commercial facilities, or for persons lying in wait for pedestrians or parking garage users. The LAPD shall determine compliance with this measure with regard to the five development parcels and the Streetscape Program.

**Regulatory Measure I.2-8:** Additional lighting shall be installed where appropriate, including on the Project site and in parking garages, as determined in consultation with the LAPD with regard to the five development parcels and the County Office of Public Safety with regard to the Civic Park. The developer shall implement this measure with regard to the five development parcels prior to initial building occupancy for each construction phase, while the responsible parties for the implementation of the Civic Park and Streetscape Program under the applicable agreements shall implement these measures prior to the completion of construction for each of those Project components.

**Regulatory Measure I.2-9:** Prior to the start of each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements, shall prepare, and thereafter implement, a plan that incorporates safety features into the Project's design to assure pedestrian safety, assist in controlling pedestrian traffic flows, and avoid pedestrian/vehicular conflicts on-site. Safety measures may include the provision of security personnel; clearly designated, well-lighted pedestrian walkways on-site; special street and pedestrian-level lighting; physical barriers (e.g., low walls, landscaping), particularly around the perimeter of the parking garages, to direct pedestrians to specific exit locations that correspond to designated crosswalk locations on adjacent streets. The LAPD shall determine compliance with this measure with regard to the five development parcels. The County Office of Public Safety shall determine compliance with this measure with regard to the Civic Park.

**Regulatory Measure I.2-10:** Prior to the issuance of a certificate of occupancy for each construction phase and during Project operations, the developer, with regard to the five development parcels, shall develop, and thereafter implement, a new or modified Security Plan to minimize the potential for on-site crime and the need for LAPD services. The plan would outline the security services and features to be implemented, as determined in consultation with the LAPD. The LAPD shall determine compliance with this measure with regard to the five development parcels.

The following shall be included in the plan:

1. Provision of an on-site security force that would monitor and patrol the Project site. During operational hours, security officers shall perform pedestrian, vehicular, and/or bicycle patrols.
2. Implementation of a video camera surveillance system and/or a closed-circuit television system;
3. Additional security features shall be incorporated into the design of proposed parking facilities, including "spotters" for parking areas, and ensuring the availability of sufficient parking either on- or off-site for all building employees and anticipated patrons and visitors;
4. Security lighting incorporating good illumination and minimum dead space in the design of entryways, seating areas, lobbies, elevators, service areas, and parking areas to eliminate areas of concealment. Security lighting shall incorporate full cutoff fixtures which minimize glare from the light source and provide light downward and inward to structures to maximize visibility;

5. Provision of lockable doors at appropriate Project entryways, offices, retail stores, and restaurants;
6. Installation of alarms at appropriate Project entryways and ancillary commercial structures;
7. All businesses desiring to sell or allow consumption of alcoholic beverages are subject to the issuance of a Conditional Use Permit by the City;
8. Accessibility for emergency service personnel and vehicles into each structure, and detailed diagram(s) of the Project site, including access routes, unit numbers, and any information that would facilitate police response shall be provided to the Central Area Commanding Officer.
9. In addition, security procedures regarding initial response, investigation, detainment of crime suspects, LAPD notification, crowd and traffic control, and general public assistance shall be outlined in the Security Plan. The plan would be subject to review by the LAPD, and any provisions pertaining to access would be subject to approval by the LADOT.

**Regulatory Measure I.2-11:** Prior to the issuance of a certificate of occupancy for each construction phase and on-going during operations, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park under the applicable agreements, shall develop, and thereafter implement, a Emergency Procedures Plan to address emergency concerns and practices. The plan shall be subject to review by the LAPD with regard to the five development parcels and the County Office of Public Safety with regard to the Civic Park, and any provisions pertaining to access would be subject to approval by LADOT.

- iii. Supportive Evidence and Rationale – The FEIR analyzed in detail the Project's potential impacts on police protection and related services in Section IV-I(2) of the DEIR. The Project's impacts on police protection services or response times would continue to be less than significant. Project construction may result in temporary lane closures that would potentially affect emergency access. Given notification to the LAPD of all construction scheduling, the temporary nature of any closures, and the availability of alternative routes, the Project would not significantly affect emergency access or response times. Furthermore, during construction, traffic management personnel (flag persons) would be trained to assist in emergency response, and on-site security measures would reduce theft and other demands on police services. Therefore, construction activities are not expected to significantly affect the capacity of the LAPD to adequately serve the Project site. With regard to Project operation, it is anticipated that activity in the Civic Park would increase on both a daily basis and during special events. As the current Civic Center Mall is currently used extensively on a daily basis, the

additional increase in activity on a daily basis is not anticipated to increase to such an extent so as to exceed the capabilities of the County Office of Public Safety. During special events, when the numbers of people using the park would increase substantially, the park operator would employ private security personnel to supplement police services during these events and, therefore, reduce the demand on police services created by these large events. The use of additional security staff would be commensurate with the size of the event. Access to the park would be governed by a set of rules that are consistent with those used throughout public parks in the area. Those who comply with the posted rules will not be denied access to the park, whereas on the other hand, those individuals who chose not to comply with the rules would, out of courtesy to others, be required to leave the park. The Project's combined residential and employment population would reduce the officer per resident ratio and, assuming the same number of officers in the LAPD Central Area station as under existing conditions, the ratio of crimes that are handled by each officer would increase from approximately 20 to 23.4. This level of increased demand in the context of occurring over an entire year would not substantially exceed LAPD's capacity. Accordingly, the Project's impact to police services would be less than significant.

- iv. Cumulative Impact – Although the operation of Project would have a less-than-significant impact on police services, because the list of related projects is extensive and, if all related projects were built, the combined Project and related projects would have a significant cumulative impact with regard to police protection services. This level of increased demand would substantially exceed the LAPD's capacity to provide services from the Central Area station. For example, under the County Office Building Option, if the current 337 officers in the area were to remain constant at 337 officers, the ratio of population to officers would increase from 130 persons for each officer to 382 persons for each officer. If the per capita crime rate were to remain constant at 154 crimes per 1,000 population, there would be 19,849 additional crimes, and the crimes that would need to be handled by each officer would increase from 20 to 59. However, if the City added police resources in response to such growth, then the cumulative impact to police services would be less than significant. Yet, it is conservatively assumed that the City may not be able to add such resources commensurate with such population growth, and, therefore, the cumulative impact to police services is determined to be significant.

R. School Services

- i. Potential Impacts – The Project may cause a significant impact on Los Angeles Unified School District ("LAUSD") schools if:



- a. The demand for school services anticipated at the time of Project build out exceeds the expected level of service available; or
  - b. The increased demand would require the construction of new facilities, a major reorganization of students or classrooms, major revisions to the school calendar (i.e., multi-track calendar), or other actions that would create a temporary or permanent impact on the school(s) serving the Project site.
- ii. Findings – Through compliance with Mitigation Measure I.3.1 and Government Code Section 65995, the Project will not cause a significant impact on schools, and no other mitigation measures are required.

**Mitigation Measure I.3-1:** Prior to the issuance of each building permit, the developer, with regard to the five development parcels, shall pay school mitigation fees pursuant to the provisions of California Government Code Section 65995. Compliance with this measure shall be determined by the City's Department of Building and Safety, or other appropriate City agency or department.
- iii. Supportive Evidence and Rationale – The FEIR analyzed in detail the Project's potential impacts on schools in Section IV-I(3) of the DEIR Pursuant to the provisions of Government Code Section 65995, a project's impact on school facilities is fully mitigated through the payment of the requisite school facility development fees current at the time building permits are issued. As the developer is required to pay school facility development fees, impacts under the Project are concluded to be less than significant.
- iv. Cumulative Impact – The middle and high school students that would be generated by the 93 related projects would when combined with the Project's students, be dispersed throughout the attendance boundaries of both the existing and the newly constructed schools. As a result, sufficient capacity would be available at the middle and high school level to accommodate the students generated by the Project in conjunction with all of the related projects and a less than significant cumulative impact would occur. In contrast, the students generated by the related projects combined with the Project's students could not be accommodated within the existing or future elementary school capacities. However, the Project and each related project would pay new school facility development fees and, under the provisions of Government Code Section 65995, the payment of these fees would constitute full mitigation. Thus, cumulative impacts on schools would be less than significant.

S. Parks and Recreation(Project Construction)

- i. Potential Impacts – The construction of the Project may cause a significant impact on parks and recreational facilities if:
  - a. The Project generates a demand for park or recreational facilities that cannot be adequately accommodated by existing or planned facilities and services.
- ii. Findings – The Project will not cause a significant impact to park and recreational facilities, except for a short-term significant and unavoidable impact during construction of the new Civic Park at the Civic Mall, which impact is a project-specific and cumulative impact. With respect to that latter impact, the Authority makes the following findings:
  - a. All feasible measures, changes and alterations have been required in, or incorporated into, the Project, which will lessen such significant environmental effects.
  - b. For the reasons set forth in the Statement of Overriding Considerations adopted concurrently by the Authority, the Authority finds that the significant impact identified in this Section XI-L(a) is acceptable in light of the Project's overall benefits.
- iii. Supportive Evidence and Rationale – The FEIR discusses the Project's potentially significant impact to park and recreational facilities in Section IV.I.4 of the DEIR. Construction of the proposed improvements in Civic Park would require closure of the existing Civic Mall to implement those improvements. This would limit park availability and usage. Impacts on park usage would likely occur within the immediate area of construction activity and adjacent park areas that might be sensitive to construction activities. It is not known if the entire Park area would be affected at a single time, or if Park improvements would be implemented on a smaller basis (e.g., block by block). As the construction activities could adversely affect park usage, the Project is considered to have a significant, short-term impact on parks during construction of the Civic Park. Upon completion of the Project, the affected park areas would return to operations with an enhanced level of operation due to improvements that were implemented during the construction phase. Construction of the remainder of the Project, namely, the five development parcels and the Grand Avenue street improvements would not cause any significant impacts to parks and recreational facilities since those sites currently include no parks or recreational facilities.
- iv. Cumulative Impact – No related projects are known to affect the use or

availability of those existing recreational resources that would be affected by the Project, either during their construction or operations phases. However, since the Project would prohibit the recreational use of the existing Civic Center Mall during the construction of the Project's Civic Park, it is conservatively concluded that cumulative impacts on recreational resources are considered significant.

T. Parks and Recreation (Project Operation)

- i. Potential Impacts – The operation of the Project may cause a potentially significant impact to parks and recreational facilities if:
  - a. The Project generates a demand for park or recreational facilities that cannot be adequately accommodated by existing or planned facilities and services.
- ii. Findings – The Project will not cause a significant impact to park and recreational services due to the implementation of Mitigation Measure I.4-1. **Mitigation Measure I.4-1:** Prior to the issuance of a certificate of occupancy, the developer, with regard to the five development parcels, shall: (1) dedicate additional parkland such that the Project would provide a total of 3 acres per 1,000 Project residents; (2) pay in-lieu fees for any land dedication requirement shortfall; or (3) a combination of the above. Compliance with this measure shall be determined by the City's Department of Building and Safety or other appropriate City agency or department.
- iii. Supportive Evidence and Rationale – The EIR discusses the potential impact to park and recreation services caused by Project operations in Section IV.I.4 of the DEIR. Compliance with the mitigation measure for meeting park demand would reduce any impacts due to park dedication shortfalls to less than significant levels. The required dedication of parkland from a project is determined by the number of residents within the project. Under the Quimby Act, which is implemented through the City's Municipal Code, three acres per 1,000 residents are required. The Project with County Office Building Option is anticipated to generate approximately 2,925 residents and would be required to provide approximately 8.8 acres of park/recreation space. The Additional Residential Development Option is anticipated to generate approximately 3,777 residents and would be required to provide approximately 11.33 acres of park/recreation space. Since these requirements would not be fully achievable on-site, the developer would be required to either dedicate additional parkland or pay in-lieu fees per the Quimby Act. If in lieu fees are paid, such fees would be used by the City to enhance park and recreational facilities in the appropriate geographic areas. Compliance with the Quimby Act would offset the Project's park and

recreational facility shortfall and would avoid a significant impact.

- iv. Cumulative Impact -- As with the Project, compliance by related projects with the Quimby Act to either dedicate additional parkland or pay in-lieu fees would offset the park/recreation demands of such related projects and, therefore, avoid a significant cumulative impact.

U. Library Services

- i. Potential Impacts -- The Project may cause a significant impact on library services caused by the Project. A Project could have a significant impact on library services if:
  - a. The Project would generate a demand for library facilities or services that would cause an increase in the community population that would exceed Los Angeles Public Library ("LAPL") defined target service population.
- ii. Findings -- The Project will not cause significant impacts on library services, and no mitigation measures are required.
- iii. Supportive Evidence and Rationale -- The FEIR analyzed in detail the Project's potential impacts on libraries in Section IV-I(5) of the DEIR. The increase in residential population, employees and patrons associated under the Project would increase demand on LAPL facilities in this area, including the Central Library, the Little Tokyo and Chinatown Branch Libraries. However, the Project is not expected to cause an increase in the community population that would exceed the LAPL-defined service target population. The LAPL has indicated in comments to the NOP for the EIR that the Project should pay a fee of \$200 per capita to offset the increase in library service demand. However, the detailed analysis provided in the EIR demonstrates that the Project would not cause a significant impact on library services, and the LAPL did not provide any data in its NOP response letter to the contrary. In addition, the LAPL did not provide any comments on the DEIR. Further, it should be noted that the LAPL has not taken the necessary legal steps to impose a mitigation fee on all new development projects in its jurisdiction.
- iv. Cumulative Impacts -- Population increases created by the 93 related projects in combination with the Project would increase the demand for LAPL services within the Project area. If a large number of these related projects are eventually developed and such future development causes a demand on library services beyond the capacity of the then existing libraries, then the LAPL may take the necessary steps to adopt an impact fee program that would adequately mitigate that cumulative impact on library services.

However, since the LAPL has not adopted such a fee program, the Authority conservatively determines that the cumulative impact on library services will be significant.

V. Water Supply

- i. Potential Impacts – The Project may cause a significant impact on the water supply if:
  - a. The public water system's total projected water supplies available during normal, single dry and multiple dry water years during the current 20-year projection would not meet the projected water demand associated with the proposed Project, as well as all other future uses, including agricultural and manufacturing uses.
  - b. The estimated water demand for the Project would exceed the available capacity within the distribution infrastructure that would serve the Project site.
  - c. The construction of a new or upgraded water distribution infrastructure would result in substantial obstruction of vehicle and/or pedestrian access.
- ii. Findings – With the implementation of Mitigation Measure J.1-1, the Project's potentially significant impact on water supply will be reduced to a less than significant level. In addition, a series of regulatory measures are identified that would result in reducing the water demand attributable to the Project.

**Mitigation Measure J.1-1:** Prior to initial occupancy of the buildings within Parcels L and W-1/W-2, the developer shall install new water lines along Second Street, from Olive Street to Hill Street to serve Parcels W-1/W-2, and from Hope Street to Lower Grand Avenue to serve Parcel L. The City's Department of Public Works shall review and approve all plans related to these new water lines. The developer shall be responsible for the implementation of these improvements.

**Regulatory Measure J.1-1:** Prior to the start of each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements, shall call DIG-ALERT to identify and mark on the ground surface the locations of existing underground utilities. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels and the Streetscape Program. The County's CAO

or its designee shall determine compliance with this measure with regard to the Civic Park.

**Regulatory Measure J.1-2:** Prior to the start off each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements shall perform potholing of existing water and gas mains to verify the depth of cover. If the depth of cover over the lines is shallow and the total street pavement section is thick (around 24 inches), then the temporary cover over the lines during construction may be reduced to 12 inches or less. Under these circumstances, protective measures shall be implemented to prevent damage or breakage of the lines during the pavement sub-grade preparation process. Notices of service interruption, if necessary, shall be provided to customers in accordance with DWP-Water and ACG requirements. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels and the Streetscape Program. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.

**Regulatory Measure J.1-3:** Prior to issuance of building permits for each construction phase, the developer, with regard to the five development parcels, shall pay the appropriate fees as may be imposed by the City's Department of Building and Safety, or other appropriate City agency or department. A percentage of building permit fees is contributed to the fire hydrant fund, which provides for citywide fire protection improvements. Compliance with this measure shall be determined by the City's Department of Building and Safety, or other appropriate City agency or department.

**Regulatory Measure J.1-4:** Prior the issuance of building permits for each construction phase, the developer, with regard to the five development parcels and the responsible parties for implementation of the Civic Park Plan under the applicable agreements, shall coordinate with the Los Angeles Department of Water and Power to conduct a flow test to confirm that the existing water system meets fire flow requirements imposed by the LAFD for the Project. The developer, with regard to the five development parcels and the responsible parties for implementation of the Civic Park Plan under the applicable agreements, shall undertake and complete required improvements as identified by the LADWP, based on the findings of the flow test. The City's Department of Public Works, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels. The County's CAO Department of shall determine compliance with this measure with regard to the Civic Park.

**Regulatory Measure J.1-5:** During Project operations, the developer, with regard to the five development parcels, shall incorporate Phase I of the City of Los Angeles' Emergency Water Conservation Plan into all privately operated parcels. The Plan prohibits hose watering of driveways and associated walkways, mandates decorative fountains to use recycled water, mandates drinking water in restaurants to be served upon request only, and provides that water leaks are repaired in a timely manner. The City's Department of Public Works, or other appropriate City agency or department, shall determine compliance with this measure.

**Regulatory Measure J.1-6:** During Project operations, incorporate Los Angeles County water conservation policies into the operation of the Civic Park, and the County Office Building, if the Project proceeds with the County office building option. The responsible parties for the implementation of the Civic Park under the applicable agreements, and the County with regard to the County Office Building, if the Project proceeds with the County office building option, shall be responsible for implementing this measure. The implementation of this measure shall be subject to the review and approval of the County's CAO or its designee.

**Regulatory Measure J.1-7:** During Project operations, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements and the County Office Building operator shall comply with any additional mandatory water use restrictions imposed as a result of drought conditions. The City's Department of Public Works, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels and the Streetscape Program. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.

**Regulatory Measure J.1-8:** During Project operations, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements, shall install automatic sprinkler systems to irrigate landscaping during morning hours or during the evening to reduce water losses from evaporation, and sprinklers shall be reset to water less often in cooler months and during the rainfall season so that water is not wasted by excessive landscape irrigation. The City's Department of Public Works, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels and the Streetscape Program. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.

- iii. Supportive Evidence and Rationale – The Project's potentially significant impact on the water supply is analyzed in Section IV.J.1 of the DEIR. Based on a Water Supply Assessment certified by the Los Angeles Department of Water and Power ("LADWP"), the total estimated water demand for the Project at build-out is not expected to exceed available supplies during normal, single dry and multiple dry water years during the 20-year planning period projection. Further, the Project is not anticipated to exceed the available capacity within the distribution infrastructure that would serve the Project site. Other than connections from the Project site to the water mains and the installation of new water lines along Second Street, the construction of a new or upgraded distribution and conveyance infrastructure would not be required. With regulatory compliance and incorporation of the mitigation measures discussed above, impacts to water supply associated with the Project would be less than significant.
- iv. Cumulative Impact – Development of the 93 related projects would cumulatively contribute, in conjunction with the Project to the water demand in the Project area. Related projects are anticipated to be developed in compliance with all applicable water conservation regulations and within the build-out scenario of the Community Plans and the City of Los Angeles General Plan elements. Further, the LADWP Water Supply Assessment concluded that there are adequate water supplies to meet all existing and future water demands for the next 20 years. As such, impacts associated with cumulative water demand would be less than significant.

W. Wastewater

- i. Potential Impacts – The Project may cause a significant impact on wastewater conveyance and treatment facilities if:
  - a. The Project's additional wastewater flows would substantially or incrementally exceed the future scheduled capacity of the Hyperion Treatment Plant ("HTP").
  - b. The Project would cause a measurable increase in wastewater flows at a point where, and a time when, a sewer's capacity is already constrained or that would cause a sewer's capacity to become constrained.
  - c. The construction of new or upgraded wastewater distribution infrastructure would result in a substantial obstruction of vehicle and/or pedestrian access.



- ii. Findings – The Project will not cause a significant impact with regard to wastewater service. Notwithstanding, the following regulatory measures have been identified to ensure the Project's less than significant impact concerning this issue.

**Regulatory Measure J.2-1:** Prior to the start of each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park shall comply with City ordinances limiting connections to the City sewer system, in accordance with City Bureau of Sanitation procedures. The City's Department of Public Works, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels. The County's CAO or its designee shall ensure compliance with this measure.

**Regulatory Measure J.2-2:** Prior to the start of each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park Plan, shall prepare, and thereafter implement, building plan specifications for the installation of low-flow water fixtures and further encourage reduction of water consumption to minimize wastewater flow to the sewer system, in accordance with applicable water conservation requirements. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels. The County's CAO or its designee shall ensure compliance with this measure.

- iii. Supportive Evidence and Rationale – The FEIR analyzed in detail the Project's potential impact on wastewater facilities in Section IV-J(2) of the DEIR. The operation of the Project under the County Office Building Option would generate 631,650 gallons per day (gpd) of wastewater and a peak flow of 1,073,805 gpd. The Project under the Additional Residential Development Option would generate 592,070 gpd on average and a peak flow of 1,006,519 gpd. By complying with the provisions of the City's Sewer Allocation Ordinance, wastewater generation resulting from operation of the Project would not substantially exceed the future scheduled capacity of the HTP. Nor, would the Project cause a measurable increase in wastewater flows at a point where, and a time when, a sewer's capacity is already constrained or would cause a sewer's capacity to become constrained. Therefore, implementation of the Project would result in a less than significant impact to wastewater facilities.
- iv. Cumulative Impact – Development of the 93 related projects, in conjunction with the Project would cumulatively contribute to wastewater generation in the Project area. The Project with Additional Residential Option would generate nearly seven percent less wastewater than that of the proposed Project with

County Office Building Option. The wastewater anticipated to be discharged by the related projects along with the Project with County Office Building Option is 7.3 million gpd, which represents approximately 1.6 percent of the HTP's full capacity of 450 million gpd. Each of the individual related projects would be subject to the LADWP's determination of whether there is allotted sewer capacity available prior to the formal acceptance of plans and specifications by the Department of Building and Safety. Therefore, cumulative impacts to the local and regional sewer system for the Project, in conjunction with the related projects, would be less than significant.

X. Solid Waste

- i. Potential Impacts – The Project may cause a significant impact concerning solid waste if:
  - a. The Project generates solid waste at a level that exceeds the available capacity of the existing and/or planned landfills.
  - b. The Project conflicts with diversion and recycling goals set forth in the City of Los Angeles Solid Waste Management Policy Plan (CiSWMPP) and Source Reduction and Recycling Element (SRRE).
- ii. Findings - The Project will not cause a less than significant impact with regard to solid waste services. Notwithstanding, the following regulatory measures have been identified to ensure the Project's less than significant impact concerning this matter.

**Regulatory Measure J.3-1:** Prior to the issuance of a certificate of occupancy for each construction phase, and thereafter during Project operations, the developer, with regard to the five development parcels, shall comply with the provisions of City of Los Angeles Ordinance No. 171687 with regard to all new structures constructed as part of the five development parcels. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure.

**Regulatory Measure J.3-2:** Prior to the issuance of each certificate of occupancy, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements, shall prepare, and thereafter implement, a plan that designs all structures constructed or uses established within any part of the proposed Project site to be permanently equipped with clearly marked, durable, source sorted recyclable bins at all times to facilitate the separation and deposit of recyclable materials. The City's Department of Public Works, or other appropriate City agency or department, shall determine

compliance with this measure with regard to the five development parcels and the Streetscape Program. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.

**Regulatory Measure J.3-3:** Prior to the issuance of each certificate of occupancy, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park under the applicable agreements, shall prepare, and thereafter implement, a plan that designs primary collection bins to facilitate mechanized collection of such recyclable wastes for transport to on- or off-site recycling facilities. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.

**Regulatory Measure J.3-4:** During Project operations, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements, shall continuously maintain in good order for the convenience of businesses, patrons, employees and park visitors clearly marked, durable and separate bins on the same lot, or parcel to facilitate the commingled recyclables and deposit of recyclable or commingled waste metal, cardboard, paper, glass, and plastic therein; maintain accessibility to such bins at all times, for collection of such wastes for transport to on- or off-site recycling plants; and require waste haulers to utilize local or regional material recovery facilities as feasible and appropriate. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels and the Streetscape Program. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.

**Regulatory Measure J.3-5:** During each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements, shall implement a demolition and construction debris recycling plan, with the explicit intent of requiring recycling during all phases of site preparation and building construction. The City's Department of Building and Safety, or other appropriate City agency or department, shall review and approve the plan with regard to the five development parcels and the Streetscape Program. The County's CAO or its designee shall review and approve the plan with regard to the Civic Park.

- iii. Supportive Evidence and Rationale – The FEIR analyzed in detail the Project's potential impact on solid waste facilities in Section IV-J(3) of the DEIR. The Project would not cause the available capacity of the existing and/or planned landfills to be exceeded, and impacts due to construction and operations would be less than significant. Nonetheless, regulatory mitigation measures have been identified concerning compliance with existing plans, programs and policies promoting recycling, waste reduction and waste diversion.
- iv. Cumulative Impact – Development of the 93 related projects would generate solid waste during their respective construction periods and on an on-going basis following the completion of construction. The total cumulative construction debris from the related projects and proposed Project would total 63,000 tons. This would comprise approximately 0.1 percent of the remaining inert landfill disposal capacity of 69.94 million tons and, as such, cumulative impacts on inert landfill capacity would be less than significant. During operation, the total cumulative solid waste generation is estimated to be 112,015 tons per year under the Project with County Office Building Option and 107,660 tons per year under the Project with Additional Residential Development Option. These levels of cumulative annual solid waste generation represent approximately 1.2 percent of the total solid waste generated in Los Angeles County in 2003. Based on these small percentages, and the County's forecast of 15 years of landfill availability, cumulative impacts on municipal landfill capacity are concluded to be less than significant.

## 1.6 FINDINGS REGARDING ALTERNATIVES TO THE PROPOSED PROJECT

CEQA Guideline 15126.6 requires an EIR to (1) describe a range of reasonable alternatives to the proposed project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project; and (2) evaluate the comparative merits of the alternatives. In analyzing the feasibility of an alternative, the CEQA Guidelines list the following factors: site suitability; economic viability; infrastructure viability; social, legal and technological issues; and jurisdictional boundaries. The purpose of the consideration and discussion of alternatives to the proposed project is to identify ways to mitigate or avoid the significant effects that a project may have on the environment. In doing so, CEQA Guideline 15126.6 directs that the analysis of alternatives be limited to alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of project objectives, or would be more costly.

The selection and discussion of alternatives to the project is intended to foster meaningful public participation and informed decision-making. An EIR need not consider an alternative whose effect cannot be reasonably ascertained and whose implementation is remote or speculative. CEQA Guideline 15126.6 also requires the analysis of a "No Project" alternative and the identification of an "Environmentally Superior Alternative." If the environmentally superior alternative is the No Project Alternative, then the EIR is required to identify an environmentally superior alternative among the remaining alternatives.

Finally, CEQA Guideline 15126.6 requires an EIR to identify any alternatives that were considered by the lead agency but were rejected as infeasible during the scoping process and briefly explain the reasons underlying the lead agency's determination of such infeasibility.

#### Alternatives Considered But Rejected

Two alternatives were identified but subsequently rejected from further analysis in the FEIR. The first such rejected alternative was the Alternative Location Alternative. With respect to alternative sites for any proposed project, CEQA Guideline 15126.6(f)(2)(A) provides that: "The key question and first step in analysis is whether any of the significant effects of the project would be avoided or substantially lessened by putting the project in another location. Only locations that would avoid or substantially lessen any of the significant effects of the project need be considered for inclusion in the EIR."

Based on substantial evidence, the Authority determined that the relocation of the Project to another location would not substantially reduce the Project's primary significant impacts relative to traffic, air quality, and noise, and would likely have a greater impact regarding land use compatibility, visual context and scale since it is specific to a highly urbanized environment. Although an alternative location may eliminate potentially significant historical and specific view impacts, it would likely cause view impacts in an alternative location due to the size of the proposed buildings. Further, since the Project location is specific to the Civic Center Mall, Grand Avenue, and the Bunker Hill Redevelopment Project parcels, it would not be feasible to expand and renovate of the Civic Center Mall or develop the Grand Avenue streetscape improvements between Fifth Street and Cesar E. Chavez Avenue in another location. For all these reasons, the Alternative Location Analysis was properly rejected.

The second rejected alternative was the development of institutional uses, such schools and hospitals, in the remaining Bunker Hill Redevelopment Project parcels, Parcels Q, W-1/W-2, L and M-2. This alternative was rejected since it would have a significant land use impact in relation to the implementation of the policies of adopted plans and policies, including housing policies of the General Plan Framework; policies

of the Central City Community Plan to encourage a mix of uses which create a 24-hour downtown environment; policies of the Bunker Hill Redevelopment Plan to provide convenient and efficient living accommodations for downtown employees and a range of housing types, including affordable housing; the policies of the existing Bunker Hill Design for Development which call for a mix of commercial and residential uses in these parcels; and policies of the Downtown Strategic Plan, which recognize the need to substantially increase the residential presence in the downtown community. Such an alternative would also not implement the jobs/housing balance goals of SCAG's Regional Comprehensive Plan and Guide or the goals of that plan to place high-density multi-family uses within urban centers in close proximity to transit and other multi-modal transportation opportunities. This alternative would also not meet the basic objectives of the Project to provide a mixed-use development with a mix of uses that are economically viable. For all these reasons, this alternative was properly rejected.

Finally, a commentator during the public review process suggested that the Project should be modified to include a higher percentage of affordable housing units. However, the developer has committed to 20 percent of the overall housing units in the Project being affordable units, and substantial evidence supports the conclusion that additional subsidies from the LA/CRA or others for an even greater number of affordable housing units in the Project are not available or feasible, and that key Project objectives would not be achieved if more financial resources of the Project are devoted to additional affordable housing units, including the use of funds to improve and extend the existing County Mall into a Civic Park that can serve as a public gathering place for the entire region. Accordingly, the Authority finds that such an alternative to the Project is not feasible within the meaning of CEQA.

#### The Five Alternatives Evaluated in the FEIR

The following alternatives were analyzed in detail in the FEIR since they could (i) meet some of the Project Objectives and avoid or lessen some impacts or (ii) were required to be analyzed by the applicable provisions of CEQA (namely, the No Project Alternative):

- Alternative 1: No Project "A" – The Project site remains in its existing conditions.
- Alternative 2: No Project "B" – Development on Parcels Q and W-2 would occur per the provisions of the 1991 Owner Participation Agreement applicable to those parcels, while development on Parcels W-1, L, and M-2 would occur per current City zoning. Under the No Project "B" Alternative, the Grand Avenue streetscape program would be limited to only improvements along the frontage of Parcel Q, while no improvements to the existing Civic Center Mall would occur.

- Alternative 3: Reduced Density Alternative – Development on the five parcels would be reduced by 25 percent, as would proposed building heights. Improvements within the Civic Park as well as along the Grand Avenue streetscape program would be reduced commensurate with the reduced funding for Phase 1 that would be available from prepaid lease revenues.
- Alternative 4: Alternative Design Alternative – Two unrelated components of the Project would be changed under this Alternative – the Civic Park and the location of the towers on Parcels L and M-2. Under this Alternative, the existing Civic Center Mall's four character-defining features would remain as they exist today and in their current locations, or they would be retained and reused within the Civic Park in accordance with the Secretary of the Interior's Standards for the Rehabilitation of Historic Buildings. Also under this Alternative, the towers proposed for development on Parcels L and M-2 would be reversed, such that the tower proposed for the southeast corner of Parcels L and M-2 would be moved to the southwest corner, and the tower proposed for the northwest corner would be moved to the northeast corner.
- Alternative 5: Alternative land Use Alternative – development on all five development parcels would be residential supported by a limited amount of retail development. The Civic Park and Grand Avenue streetscape program under this Alternative would be the same as the Project.

As described in this Section XII, the FEIR analyzed the issues of whether each of these alternatives (i) could achieve most of the Project Objectives and (ii) could reduce the Project's potentially significant impacts.

#### Alternative 1 - No Project "A"

##### a. Ability to Achieve Most of the Project Objectives

The No Project "A" Alternative would not meet the ultimate goal of the Project to provide an economically viable, architecturally distinguished community-oriented, mixed-use development with welcoming public open spaces or create, define, and celebrate the Civic and Cultural Center as a regional destination in downtown Los Angeles. In addition, the No Project "A" Alternative would also not meet any of the Project's priority objectives. This alternative would not meet the priority objective to create a vibrant 24-hour development that activates the Civic and Cultural Center through a mix of uses that complement each other, and that add to those that already exist on Bunker Hill; or meet the priority objective to implement the redevelopment plan objectives to permit a maximum density of development commensurate with the highest standards of architecture and landscape design. This alternative would also not meet the priority objective to generate at least \$50 million in funds from the Project itself, and at least \$45 million from Phase 1 by the lease of public land, and use these funds to improve and extend the existing Civic

Center Mall into a Civic Park that can serve the entire region. This alternative would also not meet the priority objective of providing affordable units and it would not meet the priority objective to create a long-term stream of additional tax revenues for the City, the CRA/LA and the County. The No Project "A" Alternative would also not meet the additional objectives of the Project in that it would not generate specific public benefits; activate downtown Los Angeles, create a civic gathering place, enhance pedestrian connections, create distinguished architectural design, or facilitate achievement of redevelopment goals for the Bunker Hill District and the Central Business District.

b. Ability to Reduce the Project's Residual Significant Impacts

The No Project "A" Alternative would avoid the Project's significant and unavoidable impacts associated with compliance with existing zoning designations, construction hauling, periodic closures of the Grand Avenue and Hill Street ramps to the garage beneath the existing Civic Center Mall during their relocation, any temporary lane closures, intersection service thresholds, occasional traffic congestion during evening and large-scale events in the Civic Park, DAARP residential parking requirements, view obstruction, character-defining features in the Civic Center Mall, air quality (constructions and operation), noise (construction), and parks and recreation (during construction of Civic Park), but would be less beneficial in relation to the implementation of existing land use plans and visual quality. The No Project "A" Alternative, however, would not eliminate significant, unavoidable traffic impacts that would occur under future baseline traffic conditions due to ambient growth and the development of other projects.

c. Determination of Infeasibility

Based on the findings set forth in this subsection, the analysis contained in the FEIR, and other substantial evidence in the record of the proceedings concerning the Project, the Authority finds that this alternative is not feasible within the meaning of CEQA.

Alternative 2 - No Project "B"

a. Ability to Achieve Most of the Project's Objectives

The No Project "B" Alternative would not meet the ultimate goal of the Project to provide an economically viable, community-oriented, mixed-use development. In addition, the No Project "B" Alternative would not meet any of the Project's priority objectives. The No Project "B" Alternative would not meet the Project's priority objective to establish Grand Avenue as a vibrant 24-hour urban place that activates the Civic and Cultural Center through a mix of uses



and complement each other due to the substantial reduction of the Grand Avenue Streetscape Program, and no development of street front retail uses along Parcels L and M-2. This Alternative would not meet the Project's priority objective to generate at least \$50 million in funds from the Project itself, and at least \$45 million from Phase 1 by the lease of public land, and then using these funds to create the proposed Civic Park, nor implement the Grand Avenue Streetscape Program as envisioned. As such, it would not meet the Project objectives to create a civic gathering place and to enhance pedestrian connections. This Alternative would also not meet the priority objective of the Project to implement redevelopment plan objectives to permit a maximum density of development, since this Alternative would not maximize density on Parcels W-1/W-2, L and M.

Although the No Project "A" Alternative would meet the Project's priority objective to create a long-term stream of additional tax revenues for the City, the CRA/LA and the County, the magnitude of revenue generation would be substantially reduced under this Alternative as compared to the Project, since Parcels W-2/W-2, L and M-2 would not be developed to their full potential. Furthermore, this Alternative would meet the priority objective to ensure that 20 percent of all residential units are affordable, since it would contain only a fraction of the number of affordable units that would be generated by the proposed Project's residential units.

b. Ability to Reduce the Project's Residual Significant Impact

The No Project "B" Alternative would reduce, but not completely avoid, the Project's significant and unavoidable impacts associated with construction hauling, lane closures, intersection service levels (although it would incrementally reduce peak hour traffic), DAARP residential parking requirements, view obstruction, air quality (construction and operation), and noise (construction). This alternative would be less beneficial than the Project in relation to the implementation of existing land use plans, which call for a greater mix of residential uses in the urban center and revitalization of the downtown. The No Project "B" Alternative would, however, avoid the Project's potential significant impacts associated with zoning compliance, periodic closures of the Grand Avenue and Hill Street ramps to the Civic Center mall during the reconstruction of the ramps, occasional traffic congestion during evening and large-scale events in the Civic Park, possible removal of historically significant character-defining features in the existing Civic Center Mall, and short-term recreational impacts associated with the closure of the existing Civic Center Mall during the construction of the Civic Park.

c. Determination of Infeasibility

Based on the findings set forth in this subsection, the analysis contained in the FEIR, and other substantial evidence in the record of the proceedings concerning the Project, the Authority finds that this alternative is not feasible within the meaning of CEQA.

Alternative 3 - Reduced Density Alternative

a. Ability to Achieve Most of Project's Objectives

The reduced Density Alternative may not meet the ultimate goal of the Project to provide an economically viable development since, with the reduction in scale, the Reduced Density Alternative would not be as economically viable as the Project. In addition, the Reduce Density Alternative would not meet the majority of the Project's priority objectives to create a vibrant, 24-hour development that activates the Civic and Cultural Center to the same extent as the Project. Furthermore, since the Alternative has less development than the Project, it would not meet the priority objective to implement redevelopment plan objectives to permit a maximum density of development. The Reduced density Alternative also would not implement the Project's priority objective to generate at least \$50 million in funds from the Project itself, and at least \$45 million from Phase 1 by the lease of public land, and then to use these funds to improve and extend the existing Civic Center Mall into the proposed Civic Park. In addition, this Alternative would not implement the Grand Avenue Streetscape Program (except adjacent to Parcel Q), further reducing the ability of this Alternative to meet the objectives of the Project to create a civic gathering place and to enhance pedestrian connections.

The Reduce Density Alternative would meet the priority objectives to ensure that 20 percent of all residential units in the Project are affordable units; however, due to the reduction in residential units, this would provide 25 percent fewer affordable units than the Project. This Alternative would also meet the priority objective to create a long-term stream of additional tax revenues for the City, the CRA/LA and the County. However, since it would represent a reduction in scale, the stream of additional tax revenues would be incrementally less than under the Project.

The Reduced Density Alternative would meet the Project's objective to encourage public transit opportunities through the development of high-density residences in close proximity to existing transit systems. The Reduced Density Alternative would also meet the Project objective to provide residential densities in the Bunker Hill Redevelopment Project area as well as improve the jobs/housing balance downtown and establish a variety of housing types,

although it would not maximize residential densities as well as the Project. The Reduced Density Alternative would also implement the redevelopment plan objectives to provide housing for workers who seek housing near their employment, but to a lesser degree than would occur under the Project.

b. Ability to Reduce the Project's Residual Significant Impacts

The Reduced Density Alternative would reduce, but not completely avoid, the Project's significant and unavoidable impacts associated with zoning compliance construction hauling, lane closures, periodic closures of the Grand Avenue and Hill Street ramps to the garage beneath the Civic Center Mall during their reconstruction, operation traffic, occasional traffic congestion during evening and large-scale events in the Civic Park, DAARP residential parking requirements, view obstruction, air quality (construction and operation), and noise (construction). Additionally, this Alternative may possibly reduce impacts associated with the possible removal of the historically significant character-defining features in the Civic Center Mall, and short-term recreational impacts associated with the closure of Civic Center Mall during the Civic Park's construction phase, if the scope of the development in the Civic Park were reduced.

c. Determination of Infeasibility

Based on the findings set forth in this subsection, the analysis contained in the FEIR, and other substantial evidence in the record of the proceedings concerning the Project, the Authority finds that this alternative is not feasible within the meaning of CEQA.

Alternative 4 - Alternative Design Alternative

a. Ability to Achieve Most of Project Objectives

As with the Project, the Alternative Design Alternative would meet the ultimate goal of the Project to provide an economically viable, architecturally distinguished, community-oriented, mixed-use development with notable public open spaces that would create, define, and celebrate the Civic and Cultural Center as a regional destination. In addition, the Alternative Design Alternative would meet all the Project's priority objectives. This Alternative would meet all of the Project's specific objectives that are intended to ensure that the proposed development would generate specific public benefits, activate downtown Los Angeles, create a civic gathering place, enhance pedestrian connections, create distinguished architectural design, facilitate achievement of redevelopment goals for the Bunker Hill District and the amended Central Business District Redevelopment Plans.

b. Ability to Reduce the Project's Residual Significant Impacts

Through the retention of historically significant character-defining features, the Alternative Design Alternative would avoid the Project's potential significant impact on the historic resources present within the existing Civic Center Mall. However, the feasibility of retaining those elements of Civic Center Mall is not known at this time since the final design of Civic Park has not been completed.

Due to, among other considerations, that final design may call for not retaining all of those features because of economic factors or planning objectives inherent in the Civic Park program.

This alternative would also reduce the Project's significant view impact for the residents of the Grand Promenade Tower building that have northerly views to a less than significant level. However, the Alternative Design Alternative would not avoid the Project's significant and unavoidable impacts associated with zoning compliance, construction hauling, lane closures, periodic closures of the Civic Mall Garage's Grand Avenue and Hill Street ramps to the garage beneath the existing Civic Center Mall during their reconstruction, intersection service levels, DAARP residential parking requirements, views from locations other than the Grand Promenade Tower apartments, air quality (construction and operation), noise (construction). This Alternative would avoid the Project's potentially significant impacts on character-defining features in the existing Civic Center Mall.

c. Determination of Infeasibility

Based on the findings set forth in this subsection, the analysis contained in the FEIR, and other substantial evidence in the record of the proceedings concerning the Project, the Authority finds that (i) the component of this alternative concerning mandatory retention of the character-defining features of the Civic Center Mall is not feasible within the meaning of CEQA since the final design of the Civic Park is not known at this time, and (ii) the component of this alternative that concerns the reversal of the location of the two towers on Parcels L and M-2 is feasible.

Alternative 5 - Alternative Land Use Alternative

a. Ability to Achieve Most of Project Objectives

The Alternative Land Use Alternative, which would not provide a mixture of hotel and retail uses with the proposed residential uses, would not meet the ultimate goal of the Project to provide an economically viable, community-oriented, mixed-use development. Additionally, since this Alternative would not

provide a hotel and would provide a limited amount of street-front retail uses and restaurants, this Alternative would not meet the priority objective of the Project to the same extent as the Project to create a vibrant, 24-hour development that activates the Civic and Cultural Center by attracting both residents and visitors through a mix of uses that complement each other. Although this Alternative anticipates implementation of the Grand Avenue Streetscape Program, with the absence of street-front retail uses and restaurants, this Alternative would not meet the priority objective to create a pleasant living and working environment to the same degree as the Project. This Alternative would meet the priority objective to generate at least \$50 million in funds from the Project itself, and at least \$45 million from Phase 1 by the lease of public land, and use these funds to improve and extend the existing Civic Center Mall into the proposed Civic Park. This Alternative would also meet the priority objective to ensure that 20 percent of all residential units in the Project are affordable units for low-income residents. This objective would also meet the priority objective to create a long-term stream of additional tax revenues for the City, the CRA/LA and the County. However, since taxes on residences are less than on commercial uses, this Alternative would not meet this objective to the same extent as the Project.

b. Ability to Reduce the Project's Residual Impacts

The Alternative Land Use Alternative would not avoid the Project's significant and unavoidable impacts associated with zoning compliance (due to residential uses in existing C2 zones), construction hauling, lane closures, periodic closures of the Grand Avenue and Hill Street ramps to the garage beneath the existing Civic Center Garage's during their reconstruction, intersection service levels, occasional traffic congestion during evening and large-scale events in the Civic Park, and DAARP residential parking requirements. However, the Alternative Land Use Alternative would incrementally reduce peak hour traffic. This Alternative would also not avoid the Project's potential significant impacts associated with air quality (construction and operation), noise (construction), and short-term recreational impacts associated with the closure of the existing Civic Center Mall during the construction of the proposed Civic Park.

c. Determination of Infeasibility

Based on the findings set forth in this subsection, the analysis contained in the FEIR, and other substantial evidence in the record of the proceedings concerning the Project, the Authority finds that this alternative is not feasible within the meaning of CEQA.

The Environmentally Superior Alternative

CEQA Guideline 15126.6 requires the identification of an environmentally superior alternative to the proposed Project and, if the environmentally superior alternative is the "No Project Alternative," the identification of an environmentally superior alternative from among the remaining alternatives. An environmentally superior alternative is an alternative that would reduce and/or eliminate the significant, unavoidable environmental impacts associated with a project without creating other significant impacts and without substantially reducing and/or eliminating the environmental benefits attributable to the Project. Accordingly, selection of an environmentally superior alternative is based on an evaluation of the extent to which the alternatives reduce or eliminate the significant impacts associated with the Project, and on a comparison of the remaining environmental impacts of each alternative. The determination of the environmentally superior alternative is not based on any assessment of the Alternative's ability to meet the Project objectives.

In this matter, the No Project "A" Alternative (Alternative 1) would be the environmentally superior alternative as this alternative would have less impact relative to the Project than the other evaluated alternatives. CEQA requires that when the No Project Alternative is the environmentally superior alternative, another alternative needs to be selected as environmentally superior. Based on the findings set forth in this section XII and the analysis contained in the FEIR, the Authority determines that the Reduced Density Alternative would be the environmentally superior alternative, since it may reduce the Project's impacts more broadly than the other Project alternatives.

## 1.7 STATEMENT OF OVERRIDING CONSIDERATIONS

CEQA Guideline 15093(a) and (b) provides that:

- "(a) CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered 'acceptable.'
- (b) When the lead agency approves a project which will result in the occurrence of significant effects which are identified in the final EIR but are not avoided or substantially lessened, the agency shall state in writing the specific reasons to support its action based on the final EIR and/or other information in the record."

The Authority adopts and makes this Statement of Overriding Considerations ("SOC") concerning the Project's unavoidable significant impacts to explain why the Project's benefits override and outweigh its unavoidable environmental impacts. Based on substantial evidence in the record, the Authority finds that each benefit of the Project set forth in this SOC constitutes an overriding consideration warranting approval of the Project, despite the unavoidable impacts.

1. The Project will create a vibrant, 24-hour development that activates the Civic and Cultural Center by attracting both residents and visitors, day and night, through a mix of uses that are economically viable, that complement each other, and that add to those that already exist on Bunker Hill.
2. The Project will provide substantial economic benefits for the entire region, generating an estimated \$252 million annually in direct business revenues and over \$362 million in indirect (off-site) business revenues throughout the County, for a total of \$615 million in direct and indirect revenues generated by the Project each year.
3. The business activity generated by the Project is estimated to create up to 5,900 permanent jobs, both on-site and throughout the region. These workers will earn an estimated \$165 million in pre-tax wages and salaries. All jobs generated on the Project site will comply with the CRA/LA's Living Wage Policy.
4. The Project will also create a significant number of construction jobs. Over the life of the construction of the Project, approximately 29,000 direct and indirect construction jobs will be created. These workers will earn over \$1 billion in wages and salaries. All on-site construction jobs will comply with the Prevailing Wage law.
5. Significant tax revenues, an estimated \$105 million, will be generated annually by the Project. These tax revenues will be shared by all levels of government. Approximately \$74 million will go to the federal government, \$21 million to the State government, \$5.7 million to the County government, and approximately \$4.1 million to local governments, all on an on-going, annual basis.
6. The Project will generate at least \$50 million in funds from the earlier phases of the Project itself, and at least \$45 million from Phase 1 of the overall development, through the lease of public land. These funds will be used to improve and extend the existing Los Angeles County Mall into a Civic Park that can serve as a public gathering place for the entire region. The ground lease of the development parcels was structured in a manner to ensure completion of the new Civic Park by the time Phase 1 of the development is

completed.

7. The Project will revitalize, expand upon and activate the existing Los Angeles County Mall by developing it into a Civic Park stretching from the Music Center to City Hall. The new Civic Park will be operated to serve as an active, welcoming setting for daily activity as well as a gathering place for community celebrations, cultural and ethnic celebrations, festivals, holiday events, political gatherings and the like. The new Civic Park will be designed to accommodate a variety of sizes of community events and to encourage use of the Metro Red Line, which passes underground through the park at Hill Street.
8. The Project will provide a substantial amount of affordable housing units for low-income and very low income residents. The number of affordable units will equal 20 percent of the total number of housing units developed in the Project, which could yield up to 532 affordable units under the Additional Residential Development Option at full build-out. Long-term affordability covenants to guarantee the availability of such units to such qualified residents will be imposed.
9. The Project will develop a substantial number of housing units in the downtown, up to a total number of 2,660 units under the Additional Residential Development Option. This mix of additional housing units will greatly expand the diversity of downtown living options.
10. The Project will encourage and accommodate pedestrian activity by improving the streetscape along Grand Avenue between Fifth Street and Cesar Chavez Avenue. Streetscape improvements will include the strategic use of landscaping, benches and lighting, improved paving, and wider sidewalks where feasible. Such improvements will create an urban street that will foster pedestrian activity without comprising the functional requirements of vehicular circulation.
11. The Project will create new public spaces on the development parcels that are open and accessible to the public, including plaza areas, outdoor terraces and other gathering places, all with seating areas and landscaping.
12. The Project will increase the value of the four publicly owned, underutilized development parcels, while minimizing public investment in the Project. The value of these uniquely located public parcels will be further increased by the synergistic combination of the parcels into a unified development.
13. The Project will maintain the potential for a new County office building within the later phases of the Project.



14. The Project will create a northern anchor for the downtown area, complementing the southern anchor at "LA Live" to create a more diverse and vibrant downtown core.
15. The Project will enhance the use of public transit by creating easy access to the Metro Red Line at its Civic Center station, and easy access to the many local and commuter bus lines that surround the Project site.
16. The Project will improve pedestrian access from transit stops to the many regional attractions on Grand Avenue, including the Music Center, the Walt Disney Concert Hall, the Colburn School, and the Museum of Contemporary Art. Public access through the Project site will be facilitated by escalators, elevators, and a bridge over Olive Street, all assisting the pedestrian in transitioning the steep slope of Bunker Hill from Hill Street (where the Metro Red Line station exists) to Grand Avenue.
17. The Project will improve the jobs/housing balance in downtown, an area considered to be a "jobs rich" environment. By increasing the amount of housing available in a jobs rich area, there is a greater likelihood that people will work and live in areas in close proximity, thereby reducing traffic congestion and improving air quality when compared to traditional commuting patterns where the residence and job locations are separated by great distances.
18. The Project will comply with the CRA/LA's public art policy, which will facilitate the placement and maintenance of more public art in the downtown area.
19. The Project will create a job outreach and training program that will provide opportunities for local and low-income residents to secure jobs generated by the construction and operation of the Project through, among other ways, hiring and apprentice goals, coordination with the applicable unions, and on-the-job training requirements for such resident workers.
20. The Project will implement and satisfy numerous objectives of the Bunker Hill Redevelopment Plan (as listed in greater detail in Section V of the Findings and hereby incorporated into this SOC), including, but not limited to, the development of a project with a maximum density commensurate with the highest standards of architecture and landscape design aimed at creating a pleasant living and working environment.

#### 1.9 MITIGATION MONITORING AND REPORTING PROGRAM

In accordance with CEQA Guideline 15091(d), the Authority adopts the Mitigation Monitoring Program that is included as part of the FEIR (the "MMP"). The MMP

describes each of the Mitigation Measures identified in the FEIR, the entities responsible for implementing and monitoring each of those measures, and anticipated schedules for completion of those measures. Those measures and implementing program set forth in the MMP have been made enforceable through conditions in the DDA.

## 2.0 GENERAL CONSIDERATIONS

Each and all of the findings and determinations contained herein are based on the competent and substantial evidence, both oral and written, contained in the entire record relating to the FEIR. All of the language included in these Findings constitutes findings by the Authority, whether or not any particular sentence or clause includes a statement to that effect. All summaries of information in these Findings are based on the entire record of the proceedings, and the absence of any particular fact from any such summary herein is not an indication that a particular finding is not based, in part, on that fact.

The Authority's analysis and evaluation of the FEIR and the Project is based on the best information currently available. This practical limitation is acknowledged in CEQA Guideline 15151, which provides that "the sufficiency of an EIR is to be reviewed in light of what is feasible."

### FINDINGS OF FACT (SUBDIVISION MAP ACT)

In connection with the approval of Tentative Tract Map No. 67491, the Advisory Agency of the City of Los Angeles, pursuant to Sections 66473.1, 66474.60, .61 and .63 of the State of California Government Code (the Subdivision Map Act), makes the prescribed findings as follows:

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

The Tentative Tract Map was prepared by a licensed land surveyor and contains the required components, dimensions, areas, notes, legal description, ownership, applicant and site address information as required by the Los Angeles Municipal Code and Subdivision Map Act. The Tentative Tract Map describes and illustrates land uses consistent with those described in the "Grand Avenue Environmental Impact Report" (SCH No. 2005091041) for Parcels W-1 and W-2. The approval of the subject tract map is contingent upon the approval of Case No. CPC-2006-9702-ZC-CU-CUB-ZV-DA.

The site is not subject to the Specific Plan for the Management of Flood Hazards (floodways, floodplains, mud prone areas, coastal high-hazard and flood-related erosion hazard areas).

Therefore, as conditioned, the proposed tract map is consistent with the intent and purpose of the applicable General and Specific Plans.

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

The adopted Central City Community Plan designates the subject property for Regional Center Commercial land use with the corresponding zones of CR, C1.5, C2, C4, C5, R3, R4, R5, RAS3, and RAS4. The property contains approximately 3.14 net acres (136,773 net square feet after required dedication) and is presently zoned C2-4D and R5-4D. The proposed development of either 1) 720 residential units, 20% of which shall be affordable apartment units with 50% at very low and 50% at low income levels, 64,000 square feet of retail space and 681,000 square feet of commercial office or 2) 1,310 residential units, 20% of which shall be affordable apartment units with 50% at very low and 50% at low income levels and 64,000 square feet of commercial/retail space is allowable under the current land use designation and based on the zone change approval to C2-4D of Case No. CPC-2006-9702-ZC-CU-CUB-ZV-DA.

The subject Tentative Tract Map, on Parcels W-1 and W-2, is a mixed-use development described as Phase III of the larger project commonly known as the Grand Avenue Project in the Bunker Hill district of Downtown Los Angeles. The subject project site consists of a city block bounded by 1<sup>st</sup> and 2<sup>nd</sup> Streets to the north and south and Hill and Olive Streets to the east and west, respectively, sans the Metro Red Line Station on the northeast corner.

To facilitate development of these parcels, the County and the CRA/LA formed a joint powers authority known as the Los Angeles Grand Avenue Authority in 2003 pursuant to a Joint Exercise of Powers Agreement. The sole purpose of the Authority is to create this new regional center. The Grand Avenue Committee acts under the direction of the Authority and is responsible for facilitating the public/private partnership to develop the project site.

The overall project weaves together high-rise buildings in an urban setting consisting of commercial and residential uses with an emphasis on creating great outdoor spaces, enhancing connections to adjacent neighborhoods and shaping view corridors that highlight Disney Hall, Cathedral of Our Lady of The Angels, and City Hall.

The multi-phased development will include affordable and market-rate housing with multi-level retail and entertainment spaces built around large plazas and public spaces. The total development program includes 449,000 square feet of retail, a boutique hotel and up to 2,660 affordable and market-rate residential units.

Furthermore, First Street is classified as a Major Highway. Second Street, Olive and Hill Streets are Secondary Highways. The Bureau of Engineering is requiring a 7-foot wide strip of land be dedicated along First Street adjoining the subdivision to complete a 57-foot wide half right-of-way dedication in accordance with Major Highway Standards; a 5-foot wide strip of land be dedicated along 2<sup>nd</sup> Street adjoining the tract area; and a 2-foot wide strip of land be dedicated along Hill Street adjoining the tract area to complete a 40-foot wide half right-of-way dedication. (See Condition Nos. 1-10 and S-1,2 and 3 for other Engineering requirements.)

This project isn't subject to any Specific Plan requirements. The proposed project will provide either 1) 1,955 or 2) 2,175 parking spaces based on the zone change approval to C2-4D of Case No. CPC-2006-9702-ZC-CU-CUB-ZV-DA. As conditioned the design and improvements of the proposed project are consistent with the applicable General Plan.

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

The site is currently developed with a surface parking lot including Metro Red Line Station on the northeast corner of the block. It's one of the few under-improved properties in the vicinity. The development of this tract is an infill of an otherwise mix-density regional center.

Surrounding and nearby land uses include high-rise office buildings to the south; cultural uses, such as the Walt Disney Concert Hall, the Los Angeles Music Center, the Cathedral of Our Lady of the Angels, the Museum of Contemporary Art (MOCA) and Colburn School of Performing Arts along Grand Avenue; and government buildings, such as the Los Angeles City Hall, the County's Kenneth Hahn Hall of Administration and the Hall of Records as well as the Los Angeles County/Stanley Mosk Courthouse north of First Street. Surrounding residential land uses include the Grand Promenade Tower to the south of Parcels L and M-2; Bunker Hill Towers and Promenade Plaza to the west/northwest of Parcels L and M-2, and Angelus Plaza and Museum Tower to the south of Parcels Q and W-1/W-2. The residential uses in this area are generally high-rise, ranging from 17 stories (Angelus Plaza) to 32 stories (Bunker Hill Tower). Low-rise residential uses are located to the north of Cesar E. Chavez Avenue.

The project was subject to an Environmental Impact Report ("EIR") conducted by the Grand Avenue Authority (State Clearinghouse Number No. 2005 091041). While the physical implementation of the project may cause significant environmental impacts as identified in the Environmental Impact Report, all feasible Mitigation Measures have been adopted to minimize those impacts, which Measures are incorporated in the Tract's Conditions of Approval. Further, the Advisory Agency has adopted, as part of its CEQA Findings, a Finding that other considerations outweigh the Project's

significant impacts remaining after implementation of the Mitigation Measures. Finally, the Advisory Agency finds that those remaining significant impacts do not render the subject site unsuitable for the proposed type of development.

The site is not located in a slope stability study area, high erosion hazard area, or a fault-rupture study zone. The Department of Building and Safety, Grading Division, has conditionally approved the tract map, subject to submittal of an acceptable soils engineering report.

The tract has been approved contingent upon the satisfaction of the Department of Building and Safety, Grading Division prior to the recordation of the map and issuance of any permits.

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

The General Plan identifies (through Community and Specific Plans) geographic locations where planned and anticipated densities are permitted. Zoning regulations allocate the type of land use, physical suitability and population growth that is expected to occur.

Under the County Office Building Option, the subject site would be developed with a County office building containing 681,000 square feet of floor area. The Parcels would also be developed with 64,000 square feet of retail floor area, and up to 710 residential units, 20 percent (142 units) of which would be provided as affordable housing. This option includes a subterranean parking structure to provide 1,955 parking spaces.

Under the Additional Residential Development Option, a residential building that would replace the County building is assumed to have approximately the same floor area, height, and mass as the office building. Parcel W-1 and W-2 would be developed with up to 1,310 residential units, 20 percent (262 units) of which would be provided as affordable housing, and 64,000 square feet of commercial/retail space. Under this option, Parcels W-1 and W-2 would provide a total of 2,175 parking spaces.

In order to fully respond to the future needs and demands of the changing economy, the proposed Project includes an Equivalency Program that would allow the composition of on-site development to be modified to respond to future needs in a manner that does not increase the Project's impacts on the environment. The Equivalency Program would provide flexibility for modifications to land uses and square footages within the five parcels. Within this framework, land uses can be exchanged for certain other permitted land uses so long as the limitations of the Equivalency Program are satisfied and no additional environmental impacts occur.

All permitted Project land use increases can be exchanged for corresponding decreases of other land uses under the proposed Equivalency Program, which can be found in the EIR.

As such, there are no minimum lot area requirements for the C2 Zone where commercial uses are proposed, whereas residential uses permitted in the C2 Zone are subject to lot area requirements. However, LAMC Section 12.22-A, 18 (a) exempts that any land use permitted in the R5 Zone be permitted on sites where land use is designated Regional Center Commercial or within any Redevelopment Project Area within the Central City Community Plan.

Furthermore, the applicant is seeking an incidental zone change and other entitlements under Case No. CPC-2006-9702-ZC-CU-CUB-ZV-DA to permit the development of the proposed project. The applicant is required to obtain approvals of the zone change case from the City Planning Commission and the City Council in order to construct the project as submitted.

As a result, the proposed project will comply with all L.A.M.C requirements for parking, yards, and open space contingent upon approval of the Zone Variances pursuant to Section 12.27. And as conditioned, the proposed tract map is physically suitable for the proposed density of the 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.

On November 20, 2006, the Los Angeles Grand Avenue Authority (Authority) certified the Grand Avenue Final Environmental Impact Report (FEIR) (State Clearinghouse No. 2005091041), stating the FEIR was completed in compliance with the California Environmental Quality Act, Public Resources Code Section 21000 et seq., the CEQA Guidelines, and all applicable local guidelines concerning the application and implementation of that statute.

The Environmental Impact Report identifies no potential adverse impacts to fish or wildlife resources as far as earth, air, water, plant life, animal life, or risk of upset to these resources is concerned. The project site is presently developed with a parking structure and similar structures associated with urban uses; these land uses do not provide for natural habitat for fish or wildlife. With regards to impact categories identified in the environmental impact report as having potentially significant or significant impacts, Mitigation Measures identified in the FEIR to mitigate said impacts, have been incorporated into the project's conditions of approval. Mitigation Monitoring and other procedures and processes will be implemented to ensure the performance of all Mitigation Measures. Mitigation Monitoring is indicated as

Condition No. 22 of this subdivision project approval.

Furthermore, the CEQA Findings of this decision and indicated in the staff report presented at the public hearing on March 29, 2007 ("Finding of Fact (CEQA)"), establish that the Lead Agency used its independent judgment in reviewing, adopting and certifying the FEIR, based on the finding that the FEIR is adequate and in conformance with the applicable provisions of the CEQA Guidelines. Therefore, in light of the whole record, the proposed project would not cause substantial environmental damage or substantially and unavoidably injure fish or wildlife and/or their habitat.

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

There appear to be no potential public health problems caused by the design or improvement of the proposed subdivision. As mentioned above, the Grand Avenue Authority reviewed and approved the Grand Avenue Implementation Plan, which formulated the framework of the project description evaluated in the EIR prepared by the Authority for the mixed use development. That plan generally described the location of the Project, its proposed uses and other elements. The governing bodies for the Authority, County, the CRA/LA and the City of Los Angeles each approved the Implementation Plan in 2005. In addition, the Advisory Agency hereby adopts the Findings and certifies the EIR, consistent with the action of the Authority. Furthermore, the Environmental Impact Report does not identify any significant and unavoidable environmental impact that would cause a serious public health concern.

The development is required to be connected to the City's sanitary sewer system, where the sewage will be directed to the LA Hyperion Treatment Plant, which has been upgraded to meet Statewide ocean discharge standards. The Bureau of Engineering has reported that the proposed subdivision does not violate the existing California Water Code because the subdivision will be connected to the public sewer system and will have only a minor incremental impact on the quality of the effluent from the Hyperion Treatment Plant.

(g) **THE DESIGN OF THE SUBDIVISION AND THE PROPOSED IMPROVEMENTS WILL NOT CONFLICT WITH EASEMENTS ACQUIRED BY THE PUBLIC AT LARGE FOR ACCESS THROUGH OR USE OF PROPERTY WITHIN THE PROPOSED SUBDIVISION.**

As conditioned, the owners of the property is required to record an agreement satisfactory to the City Engineer stating that they will grant the necessary 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 a safe condition for use at all times.

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

In assessing the feasibility of passive or natural heating or cooling opportunities in the proposed subdivision design, the applicant has prepared and submitted materials which consider the local climate, contours, configuration of the parcel(s) to be subdivided and other design and improvement requirements.

Providing for passive or natural heating or cooling opportunities will not result in reducing allowable densities or the percentage of a lot which may be occupied by a building or structure under applicable planning and zoning in effect at the time the tentative map was filed.

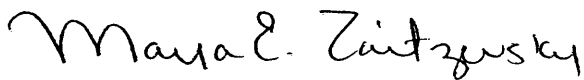
The lot layout of the subdivision has taken into consideration the maximizing of the north/south orientation.

The topography of the site has been considered in the maximization of passive or natural heating and cooling opportunities.

In addition, prior to obtaining a building permit, the subdivider shall consider building construction techniques, such as overhanging eaves, location of windows, insulation, exhaust fans; planting of trees for shade purposes and the height of the buildings on the site in relation to adjacent development.

These findings shall apply to both the tentative and final maps for Tract Map No. 67491.

S. Gail Goldberg, AICP  
Advisory Agency



MAYA ZAITZEVSKY  
Deputy Advisory Agency

MZ:JK:jq



Note: If you wish to file an appeal, it must be filed within 10 calendar days from the decision date as noted in this letter. For an appeal to be valid to the City Planning Commission, it must be accepted as complete by the City Planning Department and appeal fees paid, prior to expiration of the above 10-day time limit. Such appeal must be submitted on Master Appeal Form No. CP-7769 at the Department's Public Offices, located at:

Figueroa Plaza  
201 N. Figueroa St., 4<sup>th</sup> Floor  
Los Angeles, CA 90012  
213.482.7077

Marvin Braude San Fernando  
Valley Constituent Service Center  
6262 Van Nuys Blvd., Room 251  
Van Nuys, CA 91401  
818.374.5050

**Forms are also available on-line at [www.lacity.org/pln](http://www.lacity.org/pln).**

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.

If you have any questions, please call Subdivision staff at (213) 978-1362.

DEPARTMENT OF  
CITY PLANNING  
200 N. SPRING STREET, ROOM 525  
LOS ANGELES, CA 90012-4801

CITY PLANNING COMMISSION

JANE ELLISON USHER  
PRESIDENT

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CITY OF LOS ANGELES  
CALIFORNIA



ANTONIO R. VILLARAIGOSA  
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EXECUTIVE OFFICES

S. GAIL GOLDBERG, AICP  
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(213) 978-1273

FAX: (213) 978-1275

INFORMATION  
(213) 978-1270  
[www.lacity.org/PLN](http://www.lacity.org/PLN)

Decision Date: June 22, 2007

Appeal Period Ends: July 2, 2007

Community Redevelopment Agency (O)  
David Riccitiello  
354 S. Spring Street, Suite 300  
Los Angeles, CA 90013

The Related Companies (A)  
Beatrice Hsu  
333 S. Grand Avenue, Suite 400  
Los Angeles, CA 90071

PSMOAS (R) (E)  
Jennifer Yakubik, John Chiappe  
11444 West Olympic Blvd.  
Suite 750  
Los Angeles, CA 90064-1549

Re: Vesting Tentative Tract No.: 67492  
Address: 225 South Grand Avenue  
Council District: 9  
Existing Zone: R5-4D  
Community Plan: Central City  
ENV No.: SCH.No. 2005 091041  
Fish and Game: Not Exempt

In accordance with provisions of Section 17.03 of the Los Angeles Municipal Code, the Advisory Agency approved Tentative Tract Map No. 67492 composed of two-master lots and 13 air space lots located at 225 South Grand Avenue for a new maximum **680-unit residential condominium, 170 affordable apartment with 50% at very low and 50% at low income levels, and 101,000 square feet of commercial/retail space** as shown on map stamp-dated December 21, 2006 in the Central City Community Plan. This unit density is based on the proposed C2 Zone and the approval of Case No. CPC-2006-9702-ZC-CU-CUB-ZV-DA. An approved Equivalency Program described in the Grand Avenue Final Environmental Impact Report (State Clearinghouse No. 2005091041), allows for modifications to land uses and square footages within and between Tentative Tract Map Nos. 67490, 67491, and 67492. All permitted project land use increases can be exchanged for corresponding decreases of other land uses under the approved Equivalency Program. Any modifications to land uses and square footages shall be within the constraints and limitations of the Equivalency Program. Furthermore, pursuant to the Disposition and Development Agreement ("DDA") approved by the Grand Avenue Joint Powers Authority, twenty percent (20%) of all residential units in this tentative tract map (TT-67492) shall be affordable. The subdivider is hereby advised that the Municipal Code may not permit this maximum approved density. Therefore, verification should be obtained



from the Department of Building and Safety, which will legally interpret the Zoning code as it applies to this particular property. For an appointment with the Advisory Agency or a City Planner call (213) 978-1414. The Advisory Agency's approval is subject to the following conditions:

**NOTE** on clearing conditions: When two or more **agencies** must clear a condition, subdivider should follow the sequence indicated in the condition. For the benefit of the applicant, subdivider shall maintain record of all conditions cleared, including all material supporting clearances and be prepared to present copies of the clearances to each reviewing agency as may be required by its staff at the time of its review.

### **BUREAU OF ENGINEERING - SPECIFIC CONDITIONS**

1. That a 33-foot wide and variable width strip of land be dedicated for the existing upper 2<sup>nd</sup> Street improvements adjoining the subdivision to align with the lower 2<sup>nd</sup> Street underground easement line and also the back of the existing sidewalk along the subdivision, together with suitable corner cut or property line radius at the intersections with Grand Avenue and Hope Street all satisfactory to the City Engineer.
2. That all the existing public streets and subsurface street easements within the subdivision be delineated on the final map satisfactory to the City Engineer.
3. That two copies of a parking area and driveway plan be submitted to the Central District Office of the Bureau of Engineering for review and approval or that a Covenant and Agreement be recorded agreeing to do the same prior to the issuance of a building permit.
4. That a Covenant and Agreement be recorded advising all future owners and builders that prior to issuance of a building permit, a Notice of Acknowledgment of Easement be recorded, and an application to do work in any sanitary sewer and drainage easements and to construct over the existing sanitary sewer and drainage facilities shall be submitted to the City Engineer for approval.
5. That a portion of General Thaddeus Kosciuszko Way, a public street between Grand Avenue and Hope Street, proposed for airspace merger above the height of 20 feet measured from the top of the curb of the street pavement and below 14 feet below the finished street grade, as determined by the City Engineer, be permitted to be merged with the remainder of the subdivision pursuant to Section 66499.20-1/2 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 airspace area 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.
6. That confirmations be obtained and submitted to the Central Engineering District of the Bureau of Engineering from all public utility agencies that might have certain rights in the area being merged below General Thaddeus Kosciusko Way that there are not planned uses in the area that will conflict with such merger. The proposed subsurface merger may not be approved if substantial utility needs are identified.

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

7. That a complete set of detailed drawings of the airspace parcel map be submitted to the City Engineer for review showing the following:
- a. Plan view at different elevations.
  - b. Isometric views.
  - c. Elevation views.
  - d. Section cuts at all locations where air space lot boundaries change.
8. That the owners of the property record an agreement satisfactory to the City Engineer stating that they will grant the necessary 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 a safe condition for use at all times.
9. That a Covenant and Agreement be recorded satisfactory to the City Engineer binding the subdivider and all successors to the followings:
- a. That the owners shall be required to maintain all elements of the structure above and below the limited General Thaddeus Kosciusko Way rights-of-way being provided in a safe and usable condition to the satisfaction of the City Engineer. The City shall be given reasonable access to the structure within and adjacent to the limited General Thaddeus Kosciusko Way right-of-way area for any necessary inspection, upon request during normal business hours. The City may request the owners to repair or replace damaged, defective or unsafe structural elements or to correct unacceptable conditions at the owner's expense if owner elects not to do so. Owner shall grant reasonable access to City's contractor to make said repairs.
  - b. The owners shall obtain a B-Permit from the City Engineer for any

substantial structural modification above or below the General Thaddeus Kosciusko Way right-of-way area and for any structural elements outside said areas which provide lateral or vertical support to structures within the areas.

10. That the subdivider execute and record an agreement satisfactory to the City Engineer to waive any right to make or prosecute any claims or demands against the City for any damage that may occur to the proposed structures adjacent to the public right-of-way dedication area being provided in connection with the use, construction and maintenance operations within said General Thaddeus Kosciusko Way right-of-way.
11. That a Waiver of Damages Agreement and an Indemnification Agreement Covenant to run with the land, be executed by the owners and submitted to the Bureau of Engineering for approval, and subsequently be recorded relieving the City of any liability arising from the construction, maintenance and use of the proposed airspace subdivision areas being proposed. This waiver and indemnity statement shall be also included in the final map.
12. That proper excavation permits be obtained from the City Engineer and shoring and/or lateral support plans be submitted for review and approval all satisfactory to the City Engineer.
13. That plans for new structural design crossing General Thaddeus Kosciusko Way between Hope Street and Grand Avenue be reviewed and approved satisfactory to the City Engineer.
14. That the subdivider make a request to the Central District Office of the Bureau of Engineering to determine the capacity of the existing sewers in this area.
15. That a soil and geology report be submitted to the Geotechnical Engineering Group of the Bureau of Engineering for their review and approval which may add additional relevant conditions.
16. That a revised map be submitted for information purposes satisfactory to the City Engineer and Advisory Agency showing the exact locations, including upper and lower elevations, of merger areas. This revised map will be used for the final map checking process and should show only one master lot.

#### **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 March 27, 2007 attached to the case file for Tract No. 67492.

**DEPARTMENT OF BUILDING AND SAFETY, ZONING DIVISION**

18. That 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. Parking is required for the existing structures to remain. Show location of all parking spaces and access driveways. Dimension all parking spaces minimum size 8'-8" x 18' for a standard stall and 7'-6" x 15' for a compact stall.
  - b. Provide copy of building permit records, plot plan, certificate of occupancy for all the existing buildings on the lot to clarify the last legal use and the required parking spaces. Records can be obtained at 201 North Figueroa Street Room 110, Los Angeles, CA 90012.
  - c. Show all street dedication(s) 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.
  - d. Indicate the type of construction and building dimensions for the buildings on the site.
  - e. 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.
  - f. Submit a revised map that dimensions each air space lot with a finite width, length, and upper and lower elevations. The final map shall be based upon a site plan which accurately describes the location of such lots.
  - g. Provide a copy of [D] condition(s). Show compliance with the above condition(s) as applicable or Department of City Planning approval is required.
  - h. Provide a copy of affidavits PKG 51, AFF-62546 and AFF-90-1241757. Show compliance with all the conditions/requirements of the above affidavit(s) as applicable. Termination of above affidavit(s) may be required after map has been recorded. Obtain approval from the Department, on the termination form, prior to recording.

**Notes:**

The existing or proposed building plans have not been checked for Building or Zoning Code requirements. Any vested approvals for parking layouts, open space, required yards or building height, should be "to the satisfaction of the Department of Building and Safety at the time of Plan Check."

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

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 Cabrera at (213) 482-0474 to schedule an appointment.

#### DEPARTMENT OF TRANSPORTATION

19. That prior to recordation of the final map, satisfactory arrangements shall be made with the Department of Transportation to assure:
- a. The applicant complies with Traffic Impact Assessment report for the proposed Grand Avenue Project as stated in the September 8, 2006 DOT letter to Martha Welborne, Los Angeles Grand Avenue Authority.
  - b. A minimum of 60-foot and 40-foot reservoir space(s) be provided between any ingress security gate(s) and the property line when driveway is serving more than 300 and 100 parking spaces respectively.
  - c. Parking stalls shall be designed so that a vehicle is not required to back into or out of any public street or sidewalk.
  - d. 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 Suite 400, Station 3.

#### FIRE DEPARTMENT

20. That prior to the recordation of the final map, a suitable arrangement shall be made satisfactory to the Fire Department, binding the subdivider and all successors to the following:
- a. Submittal of plot plans for Fire Department review and approval prior to recordation of Tract Map Action.
  - b. 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.
  - c. No building or portion of a building shall be constructed more than 150 feet

from the edge of a roadway of an improved street, access road, or designated fire lane.

- d. Where access for a given development requires accommodation of Fire Department apparatus, overhead clearance shall not be less than 14 feet.
- e. Adequate public and private fire hydrants shall be required.
- f. Access for Fire Department apparatus and personnel to and into all structures shall be required.
- g. The Fire Department may require additional vehicular access where buildings exceed 28 feet in height.
- h. 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.

#### **DEPARTMENT OF WATER AND POWER**

- 21. 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).)

#### **BUREAU OF SANITATION**

- 22. Satisfactory arrangements shall be made with the Bureau of Sanitation, Wastewater Collection Systems Division for compliance with its sewer system review and requirements. Upon compliance with its conditions and requirements, the Bureau of Sanitation, Wastewater Collection Systems Division will forward the necessary clearances to the Bureau of Engineering. (This condition shall be deemed cleared at the time the City Engineer clears Condition No. S-1. (d).)

#### **INFORMATION TECHNOLOGY AGENCY**

- 23. That satisfactory arrangements be made in accordance with the requirements of the Information Technology Agency to assure that cable television facilities will be installed in the same manner as other required improvements. Refer to the Los Angeles Municipal Code Section 17.05N. Written evidence of such arrangements must be submitted to the Information Technology Agency, 200 N. Main Street, 12<sup>th</sup> Floor, Los Angeles, CA 90012, (213) 922.8363.



**DEPARTMENT OF RECREATION AND PARKS**

24. That the Quimby fee be based on the R5 zone.

**DEPARTMENT OF CITY PLANNING-SITE SPECIFIC CONDITIONS**

25. Prior to 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 a maximum of 680 residential condominium units, 170 residential apartment units with 50% at very low and 50% at low income levels and 101,000 square feet of commercial/retail space with a total of 1,570 parking spaces.
  - b. In addition, prior to the issuance of a building permit, a parking plan showing off-street parking spaces, as required by the Advisory Agency, be submitted for review and approval by the Department of City Planning (200 No. Spring Street, Room 750).
  - c. In accordance with the Equivalency Program contained in the Final EIR (State Clearinghouse No. 2005091041) for the project, land uses can be exchanged for certain other permitted land uses within and between Tentative Tract Maps 67490, 67491, 67492 so long as the limitations of the Equivalency Program are satisfied and no additional environmental impacts occur. All permitted land use increases can also be exchanged for corresponding decreases of other land uses. The Department of City Planning shall be the implementing agency for the Program.
  - d. The applicant shall install an air filtration system(s) to reduce the effects of diminished air quality on occupants of the project.
  - e. That a solar access report shall be submitted to the satisfaction of the Advisory Agency prior to obtaining a grading permit.
  - f. 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.
  - g. Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material.
  - h. The applicant shall install shielded lighting to reduce any potential illumination affecting adjacent properties.

- i. Prior to the clearance of any tract map conditions, the applicant shall show proof that all fees have been paid to the Department of City Planning, Expedited Processing Section.
26. That prior to the issuance of the building permit or the recordation of the final map, a copy of the **CPC-2006-9702-ZC-CU-CUB-CUX-ZV-DA** shall be submitted to the satisfaction of the Advisory Agency. In the event that **CPC-2006-9702-ZC-CU-CUB-CUX-ZV-DA** is not approved, the subdivider shall submit a tract modification.
27. That the subdivider shall make suitable arrangements for clearance with the Community Redevelopment Agency for the Bunker Hill Redevelopment Project area.

#### **DEPARTMENT OF CITY PLANNING-ENVIRONMENTAL MITIGATION MEASURES**

28. That prior to the recordation of the final map, the subdivider will prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770) in a manner satisfactory to the Planning Department, requiring the subdivider to identify mitigation monitors who shall provide periodic status reports to the implementation of mitigation items required by Mitigation Condition Nos. 29 of the Tract's approval satisfactory to the Advisory Agency. The mitigation monitors shall be identified as to their areas of responsibility, and phase of intervention (pre-construction, construction, post-construction/maintenance) to ensure continued implementation of the above mentioned mitigation items. Subject to review and approval by the Planning Department/Advisory Agency, the subdivider may satisfy this requirement by submitting the Mitigation Monitoring Program previously approved by the Joint Powers Authority, as further described at page 158, Section 1.9 of this Report.
29. Prior to recordation of the final map, the subdivider will 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:

#### Aesthetics and Visual Resources

- MM-1 During Project construction, the Developer, with regard to the five development parcels, shall ensure, through appropriate postings and daily visual inspections, that no unauthorized materials remain posted on any temporary construction barriers or temporary pedestrian walkways, and that any such temporary barriers and walkways are maintained in a visually attractive manner throughout the construction period. The City's Department of Building and Safety or other appropriate City agency or department, shall determine compliance with this measure with regard to construction associated with the five development parcels.

- MM-2 Prior to the start of each construction work phase, the developer, with regard to the five development parcels, shall prepare and implement a tree replacement plan should mature trees along Grand Avenue be impacted by Project construction. Existing mature trees shall be replaced at a ratio of not less than 1:1, to the extent consistent with the final streetscape design. The City's Department of Building and Safety or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels.
- MM-3 Prior to the start of each construction work phase, the developer, with regard to the five development parcels, shall schedule and coordinate sidewalk construction with the development of the adjacent parcels to reduce the duration and visual impact of construction activities. Scheduling of construction activities for the five development parcels shall be reviewed and approved by the Authority and implemented by the responsible parties.
- MM-4 Prior to the start of each construction work phase, the developer, with regard to the five development parcels, shall submit a design plan and technical analysis prepared by the Project's architect as part of the building permit submission that demonstrates that the final selection of building materials for the five development parcels shall not create a significant glare impact on any offsite sensitive uses, including line-of-sight glare on any street or commercial, residential, or cultural use. The approved design plan shall be implemented by the developer with regard to the five development parcels. The design plan and technical study shall be reviewed and approved by the Authority.
- MM-5 Prior to each construction phase, the developer with regard to the five development parcels, shall prepare, and, thereafter, implement plans and specifications to ensure that architectural lighting is directed onto the building surfaces and have low reflectivity in accordance with Illuminating Engineers Society (IES) standards to minimize glare and limit light onto adjacent properties.
- MM-6 Prior to the start of each construction work phase, the developer, with regard to the five development parcels, shall submit to the Authority or other appropriate agency, for review and approval, building plans and specifications that demonstrate that all ventilation, heating and air conditioning ducts, tubes, and other such mechanical equipment shall be screened from the line-of-sight from the street. Approved building plans and specifications shall be implemented by the responsible parties.
- MM-7 Prior to the start of each construction work phase, the developer, with regard to the five development parcels, shall submit design plans that demonstrate that all utility lines and connections are constructed underground. Approved utility plans and connections with regard to the five development parcels shall be reviewed

and approved by the Authority. Approved utility lines and connections shall be implemented by the responsible parties.

- MM-8 Prior to construction, the developer, with regard to the five development parcels, shall submit design plans for trash collection areas to the Authority for review and approval. Trash collection areas shall be screened from line of sight from the street. Approved design plans shall be implemented by the developer.
- MM-9 Prior to the start of each construction work phase, the developer, with regard to the five development parcels shall prepare architectural plans that shall be reviewed and approved by the Authority such that all ground-level building fixtures, including, but not limited to, security gates, landscape light fixtures, pedestrian lights, air intake shafts, and other appurtenances are integrated into the architectural theme and/or design of the respective Project components. Approved architectural plans shall be implemented by the developer and the responsible parties.

#### Air Quality

- MM-10 During each construction phase, the developer, with regard to the five development parcels, shall implement a fugitive dust control program pursuant to the provisions of SCAQMD Rule 403. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with SCAQMD Rule 403 during construction with regard to construction associated with the five development parcels. The SCAQMD retains jurisdiction to enforce this measure in the case of non-compliance. Compliance with the applicable provisions of Rule 403 shall include, but not be limited to, using best available control measures listed in Table 1 of Rule 403 to minimize fugitive dust emissions from each fugitive dust source type within active operations, and will include at least the following specific best management practices (BMPs):

- Water soils daily and not more than 15 minutes prior to earth moving activities;
- Water surfaces two times per day or more in order to maintain a surface crust to prevent soil erosion;
- Apply soil conditioners or vegetative cover to areas that will be exposed for an extended duration;
- Apply chemical stabilizers within five working days of ceasing grading;
- Install approved trackout prevention devices and provide street sweeping within the Project area;
- Securely cover truck loads with a tarp;
- Cease grading activities when wind speeds exceed 25 miles per hour; and
- Permanently seal exposed surfaces as soon as possible after

- grading is finished; and
- Provide temporary wind fencing, consisting of wrapped chain link or solid fencing, around the sites that are being graded/excavated to reduce dirt/dust from being blown over to adjoining properties.

- MM-11 During each construction phase, the developer, with regard to the five development parcels, shall utilize coatings and solvents that are consistent with applicable SCAQMD rules and regulations. The City's Department of Building and Safety, or other appropriate City agency or department, shall provide oversight with regard to compliance with this measure with regard to construction associated with the five development parcels. The SCAQMD retains jurisdiction to enforce this measure in the case of non-compliance.
- MM-12 During each construction phase, the developer, with regard to the five development parcels, shall comply with SCAQMD Rule 402 to reduce potential nuisance impacts due to odors from construction activities. The City's Department of Building and Safety, or other appropriate City agency or department, shall provide oversight with regard to compliance with this measure with regard to construction associated with the five development parcels. The SCAQMD retains jurisdiction to enforce this measure in the case of non-compliance.
- MM-13 During each construction phase, the developer, with regard to the five development parcels, shall ensure that all haul truck tires shall be cleaned at the time these vehicles exit the Project site. The City's Department of Building and Safety, or other appropriate City agency or department, shall provide oversight with regard to compliance with this measure with regard to construction associated with the five development parcels. The SCAQMD retains jurisdiction to enforce this measure in the case of non-compliance.
- MM-14 During each construction phase, the developer, with regard to the five development parcels, shall ensure that all export material carried by haul trucks shall be covered by a tarp or other means. The City's Department of Building and Safety, or other appropriate City agency or department, shall provide oversight with regard to compliance with this measure with regard to construction associated with the five development parcels. The SCAQMD retains jurisdiction to enforce this measure in the case of non-compliance.
- MM-15 During each construction phase, the developer, with regard to the five development parcels, shall ensure that all construction equipment shall be properly tuned and maintained in accordance with manufacturer's specifications. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to construction associated with the five development parcels.

- MM-16 During each construction phase, the developer, with regard to the five development parcels, shall ensure that construction equipment is maintained and operated so as to minimize exhaust emissions. During construction, trucks and vehicles in loading and unloading queues shall turn off their engines, when not in use, to reduce vehicle emissions. Construction emissions shall be phased and scheduled to avoid emissions peaks and discontinued during second-stage smog alerts. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to construction activities associated with the five development parcels.
- MM-17 During each construction phase, the developer, with regard to the five development parcels, shall ensure that electricity rather than temporary diesel- or gasoline-powered generators shall be used to the extent feasible. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to construction associated with the five development parcels.
- MM-18 During each construction phase, the developer, with regard to the five development parcels, shall ensure that all construction vehicles shall be prohibited from idling in excess of five minutes, both on- and off-site. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to construction associated with the five development.
- MM-19 During each construction phase, the developer, with regard to the five development parcels, shall ensure that heavy-duty construction equipment shall use alternative clean fuels, such as low sulfur diesel or compressed natural gas with oxidation catalysts or particulate traps, to the extent feasible. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels.
- MM-20 During each construction phase, the developer, with regard to the five development parcels shall ensure that shuttle service shall be provided to construction workers who are required to park in offsite parking lots if such lots are not within a walking distance of 1,100 feet from the respective construction sites. CRA/LA shall determine compliance with this measure with regard to construction associated with the five development parcels.
- MM-21 During each construction phase, the developer, with regard to the five development parcels, shall equip major earth moving equipment, haul trucks, and excavation equipment with particulate filters and catalytic converters. The City's Department of Building and Safety, or other appropriate City agency or

department, shall determine compliance with this measure with regard to construction associated with the five development parcels.

- MM-22 During each construction phase, the developer with regard to the five development parcels, shall ensure that building materials, architectural coatings and cleaning solvents shall comply with all applicable SCAQMD rules and regulations. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to construction associated with the five development parcels. The SCAQMD shall be responsible for the enforcement of this measure for all Project components in the case of non-compliance.
- MM-23 During Project operations, the developer, with regard to the five development parcels, shall, to the extent feasible, ensure that deliveries are scheduled during off-peak traffic periods to encourage the reduction of trips during the most congested periods. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure, with regard to construction associated with the five development parcels.
- MM-24 During Project operations, the developer, with regard to the five development parcels, shall coordinate with the MTA and the Los Angeles Department of Transportation to provide information to Project employees, residents and guests with regard to local bus and rail services. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to construction associated with the five development parcels.
- MM-25 Provide the appropriate number of bicycle racks located at convenient locations in the Project site. The developer shall implement this measure with regard to the five development parcels prior to initial building occupancy for each construction phase. The City's Department of Safety shall review and approve the number and location of the bicycle racks with regard to the five development parcels.
- MM-26 The developer, with regard to the five development parcels, shall provide convenient pedestrian access throughout the Project site. The Developer shall implement this measure with regard to the five development parcels prior to initial building occupancy for each construction phase. Pedestrian access plans shall be submitted to the Authority, for review and approval. Approved pedestrian access plans shall be implemented by the responsible parties.
- MM-27 During on-going Project operations, the developer, with regard to the five development parcels, shall ensure that all fixtures used for lighting of exterior common areas shall be regulated by automatic devices to turn off

lights when they are not needed, but a minimum level of lighting should be provided for safety. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this mitigation measure with regard to the five development parcels.

- MM-28 During Project operations, the developer, with regard to the five development parcels, shall ensure that all point source facilities shall obtain all required permits from the SCAQMD. The issuance of these permits by the SCAQMD shall require the operators of these facilities to implement Best Available Control Technology and other required measures that reduce emissions of criteria air pollutants. Proof of permit issuance by the SCAQMD shall be provided to the City's Department of Building and Safety, or other appropriate City agency or department, with regard to the five development parcels. Compliance with point source permits shall be enforced by the SCAQMD for all Project components.
- MM-29 During Project operations, the developer, with regard to the five development parcels, shall ensure that commercial businesses located within the Project site shall be limited to those that do not emit high levels of potentially toxic air contaminants or odors (e.g., dry cleaners with on-site processing plants that handle toxic chemicals). The City's Department of Building and Safety, or other appropriate City agency or department, shall be responsible for the enforcement of this measure with regard to the five development parcels.
- MM-30 Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall prepare and implement building plans and specifications that ensure that all residential and non-residential buildings shall, at a minimum, meet the California Title 24 Energy Efficiency standards for water heating, space heating and cooling. Approved building plans shall be implemented by the developer and the responsible parties. Building plans and specifications with regard to the five development parcels shall be reviewed and approved by the City's Department of Building and Safety, or other appropriate City agency or department.
- MM-31 During each construction phase, the Developer with regard to the five development parcels, shall ensure that building materials, architectural coatings and cleaning solvents shall comply with all applicable SCAQMD rules and regulations. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to construction associated with the five development parcels. The SCAQMD retains enforcement of this measure for all Project components in the case on non-compliance.



Fire Protection and Related Services

- MM-32 During demolition activities occurring during each construction phase, the developer, with regard to the five development parcels, shall ensure sure that emergency access shall remain clear and unobstructed. The LAFD shall determine compliance with this measure with regard to the five development parcels.
- MM-33 Prior to each construction phase, the developer, with regard to the five development parcels, shall prepare, and thereafter implement, plans and specifications to ensure that the construction contractor is apprised of the requirement to maintain access to sub-surface parking structures associated with the Civic Center Mall, the Music Center, and the Colburn School for Performing Arts. The LAFD shall determine compliance with this measure with regard to the five development parcels.
- MM-34 During each construction phase, the developer, with regard to the five development parcels, shall maintain access for emergency response personnel to the Kenneth Hahn Hall of Administration, the Paseo de los Pobladores de Los Angeles, the County Courthouse, the Colburn School for Performing Arts, and the Walt Disney Concert Hall. The LAFD shall determine compliance with this measure with regard to construction in the five development parcels.
- MM-35 Prior to each construction phase, the developer, with regard to the five development parcels, shall prepare, and thereafter implement, a plan to ensure that emergency evacuation from the northwest side of the County Mall and Colburn School for Performing Arts, the southeast side of the Music Center and the Walt Disney Concert Hall would not be impeded by construction of the individual Project elements. With respect to the plan for the Mall, it must be prepared to coordinate with emergency evacuation plans for the Courthouse and the Hall of Administration. The LAFD shall determine compliance with this measure with regard to the five development parcels.
- MM-36 During each construction phase, the developer, with regard to the five development parcels, shall ensure that sufficient fire hydrants shall remain accessible at all times during Project construction. The LAFD shall determine compliance with this measure with regard to the five development parcels.
- MM-37 Prior to the start of each construction phase and during Project operations, the developer, with regard to the five development parcels shall comply with all applicable State and local codes and ordinances, and the guidelines found in the Fire Protection and Fire Prevention Plan, and the Safety Plan, both of which are elements of the General Plan of the City of Los Angeles (C.P.C.

19708). The City of Los Angeles Fire Department (LAFD) shall determine compliance with this measure with regard to the five development parcels.

- MM-38 During Project operations, the developer, with regard to the five development parcels shall maintain all access roads, including fire lanes, in an unobstructed manner, and removal of obstructions shall be at the owner's expense. The entrance to all required fire lanes or required private driveways shall be posted with a sign no less than three square feet in area in accordance with Section 57.09.05 of the Los Angeles Municipal Code. The LAFD shall determine compliance with this measure with regard to the five development parcels.
- MM-39 Prior to the start of each construction phase, the Developer, with regard to the five development parcels, shall prepare, and thereafter implement, plans and specifications in accordance with LAFD requirements, and requirements for necessary permits shall be satisfied prior to commencement of construction on any portion of the five development parcels. The LAFD shall determine compliance with this measure with regard to the five development parcels.
- MM-40 Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall prepare, and thereafter implement, a plan that will assure that any required fire hydrants that are installed shall be fully operational and accepted by the Fire Department prior to any building construction. The LAFD shall determine compliance with this measure with regard to the five development parcels.
- MM-41 Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall submit plot plans indicating access roads and turning areas to the LAFD for review and approval. The developer, with regard to the five development parcels shall implement the approved plot plans. The LAFD shall determine compliance with this measure.
- MM-42 Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall prepare, and thereafter implement, engineering plans that show adequate fire flow and placement of adequate and required public and private fire hydrants. The LAFD shall determine compliance with this measure with regard to the five development parcels.
- MM-43 During each construction phase, the developer, with regard to the five development parcels, shall provide emergency access for Fire Department apparatus and personnel to and into all structures. The LAFD shall determine compliance with this measure with regard to the five development parcels.
- MM-44 Prior to the start of each construction phase, the developer, with regard to the five development parcels shall prepare, and thereafter implement, a plan that

will provide that any private roadways for general access use and fire lanes shall not be less than 20 feet wide and clear to the sky. The LAFD shall determine compliance with this measure with regard to the five development parcels.

- MM-45 Prior to the start of each construction phase, the developer, with regard to the five development parcels shall prepare, and thereafter implement, a plan that will provide that any fire lanes and dead end streets shall terminate in a cul-de-sac or other approved turning area. No dead end street or fire lane shall be greater than 700 feet in length or secondary access shall be required. The LAFD shall determine compliance with this measure with regard to the five development parcels.
- MM-46 Prior to the start of each construction phase, the developer, with regard to the five development parcels shall prepare, and thereafter implement, a plan that designs any proposed development utilizing cluster, group, or condominium design not more than 150 feet from the edge of the roadway of an improved street, access road, or designated fire lane. The LAFD shall determine compliance with this measure with regard to the five development parcels.
- MM-47 Prior to the start of each construction phase, the developer, with regard to the five development parcels shall prepare, and thereafter implement, a plan that designs fire lanes to be not less than 28 feet in width. 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. The LAFD shall determine compliance with this measure with regard to the five development parcels.
- MM-48 Prior to the start of each construction phase, the developer, with regard to the five development parcels, where above ground floors are used for residential purposes, shall prepare, and thereafter implement, a plan that interprets the access requirement as being the horizontal travel distance from the street, driveway, alley, or designated fire lane to the main entrance of the residential units. The LAFD shall determine compliance with this measure.
- MM-49 Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall prepare, and thereafter implement, a plan that designs the entrance or exit of all ground level residential units to be no more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane. The LAFD shall determine compliance with this measure.
- MM-50 Prior to the start of each construction phase, the developer, with regard to the five development parcels shall prepare, and thereafter implement, a plan that provides access that requires the accommodation of Fire Department apparatus, shall design the minimum outside radius of the paved surface to

be 35 feet. An additional six feet of clear space must be maintained beyond the outside radius to a vertical point 13 feet 6 inches above the paved surface of the roadway. The LAFD shall determine compliance with this measure with regard to the five development parcels.

- MM-51 Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall not construct any building or portion of a building to be more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane. The LAFD shall determine compliance with this measure with regard to the five development parcels.
- MM-52 Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall prepare, and thereafter implement, a plan that provides for access that requires accommodation of Fire Department apparatus, a design for overhead clearances to be not less than 14 feet. The LAFD shall determine compliance with this measure with regard to the five development parcels.
- MM-53 Prior to the start of each construction phase, the developer, with regard to the five development parcels shall prepare, and thereafter implement, a plan that provides for additional vehicular access required by the Fire Department, where buildings exceed 28 feet in height. The LAFD shall determine compliance with this measure with regard to the five development parcels.
- MM-54 Prior to the start of each construction phase, the developer, with regard to the five development parcels shall prepare, and thereafter implement, a plan that provides, where fire apparatus shall be driven onto the road level surface of the subterranean parking structure, for the structure to be engineered to withstand a bearing pressure of 8,600 pounds per square foot. The LAFD shall determine compliance with this measure with regard to the five development parcels.
- MM-55 Prior to the start of each construction phase, the developer, with regard to the five development parcels shall record any private streets as Private Streets and Fire Lanes. All private street plans shall show the words "Private Street and Fire Lane" within the private street easement. The LAFD shall determine compliance with this measure with regard to the five development parcels.
- MM-56 During operation of the Project, the developer, with regard to the five development parcels, shall provide that all electric gates approved by the Fire Department shall be tested by the Fire Department prior to Building and Safety, or other appropriate City agency or department, granting a Certificate of Occupancy. The LAFD shall determine compliance with this measure.
- MM-57 Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall prepare, and thereafter implement, a plan

that would not construct any building or portion of a building more than 300 feet from an approved fire hydrant. Distance shall be computed along path of travel with the exception that dwelling unit travel distance shall be computed to the front door of the unit. The LAFD shall determine compliance with this measure with regard to the five development parcels.

- MM-58 Prior to the start of each construction phase, the developer, with regard to the five development parcels shall submit plans to the Fire Department for review and approval. Where rescue window access is required, the developer, with regard to the five development parcels, shall incorporate conditions and improvements necessary to meet accessibility standards as determined by the LAFD. The LAFD shall determine compliance with this measure.
- MM-59 During operations of the Project, the developer, with regard to the five development parcels shall have the curbs of all public street and fire lane cul-de-sacs painted red and/or be posted "No Parking at Any Time" prior to the issuance of a Certificate of Occupancy or Temporary Certificate of Occupancy for any structures adjacent to the cul-de-sac. The LAFD shall determine compliance with this measure with regard to the five development parcels.
- MM-60 Prior to the start of each construction phase, the developer, with regard to the five development parcels shall submit building plans to the LAFD for review and approval that demonstrate that automatic fire sprinklers shall be installed in all structures. The LAFD shall determine compliance with this measure.

#### Hazards and Hazardous Materials

- MM-61 Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall properly decommission all unused groundwater monitoring wells, per applicable regulations. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels. The Regional Water Quality Control Board shall enforce compliance with this measure.
- MM-62 Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall test for the presence or absence of hydrogen sulfide and methane beneath the site by subsurface sampling. Should the sampling result in the discovery of hydrogen sulfide and/or methane, appropriate health and safety measures shall be implemented, in accordance with applicable regulations. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure.
- MM-63 Prior to the start of each construction phase, the developer, with regard to the

five development parcels, shall take fill samples from each of the five parcels, and shall analyze these samples for contaminants at elevated concentrations. Should elevated contaminant concentrations be discovered, appropriate measures shall be implemented, in accordance with applicable regulations. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure.

- MM-64 Prior to the start of any demolition activities or renovation on any painted surfaces at the Project site, the developer, with regard to the five development parcels, shall conduct a survey of lead based paint (LBP) to determine the level of risk posed to maintenance personnel, construction workers, facility staff, and patrons from exposure to the paints present at the site. Any recommendations made in that survey related to the paints present at the Project site shall be implemented prior to the demolition or renovation of said painted surfaces. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels.

#### Historical Resources

#### Noise

- MM-65 To reduce any impact on nearby venues that may be noise sensitive receptors, such as the Music Center, Disney Concert Hall, and the County Courthouse, the following Measures G-1 and G-2 shall be implemented as follows: During each construction phase, the developer, with regard to the five development parcels, shall limit (i) construction activities utilizing heavy equipment to Monday through Friday from 7:00 a.m. to 8:00 p.m., and (ii) interior construction work inside building shells and construction activities not utilizing heavy equipment to 7:00 a.m. to 9:00 p.m. Monday through Friday. Saturday construction shall be limited to 8:00 a.m. to 6 p.m. No exterior construction activities shall be permitted on Sundays or holidays per applicable City regulations. Construction noise measures shall also be implemented, which may include the use of noise mufflers on construction equipment used within 100 feet of these buildings. The City's Department of Building and Safety or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels.
- MM-66 During each construction phase, the developer, with regard to the five development parcels shall not use heavy equipment within (to the maximum extent practicable) 100 feet of the County Courthouse building while Court is in session. Construction contracts must specify that all construction equipment shall be in proper operating condition and fitted with standard factory silencing features and other applicable attenuation devices such as mufflers.

The City's Department of Building and Safety or other appropriate City agency or department shall determine compliance with this measure with regard to the five development parcels.

- MM-67 During the initial stage of each construction phase (site demolition and site preparation/excavation) for each Project parcel and when construction activities are within 200 feet of noise sensitive land uses, the developer, with regard to the five development parcels, shall erect a temporary, 8-foot, ½-inch-thick plywood fence along the boundaries of each construction site adjacent to noise sensitive uses such that the "line of sight" between on-site construction activities and the residential or other sensitive uses is blocked, where feasible. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels.
- MM-68 During each construction phase, the developer, with regard to the five development parcels, shall ensure that pile drivers within the individual activity/development site under construction at that time shall be equipped with noise control devices having a minimum quieting factor of 10 dBA. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to construction in the five development parcels.
- MM-69 During each construction phase, the developer, with regard to the five development parcels, shall, except as otherwise permitted by applicable agreements, ensure that construction loading and staging areas shall be located on the Project site within each respective construction site and away from noise-sensitive uses to the extent feasible. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to construction in the five development parcels.
- MM-70 Prior to the issuance of grading permits for each construction phase, the developer, with regard to the five development parcels, shall prepare, and thereafter implement, plans and specifications that include a requirement to route pedestrians (to the maximum extent practicable) 50 feet away from the construction area when heavy equipment such as hydraulic excavators are in use. Such routing may include the posting of signs at adjacent intersections. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels.
- MM-71 During each construction phase, the developer, with regard to the five development parcels, shall designate a construction relations officer to serve as a liaison with surrounding property owners who is responsible for

responding to any concerns regarding construction noise. The liaison shall coordinate with the Project construction manager(s) to implement remedial measures in the shortest time feasible. The liaison's telephone number(s) shall be prominently displayed at multiple locations along the perimeter of each construction site. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels.

- MM-72 The developer, with regard to the five development parcels, shall prepare and implement building plans that ensure prior to the start of each construction phase which includes residential development, that all exterior walls, floor-ceiling assemblies (unless within a unit), and windows having a line of sight (30 degrees measured from the horizontal plane) of Grand Avenue, Hill Street, Hope Street, First Street, and Second Street of such residential development shall be constructed with double-paned glass or an equivalent and in a manner to provide an airborne sound insulation system achieving a lab-tested Sound Transmission Class of 30, subject to field testing, as defined in UBC Standard No. 35-1, 1982 edition. Sign off by the City's Department of Building and Safety, or other appropriate City agency or department, shall be required prior to obtaining a building permit. The developer, as an alternative, may retain an engineer registered in the State of California with expertise in acoustical engineering, who shall submit a signed report for an alternative means of sound simulation satisfactory to the City's Department of Building and Safety, or other appropriate City agency or department. Examples of alternative means may include, but are not limited to, the following: (1) acoustical seals for doors and windows opening to the exterior; (2) consideration of the type, location, and size of windows; and (3) sealing or baffling of openings and vents. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure.

#### Parks and Recreation

- MM-73 Prior to the issuance of a certificate of occupancy, the developer, with regard to the five development parcels, shall: (1) dedicate additional parkland such that the Project would provide a total of 3 acres per 1,000 Project residents; (2) pay in-lieu fees for any land dedication requirement shortfall; or (3) a combination of the above. The City's Department of Building and Safety, or other appropriate City agency or department shall determine compliance with this measure.

#### Police Protection Services

- MM-74 During each construction phase, the developer, with regard to the five development parcels, shall provide clear and unobstructed LAPD access to the



construction site. The LAPD shall determine compliance with this measure with regard to the five development parcels.

- MM-75 During ongoing construction, the developer, with regard to the five development parcels shall provide security features on the construction site(s), such as guards, fencing, and locked entrances. The LAPD shall determine compliance with this measure.
- MM-76 Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall submit plot plans for all proposed development to the Los Angeles Police Department's Crime Prevention Section for review and comment. Security features subsequently recommended by the LAPD shall be implemented by the developer to the extent feasible.
- MM-77 At the completion of each construction phase, the developer, with regard to the five development parcels shall file as-built building plans with the LAPD Central Area Commanding Officer. Plans shall include access routes, floor plans, and any additional information that might facilitate prompt and efficient police response. The LAPD shall determine compliance with this measure.
- MM-78 During Project operations, the developer, with regard to the five development parcels shall install alarms and/or locked gates on doorways providing public access to commercial facilities. The LAPD shall determine compliance with this measure with regard to the five development parcels.
- MM-79 During Project operations, the developer, with regard to the five development parcels shall not plant landscaping in a way that could provide cover for persons tampering with doors or windows of commercial facilities, or for persons lying in wait for pedestrians or parking garage users. The LAPD shall determine compliance with this measure with regard to the five development parcels.
- MM-80 Additional lighting shall be installed where appropriate, including on the Project site and in parking garages, as determined in consultation with the LAPD with regard to the five development parcels. The developer shall implement this measure with regard to the five development parcels prior to initial building occupancy for each construction phase.
- MM-81 Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall prepare, and thereafter implement, a plan that incorporates safety features into the Project's design to assure pedestrian safety, assist in controlling pedestrian traffic flows, and avoid pedestrian/vehicular conflicts on-site. Safety measures may include the provision of security personnel; clearly designated, well-lighted pedestrian walkways on-site; special street and pedestrian-level lighting; physical barriers

(e.g., low walls, landscaping), particularly around the perimeter of the parking garages, to direct pedestrians to specific exit locations that correspond to designated crosswalk locations on adjacent streets. The LAPD shall determine compliance with this measure with regard to the five development parcels.

- MM-82 Prior to the issuance of a certificate of occupancy for each construction phase and during Project operations, the developer, with regard to the five development parcels, shall develop, and thereafter implement, a new or modified Security Plan to minimize the potential for on-site crime and the need for LAPD services. The plan would outline the security services and features to be implemented, as determined in consultation with the LAPD. The LAPD shall determine compliance with this measure with regard to the five development parcels.

The following shall be included in the plan:

1. Provision of an on-site security force that would monitor and patrol the Project site. During operational hours, security officers shall perform pedestrian, vehicular, and/or bicycle patrols.
2. Implementation of a video camera surveillance system and/or a closed-circuit television system;
3. Additional security features shall be incorporated into the design of proposed parking facilities, including "spotters" for parking areas, and ensuring the availability of sufficient parking either on- or off-site for all building employees and anticipated patrons and visitors;
4. Security lighting incorporating good illumination and minimum dead space in the design of entryways, seating areas, lobbies, elevators, service areas, and parking areas to eliminate areas of concealment. Security lighting shall incorporate full cutoff fixtures which minimize glare from the light source and provide light downward and inward to structures to maximize visibility;
5. Provision of lockable doors at appropriate Project entryways, offices, retail stores, and restaurants;
6. Installation of alarms at appropriate Project entryways and ancillary commercial structures;
7. All businesses desiring to sell or allow consumption of alcoholic beverages are subject to the issuance of a Conditional Use Permit by the City;
8. Accessibility for emergency service personnel and vehicles into each structure, and detailed diagram(s) of the Project site, including access routes, unit numbers, and any information that would facilitate police response shall be provided to the Central Area Commanding Officer.
9. In addition, security procedures regarding initial response, investigation, detainment of crime suspects, LAPD notification, crowd and traffic control, and general public assistance shall be outlined in the Security

Plan. The plan would be subject to review by the LAPD, and any provisions pertaining to access would be subject to approval by the Los Angeles Department of Transportation.

- MM-83 Prior to the issuance of a certificate of occupancy for each construction phase and on-going during operations, the developer, with regard to the five development parcels, shall develop, and thereafter implement, an Emergency Procedures Plan to address emergency concerns and practices. The plan shall be subject to review by the LAPD with regard to the five development parcels and any provisions pertaining to access would be subject to approval by LADOT.

#### School Services

- MM-84 Prior to the issuance of each building permit, the developer, with regard to the five development parcels, shall pay school mitigation fees pursuant to the provisions of California Government Code Section 65995. The City's Department of Building and Safety, or other appropriate City agency or department shall determine compliance with this measure.

#### Solid Waste

- MM-85 Prior to the issuance of a certificate of occupancy for each construction phase, and thereafter during Project operations, the developer, with regard to the five development parcels, shall comply with the provisions of City of Los Angeles Ordinance No. 171687 with regard to all new structures constructed as part of the five development parcels. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure.
- MM-86 Prior to the issuance of each certificate of occupancy, the developer, with regard to the five development parcels, shall prepare, and thereafter implement, a plan that designs all structures constructed or uses established within any part of the proposed Project site to be permanently equipped with clearly marked, durable, source sorted recyclable bins at all times to facilitate the separation and deposit of recyclable materials. The City's Department of Public Works, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels.
- MM-87 Prior to the issuance of each certificate of occupancy, the developer, with regard to the five development parcels, shall prepare, and thereafter implement, a plan that designs primary collection bins to facilitate mechanized collection of such recyclable wastes for transport to on- or off-site recycling facilities. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels.

- MM-88 During Project operations, the developer, with regard to the five development parcels, shall continuously maintain in good order for the convenience of businesses, patrons, employees and park visitors clearly marked, durable and separate bins on the same lot, or parcel to facilitate the commingled recyclables and deposit of recyclable or commingled waste metal, cardboard, paper, glass, and plastic therein; maintain accessibility to such bins at all times, for collection of such wastes for transport to on- or off-site recycling plants; and require waste haulers to utilize local or regional material recovery facilities as feasible and appropriate. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels.
- MM-89 During each construction phase, the developer, with regard to the five development parcels, shall implement a demolition and construction debris recycling plan, with the explicit intent of requiring recycling during all phases of site preparation and building construction. The City's Department of Building and Safety, or other appropriate City agency or department, shall review and approve the plan with regard to the five development parcels.

#### Traffic, Circulation and Parking

- MM-90 The developer with regard to the five development parcels, shall prepare, prior to the start of each construction work phase, a Construction Traffic Control/Management Plan ("Plan") to be approved by the City of Los Angeles Department of Transportation ("LADOT") and implemented by the responsible party. The Plan shall include, but not be limited to, Project scheduling, the location and timing of any temporary land closures, traffic detours, haul routes, temporary roadway striping, and signage for traffic flow, as necessary, as well as the identification and signage of alternative pedestrian routes in the immediate vicinity of the Project, if necessary. The Plan should also provide for the coordination of construction areas, and for safe pedestrian movement throughout the Project Area such that adequate and safe pedestrian movement access is maintained to adjacent uses including the Walt Disney Concert Hall, the Music Center, the County Courthouse, and the Metro Red Line station portals (on Parcel W-2 and on the Court of Flags).
- MM-91 After approval of the Construction Traffic Control/Management Plan(s) required under MM-110 and prior to the start of each construction work phase, the developer with regard to the five development parcels, shall submit a copy of the Plan(s) to the Authority or other appropriate agency, and/or the City Chief Administrative Officer or designee, and the County of Los Angeles Chief Administrative Officer. Following receipt of the Plan(s), the County Chief Administrative Officer shall distribute that information to all County properties on Grand Avenue, including the Hall of Administration, County Courthouse, the Walt Disney Concert Hall, and the Music Center, for further distribution of

information to employees and visitors on construction schedules, alternative travel routes, and land and sidewalk closure information, as appropriate, and the Authority or other appropriate agency, or the City, shall distribute to the appropriate City departments for the same purpose.

- MM-92 Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall enter into one or more temporary arrangements with parking garages in the area of the Project, or with surface lot operators elsewhere in downtown or its periphery, to provide a sufficient supply of off-street spaces for the construction workers during Project construction, and will require all construction workers to use these designated parking spaces. These temporary arrangements shall be to the satisfaction of (i) CRA/LA or (ii) the County's CAO or its designee.
- MM-93 If the Project proceeds with the County office building option, the County, on an on-going basis following initial occupancy, shall fund and implement a Transportation Demand Management (TDM) program for the proposed County office use in Parcel W-1/W-2. The County's Chief Administrative Officer shall ensure the County's review and approval of this TDM program. The TDM program could, for example, include an onsite transportation coordinator, post information on transit, and provide logistical support for the formation of carpools and vanpools, and other incentives to use transit and rideshare.
- MM-94 The developer, with regard to the five development parcels, shall implement ATCS in conjunction with the area-wide ATCS program, if not otherwise implemented, prior to the completion of the first phase of development at the intersections identified by LADOT, although the implementation of this measure will provide mitigation to all three Project phases. Implementation of ATCS shall occur in the northern part of downtown, north of Eighth Street, at the locations identified by LADOT. LADOT has determined that implementation of the ATCS mitigation improvements in the area surrounding the Project would comprise the following: (1) upgrades to Model 2070 traffic signal controllers at 35 intersections; (2) installation of 58 ATSAC/ATCS system vehicle detectors at 9 intersections; and (3) installation of CCTV cameras to provide video information to the ATSAC Center at eight locations. Subject to a final determination by LADOT of the improvements required for the Project, ATCS shall also include LADOT's Transit Priority System (TPS).
- MM-95 The following menu of MMs have been developed to further reduce the Project's potential traffic and circulation impacts. The term "menu" refers to the various ways that each of the following measures can be implemented to achieve trip reduction. Selection shall be coordinated with the LADOT, who shall determine which of the MMs are to be implemented.

1. Provide enhanced walking connections along the Project street

frontages to transit service (to bus stops and to the Red Line station portals at First Street and Hill Street). These could comprise pedestrian amenities along the Project's street frontages, including landscaped sidewalks, wider crosswalks where feasible at key intersections, improved lighting for pedestrian safety at nighttime, and pedestrian wayfinding signage, to facilitate walking in the Project area. The developer shall implement this measure with regard to the five development parcels prior to initial building occupancy for each development phase.

2. The developer, as determined by LADOT and prior to initial building occupancy for each development phase, shall provide enhanced bus stops on the street frontages of the five development parcels. These enhanced bus stops may include bus shelters with passenger amenities such as benches, shaded areas, and transit information that could be integrated into the overall urban design/landscaping of the Project.
3. Provide transit information kiosks at various strategic locations on the Project site. The developer shall implement this measure with regard to the five development parcels prior to initial building occupancy for each development phase.
4. The developer, with regard to the five development parcels, shall participate, to the extent feasible, in an on-going basis during Project operations, in a Share-Car program (e.g., Flexcar) that makes cars available to registered members. It is anticipated that up to three on-street parking spaces, subject to a determination of feasibility by LADOT, could be provided at key locations adjacent to the Project frontage for up to three Share-Cars. The Share-Cars could be available to both Project and non-Project users as long as they were members of the Share-Car program. The Project shall support a Share-Car organization's application to the City, and following any implementation of such application shall promote the Share-Car concept and encourage its usage with Project residents and tenants.
5. Provide improved vehicular directional signage on surface streets approaching and within the Project area to direct vehicles to specific destinations and parking locations, as appropriate, to minimize vehicles circulating in the Project area. Such signage should be approved to the satisfaction of LADOT. The developer shall implement this measure with regard to the five development parcels prior to initial building occupancy for each development phase.

MM-96 The Developer, with regard to the five development parcels, shall re-stripe the westbound approach of the Third Street and Hill Street intersection from

the existing configuration of one left turn lane, one through lane, and one shared through/right-turn lane to a future configuration of one left turn lane, two through lanes, and one exclusive right-turn lane. This improvement would require a slight widening of Third Street west of Hill Street before the entrance to the tunnel within the public right-of-way. The final lane configuration of this intersection shall be to the satisfaction of the City of Los Angeles Department of Transportation. In addition, any street widening and construction activities shall be coordinated with the City of Los Angeles Department of Public Works, Bureau of Engineering.

#### Wastewater

- MM-97 Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall comply with City ordinances limiting connections to the City sewer system, in accordance with City Bureau of Sanitation procedures. The City's Department of Public Works, Sanitation Bureau or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels.
- MM-98 Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall prepare, and thereafter implement, building plan specifications for the installation of low-flow water fixtures and further encourage reduction of water consumption to minimize wastewater flow to the sewer system, in accordance with applicable water conservation requirements. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels.

#### Water Supply

- MM-99 Prior to initial occupancy of the buildings within Parcels L and W-1/W-2, the developer shall install new water lines along Second Street, from Olive Street to Hill Street to serve Parcels W-1/W-2, and from Hope Street to Lower Grand Avenue to serve Parcel L. The City's Department of Public Works shall review and approve all plans related to these new water lines. The developer shall be responsible for the implementation of these improvements.
- MM-100 Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall call DIG-ALERT to identify and mark on the ground surface the locations of existing underground utilities. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels.
- MM-111 Prior to the start off each construction phase, the developer, with regard to the

five development parcels, shall perform potholing of existing water and gas mains to verify the depth of cover. If the depth of cover over the lines is shallow and the total street pavement section is thick (around 24 inches), then the temporary cover over the lines during construction may be reduced to 12 inches or less. Under these circumstances, protective measures shall be implemented to prevent damage or breakage of the lines during the pavement sub-grade preparation process, notices of service interruption, if necessary, shall be provided to customers in accordance with DWP-Water and ACG requirements. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels.

- MM-112 Prior to issuance of building permits for each construction phase, the developer, with regard to the five development parcels, shall pay the appropriate fees as may be imposed by the City's Department of Building and Safety, or other appropriate City agency or department. A percentage of building permit fees is contributed to the fire hydrant fund, which provides for citywide fire protection improvements. Compliance with this measure shall be determined by the City's Department of Building and Safety, or other appropriate City agency or department.
- MM-113 Prior the issuance of building permits for each construction phase, the developer, with regard to the five development parcels shall coordinate with the Los Angeles Department of Water and Power to conduct a flow test to confirm that the existing water system meets fire flow requirements imposed by the LAFD for the Project. The developer, with regard to the five development parcels shall undertake and complete required improvements as identified by the LADWP, based on the findings of the flow test. The City's Department of Public Works, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels.
- MM-114 During Project operations, the developer, with regard to the five development parcels, shall incorporate Phase I of the City of Los Angeles' Emergency Water Conservation Plan into all privately operated parcels. The Plan prohibits hose watering of driveways and associated walkways, mandates decorative fountains to use recycled water, mandates drinking water in restaurants to be served upon request only, and provides that water leaks are repaired in a timely manner. The City's Department of Public Works, or other appropriate City agency or department, shall determine compliance with this measure.
- MM-115 During Project operations, incorporate Los Angeles County water conservation policies into the County Office Building, if the Project proceeds with the County office building option. The County with regard to the County Office Building, if the Project proceeds with the County office building option, shall be responsible



for implementing this measure. The implementation of this measure shall be subject to the review and approval of the County's CAO or its designee.

MM-116 During Project operations, the developer, with regard to the five development parcels, and the County Office Building operator shall comply with any additional mandatory water use restrictions imposed as a result of drought conditions. The City's Department of Public Works, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels.

MM-117 During Project operations, the developer, with regard to the five development parcels, shall install automatic sprinkler systems to irrigate landscaping during morning hours or during the evening to reduce water losses from evaporation, and sprinklers shall be reset to water less often in cooler months and during the rainfall season so that water is not wasted by excessive landscape irrigation. The City's Department of Public Works, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels.

#### DEPARTMENT OF CITY PLANNING-STANDARD CONDOMINIUM CONDITIONS

C-1. That approval of this tract constitutes approval of model home uses, including a sales office and off-street parking. Where the existing zoning is (T) or (Q) for multiple residential use, no construction or use of model homes shall be permitted until the final map has recorded or the proper zone has been effectuated. If models are constructed under this tract approval, the following conditions shall apply:

1. Prior to recordation of the final map, the subdivider shall submit a plot plan for approval by the Division of Land Section of the Department of City Planning showing the location of the model dwellings, sales office and off-street parking. The sales office must be within one of the model buildings.
2. All other conditions applying to Model Dwellings under Section 12.22A, 10 and 11 and Section 17.05 O of the Code shall be fully complied with satisfactory to the Department of Building and Safety.

C-2. Prior to the recordation of the final map, the subdivider shall pay or guarantee the payment of a park and recreation fee based on the latest fee rate schedule applicable. The amount of said fee to be established by the Advisory Agency in accordance with LAMC Section 17.12 and to be paid and deposited in the trust accounts of the Park and Recreation Fund.

- C-3. That a landscape plan, prepared by a licensed landscape architect, be submitted to and approved by the Advisory Agency in accordance with CP-6730 prior to obtaining any grading or building permits before the recordation of the final map.

In the event the subdivider decides not to request a permit before the recordation of the final map, a covenant and agreement satisfactory to the Advisory Agency guaranteeing the submission of such plan before obtaining any permit shall be recorded.

- C-4. In order to expedite the development, the applicant may apply for a building permit for an apartment building. However, prior to issuance of a building permit for apartments, 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 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.

OR

If a building permit for apartments will not be requested, the project civil engineer, architect or licensed land surveyor must certify in a letter to the Advisory Agency that the applicant will not request a permit for apartments and intends to acquire a building permit for a condominium building(s). Such letter is sufficient to clear this condition.

#### **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 Municipal Code.
- (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%.
- (l) That any necessary additional street dedications be provided to comply with the Americans with Disabilities Act (ADA) of 1990.

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 Traffic 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 Engineer.
- (b) Construct any necessary drainage facilities.
- (c) Install street lighting facilities to serve the tract as required by the Bureau of Street Lighting. The quantity of street lights identified may be modified slightly during the plan check process based on illumination calculations and equipment selection. Conditions set: 1) in compliance with a Specific Plan, 2) by LADOT, or 3) by other legal instrument excluding the Bureau of Engineering condition S-3 (i), requiring an improvement that will change the geometrics of the public roadway may require additional or the reconstruction of street lighting improvements as part of that 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 Street Tree 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 1990.

- (i) That the following improvements be either constructed prior to recordation of the final map or that the construction be suitably guaranteed:
  - a. Improve General Thaddeus KosciuskoWay adjoining the subdivision by:
    - 1. Constructing an integral concrete curb and gutter, a 12-foot wide concrete sidewalk.
    - 2. Constructing suitable surfacing to join the existing pavement and to complete a 56-foot complete roadway.
    - 3. Removing and reconstructing the existing improvements as necessary.
    - 4. Constructing the necessary transitions to join the existing improvements all satisfactory to the City Engineer.
  - b. Construct the necessary off-site and on-site mainline sewers satisfactory to the City Engineer.

**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.

Approval from Board of Public Works may be necessary before removal of any street trees in conjunction with the improvements in this tract map through Bureau of Street Services Urban Forestry Division.

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 Section 17.05N of the Los Angeles Municipal Code.

The final map must record within 36 months of this approval, unless a time extension is granted before the end of such period or unless the life of the tentative map is extended under an approved Development Agreement.

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.

**Indemnification.** The applicant shall defend, indemnify and hold harmless the City, its agents, officers, or employees from any claim, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void or annul this approval which action is brought within the applicable limitation period. The City shall promptly notify the applicant of any claim, action, or proceeding and the City shall cooperate fully in the defense. If the City fails to promptly notify the applicant of any claim action or proceeding, or if the City fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the City.

### **FINDINGS OF FACT (CEQA)**

On November 20, 2006, the Los Angeles Grand Avenue Authority (Authority) adopted the Grand Avenue Final Environmental Impact Report (FEIR) (State Clearinghouse No. 2005091041), dated November 2006, and also adopted the necessary Resolutions and made findings required under California Public Resources Code Section 21081 and State CEQA Guideline 15091 (the "Authority's CEQZ Findings") stating the FEIR was completed in compliance with the California Environmental Quality Act Public Resources Code Section 21000 et seq., the CEQA Guidelines, all applicable local guidelines concerning the application and implementation of that statute, and all applicable case law concerning that statute and the CEQA Guidelines (collectively, "CEQA"). The Authority, which is an independent public agency established through a Joint Exercise of Powers Agreement (The "JPA Agreement") between the Community Redevelopment Agency of the City of Los Angeles ("CRA/LA") and the County of Los Angeles ("County"), was responsible for the preparation of the FEIR. The County and the CRA/LA have served as "Responsible Agencies" for the Project as that term is defined under CEQA Guidelines 15096 and 15381. As Responsible Agencies, the County and CRA/LA have worked closely with the Authority in ensuring the FEIR has examined all potential environmental impacts.

These agencies, as well as the City of Los Angeles reviewed and approved the Grand Avenue Implementation Plan, which formulated the framework of the project description evaluated in the EIR prepared by the Authority for the mixed use development. That plan generally described the location of the Project, its proposed uses and other elements. The governing bodies for the Authority, County, the CRA/LA and the City of Los Angeles each approved the Implementation Plan in 2005.

The Advisory Agency is a Responsible Agency, pursuant to State CEQA Guidelines Sections 15096, and must make those findings with respect to the project required under Public Resources Code Section 21081 and State CEQA Guidelines Sections 15091. The recommended actions implement and further the purposes of CEQA. In making the decision to approve Tentative Tract Map No. 67492, the Advisory Agency of the City of Los Angeles certifies that it has reviewed and considered the information contained in the

Addendum to EIR No. SCH 2005091041. The Advisory Agency hereby adopts the Findings and certifies the EIR, consistent with the action of the Authority.

Staff for the Authority and its member agencies, the County and the CRA/LA independently reviewed, analyzed and required changes to all of the documents comprising the Draft Environmental Impact (DEIR), dated June 2006, and the FEIR prior to the publication of those documents. The DEIR which was circulated for public comment as well as the Final EIR reflect the independent judgment of the Authority. Therefore, in accordance with the applicable provisions of CEQA, the Authority hereby made findings and certified that:

- (a) The FEIR has been completed in compliance with CEQA.
- (b) The FEIR has been presented to the governing body of the Authority ("Board"), and the Board has independently reviewed and analyzed the information contained in the FEIR prior to acting on the Project.
- (c) The FEIR reflects the Authority's independent judgment and analysis.

The FEIR for the proposed Grand Avenue Project concluded that certain significant effects may occur as a result of the proposed Project, or may occur on a cumulative basis in conjunction with the development of the Project and other past, present, or reasonably foreseeable future projects. In addition to reviewing the Project's potential environmental impacts, these Findings also provide the Authority's analysis and conclusions regarding the applicability of possible alternatives and mitigation measures to reduce any significant environmental effects.

These Findings address the potentially significant environmental effects examined in the FEIR. The FEIR analyzed the environmental impacts at a project-specific level and on a "cumulative" impact basis. A cumulative impact is defined by CEQA Guidelines 15130 and 15355 as an impact which is created as a result of the combination of impacts of the project evaluated in the EIR and closely related past, present and reasonable foreseeable probable future projects (commonly known as "related projects"). The FEIR identified 93 related projects in the relevant geographic area. The inclusion of those 93 related projects in the cumulative impact analysis resulted in a conservative analysis since it is not likely that all of those projects will be developed.

The following environmental impacts have been determined to be less than significant in light of, among other reasons, the imposition of mitigation measures, regulatory measure and/or project design features:

Light and glare impacts; visual quality; noise impacts during Project operations; impact on parks and other recreational uses during Project operations; library services (project-specific); population, housing and employment impacts; hazardous materials; fire protection services; school services; water supply; wastewater; solid waste; police services (project-specific impact); shade and shadow impacts (project-specific impact), and land use compatibility and consistency with land use plans and policies.

The following environmental impacts were determined to be significant and unavoidable even after the imposition of all feasible mitigation measures, regulatory measures and project design features:

Land use and zoning impacts; traffic impacts during Project construction and operation; parking impacts due to inability to comply with certain City residential parking policies; view impacts; historical resources; air quality impacts during Project construction and operation; noise impacts during Project construction; police services (cumulative basis only); shade and shadow impacts (cumulative basis only); library services (cumulative basis only); and impact on parks and recreational uses during Project construction. The first seven identified impacts and the last impact are significant and unavoidable on a project-specific and cumulative basis.

#### **Potential Environmental Impacts Studied in the Initial Study But Not Analyzed Further in the Draft Environmental Impact Report**

In accordance with CEQA Guideline 15063, the Authority prepared an Initial Study, which is included as Appendix A to the DEIR. The Initial Study determined which potentially significant effects may be caused by the Project and needed to be further examined in the DEIR, and which environmental effects would not be caused by the Project and, therefore, required no analysis in the DEIR. Based on that Initial Study and other substantial evidence, the Authority determined that the Project would not have the potential to cause significant impacts in the following areas: (1) agricultural resources, (2) biological resources, (3) geology and soils, (4) hydrology and water quality, and (5) mineral resources, and that it was appropriate that no further analysis of those five impact issues was included in the DEIR. The Authority further determined that the rationale provided in the Initial Study that no significant impacts would occur respecting these five impact areas satisfies the requirement of CEQA Guideline 15128. Thus, the Authority has no evidence before it to indicate that the Project could have any potential for an adverse effect on fish and wildlife resources or the habitat upon which the fish and wildlife depends.

The FEIR contained Regulatory Measure A-1, which related to impacts to the Civic Park. The park is not under the jurisdiction of the Advisory Agency. As such, this measure has been deleted. The Advisory Agency does not have the authority to approve or carry out this measure since this measure is not applicable to the subject tract. Pursuant to Section 15091 of CEQA Guidelines, 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 adopted by such other agency or can and should be adopted by such other agency.

During the public review process, a comment was raised as to whether the DEIR should have undertaken an additional analysis of the Project's potential energy impacts. No such analysis is warranted for a number of reasons. First, the Initial Study identified the Project's specific amounts of electricity and natural gas consumption, and based on those amounts, concluded that the Project's energy demands would fall within the projected energy



demands for the Los Angeles Department of Water and Power (LADWP) and the Southern California Gas Company (SCGC). Accordingly, the Initial Study determined that no further analysis of this issue in the DEIR was warranted.

Second, the Project's sustainability, energy conservation, and efficiency is reflected throughout the EIR and in the DDA. For example, a number of the Project objectives emphasize the pedestrian and public transit opportunities that will be created by the Project, as well as its linkages between pedestrian, public transit and other public roadways. The Project will also promote energy efficiency through reduced reliance on the automobiles, an improvement of jobs/housing balance, and the encouragement of the use of public transportation to and from the downtown area.

Third, the Project's energy demands were disclosed in the DEIR (in addition to the Initial Study attached to the DEIR). For example, the Project's air quality analysis addresses emissions from fuel consumption by motor vehicles as well as consumption of natural gas and electricity during Project operations. That analysis provided a quantification of the Project's energy consumption.

Fourth, the incorporation of "Title 24" (the State's Energy Code) requirements into the Project is reflected in Regulatory Measure F-2, which states: "all residential and non-residential buildings shall, at minimum, meet the California Title 24 Energy Efficiency Standards for water heating, space heating and cooling." Thus, the Project will comply with all requirements of Title 24 applicable to the residential and commercial components. California's Title 24 is the most restrictive energy code in the nation, and imposes strict standards in order to achieve energy efficiency. With regard to comments suggesting the inclusion of Leadership in Energy and Environmental Design (LEED), as the Project's final building designs have not been developed as of this date, a commitment to specific LEED building design measures would be premature and, therefore, any further discussion of specific energy design features would be speculative.

Lastly, because the Project will be in compliance with the Title 24 requirements, the Project complies with CEQA and the CEQA Guidelines, including Appendix F thereto. Appendix F speaks to a discussion of energy impacts and applicable mitigation measures only when a project will be energy inefficient or wasteful. Through compliance with Title 24, the Project will not be energy inefficient or wasteful. For all these reasons, the Authority finds that no additional analysis of the potential energy impacts of the Project is required under CEQA.

Finally, certain comments were raised during the public review process as to whether the Project may exacerbate or not alleviate local labor issues, homelessness and other social issues. CEQA generally provides that an EIR is required to evaluate only the environmental impacts of a project, and economic and social effects of a project are not treated as significant effects on the environment. Thus, economic or social effects of a Project need not be analyzed in an EIR unless they may directly cause a physical impact on the environment. While such matters are important, the Authority finds that the economic and social issues raised during the 50-day public review and comment process

for the DEIR described in Section VI of these Findings will not cause any potentially significant "environmental" impacts that are not addressed in the FEIR.

## 1.1 PROJECT BACKGROUND AND THE ENVIRONMENTAL IMPACT REPORT PROCESS

Notice of Preparation (NOP): In accordance with the requirements of CEQA, the Authority circulated a Notice of Preparation (NOP) for the proposed project on September 6, 2005. The purpose of the NOP was to solicit comments on the proposed content of the Draft EIR. The NOP was circulated for a period of 35 days, until October 10, 2005. The Parcels are identified by these letters in the Redevelopment Plan for the Bunker Hill Redevelopment Project Area.

During the following 35-day comment period, 14 letters were received. An open house and public scoping meeting for the Draft EIR was held on Tuesday, September 20, 2005. All NOP responses relating to the EIR were reviewed and the issues raised in those comments were addressed in the Draft EIR. The NOP, letters received during the NOP comment period, and scoping meeting transcript are included in Appendix A of the Draft EIR.

Notice of Completion (NOC): On June 14, 2006, the Authority prepared and distributed the Notice of Completion and Availability of the Draft EIR to all interested agencies, parties, organization, and persons. The Draft EIR was circulated for a 50-day review period, between June 14, 2006 and August 3, 2006.

The Authority received 17 letters from agencies, organization, and individual parties commenting on the Draft EIR. The Notice of Completion provided information of an open house and public meeting as an additional means to obtain information on the Project and to receive public comments on the content of the Draft EIR. The public meeting was held on Tuesday, July 18, 2006, between 6:00 p.m. and 8 p.m. at the Cathedral of Our Lady of the Angels, which is adjacent to the Project site. At the public meeting, thirteen speakers presented oral comments with regard to the content of the Draft EIR. In addition, one written comment form was submitted to the Authority. The written comments and transcript of the public meeting and responses to the comments are included in this Final EIR in Section V, Response to Comments.

The Authority finds no that no "new significant information" (as that term is defined in CEQA Guideline 15088.5 (a)) was added to the Draft EIR since the release of the Draft EIR that would warrant recirculation as provided in CEQA Guideline 15088.5. Among other reasons, the information added to the FEIR has not deprived the public of a meaningful opportunity to comment upon any significant environmental effect of the Project or any feasible way to mitigate or avoid such an effect. Instead, the new information that has been added to the FEIR merely clarifies information contained in the Draft EIR.

The FEIR consists of the DEIR, Responses to Comments, the Mitigation Monitoring Program sections entitled Preface, Introduction, Summary, and Corrections and Additions, and the appendices to these documents.

Location of Records: In accordance with CEQA Guideline 15091(e), the documents and materials that constitute the record of the proceedings concerning the Authority's decision to certify the FEIR and approve the Project and all associated agreements shall be kept and maintained by the Managing Director of the Grand Avenue Committee, whose offices are located at 445 South Figueroa Street, Suite 3400, Los Angeles, CA 90071, telephone number (213) 413-4130. The Authority has the discretion to transfer or locate these records at the office of the County CAO Asset Management Division, located at 500 West Temple Street, 7th Floor, Los Angeles, CA 90012, and/or CRA/LA, located at 354 South Spring Street, Los Angeles, CA 90013.

## 1.2 PROJECT FINDINGS INTRODUCTION

The Findings made by the Advisory Agency, pursuant to PRC Section 21081, and CEQA Guidelines Section 15091 are presented below. All significant environmental effects of the project identified in the Final EIR are included herein and are organized according to the area of potential impact. The Findings in this document apply only to this tract and are supported by information and analysis from the Final EIR. Where applicable, these Findings note the documents that contain the substantiation for each Finding.

CEQA and the CEQA Guidelines provide that no public agency shall approve or carry out a project for which an environmental impact report has been certified which identifies one or more significant effects on the environment that would occur if the project is approved or carried out, unless, for each significant impact, the public agency makes one or more of the following findings, as appropriate in accordance with PRC Section 21081 and CEQA Guidelines Section 15091:

- i. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR;
- ii. Such changes or alternatives are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency;
- iii. Specific economic, legal, social, technological and/or other considerations make infeasible the mitigation measures or project alternatives identified in the Final EIR.

A narrative of supporting facts follows the appropriate Finding. For many of the impacts, one or more of the Findings above have been made. Whenever Finding iii above is made, the Advisory Agency has determined that there will be, even after mitigation, an unavoidable significant level of impact due to the project and sufficient mitigation is not

available to reduce the impact to a less than significant level. Such impacts are always specifically identified in the supporting discussions. The Statement of Overriding Considerations applies to all such unavoidable significant impacts, as required by Sections 15092 and 15093 of the CEQA Guidelines.

### 1.3 DESCRIPTION OF PROPOSED PROJECT

The Project consists of three major components: (1) the creation of the 16-acre Civic Park that builds upon and expands the Civic Mall, and when completed, will connect the Los Angeles City Hall to Grand Avenue; (2) streetscape improvements along Grand Avenue from Fifth Street to Cesar E. Chavez Avenue; and (3) the development of five parcels which are referred to as Parcels Q, W-1, W-2, L and M-2. Parcels Q and W-2 are currently owned by the County, Parcels L and M-2 are currently owned by CRA/LA, and Parcel W-1 is owned by a private third party. (While the developer is pursuing the acquisition of Parcel W-1, the development of the other parcels and components of the Project may proceed even if the developer does not acquire Parcel W-1.) The Parcels are identified by these letters in the Redevelopment Plan for the Bunker Hill Redevelopment Project Area. The Project currently consists of two development options, referred to in the Findings and the FEIR, as the "Project with County Office Building Option," and the "Project with Additional Residential Development Option." Under the Project with County Office Building Option, development of the five parcels will consist of up to 2,060 residential units, 20 percent of which (up to 412 units) would be provided as affordable housing; up to 275 hotel rooms, up to 449,000 square feet of retail space and up to 681,000 square feet of County office space. Under the Project with Additional Residential Development Option, the 681,000 square feet of County office space would be replaced with up to 600 additional residential units, 20 percent (up to 120 units) would be provided as affordable housing. All other components of the Project would be the same under this option, and would include 275 hotel rooms, and 449,000 square feet of retail space. The proposed County office space under the Project with County Office Building Option would be constructed in the third phase of the Project when parcels W-1 and W-2 are developed. The proposed residential units under the Project with Additional Residential Development Option would be developed on parcel W-2 of the Project. Under that certain Disposition and Development Agreement between the Authority and Related (the "DDA"), recommended to be approved subsequent to consideration and certification of the FEIR, the County's option for development of a public office building during the third phase of development expires on a specific date in the future. If the County does not exercise this option, the developer may develop the Project consistent with the Additional Residential Development Option.

Parking for the Project would be provided in podium and subterranean parking structures. 5,035 parking spaces would be provided under the County Office Building Option, and 5,255 parking spaces would be provided under the Additional Residential Development Option.

In addition to the development of the five parcels, the Project will revitalize and expand the existing Civic Center Mall through a new design. The main purpose of this new design is to

facilitate a program of ongoing and special civic events and activities to take place in the new Civic Park. The current conceptual plan for the Civic Park maintains the existing organization of space in the Park, with the intent that specified areas would accommodate particular programmed uses and also work in unison for larger events. Under this plan, different sections of the Park would be developed for cultural and entertainment uses, a garden space for smaller scale uses, and civic and community activities.

The Project will also entail streetscape improvements along Grand Avenue from Fifth Street to Cesar E. Chavez Avenue. Streetscape improvements are anticipated to include widened shaded sidewalks where feasible, landscaping, as well as a range of street furnishings, including benches and chairs.

In order to fully respond to the future needs and demands of the Southern California economy, the proposed Project includes an Equivalency Program that would allow the composition of on-site development to be modified to respond to future needs in a manner that would not increase the Project's impacts on the environment. The Equivalency Program would provide flexibility for modifications to land uses and square footages within the five parcels. Within this framework, land uses can be exchanged for certain other permitted land uses so long as the limitations of the Equivalency Program are adhered to, which limitations were designed so no additional environmental impacts would occur. Thus, all permitted Project land use increases can be exchanged for corresponding decreases of other land uses under the proposed Equivalency Program without any further CEQA review.

This equivalency program was analyzed in the FEIR to confirm that exchange of Project uses set forth in the program can occur without the need for subsequent CEQA analysis. Proposed exchanges under the equivalency program would be implemented through the City of Los Angeles Planning Department procedures.

#### 1.4 FINDINGS OF FACT

After reviewing the Final EIR and the public record on the project, pursuant to Section 15091 of the CEQA Guidelines, the Advisory Agency hereby makes the Findings set forth below in this document regarding the significant effects of the Proposed Project. Except to the extent they conflict with the findings and determinations set forth for project impacts significant environmental effects that cannot be reduced to a less than significant level below, the analysis and conclusions of the Final EIR, including but not limited to the responses to comments, are incorporated herein by reference and are hereby adopted as findings. The Advisory Agency certifies that the Final EIR reflects the independent judgment and analysis of the City of Los Angeles.

##### Cumulative Impacts

Except as expressly provided to the contrary for significant effects that cannot be reduced to a less than significant level, all effects of the Project on the environment are hereby

found to be not significant. Cumulative impacts of the Project in conjunction with other past, present and reasonably foreseeable future projects have been addressed where applicable and will not be significant after mitigation.

#### 1.5 POTENTIAL ENVIRONMENTAL EFFECTS ANALYZED IN FEIR

##### A. Land Use (Consistency With Land Use Plans and Compatibility With Surrounding Uses

- i. Potential Impacts – The Project may have a significant land use in the areas of consistency with land use plans and compatibility with surrounding uses impact if:
  - a. The Project development would be incompatible with surrounding land uses or land use patterns in relation to scale, use, or intensity.
  - b. The Project would not be consistent with any applicable land use plan or policy of an agency with jurisdiction over the Project adopted for the purpose of avoiding or mitigating an environmental effect.
- ii. Findings – The Project will not have a significant impact concerning consistency with land use plans or compatibility with surrounding uses. Therefore, no mitigation measures are required or were identified in the FEIR.
- iii. Supportive Evidence and Rationale – The Project's potential land use impacts concerning consistency with land use plans and compatibility with surrounding uses are analyzed in detail in Section IV.A. of the DEIR. The Project would be compatible with the adjacent and surrounding existing land uses and, as such, the Project would not create a division or disruption of an established community. Further, the Project's scale and mix of uses complement, and will be consistent with, the surrounding commercial and residential uses in the downtown area. In addition, the Project would be consistent with adopted land use plans, including the City's General Plan Framework, the Central City Community Plan, the Bunker Hill Redevelopment Plan, and the Southern California Association of Governments' Regional Comprehensive Plan and Guide. Thus, the Project would result in less than significant impacts relative to land use compatibility and adopted land use plans.
- iv. Cumulative Impacts – The 93 related projects that are planned or are under construction in the Project area are anticipated to occur in accordance with adopted land use plans and regulations. It is reasonable to assume that the projects under consideration in the area surrounding the Project would implement and support important local and regional planning goals and

policies. It is also anticipated that any new projects would be subject to an environmental review process and would incorporate any mitigation measures necessary to reduce potential land use impacts. Therefore, no significant impacts with regard to adopted land use plans would occur.

B. Land Use (Zoning)

- i. Potential Impacts – The Project may have a significant zoning impact if:
  - a. The Project is not consistent with any land use or zoning law or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect.
- ii. Findings – The Project will cause a significant and unavoidable land use impact relative to the zoning regulations of the City of Los Angeles on a project-specific and cumulative basis. The Authority makes the following finding for this impact:
  - a. This impact can be mitigated to a level of less than significant if the City approves certain land use entitlements that have been applied for by the developer, which application is still pending as of the date of these Findings. Accordingly, the Authority finds that measures, such changes or alterations to the Project necessary to mitigate this impact are within the responsibility and jurisdiction of another public agency and not the Authority. The Authority further finds that such measures, changes or alterations should be adopted by such other agency.
  - b. For the reasons set forth in the Statement of Overriding Considerations adopted concurrently by the Authority, the Authority finds that the significant impact identified in this Section is acceptable in light of the Project's overall benefits.
- iii. Supportive Evidence and Rationale – The FEIR analyzed in detail the Project's land use impact relative to zoning in Section IV.A of the DEIR. The County Office Building Option and the Additional Residential Development Option would require zone changes and variances to permit the proposed development of five development parcels. With the granting of such zone changes and variances, which may be granted only after certification of the Final EIR by the Lead Agency and concurrently with action on the entitlements requested from the City by the developer, there would be no significant zoning impact. However, since the Project, under both Project Options, would be acted on by the Lead Agency (the Authority) prior to the City's decision on such zoning requests, the Project would not be in compliance with the current zoning provisions at the time of the Authority's approval of the Project. Therefore, it is conservatively concluded that, for

purposes of CEQA, there would be a significant impact relative to zoning. No mitigation within the jurisdiction of the Authority exists to address non-compliance with the City's existing zoning regulations. The necessary change required in order to avoid this significant impact lies not with the Authority, but rather with the City of Los Angeles.

- iv. Cumulative Impact – Since the Project would create a significant impact with respect to the City's zoning and regulations, and related projects may require a variety of variances and zone changes, it is conservatively concluded that cumulative zoning impacts would be significant and unavoidable.

C. Traffic, Circulation and Parking (Traffic, Construction)

- i. Potential Impacts – The construction of the Project would cause a significant traffic impact due to (1) hauling activities; (2) temporary lane closures; (3) reconstruction of Civic Mall Ramps, (4) pedestrian access; (5) bus stop relocation; and (6) construction worker parking if:
  - a. The Project construction causes substantial delays and disruption of existing traffic and pedestrian flow.
  - b. The Project causes temporary relocation of existing bus stops to more than one-quarter mile from their existing stops.
- ii. Findings – The Project will not cause a significant traffic impact with respect to pedestrian access, bus stop relocation and construction worker parking due to, among other reasons, the adoption of the measures identified in this Section XI-B(a) of the Findings. The construction of the Project will cause a significant and unavoidable traffic impact with respect to hauling activities, temporary lane closures, and reconstruction of the Civic Mall's parking ramps on a project-specific and cumulative basis. With respect to those significant and unavoidable impacts, the Authority makes the following findings:
  - a. All feasible measures, changes and alterations have been required in, or incorporated into, the Project, which will lessen such significant environmental effects.
  - b. For the reasons set forth in the Statement of Overriding Considerations adopted concurrently by the Authority, the Authority finds that the significant impact identified in this Section XI-B(a) is acceptable in light of the Project's overall benefits.

Although the following mitigation measures aimed at reducing these significant and unavoidable traffic impacts during Project construction have



been adopted, these mitigation measures will not reduce those impacts to a level of insignificance:

**Mitigation Measure B-1:** The developer with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements, shall prepare, prior to the start of each construction work phase, a Construction Traffic Control/Management Plan ("Plan") to be approved by the City of Los Angeles Department of Transportation ("LADOT") and implemented by the responsible party. The Plan shall include, but not be limited to, Project scheduling, the location and timing of any temporary land closures, traffic detours, haul routes, temporary roadway striping, and signage for traffic flow, as necessary, as well as the identification and signage of alternative pedestrian routes in the immediate vicinity of the Project, if necessary. The Plan should also provide for the coordination of construction areas, and for safe pedestrian movement throughout the Project Area such that adequate and safe pedestrian movement access is maintained to adjacent uses including the Walt Disney Concert Hall, the Music Center, the County Courthouse, and the Metro Red Line station portals (on Parcel W-2 and on the Court of Flags).

**Mitigation Measure B-2:** After approval of the Construction Traffic Control/Management Plan(s) required under Mitigation Measure B-1 and prior to the start of each construction work phase, the developer with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements, shall submit a copy of the Plan(s) to the Authority or other appropriate agency, the City Chief Administrative Officer or designee, and the County of Los Angeles Chief Administrative Officer ("County CAO"). Following receipt of the Plan(s), the County CAO shall distribute that information to all County properties on Grand Avenue, including the Hall of Administration, County Courthouse, the Walt Disney Concert Hall, and the Music Center, for further distribution of information to employees and visitors on construction schedules, alternative travel routes, and land and sidewalk closure information, as appropriate, and the Authority or other appropriate agency, or the City, shall distribute to the appropriate City departments for the same purpose.

**Mitigation Measure B-3:** Prior to the start of each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements, shall enter into one or more temporary arrangements with parking garages in the area of the Project, or with surface lot operators elsewhere in downtown or its periphery, to provide a sufficient supply of off-street spaces for the construction workers during Project

construction, and will require all construction workers to use these designated parking spaces. These temporary arrangements shall be to the satisfaction of (i) CRA/LA or (ii) the County's CAO or its designee.

- iii. Supportive Evidence and Rationale – The EIR analyzed in detail the potential traffic impacts caused by Project construction in Section IV.B of the DEIR. No significant impacts on pedestrian circulation during construction would occur, and a less than significant impact will result to bus stop relocation. Although sidewalk closures may occur, one side of the street will continue to be available. Any potential increase in walking distance for pedestrians would not amount to a significant impact. Further, the temporary relocation of bus stops would be within two blocks of the Project site and within one-quarter mile of the original stop location, which is a distance that will not cause a significant impact. Also, with the implementation of Mitigation Measure B-3, no significant impact will result due to construction worker parking. The FEIR also evaluated the impact of construction trucks on A.M. peak hour traffic on roadways. During more than half of the Project's construction period, construction would generate approximately 40 trips a day, which would have minimal effect on peak hour roadway conditions. The highest number of daily truck trips would occur during the Project's peak excavation phases, and would range from approximately 130 to 300 haul trucks a day. As these trips would also be distributed throughout the day, the actual number of haul truck trips that would occur during the A.M. peak hour period would be relatively low. In addition, consistent with standard industry practice, the hauling of over-weight or over-size equipment during construction would largely occur prior to the A.M. peak hour period. With respect to the probably low number of truck trips that would occur during the A.M. peak period, the Project shall comply with the requirements of the City of Los Angeles with regard to haul truck trips attributable to the construction of the Project, as will be established in connection with LADOT's review and approval of the Project's Construction Traffic Control/Management Plan and/or conditions of approval by the City in the various land use entitlements applied for by the Developer. However, it is conservatively concluded that because a portion of the construction truck trips could occur during peak hauling periods, including during the A.M. peak hour, a potentially significant and unavoidable short-term traffic impact may occur. Also, during the reconstruction of the Grand Avenue and Hill Street ramps to the existing Civic Center Mall garage, the diversion of traffic to alternate garage entrances would affect streets in the immediate vicinity of the County Garage block and potentially create a short-term significant and unavoidable traffic impact. Finally, complete closures of any streets are not expected during construction. However, such closures could occur due to unforeseen circumstances, in which case, they would cause temporary significant impacts. It is expected that, at most, one traffic or parking lane adjacent to the curb may need to be closed at certain locations for periods of up to 4 to 6

months, or up to approximately 18 to 24 months, depending on the stage of construction. Although temporary in nature, such closures would cause significant traffic impacts during such periods of time.

iv. Cumulative Impacts

- a. **Hauling.** The Project's highest periods of haul truck activity would be in the initial six to eight months of construction for each parcel, when trucks would carry excavated material from the site. During those periods a peak of 300 trucks a day are estimated. Because some of these trips could occur in the A.M. peak hour, haul truck trip periods could cause short-term, significant cumulative traffic impacts. Hauling required for the construction of some of the 93 related projects would potentially overlap with the initial six to eight months of construction for each of the Project's development parcels. Therefore, haul truck impacts would be cumulatively significant.
- b. **Closure of Civic Mall Ramps.** In order to facilitate the development of the new Civic Park, the ramps to/from the County Mall parking garage on Grand Avenue will be reconfigured. Such work would require the ramps to be shut down for a period of time during the reconstruction. The diversion of traffic to alternate garage entrances would only affect streets in the immediate vicinity of the County Garage block, but could potentially create temporary and short-term cumulatively significant traffic impacts. The temporary closure of access to related project sites would not impact the same streets adjacent to the County Garage block. However, other temporary access closures at any of the other sites, particularly the 15 related projects located on Grand Avenue, Olive Street, and Hill Street, would cumulatively contribute to congestion and, as such, would be cumulatively significant.
- c. **Temporary Lane Closures.** Complete closures of any streets are not expected during construction. However, such lane closures could occur due to unforeseen circumstances, in which case they would cause temporary cumulatively significant impacts. The construction of any of the related projects has the potential to require temporary lane closures. Therefore, the impact of the Project and related projects, particularly the 15 related projects located on Grand Avenue, Olive Street, and Hill Street, would cumulatively contribute to congestion impacts resulting from temporary lane closures and such impacts are found to be cumulatively significant.
- d. **Construction Workers.** The 93 related projects would draw upon a construction workforce from all parts of the Los Angeles region.

However, since the majority of construction workers are anticipated to arrive and depart the individual construction sites during off peak hours, cumulative traffic impacts due to construction workers trips are concluded to be less than significant.

C. Traffic, Circulation and Parking (Traffic, Operations)

- i. Impacts – Operation of the Project may cause a significant traffic impact relative to (1) intersection capacity; (2) the County-wide Congestion Management Plan for Regional Highways (“CMP”); (3) driveway access; and (4) transit capacity.
  - a. An intersection would be significantly impacted with an increase in V/C ratio equal to or greater than 0.04 for intersections operating at LOS C; an increase in V/C ratio equal to or greater than 0.02 for intersections operating at LOS D; and V/C ratio equal to or greater than 0.01 for intersections operating at LOS E or F, after the addition of related projects, ambient growth, and Project traffic.
  - b. A significant driveway access impact would occur if:
    - (1) Intersections at the primary site access locations would operate at LOS F during the A.M. or P.M. peak hours; and
    - (2) The design features or physical configurations of the Project would affect the visibility of pedestrians and bicyclists to drivers entering and exiting the site, and the visibility of cars to pedestrians and bicyclists so as to create a hazardous condition.
  - c. Under the CMP, a significant traffic impact would occur if a project increases the demand to capacity ratio (D/C) of a freeway segment of 2 percent or more (D/C ratio increase greater than or equal to 0.02), which causes or worsens LOS F conditions.
  - d. A significant impact would occur if projected transit riders substantially exceed available transit capacity.
- ii. Findings – The Project will not cause a significant traffic impact relative to driveway access, transit capacity and certain intersections due to, among other reasons, the adoption of the measures identified in this Section XI-B(b) of the Findings. The Project will cause a significant and unavoidable traffic impact with respect to certain intersections and, under the County Office Building Option, the CMP, on a project – specific and cumulative basis. With respect to those significant and unavoidable impacts, the Authority makes the following findings for this impact:

- a. All feasible measures, changes and alterations have been required in, or incorporated into, the Project, which will lessen such significant environmental effects.
- b. For the reasons set forth in the Statement of Overriding Considerations adopted concurrently by the Authority, the Authority finds that the significant impact identified in this Section XI-B(b) is acceptable in light of the Project's overall benefits.

Although the following mitigation measures are aimed at reducing these significant and unavoidable traffic impacts attributable to Project operations, these mitigation measures will not reduce those significant impacts:

**Mitigation Measure B-4:** If the Project proceeds with the County office building option, the County, on an on-going basis following initial occupancy, shall fund and implement a Transportation Demand Management (TDM) program for the proposed County office use in Parcel W-1/W-2. The County's CAO shall ensure the County's review and approval of this TDM program. The TDM program could, for example, include an onsite transportation coordinator, post information on transit, and provide logistical support for the formation of carpools and vanpools, and other incentives to use transit and rideshare.

**Mitigation Measure B-5:** The developer, with regard to the five development parcels, shall implement ATCS in conjunction with the area-wide ATCS program, if not otherwise implemented, prior to the completion of the first phase of development at the intersections identified by LADOT, although the implementation of this measure will provide mitigation to all three Project phases. Implementation of ATCS shall occur in the northern part of downtown, north of Eighth Street, at the locations identified by LADOT. LADOT has determined that implementation of the ATCS mitigation improvements in the area surrounding the Project would comprise the following: (1) upgrades to Model 2070 traffic signal controllers at 35 intersections; (2) installation of 58 ATSAC/ATCS system vehicle detectors at 9 intersections; and (3) installation of CCTV cameras to provide video information to the ATSAC Center at eight locations. Subject to a final determination by LADOT of the improvements required for the Project, ATCS shall also include LADOT's Transit Priority System (TPS).

**Mitigation Measure B-6:** The following menu of mitigation measures have been developed to further reduce the Project's potential traffic and circulation impacts. The term "menu" refers to the various ways that each of the following measures can be implemented to achieve trip reduction. Selection shall be coordinated with the LADOT, who shall determine which of the mitigation measures are to be implemented.

1. Provide enhanced walking connections along the Project street frontages to transit service (to bus stops and to the Red Line station portals at First Street and Hill Street). These could comprise pedestrian amenities along the Project's street frontages, including landscaped sidewalks, wider crosswalks where feasible at key intersections, improved lighting for pedestrian safety at nighttime, and pedestrian wayfinding signage, to facilitate walking in the Project area. The developer shall implement this measure with regard to the five development parcels prior to initial building occupancy for each development phase; while, the responsible parties for the implementation of the Civic Park and Streetscape Program, under the applicable agreements, shall implement these measures prior to the completion of construction for each of these Project components.
2. The developer, as determined by LADOT and prior to initial building occupancy for each development phase, shall provide enhanced bus stops on the street frontages of the five development parcels. These enhanced bus stops may include bus shelters with passenger amenities such as benches, shaded areas, and transit information that could be integrated into the overall urban design/landscaping of the Project.
3. Provide transit information kiosks at various strategic locations on the Project site. The developer shall implement this measure with regard to the five development parcels prior to initial building occupancy for each development phase; while, the responsible parties for the implementation of the Civic Park and Streetscape Program, under the applicable agreements, shall implement these measures prior to the completion of construction for each of those Project components.
4. The developer, with regard to the five development parcels, shall participate in an on-going basis during Project operations, in a Share-Car program (e.g., Flexcar) that makes cars available to registered members. It is anticipated that up to three on-street parking spaces, subject to a determination of feasibility by LADOT, could be provided at key locations adjacent to the Project frontage for up to three Share-Cars. The Share-Cars could be available to both Project and non-Project users as long as they were members of the Share-Car program. The Project shall support a Share-Car organization's application to the City, and following any implementation of such application shall promote the Share-Car concept and encourage its usage with Project residents and tenants.
5. Provide improved vehicular directional signage on surface streets approaching and within the Project area to direct vehicles to specific

destinations and parking locations, as appropriate, to minimize vehicles circulating in the Project area. Such signage should be approved to the satisfaction of LADOT. The developer shall implement this measure with regard to the five development parcels prior to initial building occupancy for each development phase; while, the responsible parties for the implementation of the Civic Park under the applicable agreements, shall implement these measures prior to the completion of construction for the Civic Park.

**Mitigation Measure B-7:** The Developer, with regard to the five development parcels, shall re-stripe the westbound approach of the Third Street and Hill Street intersection from the existing configuration of one left turn lane, one through lane, and one shared through/right-turn lane to a future configuration of one left turn lane, two through lanes, and one exclusive right-turn lane. This improvement would require a slight widening of Third Street west of Hill Street before the entrance to the tunnel within the public right-of-way. The final lane configuration of this intersection shall be to the satisfaction of the City of Los Angeles Department of Transportation. In addition, any street widening and construction activities shall be coordinated with the City of Los Angeles Department of Public Works, Bureau of Engineering.

- iii. Supportive Evidence and Rationale – The FEIR analyzed in detail the potential traffic impacts that may be caused by Project operation in Section IV.B of the DEIR. Specifically:
  - a. Intersections: The Project with County Office Building Option would generate approximately 1,551 A.M. peak hour trips and 2,464 P.M. peak hour trips. This Option would result in significant traffic impacts at seven intersections in the A.M. peak hour and in significant traffic impacts at seventeen intersections in the P.M. peak hour. The Project with Additional Residential Development Option would generate approximately 1,019 trips in the A.M. peak hour and 2,003 trips in the P.M. peak hour. This Option would result in a significant traffic impact at six intersections in the A.M. peak hour and seventeen intersections in the P.M. peak hour. With the implementation of all the mitigation measures, including the ATCS and the intersection mitigation measures, one intersection in the A.M. peak hour and 12 intersections in the P.M. peak hour would be significantly and unavoidably impacted under the Project with County Office Building Option. With the implementation of all the mitigation measures, including ATCS and intersection mitigation measures, no intersections in the A.M. peak hour and 7 intersections in the P.M. peak hour would be significantly and unavoidably impacted under the Project with Additional Residential Development Option.

- b. Access: No driveway intersection approach under either Project Option would exceed LOS D. Therefore, the Project would not cause any significant traffic impacts at proposed driveway locations.
- c. Freeway/CMP Impacts. The Project with County Office Building Option would cause two significant traffic impacts on the freeway system, one of which would occur at a CMP monitoring location (US-101 Hollywood Freeway north of Vignes Street). However, the Project with Additional Residential Development Option would cause no significant freeway traffic impacts. The Project with County Office Building Option's significant impacts on the US-101 Hollywood Freeway between Grand Avenue and Hill Street, and on the US-101 Hollywood Freeway north of Vignes Street (a CMP location) would be reduced to a less than significant level through the implementation of the proposed mitigation measures. Freeway/CMP impacts under the Project with Additional Residential Development Option would be less than significant.
- d. Transit: Because Project transit trips would represent a very small proportion of the overall transit system capacity, it is concluded that the Project will result in a less than significant impact to the existing transit systems serving the Project area and downtown.
- e. Civic Park: Early evening events in the Civic Park, or events associated with concerts/programs at the Music Center and the Walt Disney Concert Hall, may worsen traffic conditions in the Project area during the P.M. peak hour. The number of such events would be infrequent and would not occur on a regular basis. Although Civic Park traffic impacts would be temporary in nature, impacts may, on occasion, be significant in magnitude. Annual events, festivals, and holiday events could also potentially have temporary and short-term (one-time) traffic impacts. Therefore, on occasion, the size of the event and other factors may cause Civic Park traffic impacts to be significant and unavoidable.

iv. Cumulative Impacts

- a. Intersections: The cumulative traffic impacts associated with the 93 related projects and ambient growth have been considered for the purpose of assessing the Project's traffic impacts. In conjunction with the significant Project impacts after mitigation, cumulative traffic impacts on certain intersections would be significant.
- b. Civic Park: Early evening events in the Civic Park may worsen traffic conditions in the P.M. peak hour. The number of such events would



be infrequent and would not occur on a regular basis. Although Civic Park traffic impacts would be temporary in nature, impacts may, on occasion, be significant in magnitude. As such, traffic impacts associated with such short-term activities would be considered cumulatively significant in conjunction with other projects' traffic.

- c. Driveway Access: None of the 93 related projects share adjoining or adjacent access points. Therefore, no significant cumulative impacts relative to access would occur since none of the related projects could cause problems in accessing the Project site. Similarly, the Project would cause no problems in the accessibility of the related projects.
- d. Transit: The employees, visitors, and residents of the 93 related projects would use overlapping transit systems, as would be the case with the Project. Under the City of Los Angeles transportation and land use policies, this effect is positive (i.e., the concentration of new employment and housing projects in close proximity to transit services). Further, the increased usage of transit system by users at the related projects would not cause exceedance of the capacity of existing transit systems. Consequently, the cumulative impacts relative to transit systems are concluded to be less than significant.
- e. CMP: The Project with County Office Building Option would cause an incremental increase in the D/C ratio of 0.021 at the US-101 Hollywood Freeway between Grand Avenue and Hill Street, and an incremental increase of the D/C ratio of 0.020 at the US-101 Hollywood Freeway north of Vignes Street, both in the P.M. peak hour. Since that increase would be at or slightly above the threshold of significance, it is concluded that the Project with County Office Building Option would cause two significant traffic impacts on the freeway system, one of which would occur at a CMP monitoring location (US-101 Hollywood Freeway north of Vignes Street). Since related projects would also contribute to freeway traffic levels, the combination of the Project's traffic with the related projects' traffic is considered to be cumulatively significant. The Project with Additional Residential Development Option would not exceed D/C threshold ratios, and cumulative impacts are considered to be less than significant under this option.

D. Traffic, Circulation and Parking (Parking Impacts)

- i. Potential Impacts – The Project may create a significant parking impact if:
  - a. The Project would be inconsistent with adopted parking codes, parking plans, or policies.

- ii. Findings – The Project will not cause significant and unavoidable parking impacts, except for the one project-specific and cumulative impact discussed in subsection iii. and iv., below. With respect to that impact, the Authority makes the following findings:
  - a. This impact can be mitigated to a level of less than significant if the City approves a certain land use entitlement that has been applied for by the developer, which application is still pending as of the date of these Findings. Accordingly, the Authority finds that the measures, such changes or alterations to the Project necessary to mitigate this impact are within the responsibility and jurisdiction of another public agency and not the Authority. The Authority further finds that such measures, changes or alterations should be adopted by such other agency.
  - b. For the reasons set forth in the Statement of Overriding Considerations adopted concurrently by the Authority, the Authority finds that the significant impact identified in this Section XI-B(c) is acceptable in light of the Project's overall benefits.
- iii. Supportive Evidence and Rationale – The FEIR analyzed in detail the Project's potential parking impacts in Section IV.B of the DEIR. Under both the Project with County Office Building Option and the Project with Additional Residential Development Option, commercial and residential parking would be consistent with the parking requirements of the LAMC. However, neither Option would meet the requirements of the Deputy Advisory Agency Residential Policy (DAARP), which requires 2.5 parking spaces per dwelling unit. As part of its entitlement application to the City, the developer will be seeking approval of a variance from the DAARP. The reasons for seeking a deviation from this policy are provided in Section IV.B, Traffic, Circulation and Parking, of the DEIR. If approved by the City, there would be no significant impact for this issue. However, using a worst-case perspective, a significant and unavoidable impact in regard to this policy is assumed. Should the variance be granted by the City, which would occur only after certification of the FEIR by the Lead Agency and concurrently with action on the entitlements requested from the City, there would be no significant residential parking impacts. However, until the exception is granted, it is conservatively concluded that, for purposes of CEQA, there would be a significant impact.

The Project's total parking supply will meet projected Project demand and also exceed many of the requirements of the City's parking requirements (except for the DAARP). For example, the first phase of development on the five development parcels will provide the approximately 1,129 parking spaces which is 155 parking spaces more than that is required by City Code.

Further, an additional 381 spaces will be provided due to the use of mechanical lifts, valet operations and other parking strategies.

A minor change in the Project's parking arrangements for this first phase of development has been proposed by the developer since publication of the DEIR. This change would cause up to 227 parking spaces to be provided off-site up to two blocks from the Project site. However, there would be no significant parking impacts associated with this parking strategy. During evenings and weekends, there are sufficient spaces available in the Civic Center/Bunker Hill area as office buildings are closed. During the daytime, the most likely location sufficient spaces in the Walt Disney Hall Concert Hall garage would be available, even with the relocation of existing spaces from Parcel Q and Parcel W-1/W-2 due to the Project. Further, because these spaces would be provided within one or two blocks of Parcel Q, and because they would represent only 4% of the total Project parking supply, it is not expected that the distribution patterns of Project traffic would be significantly different from the patterns analyzed in the FEIR. Accordingly, the Authority finds that this minor potential change in the Project will not cause a significant new environmental impact.

Finally, the Project would eliminate 1,818 parking spaces (of which 1,604 are usable) in the lots existing on the five development parcels. Existing County facilities would absorb up to 1,074 of these spaces at such facilities as the Walt Disney Concert Hall garage and the Civic Center and in the Civic Center, where excess parking spaces are now available. Further, under the proposed Civic Park conceptual design plan, the Court of Flags garage (Lot 10) would be repaired and would add 325 usable parking spaces this parking supply. In addition to those available spaces, the analysis in the FEIR concluded that excess space exists in the twenty-one other parking facilities in the general vicinity of the Project Area.

- iv. Cumulative Impacts – It is assumed that the related development projects would satisfy their demand for commercial and residential parking, as is the case with the Project. However, since the Project would not comply with the DAARP for residential uses, as may also be the case with one or more of the related projects, non-compliance with the DAARP is considered cumulatively significant.

E. Aesthetics and Visual Resources (Visual Quality, Construction)

- i. Potential Impacts – The Project may cause a significant visual quality impact if:

- a. The Project would substantially alter, degrade or eliminate the existing visual character of the area, including visually prominent existing features or other valued resources.
- b. The Project features would substantially contrast with the visual character of the surrounding area and its aesthetic image.
- c. The implementation of the Project would preclude the attainment of existing aesthetics regulations or applicable plans.

- ii. Findings - A potentially significant visual quality impact due to construction of the Project is identified in the EIR. However, with the implementation of a mitigation measure, a regulatory measure, and project design features, this potentially significant impact will be reduced to a less than significant impact.

**Mitigation Measure C-1:** During Project construction, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements, shall ensure, through appropriate postings and daily visual inspections, that no unauthorized materials remain posted on any temporary construction barriers or temporary pedestrian walkways, and that any such temporary barriers and walkways are maintained in a visually attractive manner throughout the construction period. The City's Department of Building and Safety or other appropriate City agency or department, shall determine compliance with this measure with regard to construction associated with the five development parcels and the Streetscape Program. The County's CAO or its designee shall determine compliance with this measure with regard to construction of the Civic Park.

**Regulatory Measure C-1:** Prior to the start of each construction work phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Streetscape Program under the applicable agreements, shall prepare and implement a tree replacement plan should mature trees along Grand Avenue be impacted by Project construction. Existing mature trees shall be replaced at a ratio of not less than 1:1, to the extent consistent with the final streetscape design. The City's Department of Building and Safety or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels and the Streetscape Program.

**Project Design Feature C-1:** Prior to the start of construction along the east side of Grand Avenue, between First and Temple Streets, the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements shall coordinate construction of park

improvements in the westerly Civic Park sector with any installation of streetscape and other improvements on Grand Avenue between First and Temple Streets to reduce the duration and visual impact of construction activities. Scheduling of construction activities for the Civic Park and the Streetscape Program shall be reviewed and approved by the Authority and shall be implemented by the responsible parties.

**Project Design Feature C-2:** Prior to the start of each construction work phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements, shall schedule and coordinate sidewalk construction with the development of the adjacent parcels to reduce the duration and visual impact of construction activities. Scheduling of construction activities for the five development parcels, the Civic Park and the Streetscape Program shall be reviewed and approved by the Authority and implemented by the responsible parties.

- iii. Supportive Evidence and Rationale – The FEIR analyzed in detail the potential visual quality impacts associated with the construction of the Project in Section IV.C of the DEIR. Construction activities may be detrimental to the aesthetic value of the Project area. In addition, the potential removal or relocation of mature landscaping in the existing Civic Center Mall in order to create the Civic Park would contrast and detract from the existing visual character of the park. Mature trees would be preserved or relocated to the extent feasible. However, construction activities that would contrast with the aesthetic image of the area would cease at the completion of the construction phases. Due to the short-term nature of these activities, construction impacts on aesthetic resources are concluded to be less than significant. Further, the visual quality impacts generated by construction activities would be reduced to a less than significant level through the implementation of Mitigation Measure C-1, Regulatory Measure C-1, and Project Design Features C-1 and C-2.
- iv. Cumulative Impact – The related projects would not be located close enough to the Project's development parcels to be within the same field of view as the Project as to create any potentially significant visual quality impact attributable to cumulative construction activities. Further, the construction of such other related projects will likely comply with the mitigation measures described in this Section XI-C(a). Therefore, this cumulative impact will be less than significant.

E. Aesthetics and Visual Resources (Visual Quality, Operation)

- i. Impacts – The Project may cause a significant visual quality impact if:

- a. The Project would substantially alter, degrade or eliminate the existing visual character of the area, including visually prominent existing features or other valued resources.
- b. The Project features would substantially contrast with the visual character of the surrounding area and its aesthetic image.
- c. The implementation of the Project would preclude the attainment of existing aesthetics regulations or applicable plans.

ii. Findings - A less than significant visual quality impact due to operation of the Project is identified in the FEIR. However, the following regulatory measures, and a project design feature are identified in the FEIR to ensure a less than significant impact.

**Regulatory Measure C-4:** Prior to the start of each construction work phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park under the applicable agreements shall submit to the Authority or other appropriate agency, for review and approval, building plans and specifications that demonstrate that all ventilation, heating and air conditioning ducts, tubes, and other such mechanical equipment shall be screened from the line-of-sight from the street. Approved building plans and specifications shall be implemented by the responsible parties.

**Regulatory Measure C-5:** Prior to the start of each construction work phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements shall submit design plans that demonstrate that all utility lines and connections are constructed underground. Approved utility plans and connections with regard to the five development parcels shall be reviewed and approved by the Authority, whereas the City's Department of Building and Safety or other appropriate City agency or department, shall review and approve with regard to the Streetscape program. Approved utility lines and connections shall be implemented by the responsible parties.

**Regulatory Measure C-6:** Prior to construction, the developer, with regard to the five development parcels, shall submit design plans for trash collection areas to the Authority for review and approval. Trash collection areas shall be screened from line of sight from the street. Approved design plans shall be implemented by the developer.

**Project Design Feature C-3:** Prior to the start of each construction work phase, the developer, with regard to the five development parcels, and the

responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements, shall prepare architectural plans that shall be reviewed and approved by the Authority such that all ground-level building fixtures, including, but not limited to, security gates, landscape light fixtures, pedestrian lights, air intake shafts, and other appurtenances are integrated into the architectural theme and/or design of the respective Project components. Approved architectural plans shall be implemented by the developer and the responsible parties.

- iii. Supportive Evidence and Rationale – The FEIR discusses the less than significant visual quality impact caused by Project operations in Section IV.C of the DEIR. The Grand Avenue streetscape program would improve the aesthetic quality and ambience of Grand Avenue and would create an appealing pedestrian environment. Existing visual and pedestrian access into the Civic Park would be improved and the extension of the Civic Park to Spring Street would enhance the aesthetic context of Los Angeles' City Hall. The Project's towers would contribute to the visual continuity of the tall and varied structures comprising the City's skyline and would be consistent with the aesthetic components that represent downtown's aesthetic image. The Project is anticipated to be consistent with the urban design policies that call for the shaping of a skyline that parallels and accentuates the topography of Bunker Hill, the integration of street-front retail with the streetscape, and the addition of public art into the Grand Avenue right-of-way. As such, the Project's visual quality impacts would be less than significant.
- iv. Cumulative Impacts - The related development projects identified in the FEIR as Nos. 9, 27, 88, and 92 are located in close proximity to the Project site and, as such, have the potential to cumulatively contribute to the visual quality of the area. It is anticipated, however, that all of the related projects would be constructed with high-quality materials and architectural design and would be consistent in scale with the surrounding buildings. In addition, it is anticipated that the related projects would contribute to sidewalk and streetscape improvements and, therefore, would improve the visual quality of the downtown area. Therefore, cumulative impacts relative to the aesthetics and visual quality would be less than significant.

F. Aesthetics and Visual Resources (Views)

- i. Impacts – The Project may cause a significant impact if:
  - a. Project development would substantially obstruct an existing view of a visually prominent resource as viewed from a public street, sidewalk, park, community cultural center, trail, public vantage point, or residential use.

- ii. Findings – The Project would cause significant and unavoidable view impacts (1) to the residents' views from the Grand Promenade Tower residential building; (2) the view from Olive Street; and (3) to the residents' view from the Museum Tower residential building. These three view impacts are identified in the FEIR, and the Authority makes the following findings for these impacts:
  - a. For the reasons set forth in the Statement of Overriding Considerations adopted concurrently by the Authority, the Authority finds that the significant impact identified in this Section XI-C(c) is acceptable in light of the Project's overall benefits.
  - b. No feasible mitigation measures exist to mitigate these significant view impacts. The issue of project alternatives that may mitigate those view impacts is addressed in Section XI-C(c) of these Findings.
- iii. Supportive Evidence and Rationale – The FEIR discusses the significant and unavoidable view impacts in Section IV.C. The Project would obstruct views of the Walt Disney Concert Hall and distant vistas to the north, possibly including the San Gabriel Mountains, from the Grand Promenade Tower, a 28-story residential building located immediately south of Parcel M-2. Development on Parcels W-1/W-2 would substantially block views of City Hall from Olive Street, a public street, under both Project Options. In addition, development on Parcel Q would block distant vistas to the north, possibly including the San Gabriel Mountains, from the upper stories of the Museum Tower residential building located south of Parcel Q and east of MOCA. Therefore, view impacts on the Grand Promenade Tower, Olive Street, and Museum Tower would be significant. There are no feasible mitigation measures to reduce the significant and unavoidable view impacts to the Promenade Tower, the view from Olive Street, and the view from the Museum Tower. As described in Section XII of these Findings, certain elements of Alternative No. 4 avoid the significant view impact to the residents' views from the Grand Promenade Tower.
- iv. Cumulative Impacts - Related project No. 88 will be located to the east of Angelus Plaza and would potentially block some easterly views from the existing Angelus Plaza residential use toward Los Angeles City Hall. The blockage of views of City Hall would be considered potentially significant, and since the development in parcels W-1 and W-2 would also block views of City Hall from Olive Street, cumulative impacts relative to the views of City Hall are found to be significant.

G. Aesthetics and Visual Resources (Light and Glare)

- i. Potential Impacts – The Project may cause a significant impact if:



- a. Lighting would alter the character of the off-site areas surrounding the Project; or
  - b. Lighting would substantially interfere with the performance of an off-site activity.
- ii. Findings – A potential significant glare impact from reflected light on building surfaces is identified in the EIR. However, this potential significant impact will be reduced to a level of less than significance with the implementation of two identified mitigation measures and one regulatory measure.

**Mitigation Measure C-2:** Prior to the start of each construction work phase, the developer, with regard to the five development parcels, shall submit a design plan and technical analysis prepared by the Project's architect as part of the building permit submission that demonstrates that the final selection of building materials for the five development parcels shall not create a significant glare impact on any offsite sensitive uses, including line-of-sight glare on any street or commercial, residential, or cultural use. The approved design plan shall be implemented by the developer with regard to the five development parcels. The design plan and technical study shall be reviewed and approved by the Authority.

**Mitigation Measure C-3:** Prior to each construction phase, the developer with regard to the five development parcels, shall prepare, and, thereafter, implement plans and specifications to ensure that architectural lighting is directed onto the building surfaces and have low reflectivity in accordance with Illuminating Engineers Society (IES) standards to minimize glare and limit light onto adjacent properties.

**Regulatory Measure C-3:** Prior to the completion of final plans and specifications, the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements, shall prepare lighting plans and specifications for the design type of light fixtures, height of light standards, and orientation of light fixtures and standards within the public right-of-way to ensure that all light fixtures do not interfere with the activities occurring within these areas. Lighting plans with regard to the Streetscape Program shall be submitted to the City's Department of Building and Safety or other appropriate City agency or department, for review and approval. Lighting plans with regard to the Civic Park shall be submitted to the County CAO or its designee for review and approval. Approved lighting plans shall be implemented by the responsible parties.

- iii. Supportive Evidence and Rationale – The FEIR analyzed in detail the potential glare impact from reflected light on building surfaces in Section IV.C

of the DEIR. The Project would increase ambient light and artificial glare through the implementation street lighting, illuminated signs, architectural lighting, light spillage from the windows of high-rise buildings, special events lighting and security lighting. Since the Project's lighting would be similar to adjacent businesses (i.e., the nearby residential and office towers), it would not significantly impact the environment, which is currently characterized by high levels of ambient light. The increase in ambient light and artificial glare would not be great enough to interfere with activities at nearby residential, office and cultural uses. Natural sunlight reflected from building surfaces and windows have the potential to create glare. Further, special events lighting in the Civic Park has the potential to create a significant impact. However, with the implementation of Mitigation Measures C-2 and C-3, the potential light and glare impacts associated with special events lighting and reflected sunlight would be reduced to less than significant levels.

- iv. Cumulative Impact – The Project and 93 related projects would increase ambient light in downtown Los Angeles. However, the context of the downtown environment, illuminated signage associated with street front retail uses and restaurants would not substantially alter the character of the surrounding area. The related projects Nos. 27 and 92, which are located in the same line-of-sight as the Project, as viewed from adjacent westbound and northbound streets, respectively, have the potential to contribute to glare impacts. With the implementation of the recommended mitigation measures, which require a technical glare analysis of, and, if necessary, modification to, the Project's building materials, the Project's potentially significant glare impact would be reduced to a less than significant level. Since it is assumed that the related projects would be subject to the same measure concerning their potential glare impacts, cumulative impacts would be less than significant.

#### H. Aesthetics and Visual Resources (Shade and Shadow)

- i. Potential Impacts – The Project may cause a significant shade/shadow impact if:
  - a. The Project would shade currently unshaded off-site, shadow-sensitive uses more than three hours between the hours of 9:00 A.M. and 3:00 P.M. PST, between late October and early April, or more than four hours between the hours of 9:00 A.M. and 5:00 P.M. PDT between early April and late October.
- ii. Findings – A less than significant shade/shadow impact is identified in the FEIR. No mitigation measures are identified for this impact.

- iii. Supportive Evidence and Rationale – The Project's potential shade/shadow impact is analyzed in detail in Section IV.C of the DEIR. During certain seasons, the Project's towers have the potential to shade sensitive offsite uses, including the future Central Los Angeles Performing Arts Senior High School (currently under construction), the Bunker Hill Towers open space, and Angelus Plaza, depending on the season and hour of the day. However, shading would not exceed three hours between the hours of 9:00 A.M. and 3:00 P.M. during the winter solstice or spring equinox, or four hours between the hours of 8:00 A.M. and 5:00 P.M. during the summer solstice or fall equinox. Accordingly, the Project would have a less than significant shade/shadow impact.
- iv. Cumulative Impact - The combined morning shading from the Project and related project Nos. 9 and 27, with shading later in the day from related project No. 88, would create a potentially significant shade/shadow impact on the Angelus Plaza site, during the summer solstice only. No feasible mitigation measures exist for this cumulative impact due to the proposed location of these related projects. Although related project No. 92 would generate considerable shading of the Angelus Plaza site, substantially shading from related project No. 92 is not anticipated during the summer solstice. No other related projects would contribute to cumulative shading impacts.

I. Historical Resources

- i. Impacts – The Project may cause a significant historical resources impact if:
  - a. The Project will cause a substantial adverse change in the significance of a historical resource. A substantial adverse change means physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of a historical resource would be materially impaired.
- ii. Findings – The Project will cause significant and unavoidable historical resources impact on a project-specific and cumulative basis. The Authority makes the following findings for this impact:
  - a. All feasible measures, changes and alterations have been required in, or incorporated into, the Project, which will lessen such significant environmental effects.
  - b. For the reasons set forth in the Statement of Overriding Considerations adopted concurrently by the Authority, the Authority

finds that the significant impact identified in this Section XI-D is acceptable in light of the Project's overall benefits.

Although the following mitigation measures aimed at reducing this significant and impact to historical resources have been adopted, these mitigation measures will not reduce this significant impact to a level of insignificance:

**Mitigation Measure D-1: Potential Los Angeles Civic Center Historic District.** Prior to the start of each construction phase, the responsible parties for implementation of the Streetscape Program under the applicable agreements shall submit plans to the Authority, for review and approval to ensure that impacts to the potential eligibility of the potential Los Angeles Civic Center Historic District are reduced to the maximum extent practicable through implementation of the following measures:

1. **Grand Avenue Streetscape Program Design Features.** If the Streetscape Program is implemented in substantial conformance to that set forth in the Project's Conceptual Plan, then the following mitigation measure is not required since such Plan is consistent with the Secretary of Interior's Standards for Rehabilitation of Historic Buildings and the Guidelines for the Treatment of Cultural Landscapes (collectively referred to as the "Standards"). However, should the final design for the Grand Avenue streetscape improvements not be implemented in substantial conformance with the Project's Conceptual Plan, then the landscape and hardscape features proposed as part of the Grand Avenue Streetscape Program shall respect the linear qualities of the street and sidewalks in respect to the adjacent historic resource. Such landscape treatments shall be unified and planted in a manner as to not obscure the sight lines to the facades of those properties identified as contributors to the potential Los Angeles Civic Center Historic District from the public right-of-ways. The design of the Project's streetscape improvements shall consider their height, width, and spatial placement and include a program of selective pruning of trees to retain sight lines on a regular basis.

**Mitigation Measure D-2: Music Center:** No mitigation measures are required if the Grand Avenue streetscape improvements are implemented in substantial conformance to that set forth in the Project's Conceptual Plan, as determined by the Authority, since such Plan is consistent with the Secretary of Interior's Standards for Rehabilitation of Historic Buildings and the Guidelines for the Treatment of Cultural Landscapes (collectively referred to as the "Standards"). However, should the final design for the Grand Avenue streetscape improvements not be implemented in substantial conformance with the Project's Conceptual Plan, then prior to the start of each

construction phase, the entity responsible for implementing the Project's streetscape program under the applicable agreements shall submit plans to the Authority for review and approval to ensure that impacts to the potential eligibility of the Music Center are reduced to the maximum extent practicable through implementation of the following mitigation measure:

1. Prior to implementation, the final design plans for the Grand Avenue streetscape improvements shall be reviewed by a qualified architectural historian or historic preservation consultant who satisfies the Secretary of the Interior's Professional Qualification Standards for History or Architectural History to assure that the final design for the streetscape improvements does not materially alter the Music Center's potential historic significance. This evaluation shall be conducted in accordance with the Secretary of the Interior's Standards for the Rehabilitation of Historic Buildings.

**Mitigation Measure D-3: Cathedral of Our Lady of the Angels.** No mitigation measures are required if the Grand Avenue streetscape improvements are implemented in substantial conformance to that set forth in the Project's Conceptual Plan, as determined by the Authority, since such Plan is consistent with the Secretary of Interior's Standards for Rehabilitation of Historic Buildings and the Guidelines for the Treatment of Cultural Landscapes (collectively referred to as the "Standards"). However, should the final design for the Grand Avenue streetscape improvements not be implemented in substantial conformance with the Project's Conceptual Plan, then prior to the start of each construction phase, the entity responsible for implementing the Project's streetscape program under the applicable agreements shall submit plans to the Authority, for review and approval to ensure that impacts to the potential eligibility of the Cathedral of Our Lady of the Angels are reduced to the maximum extent practicable through implementation of the following mitigation measure:

1. Prior to implementation, the final design plans for the Grand Avenue streetscape improvements shall be reviewed by a qualified architectural historian or historic preservation consultant who satisfies the Secretary of the Interior's Professional Qualification Standards for History or Architectural History to assure that the final design for the streetscape improvements does not materially alter the Cathedral of Our Lady of the Angels' potential historic significance. This evaluation shall be conducted in accordance with the Secretary of the Interior's Standards.

**Mitigation Measure D-4: Kenneth Hahn Hall of Administration.** No mitigation measures are required if the final design for the Civic Park and the Grand Avenue streetscape improvements are in substantial conformance to

that set forth in the Project's Conceptual Plan, as determined by the Authority, since such Plan is consistent with the Secretary of Interior's Standards for Rehabilitation of Historic Buildings and the Guidelines for the Treatment of Cultural Landscapes (collectively referred to as the "Standards"). However, should the final design for the Civic Park and the streetscape improvements not be implemented in substantial conformance with the Project's Conceptual Plan, prior to the start of each construction phase, the responsible parties for implementation of the Civic Park and Streetscape Program, under the applicable agreements, shall submit plans to the Authority, for review and approval to ensure that impacts to the potential eligibility of the Kenneth Hahn Hall of Administration as a contributing property to the potentially eligible Los Angeles Civic Center Historic District are reduced to the maximum extent practicable through implementation of the following mitigation measure:

1. Prior to implementation, the final design plans for the Civic Park and the Grand Avenue streetscape improvements shall be reviewed by a qualified architectural historian or historic preservation consultant who satisfies the Secretary of the Interior's Professional Qualification Standards for History or Architectural History to assure that the final designs for the Civic Park and streetscape improvements do not materially alter the Kenneth Hahn Hall of Administration's potential historic significance. This evaluation shall be conducted in accordance with the Secretary of the Interior's Standards. The County's CAO or its designee shall determine compliance for the Civic Park and the City's Department of Building and Safety shall determine compliance for the Streetscape Program.

**Mitigation Measure D-5: Civic Center Mall (El Paseo de los Pobladores de Los Angeles).** Prior to the start of each construction phase, the responsible parties for implementation of the Civic Park under the applicable agreements shall submit plans to the Authority, for review and approval to ensure that impacts to the potential eligibility of the Civic Center Mall for listing in the California Register is reduced to the maximum extent practicable. However, in the event that any one or more of the following occurs: (1) the water feature (both the fountain and pools) no longer serves as a focal point for the park; (2) many of the pink granite clad planters, pink granite clad retaining walls, and concrete benches are not retained and reused in-place or within the reconfigured park preferably near the water feature and adjacent to the civic buildings; (3) the existing elevator shaft structures are removed in their totality, or (4) many of the light poles with saucer-like canopies and the "hi-fi" speaker poles with saucer-like canopies are not retained in-place or relocated adjacent to or integrated along with the water feature, benches, retaining walls, and planter boxes, then the Standards shall be utilized to ensure that rehabilitation work to the four

character-defining features of the park referenced in this Mitigation Measure D-5 does not impair the historic characteristics that convey the Civic Center Mall's historical significance as an individual resource and as a contributing property to the potentially eligible Los Angeles Civic Center Historic District. If such compliance with such Standards cannot be achieved, then the following measures shall apply to the applicable character-defining features identified in this Measure:

1. **Recordation.** Prior to the issuance of a demolition permit for the Civic Center Mall and its associated features, a Historic American Building Survey (HABS) Level II-like recordation document shall be prepared for the Civic Center Mall. A qualified architectural historian or historic preservation consultant who satisfies the Secretary of the Interior's Professional Qualification Standards for History or Architectural History shall prepare this document. The HABS-like document shall record the existing landscape and hardscape features of the Civic Center Mall, including the four character-defining features identified in this measure. The report shall also document the history and architectural significance of the property and its contextual relationship with the surrounding civic buildings and environment. Its physical composition and condition, both historic and current, should also be noted in the document through the use of site plans, historic maps and photographs, and large-format photographs, newspaper articles, and written text. A sufficient number of large-format photographs shall be taken of the resource to visually capture its historical and architectural significance through general views and detail shots. Field photographs (35mm or digital format) may also be included in the recordation package. All document components and photographs should be completed in accordance with the Secretary of the Interior's Standards and Guidelines for Architectural and Engineering Documentation. Archival copies of the report, including the original photographs, shall be submitted to the California Office of Historic Preservation and the Huntington Library. Non-archival copies of the report and photographs shall be submitted to the County of Los Angeles, the City of Los Angeles Planning Division, the Los Angeles Public Library (Main Branch), and the Los Angeles Conservancy Modern Committee.
2. **Salvage and Reuse of Key Park Features.** Prior to the removal of the four character-defining features identified in this Measure, an inventory of significant landscape and hardscape elements shall be made by a qualified preservation consultant and landscape architect. Where feasible, these materials and elements shall be itemized, mapped, photographed, salvaged, and incorporated into the new design of the park, wherever possible. To the extent salvageable

materials cannot be reused on-site, they shall be disposed of in accordance with applicable county surplus procedures.

**Mitigation Measure D-6: Hall of Records.** No mitigation measures are required if the final design for the Civic Park is in substantial conformance to that set forth in the Project's Conceptual Plan, as determined by the Authority, since such Plan is consistent with the Secretary of Interior's Standards for Rehabilitation of Historic Buildings and the Guidelines for the Treatment of Cultural Landscapes (collectively referred to as the "Standards"). However, should the final design for the Civic Park not be implemented in substantial conformance with the Project's Conceptual Plan, prior to the start of each construction phase, the responsible parties for implementation of the Civic Park under the applicable agreements shall submit plans to the Authority, for review and approval to ensure that impacts to the potential eligibility of the Hall of Records building as a contributing property to the potentially eligible Los Angeles Civic Center Historic District are reduced to the maximum extent practicable through implementation of the following mitigation measure:

1. Prior to implementation, the final design plans for the Civic Park shall be reviewed by a qualified architectural historian or historic preservation consultant who satisfies the Secretary of the Interior's Professional Qualification Standards for History or Architectural History to assure that the proposed Civic Park design does not materially alter the Hall of Records' potential historic significance. This evaluation shall be conducted in accordance with the Secretary of the Interior's Standards for the Rehabilitation of Historic Building.

**Mitigation Measure D-7: Court of Flags.** No mitigation measures are required if the final design for the Civic Park is in substantial conformance to that set forth in the Project's Conceptual Plan, as determined by the Authority, since such Plan is consistent with the Secretary of Interior's Standards for Rehabilitation of Historic Buildings and the Guidelines for the Treatment of Cultural Landscapes (collectively referred to as the "Standards"). However, should the final design for the Civic Park not be implemented in substantial conformance with the Project's Conceptual Plan, prior to the start of each construction phase, the responsible parties for implementation of the Civic Park under the applicable agreements shall submit plans to the Authority for review and approval to ensure that impacts to the potential eligibility of the Court of Flags as a contributing property to the potentially eligible Los Angeles Civic Center Historic District are reduced to the maximum extent practicable through implementation of the following mitigation measure:



1. Prior to implementation, the final design plans for the Civic Park shall be reviewed by a qualified architectural historian or historic preservation consultant who satisfies the Secretary of the Interior's Professional Qualification Standards for History, or Architectural History to assure that the proposed Civic Park design does not materially alter the Court of Flag's potential historic significance. This evaluation shall be conducted in accordance with the Secretary to Interior's Standards.

**Mitigation Measure D-8: Clara Shortridge Foltz Criminal Justice Center.**

No mitigation measures are required if the final design for the Civic Park is in substantial conformance to that set forth in the Project's Conceptual Plan, as determined by the Authority, since such Plan is consistent with the Secretary of Interior's Standards for Rehabilitation of Historic Buildings and the Guidelines for the Treatment of Cultural Landscapes (collectively referred to as the "Standards"). However, should the final design for the Civic Park not be implemented in substantial conformance with the Project's Conceptual Plan, prior to the start of each construction phase, the responsible parties for implementation of the Civic Park under the applicable agreements shall submit plans to the Authority, for review and approval to ensure that impacts to the potential eligibility of the Clara Shortridge Foltz Criminal Justice Center as a contributing property to the potentially eligible Los Angeles Civic Center Historic District are reduced to the maximum extent practicable through implementation of the following mitigation measure:

1. Prior to implementation the final design plans for the Civic Park shall be reviewed by a qualified architectural historian or historic preservation consultant who satisfies the Secretary of the Interior's Professional Qualification Standards for History or Architectural History to assure that the proposed Civic Park does not materially alter the Clara Shortridge Foltz Criminal Justice Center's potential historic significance. This evaluation shall be conducted in accordance with the Secretary of the Interior's Standards.

**Mitigation Measure D-9: Los Angeles City Hall.** No mitigation measures are required if the final design for the Civic Park is in substantial conformance to that set forth in the Project's Conceptual Plan, as determined by the Authority, since such Plan is consistent with the Secretary of Interior's Standards for Rehabilitation of Historic Buildings and the Guidelines for the Treatment of Cultural Landscapes (collectively referred to as the "Standards"). However, should the final design for the Civic Park not be implemented in substantial conformance with the Project's Conceptual Plan, prior to the start of each construction phase, the responsible parties for implementation of the Civic Park under the applicable agreements shall submit plans to the Authority, for review and approval to ensure that impacts

to those historic characteristics that make the Los Angeles City Hall building historically significant as a designated resource and as a contributing property to the potentially eligible Los Angeles Civic Center Historic District, are reduced to the maximum extent practicable through implementation of the following mitigation measure:

1. Prior to implementation the final design plans for the Civic Park shall be reviewed by a qualified architectural historian or historic preservation consultant who satisfies the Secretary of the Interior's Professional Qualification Standards for History or Architectural History to assure that the proposed Civic Park design does not materially alter the historic significance of the Los Angeles City Hall. This evaluation shall be conducted in accordance with the Secretary of the Interior's Standards.

**Mitigation Measure D-10: Los Angeles County Law Library.** No mitigation measures are required if the final design for the Civic Park is in substantial conformance to that set forth in the Project's Conceptual Plan, as determined by the Authority, since such Plan is consistent with the Secretary of Interior's Standards for Rehabilitation of Historic Buildings and the Guidelines for the Treatment of Cultural Landscapes (collectively referred to as the "Standards"). However, should the final design for the Civic Park not be implemented in substantial conformance with the Project's Conceptual Plan, prior to the start of each construction phase, the responsible parties for implementation of the Civic Park under the applicable agreements shall submit plans to the Authority, for review and approval to ensure that impacts to the potential eligibility of the potentially eligible Los Angeles County Law Library as a contributing property to the Los Angeles Civic Center Historic District are reduced to the maximum extent practicable through implementation of the following mitigation measure:

1. Prior to implementation, the final design plans for the Civic Park shall be reviewed by a qualified architectural historian or historic preservation consultant who satisfies the Secretary of the Interior's Professional Qualification Standards for History or Architectural History to assure that the proposed Civic Park design does not materially alter the Los Angeles County Law Library's potential historic significance. This evaluation shall be conducted in accordance with the Secretary of the Interior's Standards.

**Mitigation Measure D-11: Los Angeles County Courthouse.** No mitigation measures are required if the final design for the Civic Park and the Grand Avenue streetscape improvements are in substantial conformance to that set forth in the Project's Conceptual Plan, as determined by the Authority, since such Plan is consistent with the Secretary of Interior's

Standards for Rehabilitation of Historic Buildings and the Guidelines for the Treatment of Cultural Landscapes (collectively referred to as the "Standards"). However, should the final design for the Civic Park and the streetscape improvements not be implemented in substantial conformance with the Project's Conceptual Plan, prior to the start of each construction phase, the responsible parties for implementation of the Civic Park and the Streetscape Program under the applicable agreements shall submit plans to the Authority, for review and approval to ensure that impacts to the potential eligibility of the Los Angeles County Courthouse as a contributing property to the potentially eligible Los Angeles Civic Center Historic District are reduced to the maximum extent practicable through implementation of the following mitigation measure:

1. Prior to implementation, the final design plans for the Civic Park and the Grand Avenue streetscape improvements shall be reviewed by a qualified architectural historian or historic preservation consultant who satisfies the Secretary of the Interior's Professional Qualification Standards for History or Architectural History to assure that the proposed final designs for the Civic Park and streetscape improvements do not materially alter the Los Angeles County Courthouse's potential historic significance. This evaluation shall be conducted in accordance with the Secretary of the Interior's Standards. The County's CAO or its designee shall determine compliance for the Civic Park and the City's Department of Building and Safety shall determine compliance for the Streetscape Program.

**Mitigation Measure D-12: Southern California Edison (One Bunker Hill) Building.** No mitigation measures are required if the Grand Avenue streetscape improvements are implemented in substantial conformance to that set forth in the Project's Conceptual Plan, as determined by the Authority, since such Plan is consistent with the Standards. However, should the final design for the Grand Avenue streetscape improvements are not implemented in substantial conformance with the Project's Conceptual Plan, the responsible parties for implementation of the Streetscape Program under the applicable agreements shall submit plans to the Authority, for review and approval to ensure that impacts to the historic characteristics that convey the Southern California Edison building's (One Bunker Hill) significance are reduced to the maximum extent practicable through implementation of the following mitigation measure:

1. Prior to implementation, the final design plans for the Grand Avenue streetscape improvements shall be reviewed by a qualified architectural historian or historic preservation consultant who satisfies the Secretary of the Interior's Professional Qualification Standards for History or Architectural History to assure that the final design for the

proposed streetscape improvements does not materially alter the Southern California Edison's (One Bunker Hill) Building's historic significance. This evaluation shall be conducted in accordance with Secretary of the Interior's Standards.

- iii. Supportive Evidence – The FEIR identifies a significant and unavoidable historical resources impact in Section IV.D of the DEIR. Under CEQA, implementation of the recommended mitigation measures would reduce all of the identified significant impacts to a less than significant level, with the exception of one impact associated with the Civic Center Mall. The Mall is individually eligible for listing on the California Register of Historic Resources and would be a contributory feature of the Civic Center since the Center is eligible as a California Register Historic District. The actual extent of that significant impact is dependent upon the Civic Park's final design. Significant impacts to the Park would result if one or more the following occurs: (1) the water feature (both the fountain and pools) no longer serves as a focal point for the park; (2) many of the pink granite clad planters, pink granite clad retaining walls, and concrete benches are not retained and reused in-place or within the reconfigured park preferably near the water feature and adjacent to the civic buildings; (3) the existing elevator shaft structures are removed in their totality, or (4) many of the light poles with saucer-like canopies and the "hi-fi" speaker poles with saucer-like canopies are not retained in-place or relocated adjacent to or integrated along with the water feature, benches, retaining walls, and planter boxes. The Standards should be utilized to ensure that rehabilitation work for the Civic Park does not impair those qualities and historic characteristics of these four key character-defining features. If these character-defining features were retained and reused in a manner consistent with the Standards as discussed in the EIR, then a significant impact to this resource would not occur. However, since the final design of the Park has not been completed, and, therefore, consistency with the Standards is not known at this time, it is conservatively assumed that a significant impact will occur.

Based on the analysis in the FEIR, the Authority finds that the Civic Mall is not eligible for listing in the National Register of Historic Places since the necessary criteria for such a listing are not satisfied. However, during the public review process, a comment was raised as to the need for the Civic Center Mall to be listed in the National Register in addition to the California Register of historic resources. For CEQA purposes, a resource need only be recognized at the local or state level in order to be afforded full protection as a historical resource. Thus, whether the Civic Center Mall is listed in the National Register or the California Register, it would be afforded the same protections. Accordingly, the Authority finds that there is no additional impact associated with the Civic Mall's potential eligibility for the National Register.

- iv. Cumulative Impacts - The development of one or more related projects in the downtown area has the potential to affect listed or eligible historical resources. Each of the related projects having the potential to impact historical resources would be subject to CEQA review and it is anticipated that any potential impacts on historical resources would be addressed and reduced to less than significant levels through the CEQA process. However, as the Project may result in a potentially significant impact with regard to the Civic Center Mall on an individual basis as well as a contributor to the potential Civic Center historic district, the Project and the related projects may also have the potential to cause a significant cumulative impact on historical resources.

J. Population, Housing and Employment

- i. Potential Impact – The Project may cause a significant impact with regard to population, housing and employment if:
  - a. The Project would cause population or housing growth in Southern California Association of Governments ("SCAG") City of Los Angeles subregion to exceed SCAG's 2015 projections.
  - b. The Project would cause growth that is not compatible with adopted population and housing policies, including jobs/housing balance, as set forth in the Central City Community Plan, the City's General Plan Housing Element, the General Plan Framework, and SCAG's Regional Comprehensive Plan and Guide (RCPG).
- ii. Findings – The Project will not cause a significant impact with regard to population, housing and employment.
- iii. Supportive Evidence and Rationale – The FEIR analyzed in detail the Project's potential impacts associated with population, housing and employment in Section IV-E of the DEIR. Project development would not exceed SCAG's adopted projections for the City of Los Angeles Subregion. The Project would also be consistent with adopted policies, including jobs/housing balance, as set forth in the Central City Community Plan, the City's General Plan Housing Element, the General Plan Framework, and SCAG's Regional Comprehensive Plan and Guide. Therefore, the Project would result in less than significant environmental impacts to housing, employment and population. Thus, no mitigation measures are required.
- iv. Cumulative Impact – Additional growth from the 93 related projects would generate 28,952 estimated residents and 61,158 estimated employees. When combined with the Project with County Office Building Option, the estimated population growth would be 31,877 residents and 65,364

employees. Under the Project with Additional Residential Development Option, cumulative population growth would be 32,729 residents and 62,364 employees. According to SCAG forecasts for the City of Los Angeles Subregion, cumulative growth under both Project Options would represent approximately 18 percent of the forecasted residential growth and 29 percent of the forecasted employment growth. This level of cumulative growth would not exceed projections and would therefore be less than significant. The related projects are also anticipated to be consistent with SCAG and Los Angeles policies for development of the downtown area as a dense activity center and, as such, would not cause a significant cumulative impact in this area.

K. Air Quality (Project Construction)

- i. Impacts – The construction of the Project may cause a significant and unavoidable air quality impact if:
  - a. The Project's emission of "regional" air pollutants from both direct and indirect sources would exceed any of the following South Coast Air Quality Management District ("SCAQMD") prescribed threshold levels: (1) 75 pounds per day (lbs/day) for VOC; (2) 100 lbs/day for NO<sub>x</sub>; (3) 550 lbs/day for CO; and (4) 150 lbs/day for PM<sub>10</sub> or SO<sub>x</sub>.
  - b. Project-related fugitive dust and construction equipment emissions cause an incremental increase in localized PM<sub>10</sub> concentrations of 10.4 µg/m<sup>3</sup> or cause a violation of NO<sub>2</sub> or CO ambient air quality standards.
- ii. Findings – A significant and unavoidable air quality impact caused by construction of the Project will occur on a project-specific and cumulative basis. The Authority makes the following findings for this impact:
  - a. All feasible measures, changes and alterations have been required in, or incorporated into, the Project, which will lessen such significant environmental effects.
  - b. For the reasons set forth in the Statement of Overriding Considerations adopted concurrently by the Authority, the Authority finds that the significant impact identified in this Section XI-F(a) is acceptable in light of the Project's overall benefits.

Although the following mitigation measures aimed at reducing these significant and unavoidable air quality impacts associated with Project construction have been adopted, these mitigation measures will not reduce those significant impacts to a level of insignificance:

**Mitigation Measure F-1:** During each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements shall implement a fugitive dust control program pursuant to the provisions of SCAQMD Rule 403. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with SCAQMD Rule 403 during construction with regard to construction associated with the five development parcels and the Grand Avenue Streetscape Program. The County's CAO or its designee shall determine compliance with regard to the Civic Park. The SCAQMD retains jurisdiction to enforce this measure in the case of non-compliance. Compliance with the applicable provisions of Rule 403 shall include, but not be limited to, using best available control measures listed in Table 1 of Rule 403 to minimize fugitive dust emissions from each fugitive dust source type within active operations, and will include at least the following specific best management practices (BMPs):

1. Water soils daily and not more than 15 minutes prior to earth moving activities;
2. Water surfaces two times per day or more in order to maintain a surface crust to prevent soil erosion;
3. Apply soil conditioners or vegetative cover to areas that will be exposed for an extended duration;
4. Apply chemical stabilizers within five working days of ceasing grading;
5. Install of approved trackout prevention devices and provide street sweeping within the Project area;
6. Securely cover truck loads with a tarp;
7. Cease grading activities when wind speeds exceed 25 miles per hour; and
8. Permanently seal exposed surfaces as soon as possible after grading is finished.
9. Provide temporary wind fencing, consisting of wrapped chain links or solid fencing, around the sites that are being graded/excavated to reduce dirt/dust from being blown over to adjoining properties.

**Mitigation Measure F-2:** During each construction phase, the developer, with regard to the five development parcels and the responsible parties for implementation of the Civic Park and Streetscape Program under the

applicable agreements, shall utilize coatings and solvents that are consistent with applicable SCAQMD rules and regulations. The City's Department of Building and Safety, or other appropriate City agency or department, shall provide oversight with regard to compliance with this measure with regard to construction associated with the five development parcels and the Streetscape Program. The County's CAO or its designee shall determine compliance with regard to the Civic Park. The SCAQMD retains jurisdiction to enforce this measure in the case of non-compliance.

**Mitigation Measure F-3:** During each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements, shall comply with SCAQMD Rule 402 to reduce potential nuisance impacts due to odors from construction activities. The City's Department of Building and Safety, or other appropriate City agency or department, shall provide oversight with regard to compliance with this measure with regard to construction associated with the five development parcels and the Streetscape Program. The County's CAO or its designee shall provide oversight with regard to compliance with this measure with regard to the Civic Park. The SCAQMD retains jurisdiction to enforce this measure if it is not being complied with.

**Mitigation Measure F-4:** During each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements shall ensure that all haul truck tires shall be cleaned at the time these vehicles exit the Project site. The City's Department of Building and Safety, or other appropriate City agency or department, shall provide oversight with regard to compliance with this measure with regard to construction associated with the five development parcels and the Streetscape Program. The County's CAO or its designee shall provide oversight with regard to compliance with this measure with regard to the Civic Park. The SCAQMD retains jurisdiction to enforce this measure in the case of non-compliance.

**Mitigation Measure F-5:** During each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements shall ensure that all export material carried by haul trucks shall be covered by a tarp or other means. The City's Department of Building and Safety, or other appropriate City agency or department, shall provide oversight with regard to compliance with this measure with regard to construction associated with the five development parcels and the Streetscape Program. The County's CAO or its designee shall provide oversight with regard to compliance with this measure with regard to the Civic



Park. The SCAQMD retains jurisdiction to enforce this measure in the case of non-compliance.

**Mitigation Measure F-6:** During each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements shall ensure that all construction equipment shall be properly tuned and maintained in accordance with manufacturer's specifications. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to construction associated with the five development parcels and the Streetscape Program. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.

**Mitigation Measure F-7:** During each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements shall ensure that construction equipment is maintained and operated so as to minimize exhaust emissions. During construction, trucks and vehicles in loading and unloading queues shall turn off their engines, when not in use, to reduce vehicle emissions. Construction emissions shall be phased and scheduled to avoid emissions peaks and discontinued during second-stage smog alerts. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to construction activities associated with the five development parcels and the Streetscape Program. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.

**Mitigation Measure F-8:** During each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements shall ensure that electricity rather than temporary diesel- or gasoline-powered generators shall be used to the extent feasible. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to construction associated with the five development parcels and the Streetscape Program. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.

**Mitigation Measure F-9:** During each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements shall ensure that all construction vehicles shall be prohibited from idling in excess of five minutes, both on- and off-site. The

City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to construction associated with the five development parcels and the Streetscape Program. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.

**Mitigation Measure F-10:** During each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements shall ensure that heavy-duty construction equipment shall use alternative clean fuels, such as low sulfur diesel or compressed natural gas with oxidation catalysts or particulate traps, to the extent feasible.

The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels and the Streetscape Program. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.

**Mitigation Measure F-11:** During each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements shall ensure that shuttle service shall be provided to construction workers who are required to park in offsite parking lots if such lots are not within a walking distance of 1100 feet from the respective construction sites. CRA/LA shall determine compliance with this measure with regard to construction associated with the five development parcels and the Streetscape Program. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.

**Mitigation Measure F-12:** During each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements shall equip major earth moving equipment, haul trucks, and excavation equipment with particulate filters and catalytic converters. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to construction associated with the five development parcels and the Streetscape Program. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.

**Project Design Feature F-2:** The developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park under the applicable agreements shall provide convenient pedestrian access throughout the Project site. The Developer shall implement this measure with regard to the five development parcels prior to

initial building occupancy for each construction phase, while the responsible parties for the implementation of the Civic Park and Streetscape Program, under the applicable agreements, shall implement these measures prior to the completion of construction for each of these Project components. Pedestrian access plans shall be submitted to the Authority, for review and approval. Approved pedestrian access plans shall be implemented by the responsible parties

**Regulatory Measure F-2:** Prior to the start of each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park, under the applicable agreements, shall prepare and implement building plans and specifications that ensure that all residential and non-residential buildings shall, at a minimum, meet the California Title 24 Energy Efficiency standards for water heating, space heating and cooling. Approved building plans shall be implemented by the developer and the responsible parties. Building plans and specifications with regard to the five development parcels shall be reviewed and approved by the City's Department of Building and Safety, or other appropriate City agency or department. Building plans and specifications with regard to the Civic Park shall be reviewed and approved by the County's CAO or its designee.

**Regulatory Measure F-3:** During each construction phase, the developer with regard to the five development parcels, and the responsible parties for implementation of the Civic Park under the applicable agreements shall ensure that building materials, architectural coatings and cleaning solvents shall comply with all applicable SCAQMD rules and regulations. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to construction associated with the five development parcels. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park. The SCAQMD shall be responsible for the enforcement of this measure for all Project components in the case of non-compliance.

- iii. Supportive Evidence and Rationale – The FEIR discusses the Project's potentially significant air quality impacts in Section IV.F of the DEIR. With implementation of the above regulatory measures and mitigation measures, heavy-duty construction equipment emissions would be reduced by a minimum of 5 percent and fugitive dust emissions would be reduced by an additional 16 percent. However, regional construction activities would still exceed the SCAQMD daily emission thresholds for regional NO<sub>x</sub>, CO and VOC after implementation of all feasible mitigation measures. Therefore, construction of the Project would have a significant and unavoidable impact on regional air quality. Construction activities would also still exceed the

SCAQMD daily localized emission threshold for PM<sub>10</sub> and NO<sub>2</sub> after implementation of all feasible mitigation measures. Therefore, construction of the Project would also have a significant and unavoidable impact on localized emissions.

- iv. Cumulative Impact - Buildout of those related development projects identified in the FEIR that would be constructed within a similar time frame as the Project would increase short-term emissions for concurrent activities during the Project's construction period. Since emissions of criteria pollutants under peak construction activities are concluded to be significant, any additional construction activities as part of any related project occurring during this time and in the vicinity of the Project site would be adding additional air pollutant emissions to these significant levels. As a result, a significant and unavoidable cumulative impact with respect to construction emissions would occur.

L. Air Quality (Project Operation)

- i. Potential Impacts - Project operations may cause a significant air quality impact if:
- a. Operation emissions exceed any of the daily thresholds presented below:

| Pollutant | Significance Threshold<br>(lbs/day) |
|-----------|-------------------------------------|
| VOC       | 55                                  |
| NOx       | 55                                  |
| CO        | 550                                 |
| PM10      | 150                                 |
| SOx       | 150                                 |

- ii. Findings - A significant and unavoidable air quality impact caused by Project operations will occur on a project-specific and cumulative basis. The Authority makes the following findings for this impact:

- a. All feasible measures, changes and alterations have been required in,

or incorporated into, the Project, which will lessen such significant environmental effects.

- b. For the reasons set forth in the Statement of Overriding Considerations adopted concurrently by the Authority, the Authority finds that the significant impact identified in this Section XI-F(b) is acceptable in light of the Project's overall benefits.

Although the following mitigation measures aimed at reducing these significant and unavoidable air quality impacts during Project operations have been adopted, these mitigation measures will not reduce those significant impacts to a level of insignificance:

**Mitigation Measure F-13:** During Project operations, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park under the applicable agreements shall, to the extent feasible, ensure that deliveries are scheduled during off-peak traffic periods to encourage the reduction of trips during the most congested periods. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure, with regard to construction associated with the five development parcels. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.

**Mitigation Measure F-14:** During Project operations, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park, under the applicable agreements, shall coordinate with the MTA and the LADOT to provide information to Project employees, residents and guests with regard to local bus and rail services. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to construction associated with the five development parcels and the Streetscape Program. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.

**Mitigation Measure F-15:** Provide the appropriate number of bicycle racks located at convenient locations in the Project site. The developer shall implement this measure with regard to the five development parcels prior to initial building occupancy for each construction phase, while the responsible parties for the implementation of the Civic Park, under the applicable agreements, shall implement these measures prior to the completion of each construction phase. The City's Department of Safety shall review and approve the number and location of the bicycle racks with regard to the five development parcels. The County's CAO or its designee shall perform the same function with regard to the Civic Park.

**Mitigation Measure F-16:** During on-going Project operations, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park, under the applicable agreements, shall ensure that all fixtures used for lighting of exterior common areas shall be regulated by automatic devices to turn off lights when they are not needed, but a minimum level of lighting should be provided for safety. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this mitigation measure with regard to the five development parcels. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.

**Regulatory Measure F-1:** During Project operations, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park under the applicable agreements shall ensure that all point source facilities shall obtain all required permits from the SCAQMD. The issuance of these permits by the SCAQMD shall require the operators of these facilities to implement Best Available Control Technology and other required measures that reduce emissions of criteria air pollutants. Proof of permit issuance by the SCAQMD shall be provided to the City's Department of Building and Safety, or other appropriate City agency or department, with regard to the five development parcels, and the County's CAO or its designee with regard to the Civic Park. Compliance with point source permits shall be enforced by the SCAQMD for all Project components.

**Project Design Feature F-3:** During Project operations, the developer, with regard to the five development parcels, shall ensure that commercial businesses located within the Project site shall be limited to those that do not emit high levels of potentially toxic air contaminants or odors (e.g., dry cleaners with on-site processing plants that handle toxic chemicals). The City's Department of Building and Safety, or other appropriate City agency or department, shall be responsible for the enforcement of this measure with regard to the five development parcels.

- iii. Supportive Evidence and Rationale – The FEIR discusses the Project's potentially significant air quality impacts in Section IV.F of the DEIR. As with the analysis of air quality impacts due to construction of the Project, the analysis used to determine the air quality impacts attributable to Project operations employed protocol established by the SCAQMD. Potential impacts associated with the CO hot spots, toxic air contaminants, and regional air pollutants were analyzed in the FEIR. The analysis conservatively assumed that if any "screening" threshold set by the SCAQMD would be exceeded, then a significant impact would occur. Further, it was assumed that such an impact applied to the entire community

surrounding the Project area, and, accordingly, no particular group of sensitive receptors was excluded. Under that analysis, operational emissions of "regional" air pollutants from the Project would exceed the SCAQMD daily emission threshold for regional CO, VOC, PM<sub>10</sub>, and NO<sub>x</sub> after implementation of all feasible mitigation measures. Therefore, operation of the Project would have a significant and unavoidable impact on regional air quality. In addition, regional operational emissions would still exceed SCAQMD daily thresholds for CO, VOC, PM<sub>10</sub>, and NO<sub>x</sub> after implementation of all feasible mitigation measures. Therefore, operation of the Project would have a significant and unavoidable impact on regional air quality.

During the public review process, a comment was raised regarding the inclusion of a mitigation measure that would encourage water-based coatings or coatings with a lower volatile organic compound (VOC) content than 100 grams per liter. In addition, the comment suggested the mitigation measure restrict the number of gallons of coatings used per day and mandate the use of materials that do not need to be painted, or that can be painted and, then, transported to the site. This mitigation measure, however is not necessary since Rule 1113 of the South Coast Air Quality Management District (SCAQMD) already applies to this issue. The SCAQMD imposes the strictest rules in the nation with regard to the application of architectural paints and coatings. District Rule 1113 restricts VOCs in virtually all types of paints and coatings, including but not limited to, wood finishes, lacquers, concrete-curing compounds, fire-proofing exterior coatings, paints, floor coatings, coatings for signs, mastic coatings, roof coatings, rust preventative coatings, stains, swimming pool coatings, wood preservatives, and water-proofing sealers. This rule reflects the most stringent industry-wide standards achievable in practice. Accordingly, and for the reasons stated in the FEIR, the Authority finds that such a mitigation measure is infeasible.

- iv. Cumulative Impact – Implementation of the Project would result in an increase in ongoing operational emissions, which would contribute to region-wide emissions on a cumulative basis. Accordingly, the Project's cumulative air quality impacts are also concluded to be significant. In such cases, the SCAQMD recommends that all projects, employ all feasible mitigation measures, which has been done with regard to the Project.

M. Noise (Construction)

- i. Impacts – The construction of the Project may cause a significant noise impact if:
  - a. Construction activities lasting more than 10 days in a three-month

period would exceed existing ambient exterior noise levels by 5 dBA or more at a noise sensitive use;

- b. Construction activities would exceed the ambient noise level by 5 dBA at a noise sensitive use between the hours of 9:00 P.M. and 7:00 A.M. Monday through Friday, before 8:00 A.M. or after 6 P.M. on Saturday, or at anytime on Sunday.

- ii. Findings – The Project will cause a significant and unavoidable noise impact during construction of the Project on a project-specific and cumulative basis. The Authority makes the following findings for this impact:

- a. All feasible measures, changes and alterations have been required in, or incorporated into, the Project on a project-specific and cumulative basis, which will lessen such significant environmental effects.
- b. For the reasons set forth in the Statement of Overriding Considerations adopted concurrently by the Authority, the Authority finds that the significant impact identified in this Section XI-G(a) is acceptable in light of the Project's overall benefits.

Although the following mitigation measures aimed at reducing these significant and unavoidable noise impacts associated with Project construction have been adopted, these mitigation measures will not reduce those significant impacts to a level of insignificance:

**Mitigation Measure G-1:** To reduce any impact on nearby venues that may be noise sensitive receptors, such as the Music Center, Disney Concert Hall, and the County Courthouse, the following Measures G-1 and G-2 shall be implemented as follows: During each construction phase, the developer, with regard to the five development parcels and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements shall limit (i) construction activities utilizing heavy equipment to Monday through Friday from 7:00 a.m. to 8:00 p.m., and (ii) interior construction work inside building shells and construction activities not utilizing heavy equipment to 7:00 a.m. to 9 p.m. Monday through Friday. Saturday construction shall be limited to 8:00 a.m. to 6 p.m. No exterior construction activities shall be permitted on Sundays or holidays per applicable City regulations. Construction noise measures shall also be implemented, which may include the use of noise mufflers on construction equipment used within 100 feet of these buildings. The City's Department of Building and Safety or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels and the Streetscape Program. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.



**Mitigation Measure G-2:** During each construction phase, the developer, with regard to the five development parcels and the responsible parties for implementation of the Streetscape Program shall not use heavy equipment within (to the maximum extent practicable) 100 feet of the County Courthouse building while Court is in session. Construction contracts must specify that all construction equipment shall be in proper operating condition and fitted with standard factory silencing features and other applicable attenuation devices such as mufflers. The City's Department of Building and Safety or other appropriate City agency or department shall determine compliance with this measure with regard to the five development parcels and the Streetscape Program. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.

**Mitigation Measure G-3:** During the initial stage of each construction phase (site demolition and site preparation/excavation) for each Project parcel and when construction activities are within 200 feet of noise sensitive land uses, the developer, with regard to the five development parcels, shall erect a temporary, 8-foot, ½-inch-thick plywood fence along the boundaries of each construction site adjacent to noise sensitive uses such that the "line of sight" between on-site construction activities and the residential or other sensitive uses is blocked, where feasible. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels.

**Mitigation Measure G-4:** During each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements shall ensure that pile drivers within the individual activity/development site under construction at that time shall be equipped with noise control devices having a minimum quieting factor of 10 dBA. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to construction in the five development parcels and the Streetscape Program. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.

**Mitigation Measure G-5:** During each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements shall, except as otherwise permitted by applicable agreements, ensure that construction loading and staging areas shall be located on the Project site within each respective construction site and away from noise-sensitive uses to the extent feasible. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to construction in the

five development parcels and the Streetscape Program. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.

**Mitigation Measure G-6:** Prior to the issuance of grading permits for each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements, shall prepare, and thereafter implement, plans and specifications that include a requirement to route pedestrians (to the maximum extent practicable) 50-feet away from the construction area when heavy equipment such as hydraulic excavators are in use. Such routing may include the posting of signs at adjacent intersections. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels and the Streetscape Program. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.

**Mitigation Measure G-7:** During each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements, shall designate a construction relations officer to serve as a liaison with surrounding property owners who is responsible for responding to any concerns regarding construction noise. The liaison shall coordinate with the Project construction manager(s) to implement remedial measures in the shortest time feasible. The liaison's telephone number(s) shall be prominently displayed at multiple locations along the perimeter of each construction site. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels and the Streetscape Program. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.

- c. Supportive Evidence and Rationale – The FEIR discusses the Project's potentially significant construction noise impacts in Section IV.G of the DEIR. The noise reduction measures prescribed in Mitigation Measure G-1 would achieve a minimum 5-dBA reduction along areas of sensitive receptors where the line-of-sight to ground-level construction activity that occurs on the Project site is broken. Regulatory Measure G-1 would preclude construction-period noise impacts from occurring during the noise-sensitive night time periods, or at any time on Sundays or holidays. In addition, the use of heavy construction equipment shall cease one hour earlier than otherwise allowed under City Code. Noise level reductions attributable to Mitigation Measures G-2 and G-3, and G-4, G-5, and G-6 (e.g., use of

noise mufflers and on-site storage of construction equipment) are not easily quantifiable, but implementation of such measures would reduce the noise level impact associated with construction activities to the extent feasible. Further, construction noise from earthmoving equipment will be reduced since most of such equipment will sink below a surrounding soundwall as excavation proceeds during construction. Nevertheless, Project construction activities would intermittently increase the daytime noise levels at nearby sensitive land uses during construction activities by more than the 5-dBA significance threshold. As such, noise impacts during construction are concluded to be significant and unavoidable.

- d. Cumulative Impact – Noise impacts during construction of the Project and each related development project (that has not already been built) would be limited to the duration of construction and would be localized. In addition, it is anticipated that each of the related projects would comply with the applicable provisions of the City's noise ordinance, as well as mitigation measures that may be prescribed by the City that require significant impacts be reduced to the extent feasible. However, since noise impacts due to construction of the proposed Project would be significant on its own, it is conservatively concluded that noise impacts due to construction of the Project in combination with any of the related projects would also be significant.

N. Noise (Operational)

- i. Potential Impacts – The Project's operations may cause a significant impact if:
  - a. The Project causes the ambient noise level measured at the property line of affected uses to increase by 3dBA in CNEL to or within the "normally unacceptable" or "clearly unacceptable" category or by 5dBA in CNEL within the "normally acceptable" or "conditionally acceptable" category.
  - b. Project-related operational (i.e., non-roadway) noise sources increase ambient noise by 5 dBA, thus causes a violation of the City's Noise Ordinance.
- ii. Findings – The potentially significant noise impact attributable to Project operations will be mitigated to a level of less than significance with the implementation of Mitigation Measure G-8:

**Mitigation Measure G-8:** The developer, with regard to the five development parcels, shall prepare and implement building plans that ensure prior to the

start of each construction phase which includes residential development, that all exterior walls, floor-ceiling assemblies (unless within a unit), and windows having a line of sight (30 degrees measured from the horizontal plane) of Grand Avenue, Hill Street, Hope Street, First Street, and Second Street of such residential development shall be constructed with double-paned glass or an equivalent and in a manner to provide an airborne sound insulation system achieving a lab-tested Sound Transmission Class of 30, subject to field testing, as defined in UBC Standard No. 35-1, 1982 edition. Sign off by the City's Department of Building and Safety, or other appropriate City agency or department, shall be required prior to obtaining a building permit. The developer, as an alternative, may retain an engineer registered in the State of California with expertise in acoustical engineering, who shall submit a signed report for an alternative means of sound simulation satisfactory to the City's Department of Building and Safety, or other appropriate City agency or department. Examples of alternative means may include, but are not limited to, the following: (1) acoustical seals for doors and windows opening to the exterior; (2) consideration of the type, location, and size of windows; and (3) sealing or baffling of openings and vents. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure.

- iii. Supportive Evidence and Rationale – The FEIR discusses the Project's potential noise impact attributable to Project operations in Section IV.G of the DEIR. Project development would not result in any significant noise impacts to off-site receptors during long-term Project operations. With implementation of Mitigation Measure G-8, on-site residents would not be exposed to inappropriately high noise levels from off-site activities (e.g., vehicle traffic on adjacent roadways), and thus the potential noise impact caused during Project operations will be less than significant.
- iv. Cumulative Impact – Cumulative traffic volumes would result in a maximum increase of 2.5 dBA CNEL along Second Street, between Grand Avenue and Olive Street. As this noise level increase would be below the 3 dBA CNEL significance threshold, roadway noise impacts due to cumulative traffic volumes would be less than significant. Los Angeles Municipal Code limits stationary-source noise from items such as roof-top mechanical equipment and emergency generators, would maintain noise to less than significant levels at the property lines of the related projects. Therefore, on-site noise produced by any related project would not be additive to Project-related noise levels. Accordingly, cumulative stationary-source noise impacts attributable to cumulative development would also be less than significant.

O. Hazards and Hazardous Materials

- i. Potential Impacts – The Project may a significant impact with regard to

hazards and hazardous materials if:

- a. Project activities would involve the disturbance, removal, storage, or disposal of hazardous materials; or
  - b. The Project would expose people or structures to substantial risk resulting from the release of a hazardous material, or from exposure to a health hazard, in excess of regulatory standards.
- ii. Findings – The Project will not cause a significant impact with regard to hazards and hazardous material. Notwithstanding, the following regulatory measures have been identified to ensure the Project's less than significant impact concerning this issue:

**Regulatory Measure H-1:** Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall properly decommission all unused groundwater monitoring wells, per applicable regulations. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels. The Regional Water Quality Control Board shall enforce compliance with this measure.

**Regulatory Measure H-2:** Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall test for the presence or absence of hydrogen sulfide and methane beneath the site by subsurface sampling. Should the sampling result in the discovery of hydrogen sulfide and/or methane, appropriate health and safety measures shall be implemented, in accordance with applicable regulations. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure.

**Regulatory Measure H-3:** Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall take fill samples from each of the five parcels, and shall analyze these samples for contaminants at elevated concentrations. Should elevated contaminant concentrations be discovered, appropriate measures shall be implemented, in accordance with applicable regulations. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure.

**Regulatory Measure H-4:** Prior to the start of each construction phase, the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements, shall undertake an appropriate investigation to ascertain whether any hazardous conditions would occur as a function of implementing the streetscape improvements along Grand

Avenue and/or the Civic Park. Should elevated concentrations of contaminants be identified, appropriate measures shall be implemented in accordance with applicable regulations. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the Streetscape Program. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.

**Regulatory Measure H-5:** Prior to demolition or renovation in the Civic Center Mall, the responsible parties for implementation of the Civic Park under the applicable agreements shall perform an asbestos-sampling survey to determine the presence of asbestos containing materials. If such materials should be found, the responsible parties for implementation of the Civic Park shall prepare and implement an Operations and Maintenance Plan that meets all applicable federal, state and local requirements. This plan shall safely maintain asbestos containing materials that remain on the site. The County's CAO or its designee shall determine compliance with this measure.

**Regulatory Measure H-6:** Prior to the start of any demolition activities or renovation on any painted surfaces at the Project site, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park under the applicable agreements shall conduct a survey of lead based paint (LBP) to determine the level of risk posed to maintenance personnel, construction workers, facility staff, and patrons from exposure to the paints present at the site. Any recommendations made in that survey related to the paints present at the Project site shall be implemented prior to the demolition or renovation of said painted surfaces. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.

- iii. Supportive Evidence and Rationale – The Project's potential impacts attributable to hazards and hazardous materials were analyzed in detail in Section IV-H of the DEIR. According to the Phase I environmental assessments completed for the Project site, there are no potential recognized environmental conditions (RECs) within any of the five development parcels. In addition, there is no evidence at the Project site of asbestos, hazardous materials use, storage or waste, or hazardous air emissions. It is anticipated that hazardous materials, including fertilizers, herbicides and pesticides, would be used to maintain the landscaping within the Civic Park, the Grand Avenue streetscape program and the five development parcels. In addition, hazardous materials associated with

maintenance activity within the five development parcels would be present at the Project site. However, since the transport, use and storage of these materials would be managed in accordance with applicable federal, state, and local regulations, these materials would not be expected to pose significant risks to the public or the environment. Consequently, construction and operation under both Project Options would not expose people to substantial risk resulting from the release of a hazardous material, or from exposure to a health hazard in excess of regulatory standards. Accordingly, construction and operation under both Project Options would not result in a significant hazard to the public or the environment through the transport, use or disposal of hazardous materials, and impacts would be less than significant. Further, impacts associated with the potential discovery of hazardous and non-hazardous materials on the Project site would be reduced to a less than significant level with compliance with the above regulatory measures.

- iv. Cumulative Impact – In light of existing federal and state regulations, it is assumed that any potential hazardous materials located on any of the 93 related project sites would be identified and remediated prior to construction and operation of any habitable facility. As such, any groundwater or soil contamination occurring on the related project sites would be addressed in accordance with applicable regulations and mitigation measures during the permitting process by the applicable responsible agencies. Such remediation activities in accordance with federal, state, and local regulations would reduce any significant impacts associated with hazardous materials to less than significant levels. Therefore, with monitoring and compliance with federal, state and local regulations and procedures, the potential for cumulative impacts attributable to the Project's and related projects' transport, use or disposal of hazardous materials would be less than significant.

P. Fire Protection and Related Services

- i. Potential Impacts – The Project would cause a significant impact to Los Angeles Fire Department fire prevention and suppression services and/or emergency medical services if:
  - a. The Project would cause a substantial increase in emergency response times as a result of increased traffic congestion; or
  - b. The Project would exceed the capability of existing fire stations and emergency personnel to serve the Project site.
- ii. Findings – The Project will not cause a significant impact with regard to fire prevention or emergency medical services. Notwithstanding, the following

regulatory measures and project design features have been identified to ensure the Project's less than significant impact concerning this issue:

**Regulatory Measure I.1-1:** During demolition activities occurring during each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements shall ensure sure that emergency access shall remain clear and unobstructed. The LAFD shall determine compliance with this measure with regard to the five development parcels and the Streetscape Program. The County Fire Department (LACoFD) shall determine compliance with this measure with regard to the Civic Park.

**Regulatory Measure I.1-2:** Prior to each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park under the applicable agreements shall prepare, and thereafter implement, plans and specifications to ensure that the construction contractor is apprised of the requirement to maintain access to sub-surface parking structures associated with the Civic Center Mall, the Music Center, and the Colburn School for Performing Arts. The LAFD shall determine compliance with this measure with regard to the five development parcels. The LACoFD shall determine compliance with this measure with regard to the Civic Park.

**Regulatory Measure I.1-3:** During each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements shall maintain access for emergency response personnel to the Kenneth Hahn Hall of Administration, the Paseo de los Pobladores de Los Angeles, the County Courthouse, the Colburn School for Performing Arts, and the Walt Disney Concert Hall. The LAFD shall determine compliance with this measure with regard to construction in the five development parcels and the Streetscape Program. The LACoFD shall determine compliance with this measure with regard to the Civic Park.

**Regulatory Measure I.1-4:** Prior to each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements shall prepare, and thereafter implement, a plan to ensure that emergency evacuation from the northwest side of the County Mall and Colburn School for Performing Arts, the southeast side of the Music Center and the Walt Disney Concert Hall would not be impeded by construction of the individual Project elements. With respect to the plan for the Mall, it must be prepared to coordinate with emergency evacuation plans for the Courthouse and the Hall of Administration. The LAFD shall determine



compliance with this measure with regard to the five development parcels and the Streetscape Program. The LACoFD shall determine compliance with this measure with regard to the Civic Park.

**Regulatory Measure I.1-5:** During each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements shall ensure that sufficient fire hydrants shall remain accessible at all times during Project construction. The LAFD shall determine compliance with this measure with regard to the five development parcels and the Streetscape Program. The LACoFD shall determine compliance with this measure with regard to the Civic Park.

**Regulatory Measure I.1-6:** Prior to the start of each construction phase and during Project operations, the developer, with regard to the five development parcels shall comply with all applicable State and local codes and ordinances, and the guidelines found in the Fire Protection and Fire Prevention Plan, and the Safety Plan, both of which are elements of the General Plan of the City of Los Angeles (C.P.C. 19708). The City of Los Angeles Fire Department (LAFD) shall determine compliance with this measure with regard to the five development parcels.

**Regulatory Measure I.1-7:** During Project operations, the developer, with regard to the five development parcels shall maintain all access roads, including fire lanes, in an unobstructed manner, and removal of obstructions shall be at the owner's expense. The entrance to all required fire lanes or required private driveways shall be posted with a sign no less than three square feet in area in accordance with Section 57.09.05 of the Los Angeles Municipal Code. The LAFD shall determine compliance with this measure with regard to the five development parcels.

**Regulatory Measure I.1-8:** Prior to the start of each construction phase, Related, with regard to the five development parcels and the responsible parties for implementation of the Streetscape Program under the applicable agreements, shall prepare, and thereafter implement, plans and specifications in accordance with LAFD requirements, and requirements for necessary permits shall be satisfied prior to commencement of construction on any portion of the five development parcels or the Streetscape Program. The LAFD shall determine compliance with this measure with regard to the five development parcels and the Streetscape Program.

**Regulatory Measure I.1-9:** Prior to the start of each construction phase, the responsible parties for implementation of the Civic Park under the applicable agreements shall prepare, and thereafter implement, plans in accordance with LACoFD requirements, and requirements for necessary permits shall be

satisfied prior to commencement of construction on any portion of the Civic Park. The LACoFD shall determine compliance with this measure with regard to the Civic Park.

**Regulatory Measure I.1-10:** Prior to the start of each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements shall prepare, and thereafter implement, a plan that will assure that any required fire hydrants that are installed shall be fully operational and accepted by the Fire Department prior to any building construction. The LAFD shall determine compliance with this measure with regard to the five development parcels and the Streetscape Program. The LACoFD shall determine compliance with this measure with regard to the Civic Park.

**Regulatory Measure I.1-11:** Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall submit plot plans indicating access roads and turning areas to the LAFD for review and approval. The developer, with regard to the five development parcels shall implement the approved plot plans. The LAFD shall determine compliance with this measure.

**Regulatory Measure I.1-12:** Prior to the start of each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements shall prepare, and thereafter implement, engineering plans that show adequate fire flow and placement of adequate and required public and private fire hydrants. The LAFD shall determine compliance with this measure with regard to the five development parcels and the Streetscape Program. The LACoFD shall determine compliance with this measure with regard to the Civic Park.

**Regulatory Measure I.1-13:** During each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park under the applicable agreements shall provide emergency access for Fire Department apparatus and personnel to and into all structures. The LAFD shall determine compliance with this measure with regard to the five development parcels. The LACoFD shall determine compliance with this measure with regard to the Civic Park.

**Regulatory Measure I.1-14:** Prior to the start of each construction phase, the developer, with regard to the five development parcels shall prepare, and thereafter implement, a plan that will provide that any private roadways for general access use and fire lanes shall not be less than 20 feet wide and

clear to the sky. The LAFD shall determine compliance with this measure with regard to the five development parcels.

**Regulatory Measure I.1-15:** Prior to the start of each construction phase, the developer, with regard to the five development parcels shall prepare, and thereafter implement, a plan that will provide that any fire lanes and dead end streets shall terminate in a cul-de-sac or other approved turning area. No dead end street or fire lane shall be greater than 700 feet in length or secondary access shall be required. The LAFD shall determine compliance with this measure with regard to the five development parcels.

**Regulatory Measure I.1-16:** Prior to the start of each construction phase, the developer, with regard to the five development parcels shall prepare, and thereafter implement, a plan that designs any proposed development utilizing cluster, group, or condominium design not more than 150 feet from the edge of the roadway of an improved street, access road, or designated fire lane. The LAFD shall determine compliance with this measure with regard to the five development parcels.

**Regulatory Measure I.1-17:** Prior to the start of each construction phase, the developer, with regard to the five development parcels shall prepare, and thereafter implement, a plan that designs fire lanes to be not less than 28 feet in width. 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. The LAFD shall determine compliance with this measure with regard to the five development parcels.

**Regulatory Measure I.1-18:** Prior to the start of each construction phase, the developer, with regard to the five development parcels, where above ground floors are used for residential purposes, shall prepare, and thereafter implement, a plan that interprets the access requirement as being the horizontal travel distance from the street, driveway, alley, or designated fire lane to the main entrance of the residential units. The LAFD shall determine compliance with this measure.

**Regulatory Measure I.1-19:** Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall prepare, and thereafter implement, a plan that designs the entrance or exit of all ground level residential units to be no more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane. The LAFD shall determine compliance with this measure.

**Regulatory Measure I.1-20:** Prior to the start of each construction phase, the developer, with regard to the five development parcels shall prepare, and

thereafter implement, a plan that provides access that requires the accommodation of Fire Department apparatus, shall design the minimum outside radius of the paved surface to be 35 feet. An additional six feet of clear space must be maintained beyond the outside radius to a vertical point 13 feet 6 inches above the paved surface of the roadway. The LAFD shall determine compliance with this measure with regard to the five development parcels.

**Regulatory Measure I.1-21:** Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall not construct any building or portion of a building to be more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane. The LAFD shall determine compliance with this measure with regard to the five development parcels.

**Regulatory Measure I.1-22:** Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall prepare, and thereafter implement, a plan that provides for access that requires accommodation of Fire Department apparatus, a design for overhead clearances to be not less than 14 feet. The LAFD shall determine compliance with this measure with regard to the five development parcels.

**Regulatory Measure I.1-23:** Prior to the start of each construction phase, the developer, with regard to the five development parcels shall prepare, and thereafter implement, a plan that provides for additional vehicular access required by the Fire Department, where buildings exceed 28 feet in height. The LAFD shall determine compliance with this measure with regard to the five development parcels.

**Regulatory Measure I.1-24:** Prior to the start of each construction phase, the developer, with regard to the five development parcels shall prepare, and thereafter implement, a plan that provides, where fire apparatus shall be driven onto the road level surface of the subterranean parking structure, for the structure to be engineered to withstand a bearing pressure of 8,600 pounds per square foot. The LAFD shall determine compliance with this measure with regard to the five development parcels.

**Regulatory Measure I.1-25:** Prior to the start of each construction phase, the developer, with regard to the five development parcels shall record any private streets as Private Streets and Fire Lanes. All private street plans shall show the words "Private Street and Fire Lane" within the private street easement. The LAFD shall determine compliance with this measure with regard to the five development parcels.

**Regulatory Measure I.1-26:** During operation of the Project, the developer, with regard to the five development parcels, shall provide that all electric gates approved by the Fire Department shall be tested by the Fire Department prior to Building and Safety, or other appropriate City agency or department, granting a Certificate of Occupancy. The LAFD shall determine compliance with this measure.

**Regulatory Measure I.1-27.** Prior to the start of each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park under the applicable agreements, shall prepare, and thereafter implement, a plan that would not construct any building or portion of a building more than 300 feet from an approved fire hydrant. Distance shall be computed along path of travel with the exception that dwelling unit travel distance shall be computed to the front door of the unit. The LAFD shall determine compliance with this measure with regard to the five development parcels. The LACoFD shall determine compliance with this measure with regard to the Civic Park.

**Regulatory Measure I.1-28.** Prior to the start of each construction phase, the developer, with regard to the five development parcels shall submit plans to the Fire Department for review and approval. Where rescue window access is required, the developer, with regard to the five development parcels, shall incorporate conditions and improvements necessary to meet accessibility standards as determined by the LAFD. The LAFD shall determine compliance with this measure.

**Regulatory Measure I.1-29.** During operations of the Project, the developer, with regard to the five development parcels shall have the curbs of all public street and fire lane cul-de-sacs painted red and/or be posted "No Parking at Any Time" prior to the issuance of a Certificate of Occupancy or Temporary Certificate of Occupancy for any structures adjacent to the cul-de-sac. The LAFD shall determine compliance with this measure with regard to the five development parcels.

**Regulatory Measure I.1-30.** During operations of the Project, planning for large events at the Civic Park shall be implemented by the County or County Park Operator to reduce potential adverse affects on emergency access. As part of the planning process, representatives of the LACoFD, County Office of Public Safety, LAFD, LAPD and LADOT shall be advised of the activities and consulted to establish appropriate procedures for crowd and traffic control. Plans shall be submitted to the County Chief Administrative Officer for review and approval.

**Project Design Feature I.1-1:** Prior to the start of each construction phase, the developer, with regard to the five development parcels shall submit

building plans to the LAFD for review and approval that demonstrate that automatic fire sprinklers shall be installed in all structures. The LAFD shall determine compliance with this measure.

- iii. Supportive Evidence and Rationale – The FEIR analyzed in detail the Project's potential impacts on fire protection and related services in Section IV-I(1) of the DEIR. Construction may result in temporary lane closures that would potentially affect emergency access. Temporary lane closures could increase the time for fire protection vehicles and emergency medical vehicles responding to elderly or disabled residents in the downtown areas. However, the average response times for Fire Stations 3, 4, 9, and 10, which would serve the Project and currently serve the surrounding area are 5.3 minutes, 4.6 minutes, 4.8 minutes, and 4.9 minutes, respectively. Those response times are below the Citywide average response times of 5.5 minutes for EMS and 5.4 minutes for fire incidents, which indicates these existing services will be adequate to handle incidents during Project construction. To ensure adequate response times for these services, the LAFD would be notified of the scheduling of all Project construction in order to plan appropriate alternative response routes, if necessary. Public detour routes would be established where required to divert traffic from the affected street segments. In addition, emergency vehicle access to adjoining and nearby properties would be required to be maintained at all times. Thus, due to the better than City-wide response times, the large number of fire stations in the Project area, the temporary and limited nature of the closures along roadways and the wide selection of alternative routes to and through the Project site, construction of the Project will not significantly impact the ability of the LAFD to respond to emergency incidents, as confirmed by the FEIR. With respect to Project operations, automatic fire sprinkler systems in all structures, fire hydrants installed to LAFD specifications, and supplemental fire protection devices would be incorporated into new Project structures, as required by the Fire Code. As the Project site is within the service area of four Task Force truck and engine companies, Project operations are anticipated to result in less than significant impacts to LAFD staff and equipment capabilities. In addition, the Project will comply with all fire safety regulations and the incorporation of regulatory measures. No significant impacts will occur with respect to fire protection and related services.
- iv. Cumulative Impact – The LAFD has determined that development of the Project, in conjunction with other approved and planned projects, may result in the need for the following: (1) increased staffing at existing facilities; (2) additional fire protection facilities; and (3) relocation of existing fire protection facilities. However, as related project applicants would be required to coordinate with the LAFD to ensure that related project construction and operations would not significantly impact LAFD services and facilities, no significant cumulative impacts are anticipated.

**Q. Police Protection Services**

- i. Potential Impacts – The Project may cause a significant impact on police protection services provided by the LAPD if:
  - a. The Project will generate demand for additional police protection services that substantially exceeds the capability of the LAPD to serve the Project site.
  - b. The Project would cause a substantial increase in emergency response times as a result of increased traffic congestion and/or limited emergency access, during either construction or operation of the Project.
- ii. Findings - The Project will not cause a significant impact with regard to police services. Notwithstanding, the following regulatory measures have been identified to ensure a less than significant impact concerning this issue.

**Regulatory Measure I.2-1:** During each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements, shall provide clear and unobstructed LAPD access to the construction site. The LAPD shall determine compliance with this measure with regard to the five development parcels and the Streetscape Program. The County Office of Public Safety shall determine compliance with this measure with regard to the Civic Park.

**Regulatory Measure I.2-2:** During ongoing construction, the developer, with regard to the five development parcels shall provide security features on the construction site(s), such as guards, fencing, and locked entrances. The LAPD shall determine compliance with this measure.

**Regulatory Measure I.2-3:** Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall submit plot plans for all proposed development to the Los Angeles Police Department's Crime Prevention Section for review and comment. Security features subsequently recommended by the LAPD shall be implemented by the developer to the extent feasible.

**Regulatory Measure I.2-4:** Prior to the start of each construction phase, the responsible parties for implementation of the Civic Park under the applicable agreements shall submit plot plans for all proposed development to the County Office of Public Safety for review and comment. Security features subsequently recommended by the Office of Public Safety shall be implemented by the County or County Park Operator to the extent feasible.

**Regulatory Measure I.2-5:** At the completion of each construction phase, the developer, with regard to the five development parcels shall file as-built building plans with the LAPD Central Area Commanding Officer. Plans shall include access routes, floor plans, and any additional information that might facilitate prompt and efficient police response. The LAPD shall determine compliance with this measure.

**Regulatory Measure I.2-6:** During Project operations, the developer, with regard to the five development parcels and the responsible parties for implementation of the Civic Park shall install alarms and/or locked gates on doorways providing public access to commercial facilities. The LAPD shall determine compliance with this measure with regard to the five development parcels. The County Office of Public Safety shall determine compliance with this measure with regard to the Civic Park.

**Regulatory Measure I.2-7:** During Project operations, the developer, with regard to the five development parcels shall not plant landscaping in a way that could provide cover for persons tampering with doors or windows of commercial facilities, or for persons lying in wait for pedestrians or parking garage users. The LAPD shall determine compliance with this measure with regard to the five development parcels and the Streetscape Program.

**Regulatory Measure I.2-8:** Additional lighting shall be installed where appropriate, including on the Project site and in parking garages, as determined in consultation with the LAPD with regard to the five development parcels and the County Office of Public Safety with regard to the Civic Park. The developer shall implement this measure with regard to the five development parcels prior to initial building occupancy for each construction phase, while the responsible parties for the implementation of the Civic Park and Streetscape Program under the applicable agreements shall implement these measures prior to the completion of construction for each of those Project components.

**Regulatory Measure I.2-9:** Prior to the start of each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements, shall prepare, and thereafter implement, a plan that incorporates safety features into the Project's design to assure pedestrian safety, assist in controlling pedestrian traffic flows, and avoid pedestrian/vehicular conflicts on-site. Safety measures may include the provision of security personnel; clearly designated, well-lighted pedestrian walkways on-site; special street and pedestrian-level lighting; physical barriers (e.g., low walls, landscaping), particularly around the perimeter of the parking garages, to direct pedestrians to specific exit locations that correspond to designated crosswalk locations on adjacent streets. The



LAPD shall determine compliance with this measure with regard to the five development parcels. The County Office of Public Safety shall determine compliance with this measure with regard to the Civic Park.

**Regulatory Measure 1.2-10:** Prior to the issuance of a certificate of occupancy for each construction phase and during Project operations, the developer, with regard to the five development parcels, shall develop, and thereafter implement, a new or modified Security Plan to minimize the potential for on-site crime and the need for LAPD services. The plan would outline the security services and features to be implemented, as determined in consultation with the LAPD. The LAPD shall determine compliance with this measure with regard to the five development parcels.

The following shall be included in the plan:

1. Provision of an on-site security force that would monitor and patrol the Project site. During operational hours, security officers shall perform pedestrian, vehicular, and/or bicycle patrols.
2. Implementation of a video camera surveillance system and/or a closed-circuit television system;
3. Additional security features shall be incorporated into the design of proposed parking facilities, including "spotters" for parking areas, and ensuring the availability of sufficient parking either on- or off-site for all building employees and anticipated patrons and visitors;
4. Security lighting incorporating good illumination and minimum dead space in the design of entryways, seating areas, lobbies, elevators, service areas, and parking areas to eliminate areas of concealment. Security lighting shall incorporate full cutoff fixtures which minimize glare from the light source and provide light downward and inward to structures to maximize visibility;
5. Provision of lockable doors at appropriate Project entryways, offices, retail stores, and restaurants;
6. Installation of alarms at appropriate Project entryways and ancillary commercial structures;
7. All businesses desiring to sell or allow consumption of alcoholic beverages are subject to the issuance of a Conditional Use Permit by the City;

8. Accessibility for emergency service personnel and vehicles into each structure, and detailed diagram(s) of the Project site, including access routes, unit numbers, and any information that would facilitate police response shall be provided to the Central Area Commanding Officer.
9. In addition, security procedures regarding initial response, investigation, detainment of crime suspects, LAPD notification, crowd and traffic control, and general public assistance shall be outlined in the Security Plan. The plan would be subject to review by the LAPD, and any provisions pertaining to access would be subject to approval by the LADOT.

**Regulatory Measure I.2-11:** Prior to the issuance of a certificate of occupancy for each construction phase and on-going during operations, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park under the applicable agreements, shall develop, and thereafter implement, a Emergency Procedures Plan to address emergency concerns and practices. The plan shall be subject to review by the LAPD with regard to the five development parcels and the County Office of Public Safety with regard to the Civic Park, and any provisions pertaining to access would be subject to approval by LADOT.

- iii. Supportive Evidence and Rationale – The FEIR analyzed in detail the Project's potential impacts on police protection and related services in Section IV-I(2) of the DEIR. The Project's impacts on police protection services or response times would continue to be less than significant. Project construction may result in temporary lane closures that would potentially affect emergency access. Given notification to the LAPD of all construction scheduling, the temporary nature of any closures, and the availability of alternative routes, the Project would not significantly affect emergency access or response times. Furthermore, during construction, traffic management personnel (flag persons) would be trained to assist in emergency response, and on-site security measures would reduce theft and other demands on police services. Therefore, construction activities are not expected to significantly affect the capacity of the LAPD to adequately serve the Project site. With regard to Project operation, it is anticipated that activity in the Civic Park would increase on both a daily basis and during special events. As the current Civic Center Mall is currently used extensively on a daily basis, the additional increase in activity on a daily basis is not anticipated to increase to such an extent so as to exceed the capabilities of the County Office of Public Safety. During special events, when the numbers of people using the park would increase substantially, the park operator would employ private security personnel to supplement police services during these events and, therefore, reduce the demand on police services

created by these large events. The use of additional security staff would be commensurate with the size of the event. Access to the park would be governed by a set of rules that are consistent with those used throughout public parks in the area. Those who comply with the posted rules will not be denied access to the park, whereas on the other hand, those individuals who chose not to comply with the rules would, out of courtesy to others, be required to leave the park. The Project's combined residential and employment population would reduce the officer per resident ratio and, assuming the same number of officers in the LAPD Central Area station as under existing conditions, the ratio of crimes that are handled by each officer would increase from approximately 20 to 23.4. This level of increased demand in the context of occurring over an entire year would not substantially exceed LAPD's capacity. Accordingly, the Project's impact to police services would be less than significant.

- iv. Cumulative Impact – Although the operation of Project would have a less-than-significant impact on police services, because the list of related projects is extensive and, if all related projects were built, the combined Project and related projects would have a significant cumulative impact with regard to police protection services. This level of increased demand would substantially exceed the LAPD's capacity to provide services from the Central Area station. For example, under the County Office Building Option, if the current 337 officers in the area were to remain constant at 337 officers, the ratio of population to officers would increase from 130 persons for each officer to 382 persons for each officer. If the per capita crime rate were to remain constant at 154 crimes per 1,000 population, there would be 19,849 additional crimes, and the crimes that would need to be handled by each officer would increase from 20 to 59. However, if the City added police resources in response to such growth, then the cumulative impact to police services would be less than significant. Yet, it is conservatively assumed that the City may not be able to add such resources commensurate with such population growth, and, therefore, the cumulative impact to police services is determined to be significant.

R. School Services

- i. Potential Impacts – The Project may cause a significant impact on Los Angeles Unified School District ("LAUSD") schools if:
- a. The demand for school services anticipated at the time of Project build out exceeds the expected level of service available; or
  - b. The increased demand would require the construction of new facilities, a major reorganization of students or classrooms, major revisions to the school calendar (i.e., multi-track calendar), or other

actions that would create a temporary or permanent impact on the school(s) serving the Project site.

- ii. Findings – Through compliance with Mitigation Measure I.3.1 and Government Code Section 65995, the Project will not cause a significant impact on schools, and no other mitigation measures are required.

**Mitigation Measure I.3-1:** Prior to the issuance of each building permit, the developer, with regard to the five development parcels, shall pay school mitigation fees pursuant to the provisions of California Government Code Section 65995. Compliance with this measure shall be determined by the City's Department of Building and Safety, or other appropriate City agency or department.

- iii. Supportive Evidence and Rationale – The FEIR analyzed in detail the Project's potential impacts on schools in Section IV-I(3) of the DEIR. Pursuant to the provisions of Government Code Section 65995, a project's impact on school facilities is fully mitigated through the payment of the requisite school facility development fees current at the time building permits are issued. As the developer is required to pay school facility development fees, impacts under the Project are concluded to be less than significant.
- iv. Cumulative Impact – The middle and high school students that would be generated by the 93 related projects would when combined with the Project's students, be dispersed throughout the attendance boundaries of both the existing and the newly constructed schools. As a result, sufficient capacity would be available at the middle and high school level to accommodate the students generated by the Project in conjunction with all of the related projects and a less than significant cumulative impact would occur. In contrast, the students generated by the related projects combined with the Project's students could not be accommodated within the existing or future elementary school capacities. However, the Project and each related project would pay new school facility development fees and, under the provisions of Government Code Section 65995, the payment of these fees would constitute full mitigation. Thus, cumulative impacts on schools would be less than significant.

S. Parks and Recreation(Project Construction)

- i. Potential Impacts – The construction of the Project may cause a significant impact on parks and recreational facilities if:
  - a. The Project generates a demand for park or recreational facilities that cannot be adequately accommodated by existing or planned facilities and services.

- ii. Findings – The Project will not cause a significant impact to park and recreational facilities, except for a short-term significant and unavoidable impact during construction of the new Civic Park at the Civic Mall, which impact is a project-specific and cumulative impact. With respect to that latter impact, the Authority makes the following findings:
  - a. All feasible measures, changes and alterations have been required in, or incorporated into, the Project, which will lessen such significant environmental effects.
  - b. For the reasons set forth in the Statement of Overriding Considerations adopted concurrently by the Authority, the Authority finds that the significant impact identified in this Section XI-L(a) is acceptable in light of the Project's overall benefits.
- iii. Supportive Evidence and Rationale – The FEIR discusses the Project's potentially significant impact to park and recreational facilities in Section IV.I.4 of the DEIR. Construction of the proposed improvements in Civic Park would require closure of the existing Civic Mall to implement those improvements. This would limit park availability and usage. Impacts on park usage would likely occur within the immediate area of construction activity and adjacent park areas that might be sensitive to construction activities. It is not known if the entire Park area would be affected at a single time, or if Park improvements would be implemented on a smaller basis (e.g., block by block). As the construction activities could adversely affect park usage, the Project is considered to have a significant, short-term impact on parks during construction of the Civic Park. Upon completion of the Project, the affected park areas would return to operations with an enhanced level of operation due to improvements that were implemented during the construction phase. Construction of the remainder of the Project, namely, the five development parcels and the Grand Avenue street improvements would not cause any significant impacts to parks and recreational facilities since those sites currently include no parks or recreational facilities.
- iv. Cumulative Impact – No related projects are known to affect the use or availability of those existing recreational resources that would be affected by the Project, either during their construction or operations phases. However, as the Project would prohibit the recreational use of the existing Civic Center Mall during the construction of the Project's Civic Park, it is conservatively concluded that cumulative impacts on recreational resources are considered significant.

T. Parks and Recreation (Project Operation)

- i. Potential Impacts – The operation of the Project may cause a potentially significant impact to parks and recreational facilities if:
  - a. The Project generates a demand for park or recreational facilities that cannot be adequately accommodated by existing or planned facilities and services.

- ii. Findings – The Project will not cause a significant impact to park and recreational services due to the implementation of Mitigation Measure I.4-1.

**Mitigation Measure I.4-1:** Prior to the issuance of a certificate of occupancy, the developer, with regard to the five development parcels, shall: (1) dedicate additional parkland such that the Project would provide a total of 3 acres per 1,000 Project residents; (2) pay in-lieu fees for any land dedication requirement shortfall; or (3) a combination of the above. Compliance with this measure shall be determined by the City's Department of Building and Safety or other appropriate City agency or department.

- iii. Supportive Evidence and Rationale – The EIR discusses the potential impact to park and recreation services caused by Project operations in Section IV.I.4 of the DEIR. Compliance with the mitigation measure for meeting park demand would reduce any impacts due to park dedication shortfalls to less than significant levels. The required dedication of parkland from a project is determined by the number of residents within the project. Under the Quimby Act, which is implemented through the City's Municipal Code, three acres per 1,000 residents are required. The Project with County Office Building Option is anticipated to generate approximately 2,925 residents and would be required to provide approximately 8.8 acres of park/recreation space. The Additional Residential Development Option is anticipated to generate approximately 3,777 residents and would be required to provide approximately 11.33 acres of park/recreation space. Since these requirements would not be fully achievable on-site, the developer would be required to either dedicate additional parkland or pay in-lieu fees per the Quimby Act. If in lieu fees are paid, such fees would be used by the City to enhance park and recreational facilities in the appropriate geographic areas. Compliance with the Quimby Act would offset the Project's park and recreational facility shortfall and would avoid a significant impact.
- iv. Cumulative Impact -- As with the Project, compliance by related projects with the Quimby Act to either dedicate additional parkland or pay in-lieu fees would offset the park/recreation demands of such related projects and, therefore, avoid a significant cumulative impact.

U. Library Services

- i. Potential Impacts – The Project may cause a significant impact on library services caused by the Project. A Project could have a significant impact on library services if:
  - a. The Project would generate a demand for library facilities or services that would cause an increase in the community population that would exceed Los Angeles Public Library (“LAPL”) defined target service population.
- ii. Findings – The Project will not cause significant impacts on library services, and no mitigation measures are required.
- iii. Supportive Evidence and Rationale – The FEIR analyzed in detail the Project’s potential impacts on libraries in Section IV-I(5) of the DEIR. The increase in residential population, employees and patrons associated under the Project would increase demand on LAPL facilities in this area, including the Central Library, the Little Tokyo and Chinatown Branch Libraries. However, the Project is not expected to cause an increase in the community population that would exceed the LAPL-defined service target population. The LAPL has indicated in comments to the NOP for the EIR that the Project should pay a fee of \$200 per capita to offset the increase in library service demand. However, the detailed analysis provided in the EIR demonstrates that the Project would not cause a significant impact on library services, and the LAPL did not provide any data in its NOP response letter to the contrary. In addition, the LAPL did not provide any comments on the DEIR. Further, it should be noted that the LAPL has not taken the necessary legal steps to impose a mitigation fee on all new development projects in its jurisdiction.
- iv. Cumulative Impacts – Population increases created by the 93 related projects in combination with the Project would increase the demand for LAPL services within the Project area. If a large number of these related projects are eventually developed and such future development causes a demand on library services beyond the capacity of the then existing libraries, then the LAPL may take the necessary steps to adopt an impact fee program that would adequately mitigate that cumulative impact on library services. However, since the LAPL has not adopted such a fee program, the Authority conservatively determines that the cumulative impact on library services will be significant.

V. Water Supply

- i. Potential Impacts – The Project may cause a significant impact on the water supply if:
  - a. The public water system's total projected water supplies available during normal, single dry and multiple dry water years during the current 20-year projection would not meet the projected water demand associated with the proposed Project, as well as all other future uses, including agricultural and manufacturing uses.
  - b. The estimated water demand for the Project would exceed the available capacity within the distribution infrastructure that would serve the Project site.
  - c. The construction of a new or upgraded water distribution infrastructure would result in substantial obstruction of vehicle and/or pedestrian access.
- ii. Findings – With the implementation of Mitigation Measure J.1-1, the Project's potentially significant impact on water supply will be reduced to a less than significant level. In addition, a series of regulatory measures are identified that would result in reducing the water demand attributable to the Project.

**Mitigation Measure J.1-1:** Prior to initial occupancy of the buildings within Parcels L and W-1/W-2, the developer shall install new water lines along Second Street, from Olive Street to Hill Street to serve Parcels W-1/W-2, and from Hope Street to Lower Grand Avenue to serve Parcel L. The City's Department of Public Works shall review and approve all plans related to these new water lines. The developer shall be responsible for the implementation of these improvements.

**Regulatory Measure J.1-1:** Prior to the start of each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements, shall call DIG-ALERT to identify and mark on the ground surface the locations of existing underground utilities. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels and the Streetscape Program. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.

**Regulatory Measure J.1-2:** Prior to the start off each construction phase, the developer, with regard to the five development parcels, and the



responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements shall perform potholing of existing water and gas mains to verify the depth of cover. If the depth of cover over the lines is shallow and the total street pavement section is thick (around 24 inches), then the temporary cover over the lines during construction may be reduced to 12 inches or less. Under these circumstances, protective measures shall be implemented to prevent damage or breakage of the lines during the pavement sub-grade preparation process. Notices of service interruption, if necessary, shall be provided to customers in accordance with DWP-Water and ACG requirements. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels and the Streetscape Program. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.

**Regulatory Measure J.1-3:** Prior to issuance of building permits for each construction phase, the developer, with regard to the five development parcels, shall pay the appropriate fees as may be imposed by the City's Department of Building and Safety, or other appropriate City agency or department. A percentage of building permit fees is contributed to the fire hydrant fund, which provides for citywide fire protection improvements. Compliance with this measure shall be determined by the City's Department of Building and Safety, or other appropriate City agency or department.

**Regulatory Measure J.1-4:** Prior the issuance of building permits for each construction phase, the developer, with regard to the five development parcels and the responsible parties for implementation of the Civic Park Plan under the applicable agreements, shall coordinate with the Los Angeles Department of Water and Power to conduct a flow test to confirm that the existing water system meets fire flow requirements imposed by the LAFD for the Project. The developer, with regard to the five development parcels and the responsible parties for implementation of the Civic Park Plan under the applicable agreements, shall undertake and complete required improvements as identified by the LADWP, based on the findings of the flow test. The City's Department of Public Works, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels. The County's CAO Department of shall determine compliance with this measure with regard to the Civic Park.

**Regulatory Measure J.1-5:** During Project operations, the developer, with regard to the five development parcels, shall incorporate Phase I of the City of Los Angeles' Emergency Water Conservation Plan into all privately operated parcels. The Plan prohibits hose watering of driveways and associated walkways, mandates decorative fountains to use recycled water, mandates drinking water in restaurants to be served upon request only, and

provides that water leaks are repaired in a timely manner. The City's Department of Public Works, or other appropriate City agency or department, shall determine compliance with this measure.

**Regulatory Measure J.1-6:** During Project operations, incorporate Los Angeles County water conservation policies into the operation of the Civic Park, and the County Office Building, if the Project proceeds with the County office building option. The responsible parties for the implementation of the Civic Park under the applicable agreements, and the County with regard to the County Office Building, if the Project proceeds with the County office building option, shall be responsible for implementing this measure. The implementation of this measure shall be subject to the review and approval of the County's CAO or its designee.

**Regulatory Measure J.1-7:** During Project operations, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements and the County Office Building operator shall comply with any additional mandatory water use restrictions imposed as a result of drought conditions. The City's Department of Public Works, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels and the Streetscape Program. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.

**Regulatory Measure J.1-8:** During Project operations, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements, shall install automatic sprinkler systems to irrigate landscaping during morning hours or during the evening to reduce water losses from evaporation, and sprinklers shall be reset to water less often in cooler months and during the rainfall season so that water is not wasted by excessive landscape irrigation. The City's Department of Public Works, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels and the Streetscape Program. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.

- iii. Supportive Evidence and Rationale – The Project's potentially significant impact on the water supply is analyzed in Section IV.J.1 of the DEIR. Based on a Water Supply Assessment certified by the Los Angeles Department of Water and Power ("LADWP"), the total estimated water demand for the Project at build-out is not expected to exceed available supplies during normal, single dry and multiple dry water years during the 20-year planning period projection. Further, the Project is not anticipated to exceed the

available capacity within the distribution infrastructure that would serve the Project site. Other than connections from the Project site to the water mains and the installation of new water lines along Second Street, the construction of a new or upgraded distribution and conveyance infrastructure would not be required. With regulatory compliance and incorporation of the mitigation measures discussed above, impacts to water supply associated with the Project would be less than significant.

- iv. Cumulative Impact – Development of the 93 related projects would cumulatively contribute, in conjunction with the Project to the water demand in the Project area. Related projects are anticipated to be developed in compliance with all applicable water conservation regulations and within the build-out scenario of the Community Plans and the City of Los Angeles General Plan elements. Further, the LADWP Water Supply Assessment concluded that there are adequate water supplies to meet all existing and future water demands for the next 20 years. As such, impacts associated with cumulative water demand would be less than significant.

W. Wastewater

- i. Potential Impacts – The Project may cause a significant impact on wastewater conveyance and treatment facilities if:
  - a. The Project's additional wastewater flows would substantially or incrementally exceed the future scheduled capacity of the Hyperion Treatment Plant ("HTP").
  - b. The Project would cause a measurable increase in wastewater flows at a point where, and a time when, a sewer's capacity is already constrained or that would cause a sewer's capacity to become constrained.
  - c. The construction of new or upgraded wastewater distribution infrastructure would result in a substantial obstruction of vehicle and/or pedestrian access.
- ii. Findings – The Project will not cause a significant impact with regard to wastewater service. Notwithstanding, the following regulatory measures have been identified to ensure the Project's less than significant impact concerning this issue.

**Regulatory Measure J.2-1:** Prior to the start of each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park shall comply with City ordinances limiting connections to the City sewer system, in accordance

with City Bureau of Sanitation procedures. The City's Department of Public Works, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels. The County's CAO or its designee shall ensure compliance with this measure.

**Regulatory Measure J.2-2:** Prior to the start of each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park Plan, shall prepare, and thereafter implement, building plan specifications for the installation of low-flow water fixtures and further encourage reduction of water consumption to minimize wastewater flow to the sewer system, in accordance with applicable water conservation requirements. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels. The County's CAO or its designee shall ensure compliance with this measure.

- iii. Supportive Evidence and Rationale – The FEIR analyzed in detail the Project's potential impact on wastewater facilities in Section IV-J(2) of the DEIR. The operation of the Project under the County Office Building Option would generate 631,650 gallons per day (gpd) of wastewater and a peak flow of 1,073,805 gpd. The Project under the Additional Residential Development Option would generate 592,070 gpd on average and a peak flow of 1,006,519 gpd. By complying with the provisions of the City's Sewer Allocation Ordinance, wastewater generation resulting from operation of the Project would not substantially exceed the future scheduled capacity of the HTP. Nor, would the Project cause a measurable increase in wastewater flows at a point where, and a time when, a sewer's capacity is already constrained or would cause a sewer's capacity to become constrained. Therefore, implementation of the Project would result in a less than significant impact to wastewater facilities.
- iv. Cumulative Impact – Development of the 93 related projects, in conjunction with the Project would cumulatively contribute to wastewater generation in the Project area. The Project with Additional Residential Option would generate nearly seven percent less wastewater than that of the proposed Project with County Office Building Option. The wastewater anticipated to be discharged by the related projects along with the Project with County Office Building Option is 7.3 million gpd, which represents approximately 1.6 percent of the HTP's full capacity of 450 million gpd. Each of the individual related projects would be subject to the LADWP's determination of whether there is allotted sewer capacity available prior to the formal acceptance of plans and specifications by the Department of Building and Safety. Therefore, cumulative impacts to the local and regional sewer system for the

Project, in conjunction with the related projects, would be less than significant.

X. Solid Waste

- i. Potential Impacts – The Project may cause a significant impact concerning solid waste if:
  - a. The Project generates solid waste at a level that exceeds the available capacity of the existing and/or planned landfills.
  - b. The Project conflicts with diversion and recycling goals set forth in the City of Los Angeles Solid Waste Management Policy Plan (CiSWMPP) and Source Reduction and Recycling Element (SRRE).
- ii. Findings - The Project will not cause a less than significant impact with regard to solid waste services. Notwithstanding, the following regulatory measures have been identified to ensure the Project's less than significant impact concerning this matter.

**Regulatory Measure J.3-1:** Prior to the issuance of a certificate of occupancy for each construction phase, and thereafter during Project operations, the developer, with regard to the five development parcels, shall comply with the provisions of City of Los Angeles Ordinance No. 171687 with regard to all new structures constructed as part of the five development parcels. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure.

**Regulatory Measure J.3-2:** Prior to the issuance of each certificate of occupancy, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements, shall prepare, and thereafter implement, a plan that designs all structures constructed or uses established within any part of the proposed Project site to be permanently equipped with clearly marked, durable, source sorted recyclable bins at all times to facilitate the separation and deposit of recyclable materials. The City's Department of Public Works, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels and the Streetscape Program. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.

**Regulatory Measure J.3-3:** Prior to the issuance of each certificate of occupancy, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park under the applicable agreements, shall prepare, and thereafter implement, a plan that

designs primary collection bins to facilitate mechanized collection of such recyclable wastes for transport to on- or off-site recycling facilities. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.

**Regulatory Measure J.3-4:** During Project operations, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements, shall continuously maintain in good order for the convenience of businesses, patrons, employees and park visitors clearly marked, durable and separate bins on the same lot, or parcel to facilitate the commingled recyclables and deposit of recyclable or commingled waste metal, cardboard, paper, glass, and plastic therein; maintain accessibility to such bins at all times, for collection of such wastes for transport to on- or off-site recycling plants; and require waste haulers to utilize local or regional material recovery facilities as feasible and appropriate. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels and the Streetscape Program. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.

**Regulatory Measure J.3-5:** During each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements, shall implement a demolition and construction debris recycling plan, with the explicit intent of requiring recycling during all phases of site preparation and building construction. The City's Department of Building and Safety, or other appropriate City agency or department, shall review and approve the plan with regard to the five development parcels and the Streetscape Program. The County's CAO or its designee shall review and approve the plan with regard to the Civic Park.

- iii. Supportive Evidence and Rationale – The FEIR analyzed in detail the Project's potential impact on solid waste facilities in Section IV-J(3) of the DEIR. The Project would not cause the available capacity of the existing and/or planned landfills to be exceeded, and impacts due to construction and operations would be less than significant. Nonetheless, regulatory mitigation measures have been identified concerning compliance with existing plans, programs and policies promoting recycling, waste reduction and waste diversion.

- iv. Cumulative Impact – Development of the 93 related projects would generate solid waste during their respective construction periods and on an on-going basis following the completion of construction. The total cumulative construction debris from the related projects and proposed Project would total 63,000 tons. This would comprise approximately 0.1 percent of the remaining inert landfill disposal capacity of 69.94 million tons and, as such, cumulative impacts on inert landfill capacity would be less than significant. During operation, the total cumulative solid waste generation is estimated to be 112,015 tons per year under the Project with County Office Building Option and 107,660 tons per year under the Project with Additional Residential Development Option. These levels of cumulative annual solid waste generation represent approximately 1.2 percent of the total solid waste generated in Los Angeles County in 2003. Based on these small percentages, and the County's forecast of 15 years of landfill availability, cumulative impacts on municipal landfill capacity are concluded to be less than significant.

## 1.6 FINDINGS REGARDING ALTERNATIVES TO THE PROPOSED PROJECT

CEQA Guideline 15126.6 requires an EIR to (1) describe a range of reasonable alternatives to the proposed project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project; and (2) evaluate the comparative merits of the alternatives. In analyzing the feasibility of an alternative, the CEQA Guidelines list the following factors: site suitability; economic viability; infrastructure viability; social, legal and technological issues; and jurisdictional boundaries. The purpose of the consideration and discussion of alternatives to the proposed project is to identify ways to mitigate or avoid the significant effects that a project may have on the environment. In doing so, CEQA Guideline 15126.6 directs that the analysis of alternatives be limited to alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of project objectives, or would be more costly.

The selection and discussion of alternatives to the project is intended to foster meaningful public participation and informed decision-making. An EIR need not consider an alternative whose effect cannot be reasonably ascertained and whose implementation is remote or speculative. CEQA Guideline 15126.6 also requires the analysis of a "No Project" alternative and the identification of an "Environmentally Superior Alternative." If the environmentally superior alternative is the No Project Alternative, then the EIR is required to identify an environmentally superior alternative among the remaining alternatives.

Finally, CEQA Guideline 15126.6 requires an EIR to identify any alternatives that were considered by the lead agency but were rejected as infeasible during the

scoping process and briefly explain the reasons underlying the lead agency's determination of such infeasibility.

#### Alternatives Considered But Rejected

Two alternatives were identified but subsequently rejected from further analysis in the FEIR. The first such rejected alternative was the Alternative Location Alternative. With respect to alternative sites for any proposed project, CEQA Guideline 15126.6(f)(2)(A) provides that: "The key question and first step in analysis is whether any of the significant effects of the project would be avoided or substantially lessened by putting the project in another location. Only locations that would avoid or substantially lessen any of the significant effects of the project need be considered for inclusion in the EIR."

Based on substantial evidence, the Authority determined that the relocation of the Project to another location would not substantially reduce the Project's primary significant impacts relative to traffic, air quality, and noise, and would likely have a greater impact regarding land use compatibility, visual context and scale since it is specific to a highly urbanized environment. Although an alternative location may eliminate potentially significant historical and specific view impacts, it would likely cause view impacts in an alternative location due to the size of the proposed buildings. Further, since the Project location is specific to the Civic Center Mall, Grand Avenue, and the Bunker Hill Redevelopment Project parcels, it would not be feasible to expand and renovate of the Civic Center Mall or develop the Grand Avenue streetscape improvements between Fifth Street and Cesar E. Chavez Avenue in another location. For all these reasons, the Alternative Location Analysis was properly rejected.

The second rejected alternative was the development of institutional uses, such schools and hospitals, in the remaining Bunker Hill Redevelopment Project parcels, Parcels Q, W-1/W-2, L and M-2. This alternative was rejected since it would have a significant land use impact in relation to the implementation of the policies of adopted plans and policies, including housing policies of the General Plan Framework; policies of the Central City Community Plan to encourage a mix of uses which create a 24-hour downtown environment; policies of the Bunker Hill Redevelopment Plan to provide convenient and efficient living accommodations for downtown employees and a range of housing types, including affordable housing; the policies of the existing Bunker Hill Design for Development which call for a mix of commercial and residential uses in theses parcels; and policies of the Downtown Strategic Plan, which recognize the need to substantially increase the residential presence in the downtown community. Such an alternative would also not implement the jobs/housing balance goals of SCAG's Regional Comprehensive Plan and Guide or the goals of that plan to place high-density multi-family uses within urban centers in close proximity to transit and other multi-modal transportation opportunities. This alternative would also not meet the basic objectives of the



Project to provide a mixed-use development with a mix of uses that are economically viable. For all these reasons, this alternative was properly rejected.

Finally, a commentator during the public review process suggested that the Project should be modified to include a higher percentage of affordable housing units. However, the developer has committed to 20 percent of the overall housing units in the Project being affordable units, and substantial evidence supports the conclusion that additional subsidies from the LA/CRA or others for an even greater number of affordable housing units in the Project are not available or feasible, and that key Project objectives would not be achieved if more financial resources of the Project are devoted to additional affordable housing units, including the use of funds to improve and extend the existing County Mall into a Civic Park that can serve as a public gathering place for the entire region. Accordingly, the Authority finds that such an alternative to the Project is not feasible within the meaning of CEQA.

#### The Five Alternatives Evaluated in the FEIR

The following alternatives were analyzed in detail in the FEIR since they could (i) meet some of the Project Objectives and avoid or lessen some impacts or (ii) were required to be analyzed by the applicable provisions of CEQA (namely, the No Project Alternative):

- Alternative 1: No Project "A" – The Project site remains in its existing conditions.
- Alternative 2: No Project "B" – Development on Parcels Q and W-2 would occur per the provisions of the 1991 Owner Participation Agreement applicable to those parcels, while development on Parcels W-1, L, and M-2 would occur per current City zoning. Under the No Project "B" Alternative, the Grand Avenue streetscape program would be limited to only improvements along the frontage of Parcel Q, while no improvements to the existing Civic Center Mall would occur.
- Alternative 3: Reduced Density Alternative – Development on the five parcels would be reduced by 25 percent, as would proposed building heights. Improvements within the Civic Park as well as along the Grand Avenue streetscape program would be reduced commensurate with the reduced funding for Phase 1 that would be available from prepaid lease revenues.
- Alternative 4: Alternative Design Alternative – Two unrelated components of the Project would be changed under this Alternative – the Civic Park and the location of the towers on Parcels L and M-2. Under this Alternative, the existing Civic Center Mall's four character-defining features would remain as they exist today and in their current locations, or they would be retained and reused within the Civic Park in accordance with the Secretary of the Interior's

Standards for the Rehabilitation of Historic Buildings. Also under this Alternative, the towers proposed for development on Parcels L and M-2 would be reversed, such that the tower proposed for the southeast corner of Parcels L and M-2 would be moved to the southwest corner, and the tower proposed for the northwest corner would be moved to the northeast corner.

- Alternative 5: Alternative land Use Alternative – development on all five development parcels would be residential supported by a limited amount of retail development. The Civic Park and Grand Avenue streetscape program under this Alternative would be the same as the Project.

As described in this Section XII, the FEIR analyzed the issues of whether each of these alternatives (i) could achieve most of the Project Objectives and (ii) could reduce the Project's potentially significant impacts.

Alternative 1 - No Project "A"

a. Ability to Achieve Most of the Project Objectives

The No Project "A" Alternative would not meet the ultimate goal of the Project to provide an economically viable, architecturally distinguished community-oriented, mixed-use development with welcoming public open spaces or create, define, and celebrate the Civic and Cultural Center as a regional destination in downtown Los Angeles. In addition, the No Project "A" Alternative would also not meet any of the Project's priority objectives. This alternative would not meet the priority objective to create a vibrant 24-hour development that activates the Civic and Cultural Center through a mix of uses that complement each other, and that add to those that already exist on Bunker Hill; or meet the priority objective to implement the redevelopment plan objectives to permit a maximum density of development commensurate with the highest standards of architecture and landscape design. This alternative would also not meet the priority objective to generate at least \$50 million in funds from the Project itself, and at least \$45 million from Phase 1 by the lease of public land, and use these funds to improve and extend the existing Civic Center Mall into a Civic Park that can serve the entire region. This alternative would also not meet the priority objective of providing affordable units and it would not meet the priority objective to create a long-term stream of additional tax revenues for the City, the CRA/LA and the County. The No Project "A" Alternative would also not meet the additional objectives of the Project in that it would not generate specific public benefits; activate downtown Los Angeles, create a civic gathering place, enhance pedestrian connections, create distinguished architectural design, or facilitate achievement of redevelopment goals for the Bunker Hill District and the Central Business District.

b. Ability to Reduce the Project's Residual Significant Impacts

The No Project "A" Alternative would avoid the Project's significant and unavoidable impacts associated with compliance with existing zoning designations, construction hauling, periodic closures of the Grand Avenue and Hill Street ramps to the garage beneath the existing Civic Center Mall during their relocation, any temporary lane closures, intersection service thresholds, occasional traffic congestion during evening and large-scale events in the Civic Park, DAARP residential parking requirements, view obstruction, character-defining features in the Civic Center Mall, air quality (constructions and operation), noise (construction), and parks and recreation (during construction of Civic Park), but would be less beneficial in relation to the implementation of existing land use plans and visual quality. The No Project "A" Alternative, however, would not eliminate significant, unavoidable traffic impacts that would occur under future baseline traffic conditions due to ambient growth and the development of other projects.

c. Determination of Infeasibility

Based on the findings set forth in this subsection, the analysis contained in the FEIR, and other substantial evidence in the record of the proceedings concerning the Project, the Authority finds that this alternative is not feasible within the meaning of CEQA.

Alternative 2 - No Project "B"

a. Ability to Achieve Most of the Project's Objectives

The No Project "B" Alternative would not meet the ultimate goal of the Project to provide an economically viable, community-oriented, mixed-use development. In addition, the No Project "B" Alternative would not meet any of the Project's priority objectives. The No Project "B" Alternative would not meet the Project's priority objective to establish Grand Avenue as a vibrant 24-hour urban place that activates the Civic and Cultural Center through a mix of uses and complement each other due to the substantial reduction of the Grand Avenue Streetscape Program, and no development of street front retail uses along Parcels L and M-2. This Alternative would not meet the Project's priority objective to generate at least \$50 million in funds from the Project itself, and at least \$45 million from Phase 1 by the lease of public land, and then using these funds to create the proposed Civic Park, nor implement the Grand Avenue Streetscape Program as envisioned. As such, it would not meet the Project objectives to create a civic gathering place and to enhance pedestrian connections. This Alternative would also not meet the priority objective of the Project to implement redevelopment plan objectives to permit

a maximum density of development, since this Alternative would not maximize density on Parcels W-1/W-2, L and M.

Although the No Project "A" Alternative would meet the Project's priority objective to create a long-term stream of additional tax revenues for the City, the CRA/LA and the County, the magnitude of revenue generation would be substantially reduced under this Alternative as compared to the Project, since Parcels W-2/W-2, L and M-2 would not be developed to their full potential. Furthermore, this Alternative would meet the priority objective to ensure that 20 percent of all residential units are affordable, since it would contain only a fraction of the number of affordable units that would be generated by the proposed Project's residential units.

b. Ability to Reduce the Project's Residual Significant Impact

The No Project "B" Alternative would reduce, but not completely avoid, the Project's significant and unavoidable impacts associated with construction hauling, lane closures, intersection service levels (although it would incrementally reduce peak hour traffic), DAARP residential parking requirements, view obstruction, air quality (construction and operation), and noise (construction). This alternative would be less beneficial than the Project in relation to the implementation of existing land use plans, which call for a greater mix of residential uses in the urban center and revitalization of the downtown. The No Project "B" Alternative would, however, avoid the Project's potential significant impacts associated with zoning compliance, periodic closures of the Grand Avenue and Hill Street ramps to the Civic Center mall during the reconstruction of the ramps, occasional traffic congestion during evening and large-scale events in the Civic Park, possible removal of historically significant character-defining features in the existing Civic Center Mall, and short-term recreational impacts associated with the closure of the existing Civic Center Mall during the construction of the Civic Park.

c. Determination of Infeasibility

Based on the findings set forth in this subsection, the analysis contained in the FEIR, and other substantial evidence in the record of the proceedings concerning the Project, the Authority finds that this alternative is not feasible within the meaning of CEQA.

Alternative 3 - Reduced Density Alternative

a. Ability to Achieve Most of Project's Objectives

The reduced Density Alternative may not meet the ultimate goal of the Project to provide an economically viable development since, with the reduction in

scale, the Reduced Density Alternative would not be as economically viable as the Project. In addition, the Reduce Density Alternative would not meet the majority of the Project's priority objectives to create a vibrant, 24-hour development that activates the Civic and Cultural Center to the same extent as the Project. Furthermore, since the Alternative has less development than the Project, it would not meet the priority objective to implement redevelopment plan objectives to permit a maximum density of development. The Reduced density Alternative also would not implement the Project's priority objective to generate at least \$50 million in funds from the Project itself, and at least \$45 million from Phase 1 by the lease of public land, and then to use these funds to improve and extend the existing Civic Center Mall into the proposed Civic Park. In addition, this Alternative would not implement the Grand Avenue Streetscape Program (except adjacent to Parcel Q), further reducing the ability of this Alternative to meet the objectives of the Project to create a civic gathering place and to enhance pedestrian connections.

The Reduce Density Alternative would meet the priority objectives to ensure that 20 percent of all residential units in the Project are affordable units; however, due to the reduction in residential units, this would provide 25 percent fewer affordable units than the Project. This Alternative would also meet the priority objective to create a long-term stream of additional tax revenues for the City, the CRA/LA and the County. However, since it would represent a reduction in scale, the stream of additional tax revenues would be incrementally less than under the Project.

The Reduced Density Alternative would meet the Project's objective to encourage public transit opportunities through the development of high-density residences in close proximity to existing transit systems. The Reduced Density Alternative would also meet the Project objective to provide residential densities in the Bunker Hill Redevelopment Project area as well as improve the jobs/housing balance downtown and establish a variety of housing types, although it would not maximize residential densities as well as the Project. The Reduced Density Alternative would also implement the redevelopment plan objectives to provide housing for workers who seek housing near their employment, but to a lesser degree than would occur under the Project.

b. Ability to Reduce the Project's Residual Significant Impacts

The Reduced Density Alternative would reduce, but not completely avoid, the Project's significant and unavoidable impacts associated with zoning compliance construction hauling, lane closures, periodic closures of the Grand Avenue and Hill Street ramps to the garage beneath the Civic Center Mall during their reconstruction, operation traffic, occasional traffic congestion during evening and large-scale events in the Civic Park, DAARP residential

parking requirements, view obstruction, air quality (construction and operation), and noise (construction). Additionally, this Alternative may possibly reduce impacts associated with the possible removal of the historically significant character-defining features in the Civic Center Mall, and short-term recreational impacts associated with the closure of Civic Center Mall during the Civic Park's construction phase, if the scope of the development in the Civic Park were reduced.

c. Determination of Infeasibility

Based on the findings set forth in this subsection, the analysis contained in the FEIR, and other substantial evidence in the record of the proceedings concerning the Project, the Authority finds that this alternative is not feasible within the meaning of CEQA.

Alternative 4 - Alternative Design Alternative

a. Ability to Achieve Most of Project Objectives

As with the Project, the Alternative Design Alternative would meet the ultimate goal of the Project to provide an economically viable, architecturally distinguished, community-oriented, mixed-use development with notable public open spaces that would create, define, and celebrate the Civic and Cultural Center as a regional destination. In addition, the Alternative Design Alternative would meet all the Project's priority objectives. This Alternative would meet all of the Project's specific objectives that are intended to ensure that the proposed development would generate specific public benefits, activate downtown Los Angeles, create a civic gathering place, enhance pedestrian connections, create distinguished architectural design, facilitate achievement of redevelopment goals for the Bunker Hill District and the amended Central Business District Redevelopment Plans.

b. Ability to Reduce the Project's Residual Significant Impacts

Through the retention of historically significant character-defining features, the Alternative Design Alternative would avoid the Project's potential significant impact on the historic resources present within the existing Civic Center Mall. However, the feasibility of retaining those elements of Civic Center Mall is not known at this time since the final design of Civic Park has not been completed. Due to, among other considerations, that final design may call for not retaining all of those features because of economic factors or planning objectives inherent in the Civic Park program.

This alternative would also reduce the Project's significant view impact for the residents of the Grand Promenade Tower building that have northerly views to

a less than significant level. However, the Alternative Design Alternative would not avoid the Project's significant and unavoidable impacts associated with zoning compliance, construction hauling, lane closures, periodic closures of the Civic Mall Garage's Grand Avenue and Hill Street ramps to the garage beneath the existing Civic Center Mall during their reconstruction, intersection service levels, DAARP residential parking requirements, views from locations other than the Grand Promenade Tower apartments, air quality (construction and operation), noise (construction). This Alternative would avoid the Project's potentially significant impacts on character-defining features in the existing Civic Center Mall.

c. Determination of Infeasibility

Based on the findings set forth in this subsection, the analysis contained in the FEIR, and other substantial evidence in the record of the proceedings concerning the Project, the Authority finds that (i) the component of this alternative concerning mandatory retention of the character-defining features of the Civic Center Mall is not feasible within the meaning of CEQA since the final design of the Civic Park is not known at this time, and (ii) the component of this alternative that concerns the reversal of the location of the two towers on Parcels L and M-2 is feasible.

Alternative 5 - Alternative Land Use Alternative

a. Ability to Achieve Most of Project Objectives

The Alternative Land Use Alternative, which would not provide a mixture of hotel and retail uses with the proposed residential uses, would not meet the ultimate goal of the Project to provide an economically viable, community-oriented, mixed-use development. Additionally, since this Alternative would not provide a hotel and would provide a limited amount of street-front retail uses and restaurants, this Alternative would not meet the priority objective of the Project to the same extent as the Project to create a vibrant, 24-hour development that activates the Civic and Cultural Center by attracting both residents and visitors through a mix of uses that complement each other. Although this Alternative anticipates implementation of the Grand Avenue Streetscape Program, with the absence of street-front retail uses and restaurants, this Alternative would not meet the priority objective to create a pleasant living and working environment to the same degree as the Project. This Alternative would meet the priority objective to generate at least \$50 million in funds from the Project itself, and at least \$45 million from Phase 1 by the lease of public land, and use these funds to improve and extend the existing Civic Center Mall into the proposed Civic Park. This Alternative would also meet the priority objective to ensure that 20 percent of all residential units in the Project are affordable units for low-income residents. This objective

would also meet the priority objective to create a long-term stream of additional tax revenues for the City, the CRA/LA and the County. However, since taxes on residences are less than on commercial uses, this Alternative would not meet this objective to the same extent as the Project.

b. Ability to Reduce the Project's Residual Impacts

The Alternative Land Use Alternative would not avoid the Project's significant and unavoidable impacts associated with zoning compliance (due to residential uses in existing C2 zones), construction hauling, lane closures, periodic closures of the Grand Avenue and Hill Street ramps to the garage beneath the existing Civic Center Garage's during their reconstruction, intersection service levels, occasional traffic congestion during evening and large-scale events in the Civic Park, and DAARP residential parking requirements. However, the Alternative Land Use Alternative would incrementally reduce peak hour traffic. This Alternative would also not avoid the Project's potential significant impacts associated with air quality (construction and operation), noise (construction), and short-term recreational impacts associated with the closure of the existing Civic Center Mall during the construction of the proposed Civic Park.

c. Determination of Infeasibility

Based on the findings set forth in this subsection, the analysis contained in the FEIR, and other substantial evidence in the record of the proceedings concerning the Project, the Authority finds that this alternative is not feasible within the meaning of CEQA.

The Environmentally Superior Alternative

CEQA Guideline 15126.6 requires the identification of an environmentally superior alternative to the proposed Project and, if the environmentally superior alternative is the "No Project Alternative," the identification of an environmentally superior alternative from among the remaining alternatives. An environmentally superior alternative is an alternative that would reduce and/or eliminate the significant, unavoidable environmental impacts associated with a project without creating other significant impacts and without substantially reducing and/or eliminating the environmental benefits attributable to the Project. Accordingly, selection of an environmentally superior alternative is based on an evaluation of the extent to which the alternatives reduce or eliminate the significant impacts associated with the Project, and on a comparison of the remaining environmental impacts of each alternative. The determination of the environmentally superior alternative is not based on any assessment of the Alternative's ability to meet the Project objectives.



In this matter, the No Project "A" Alternative (Alternative 1) would be the environmentally superior alternative as this alternative would have less impact relative to the Project than the other evaluated alternatives. CEQA requires that when the No Project Alternative is the environmentally superior alternative, another alternative needs to be selected as environmentally superior. Based on the findings set forth in this section XII and the analysis contained in the FEIR, the Authority determines that the Reduced Density Alternative would be the environmentally superior alternative, since it may reduce the Project's impacts more broadly than the other Project alternatives.

## 1.7 STATEMENT OF OVERRIDING CONSIDERATIONS

CEQA Guideline 15093(a) and (b) provides that:

- (a) CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered 'acceptable.'
- (b) When the lead agency approves a project which will result in the occurrence of significant effects which are identified in the final EIR but are not avoided or substantially lessened, the agency shall state in writing the specific reasons to support its action based on the final EIR and/or other information in the record."

The Authority adopts and makes this Statement of Overriding Considerations ("SOC") concerning the Project's unavoidable significant impacts to explain why the Project's benefits override and outweigh its unavoidable environmental impacts. Based on substantial evidence in the record, the Authority finds that each benefit of the Project set forth in this SOC constitutes an overriding consideration warranting approval of the Project, despite the unavoidable impacts.

1. The Project will create a vibrant, 24-hour development that activates the Civic and Cultural Center by attracting both residents and visitors, day and night, through a mix of uses that are economically viable, that complement each other, and that add to those that already exist on Bunker Hill.
2. The Project will provide substantial economic benefits for the entire region, generating an estimated \$252 million annually in direct business revenues and over \$362 million in indirect (off-site) business revenues throughout the County, for a total of \$615 million in direct and indirect revenues generated by the Project each year.

3. The business activity generated by the Project is estimated to create up to 5,900 permanent jobs, both on-site and throughout the region. These workers will earn an estimated \$165 million in pre-tax wages and salaries. All jobs generated on the Project site will comply with the CRA/LA's Living Wage Policy.
4. The Project will also create a significant number of construction jobs. Over the life of the construction of the Project, approximately 29,000 direct and indirect construction jobs will be created. These workers will earn over \$1 billion in wages and salaries. All on-site construction jobs will comply with the Prevailing Wage law.
5. Significant tax revenues, an estimated \$105 million, will be generated annually by the Project. These tax revenues will be shared by all levels of government. Approximately \$74 million will go to the federal government, \$21 million to the State government, \$5.7 million to the County government, and approximately \$4.1 million to local governments, all on an on-going, annual basis.
6. The Project will generate at least \$50 million in funds from the earlier phases of the Project itself, and at least \$45 million from Phase 1 of the overall development, through the lease of public land. These funds will be used to improve and extend the existing Los Angeles County Mall into a Civic Park that can serve as a public gathering place for the entire region. The ground lease of the development parcels was structured in a manner to ensure completion of the new Civic Park by the time Phase 1 of the development is completed.
7. The Project will revitalize, expand upon and activate the existing Los Angeles County Mall by developing it into a Civic Park stretching from the Music Center to City Hall. The new Civic Park will be operated to serve as an active, welcoming setting for daily activity as well as a gathering place for community celebrations, cultural and ethnic celebrations, festivals, holiday events, political gatherings and the like. The new Civic Park will be designed to accommodate a variety of sizes of community events and to encourage use of the Metro Red Line, which passes underground through the park at Hill Street.
8. The Project will provide a substantial amount of affordable housing units for low-income and very low income residents. The number of affordable units will equal 20 percent of the total number of housing units developed in the Project, which could yield up to 532 affordable units under the Additional Residential Development Option at full build-out. Long-term affordability covenants to guarantee the availability of such units to such qualified residents will be imposed.

9. The Project will develop a substantial number of housing units in the downtown, up to a total number of 2,660 units under the Additional Residential Development Option. This mix of additional housing units will greatly expand the diversity of downtown living options.
10. The Project will encourage and accommodate pedestrian activity by improving the streetscape along Grand Avenue between Fifth Street and Cesar Chavez Avenue. Streetscape improvements will include the strategic use of landscaping, benches and lighting, improved paving, and wider sidewalks where feasible. Such improvements will create an urban street that will foster pedestrian activity without comprising the functional requirements of vehicular circulation.
11. The Project will create new public spaces on the development parcels that are open and accessible to the public, including plaza areas, outdoor terraces and other gathering places, all with seating areas and landscaping.
12. The Project will increase the value of the four publicly owned, underutilized development parcels, while minimizing public investment in the Project. The value of these uniquely located public parcels will be further increased by the synergistic combination of the parcels into a unified development.
13. The Project will maintain the potential for a new County office building within the later phases of the Project.
14. The Project will create a northern anchor for the downtown area, complementing the southern anchor at "LA Live" to create a more diverse and vibrant downtown core.
15. The Project will enhance the use of public transit by creating easy access to the Metro Red Line at its Civic Center station, and easy access to the many local and commuter bus lines that surround the Project site.
16. The Project will improve pedestrian access from transit stops to the many regional attractions on Grand Avenue, including the Music Center, the Walt Disney Concert Hall, the Colburn School, and the Museum of Contemporary Art. Public access through the Project site will be facilitated by escalators, elevators, and a bridge over Olive Street, all assisting the pedestrian in transitioning the steep slope of Bunker Hill from Hill Street (where the Metro Red Line station exists) to Grand Avenue.
17. The Project will improve the jobs/housing balance in downtown, an area considered to be a "jobs rich" environment. By increasing the amount of housing available in a jobs rich area, there is a greater likelihood that people

will work and live in areas in close proximity, thereby reducing traffic congestion and improving air quality when compared to traditional commuting patterns where the residence and job locations are separated by great distances.

18. The Project will comply with the CRA/LA's public art policy, which will facilitate the placement and maintenance of more public art in the downtown area.
19. The Project will create a job outreach and training program that will provide opportunities for local and low-income residents to secure jobs generated by the construction and operation of the Project through, among other ways, hiring and apprentice goals, coordination with the applicable unions, and on-the-job training requirements for such resident workers.
20. The Project will implement and satisfy numerous objectives of the Bunker Hill Redevelopment Plan (as listed in greater detail in Section V of the Findings and hereby incorporated into this SOC), including, but not limited to, the development of a project with a maximum density commensurate with the highest standards of architecture and landscape design aimed at creating a pleasant living and working environment.

#### 1.9 MITIGATION MONITORING AND REPORTING PROGRAM

In accordance with CEQA Guideline 15091(d), the Authority adopts the Mitigation Monitoring Program that is included as part of the FEIR (the "MMP"). The MMP describes each of the Mitigation Measures identified in the FEIR, the entities responsible for implementing and monitoring each of those measures, and anticipated schedules for completion of those measures. Those measures and implementing program set forth in the MMP have been made enforceable through conditions in the DDA.

#### 2.0 GENERAL CONSIDERATIONS

Each and all of the findings and determinations contained herein are based on the competent and substantial evidence, both oral and written, contained in the entire record relating to the FEIR. All of the language included in these Findings constitutes findings by the Authority, whether or not any particular sentence or clause includes a statement to that effect. All summaries of information in these Findings are based on the entire record of the proceedings, and the absence of any particular fact from any such summary herein is not an indication that a particular finding is not based, in part, on that fact.

The Authority's analysis and evaluation of the FEIR and the Project is based on the best information currently available. This practical limitation is acknowledged in

CEQA Guideline 15151, which provides that "the sufficiency of an EIR is to be reviewed in light of what is feasible."

### **FINDINGS OF FACT (SUBDIVISION MAP ACT)**

In connection with the approval of Vesting Tentative Tract Map No. 67492 the Advisory Agency of the City of Los Angeles, pursuant to Sections 66473.1, 66474.60, .61 and .63 of the State of California Government Code (the Subdivision Map Act), makes the prescribed findings as follows:

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

The Tentative Tract Map was prepared by a licensed land surveyor and contains the required components, dimensions, area, notes, legal description, ownership, applicant and site address information as required by the Los Angeles Municipal Code and Subdivision Map Act. The Tentative Tract Map describes and illustrates land uses consistent with those described in the "Grand Avenue Final Environmental Impact Report" (State Clearinghouse Number 2005 091041) for Parcel L/M-2 and the proposed entitlements described in the City Planning Commission Case No. CPC-2006-9702-ZC-CU-CUB-CUX-ZV-DA. Approval of the Tentative Tract Map for this subdivision is contingent upon the decision of the City Planning Commission and/or the City Council for the proposed entitlements directly associated with Parcel L/M-2 and any other applicable agreements, contracts and necessary approval processes executed by the Grand Avenue Authority, the Community Redevelopment Agency, the County of Los Angeles and the City of Los Angeles. Therefore, as proposed, the map is substantially consistent with the applicable General and Specific Plans affecting the project site and demonstrates compliance with Section 17.01 et. seq. and Section 17.05 (C) of the Los Angeles Municipal Code.

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

Pursuant to Section 66418 of the Subdivision Map Act, "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.

The proposed subdivision demonstrates through its design, compliance with Section 17.05 (C) of the Los Angeles Municipal Code and Section 66418 of the Subdivision Map Act. Section 17.05(C) of the Los Angeles Municipal Code enumerates design standards for Subdivisions and requires that each Tentative Tract Map be designed in compliance with the zoning applying to the subject property. The proposed Tentative Tract Map demonstrates such compliance as follows:

The Central City Community Plan designates the subject property for Regional Center Commercial land uses with the corresponding R5-4D zone. The project proposes a Zone Change for the overall Grand Avenue project site area including Parcel L/M-2 from R5-4D to C2-4D, consistent with the Regional Center Commercial Land Use Designation. Parcel L/M-2 contains approximately 2.20 net acres (95,830 net square feet after required dedication) and would contain two master lots and 13 airspaces lots for the construction of 850 residential condominium units, 20% of which will be affordable (50% of those will be set aside for very low income and 50% will be set aside for low-income levels) and 101,000 square feet of commercial/retail space. A total of 1,570 parking spaces would be provided. In consideration of the concurrent City Planning Commission case (recordation of the Final Map is contingent upon the recommendation of the City Planning Commission and final approval by the City of Los Angeles' City Council), the project is consistent with the land use designation and proposed zoning for Parcel L/M-2. The project be subject to the conditions and requirements of the Lead Agency and Responsible Agencies identified in the Grand Avenue Environmental Impact Report and would be further bond to the Conditions of Approval required by the Advisory Agency and to the to the provisions of the Development Agreement.

The project is also subject to other conditions involving the design and improvement conditions (e.g., street dedications, improvements, street lighting, sewer connection, infrastructure improvements, etc.) as listed under the Tract's Conditions of Approval. Performance of certain conditions must be demonstrated prior to the recordation of the Final Tract Map while others are demonstrated prior to a specific permit or Certificate of Occupancy. Therefore, as conditioned, the design and improvement of the proposed subdivision would be consistent with the intent and purpose of the applicable General and Specific Plans as expressed in Section 17.05(C) of the Los Angeles Municipal Code.

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

Parcel L/M-2 contains approximately 179,388 gross square feet of land and would result in a net area of 95,830 square feet after required street dedications. The site is within the Hillside Grading District and would be subject to numerous geological measures required by the Department of Building and Safety, Grading Division, to satisfy the City's Grading Regulations as enumerated under Section 91.3000 of the Los Angeles Municipal Code (Division 70 of the Building Code).

The subject site lies within Flood Zone "C" which is identified as an area of minimal flood as shown on Flood Insurance Rate Map Community Panel No. 060137 004C. The project site is not subject to the Specific Plan for the Management of Flood Hazards (floodways, floodplains, mud prone area, coastal high-hazard and flood-related erosion hazard areas).

The project was subject to an Environmental Impact Report ("EIR") conducted by the Grand Avenue Authority (State Clearinghouse Number 2005 091041. The environmental analysis contained in the EIR establishes that the physical characteristics of the site and surrounding area is conducive for the type of development relative to the site's existing urban character, applicable land use regulations and zoning. The EIR identifies that the physical implementation of the project would cause substantial impacts on the environment. However, Mitigation Measures identified in the FEIR are incorporated into the project's conditions of approval to minimize the environmental impacts to less than significant levels. Said Mitigation Measures have been adopted by the Advisory Agency as indicated in the CEQA Findings ("Findings of Fact (CEQA)) of this decision.

The proposed Project includes an Equivalency Program that would allow the composition of on-site development to be modified to respond to future needs in a manner that would not increase the project's impacts on the environment. The Equivalency Program would provide flexibility for modifications to land uses and square footages for Parcel L/M-2 relative to the other three tract maps that are part of the whole project defined as "The Grand Avenue Project" (Tentative Tract Numbers 67490, 67491, and 67492). Within this framework, land uses can be exchanged for corresponding decreases of other land uses under the proposed Equivalency Program without any further CEQA review.

The equivalency program was analyzed in the FEIR to confirm that the exchange of Project uses set from I the program can occur without the need for subsequent CEQA analysis. Proposed Exchanges under the equivalency program would be implemented through the City of Los Angeles, Department of City Planning procedures. These procedures ensure that any exchanges occurring in the future are within the scope of the FEIR's Equivalency Program. Therefore, material evidence supports that the project site is 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 applying to subject sites throughout the City, are allocated based on the type of land use, physical suitability and population growth that is expected to occur. The proposed C2-4D Zone affecting the project site permits the proposed densities as follows:

There are no minimum lot area requirements for the C2 Zone where commercial uses are proposed. However, residential uses permitted in the C2 Zone are subject to lot area requirements. Section 12.22-A, 18(a) of the Los Angeles Municipal Code provides that any land use permitted in the R5 Zone be permitted on project site where the General Plan Land Use Designation is identified as Regional Center Commercial or within any Redevelopment Project Area within the Central City Community Plan.

The density of 680 residential condominiums and 170 residential apartment units will be consistent with the provisions and area requirements of the Planning and Zoning Code pursuant to Section 12.22 A.25 Affordable Housing Incentives/Density Bonuses and will be contingent upon an approval of the Conditional Use Permit pursuant to section 12.24 U.26. The project's proposed 101,000 square feet of commercial space is also consistent with the general provisions of the Planning and Zoning Code (Section 12.14 et. seq. of the Los Angeles Municipal Code). Additionally, the project falls within the scope of those uses analyzed in the Grand Avenue Environmental Impact Report and as adopted by the City Council.

The proposed Project includes an Equivalency Program that would allow the composition of on-site development to be modified to respond to future needs in a manner that would not increase the Project's impacts on the environment. The Equivalency Program would provide flexibility for modifications to land uses and square footages within the five parcels. Within this framework, land uses can be exchanged for certain other permitted land uses so long as the limitations of the Equivalency Program are adhered to, which limitations were designed so no additional environmental impacts would occur. Thus, all permitted Project land use increases can be exchanged for corresponding decreases of other land uses under the proposed Equivalency Program without any further CEQA review.

This equivalency program was analyzed in the FEIR to confirm that the exchange of Project uses set forth in the program can occur without the need for subsequent CEQA analysis. Proposed exchanges under the equivalency program would be implemented through the City of Los Angeles, Department of City Planning procedures.

Based on the density proposed, land uses in the vicinity and the environmental impact report, the subdivision would be consistent with the General Plan and proposed zoning for the development. There are no known physical impediments or hazards that would be materially detrimental to the public welfare or injurious to the property or improvements in the same zone or vicinity in which the property is located as a result of the project's proposed density. Therefore, the site is physically suitable for the proposed density of development.



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

On November 20, 2006, the Los Angeles Grand Avenue Authority (Authority) certified the Grand Avenue Final Environmental Impact Report (FEIR) (State Clearinghouse No. 2005091041), stating the FEIR was completed in compliance with the California Environmental Quality Act, Public Resources Code Section 21000 *et seq.*, the CEQA Guidelines, and all applicable local guidelines concerning the application and implementation of that statute.

The Grand Avenue Final Environmental Impact Report prepared for the proposed project identifies no potential adverse impacts to fish or wildlife resources as far as earth, air, water, plant life, animal life, or risk of upset are concerned. Furthermore, the project site is presently developed with a surface parking lot and other typical structures for associated with urban uses. Such uses do not provide for a natural habitat for fish or wildlife.

With regards to impact categories identified in the environmental impact report as having a potentially significant impact, Mitigated Measures have been identified to mitigate potentially significant impacts to less than, or no impact levels. Said measures are incorporated into the project's conditions of approval. Mitigation Monitoring and other procedures and processes have been identified ensuring the implementation of all required mitigation measures. Appropriate CEQA Findings have been established that reflect the independent judgment of the Lead Agency relative to the adequacy of the environmental impact report, validity of the environmental analyses, and the mitigation measures to be used to minimize the project's impact on the environment. Therefore, in light of the whole record, the proposed project would not cause substantial environmental damage or substantially and unavoidably injure fish or wildlife of their habitat.

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

The Grand Avenue Environmental Impact Report establishes that no potential public health problems would be caused by the design or improvement of the proposed subdivision. The project is subject to setback and yard requirements, the Fire Code, and other health and safety related requirements as mandated by law.

The development is required to be connected to the City's sanitary sewer system, where the sewage will be directed to the LA Hyperion Treatment Plant, which is currently being upgraded to meet Statewide ocean discharge standards. The Bureau of Engineering has reported that the proposed subdivision does not violate the existing California Water Code because the subdivision will be connected to the

public sewer system and will have only a minor incremental impact on the quality of the effluent from the Hyperion Treatment Plant. Therefore, the design of the subdivision and the proposed improvements are not likely to cause serious public health problems.

- (g) THE DESIGN OF THE SUBDIVISION AND THE PROPOSED IMPROVEMENTS WILL NOT CONFLICT WITH EASEMENTS ACQUIRED BY THE PUBLIC AT LARGE FOR ACCESS THROUGH OR USE OF PROPERTY WITHIN THE PROPOSED SUBDIVISION.

Along the northeasterly boundary of the project site along Second Street, there are easements of the City of Los Angeles for public street purposes. Separate from that there are no recorded instruments identifying easements encumbering the project site for the purpose of requiring access by the public at large. The project site contains legally recorded lots as identified by the Assessor Parcel Record and Assessor Parcel Map – Map Nos. 5151-004-908 and 5151-015-914. The site is surrounded by private and public properties that adjoin improved public streets and sidewalks designed and required by the City of Los Angeles to provide public access throughout the area. The project site does not adjoin or provide access to a public resource, natural habitat, public park or any officially recognized public recreation area. The project design encourages pedestrian oriented uses, including public amenities and a public park. Therefore, the design of the subdivision and the proposed improvements would not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.

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

In assessing the feasibility of passive or natural heating or cooling opportunities in the proposed subdivision design, the applicant has prepared and submitted materials which consider the local climate, contours, configuration of the parcel(s) to be subdivided and other design and improvement requirements.

Providing for passive or natural heating or cooling opportunities will not result in reducing allowable densities or the percentage of a lot which may be occupied by a building or structure under applicable planning and zoning in effect at the time the tentative map was filed.

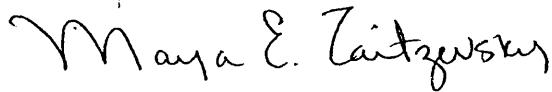
The lot layout of the subdivision has taken into consideration the maximizing of the north/south orientation.

The topography of the site has been considered in the maximization of passive or natural heating and cooling opportunities.

In addition, prior to obtaining a building permit, the subdivider shall consider building construction techniques, such as overhanging eaves, location of windows, insulation, exhaust fans; planting of trees for shade purposes and the height of the buildings on the site in relation to adjacent development.

These findings shall apply to both the tentative and final maps for Tract Map No. 67492.

S. Gail Goldberg, AICP  
Advisory Agency



MAYA ZAITZEVSKY  
Deputy Advisory Agency

MZ:MS:jh

Note: If you wish to file an appeal, it must be filed within 10 calendar days from the decision date as noted in this letter. For an appeal to be valid to the City Planning Commission, it must be accepted as complete by the City Planning Department and appeal fees paid, prior to expiration of the above 10-day time limit. Such appeal must be submitted on Master Appeal Form No. CP-7769 at the Department's Public Offices, located at:

Figueroa Plaza  
201 N. Figueroa St., 4<sup>th</sup> Floor  
Los Angeles, CA 90012  
213.482.7077

Marvin Braude San Fernando  
Valley Constituent Service Center  
6262 Van Nuys Blvd., Room 251  
Van Nuys, CA 91401  
818.374.5050

**Forms are also available on-line at [www.lacity.org/pln](http://www.lacity.org/pln).**

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.

If you have any questions, please call Subdivision staff at (213) 978-1362.

DATE: JUNE 11, 2007

**AGENDA ITEM 4**

TO: THE LOS ANGELES GRAND AVENUE AUTHORITY

FROM: MARTHA WELBORNE, MANAGING DIRECTOR  
GRAND AVENUE COMMITTEE

SUBJECT: SCHEMATIC DESIGN APPROVAL OF PHASE I, PARCEL Q

**COMMITTEE**

REVIEW: RECOMMENDATION OF THE GRAND AVENUE COMMITTEE ON THE GRAND  
AVENUE PROJECT

**It is recommended that the Authority:**

Approve the schematic design submittal for Phase I, Parcel Q, of the Grand Avenue Project contingent upon the following conditions and clarifications of several issues arising in the staff discussions of this submittal with the member agencies' staffs:

1. The Developer shall submit with the Design Development documents, a design plan and technical analysis that demonstrates that the final selection of building materials shall not create a significant light or glare impact, consistent with the previously adopted conditions of approval for the Project, the Mitigation Monitoring and Reporting Program and the Authority's certification of the Final Environmental Impact Report (FEIR) and related actions.
2. The Developer shall submit, consistent with the Disposition and Development Agreement (DDA), Preliminary Landscape Plans and the Public Art Plan and budget for the Phase I improvements for review no later than the submission of the Design Development documents.
3. The Developer may, as an alternative to the minimum sidewalk widths prescribed in Exhibit A, Scope of Development, of the DDA, on upper Grand Avenue, reduce the minimum sidewalk width to 12 feet for up to one third of the street frontage if the average sidewalk width along this entire street frontage is at least 22 feet.

**PURPOSE AND JUSTIFICATION OF RECOMMENDED ACTION**

The purpose of the recommended action is to obtain the Authority Board's approval of the Schematic Design submittal for Phase I, Parcel Q, of the Grand Avenue Project, including the above-stated conditions and clarifications. County-owned Parcel Q constitutes Phase I of the approved mixed use development and includes residential, retail and hotel uses within the Bunker Hill Redevelopment Area. The Authority's approval of Schematic Design is required pursuant to the terms and conditions of the previously approved DDA. The Schematic Design package was submitted to the Authority on April 13, 2007 in conformance with the DDA's Schedule of Performance requiring this submission within 30 days of the DDA Effective Date, which is March 16, 2007.

The submittal includes detailed floor plans of each land use, elevations, building and site sections, public area features, landscape features, and parking plans, as well as descriptions of major building materials under consideration, potential exterior materials, and potential colors and textures to be used. Although the Civic Park will be completed as part of Phase I of the Project,

this design review is limited to Parcel Q. The design of the Civic Park is on a separate track from the design of Parcel Q. Schematic Design of the Park will be brought to this Board in a forthcoming meeting.

In addition to the Authority, the DDA calls for the approval of Schematic Design by the Board of the Community Redevelopment Agency of the City of Los Angeles (CRA) and by the Los Angeles County Board of Supervisors. Appropriate staff of each board will complete a thorough review of the submitted package.

The Grand Avenue Committee (Committee) has reviewed the documents and finds that they are substantially consistent with the approved Scope of Development and the approved Concept Design Drawings, with the exception of the few items noted above as conditions and clarifications arising from discussions with the member agencies staffs reviewing the submittal. Moreover, the required documents were submitted for review, and the drawings were found to logically evolve from the approved Concept Design Drawings, as required.

The recommended clarifications relate to the required technical submissions documenting that light and glare have been mitigated as required by the Project's conditions of approval and as indicated in the FEIR and Mitigation Monitoring and Reporting Program, that landscape plans are submitted timely in the design review schedule, and that sidewalk width designs can be finalized to the satisfaction of the CRA.

We have also found that the Schematic Design drawings are in conformance with requirements of the DDA concerning Affordable Housing. The drawings indicate that 20% of the total residential units are affordable rental units and that these units and the market rate units, located in Tower 2, are accessed through the same front door, same parking elevator, same parking garage access, and a common ground floor building lobby.

The drawings are also substantially in conformance with the Scope of Development, included as Exhibit A in the DDA. We note that the composition of on-site development as proposed in the Schematic Design submission does not match exactly with the estimated composition as listed in the DDA; however, the DDA and the FEIR allow flexibility for modifications to land uses and square footages within the parcels of the three phases of development, subject to approval. The variances as proposed in the Schematic Design drawings are not great, and will continue to evolve as the Developer identifies and works with commercial tenants. For example, the hotel may include a higher number of rooms than originally anticipated subject to compliance with the Equivalency Program previously analyzed in project approvals and designed so that no additional environmental impacts would occur from specific land use modifications. Since these drawings are not final, we recommend that the composition is monitored with each future design submission to ensure compliance in the development of all three phases.

## **ENVIRONMENTAL DOCUMENTATION**

In November, 2006 the Authority board, as lead agency under the California Environmental Quality Act (CEQA), certified the FEIR for the Project and took related actions to adopt conditions of approval, a Mitigation Monitoring Plan and applicable findings. The approval of schematic design drawings for Phase I of the Project is an anticipated use of the previously certified FEIR. No changes to the Project or its circumstances have occurred and no relevant new information is available which would indicate that any changes or additions are necessary which would require either an addendum or a supplement to the FEIR based upon applicable CEQA standards and a review of the FEIR and related approved Project documentation. No further environmental documentation is required for compliance with CEQA.

## **REDEVELOPMENT PLAN COMPLIANCE AND APPROVED LAND USES**

On February 1, 2007, the CRA Board reviewed the Grand Avenue Project for consistency with the Bunker Hill Redevelopment Plan and approved the commercial and residential land uses and densities. The CRA Board approved the land uses based upon analysis and review by CRA staff and other project documentation. Specifically, the Grand Avenue Project complies with all of the following Redevelopment Plan criteria:

### Floor Area Ratio (or FAR) (Section 814)

Under the terms of the approved Disposition and Development Agreement (DDA), the Grand Avenue Project will develop up to 3.2 million square feet of net usable floor area on four parcels controlled by The Los Angeles Grand Avenue Authority (Authority) in the Bunker Hill project area. The DDA also contemplates potential development on an additional parcel, known as "W-1", if such parcel is acquired by the Developer. Additional floor area will be subject to future approvals. The Bunker Hill Redevelopment Plan currently allows for a floor area ratio of five (5) times the total of all parcels in the project area, with an allowance for the floor area ratio to go to six (6) times the total of all parcels in the project area if available transportation infrastructure is in place. The floor area ratio (or FAR) is the net usable floor area of buildings in an area or site to the total square footage of that area or site. At an FAR of 5:1, the Bunker Hill project area allows for 19.1 million square feet of development. As set forth and detailed in the attached "Table 1: Built Square Footage in Bunker Hill by Parcel and Land Use Type, 2007", this project area currently contains 14.9 million square feet of development.

On February 1, 2007, the CRA approved the three-phased Grand Avenue Project for up to 3.2 million square feet of net usable floor area. In addition, the CRA approved an Equivalency Program that would allow the composition of on-site development within the five parcels to be modified to respond to future needs in a manner that would not increase the Project's impact on the environment (see Attachment 4 to Exhibit "A" of the DDA). With the completion of the Grand Avenue Project, the total project area square footage will be at 18.1 million square feet. This will leave approximately one million square feet for additional development in Bunker Hill at the current FAR of 5:1. The CRA is currently studying the potential increase in the FAR to 6:1 in accordance with the redevelopment plan.

### Residential and Population Density (Sections 802, 803 & 811)

The Bunker Hill redevelopment plan designates specific parcels within the project area's residential parcels, commercial parcels and alternate use parcels. The Grand Avenue Project was approved for a total of up to 2,660 residential units to be developed across both residentially designated (L & M2) and commercially designated (Q, W1 & W2) parcels. The Grand Avenue Project will include up to 850 units on residentially designated (L & M2) parcels and up to 1,810 units on the commercially designated parcels (Q, W1 & W2).

Section 811 of the redevelopment plan tentatively sets a limit on the number of residential units in the residential (3,100) and alternate use areas (800) at a total of up to 3,900 units. In addition, with the approval of the CRA Board and Planning Commission, Section 803(2) of the redevelopment plan separately allows for additional residential units in conjunction with commercial development in the commercially designated areas. Any residential units approved in

commercially designated areas are in addition to the 3,900 units permitted in the residential and alternate use areas.

With the approved Grand Avenue Project, the residential build-out in the residential use and alternate use areas, which are subject to the plan limitation of 3,900 units, will be as follows:

**RESIDENTIAL UNITS IN RESIDENTIAL AND ALTERNATE USE AREAS\***  
(Subject to Plan limitation of 3,900)

| Parcel        | Project Name  | Use Designation                  | Number of Units |
|---------------|---|----------------------------------|-----------------|
| A             | Promenade Towers                                    | Residential                      | 583             |
| B             | The Park  | Residential                      | 0               |
| E             | Bunker Hill Towers, Promenade East & Promenade West | Residential                      | 990             |
| L&M2          | Grand Avenue Project Phase II                       | Residential                      | 850             |
| M1            | Grand Promenade                                     | Residential                      | 372             |
| I             | Bank of America Center                              | Commercial Alt. Use              | 0               |
| O             | Wells Fargo Center                                  | Commercial Alt. Use              | 0               |
| X1, X2 and Y2 | Angelus Plaza Senior Housing                        | Commercial Alt. Use              | 1093            |
|               |   |                                  |                 |
|               | <b>TOTAL</b>  | <b>Res. &amp; Comm. Alt. Use</b> | <b>3888</b>     |

\* As identified in the Bunker Hill Redevelopment Plan

As shown in the table above, the total number of residential units in the residential and alternate use areas is 3,888, which is less than the applicable redevelopment plan limitation of 3,900 units.

The redevelopment plan also places a population density cap on development in the Bunker Hill project area. The estimated population density in the project area with the Grand Avenue Project also complies with the redevelopment plan. The redevelopment plan places a limit on residential density in the residential and alternate use areas at 250 persons per acre. Based upon the average per unit occupancy used by City Planning in the Downtown area of 1.4 persons per unit, the residential population in the residential and alternate use areas would be 5,443 (1.4 persons/unit X 3,888 units). Dividing the total population by the number of residential and alternate use acres in the project area yields a population density of 125.4 persons per acre (5,443 persons/43.4 acres of residential and alternate use areas).

Finally, the number of residential units that have been approved (including the Grand Avenue Project) in the commercially designated areas, which are not subject to the 3,900-unit limitation, in conjunction with commercial uses is as follows:

### RESIDENTIAL UNITS IN COMMERCIAL AREAS

| Parcel | Project Name                   | Use Designation | Number of Units |
|--------|--------------------------------|-----------------|-----------------|
| R2     | Colburn School Phase II        | Commercial      | 65              |
| S      | Museum Tower Apartments        | Commercial      | 217             |
| Q      | Grand Avenue Project Phase I   | Commercial      | 500             |
| W1&W2  | Grand Avenue Project Phase III | Commercial      | 710 - 1310      |
|        |                                |                 |                 |
|        | TOTAL                          | Commercial      | 1492 - 2092     |

#### Land Coverage (Section 813)

The Grand Avenue Project is required to comply with the lot coverage requirements of the redevelopment plan. Based upon the schematic drawings submitted for the Board's review, Phase I of the project will comply with the land coverage requirements.

The redevelopment plan limits the maximum land coverage of residential buildings in residential areas to 40%. For non-residential areas, the maximum land coverage may not exceed 50%. Individual building sites may exceed the 50% limitation as long as the sum of land coverage of all the non-residential parcels does not exceed 50%. In addition, open space (not counted toward land coverage) may include those buildings which have their rooftop levels developed with malls, plazas and similar park-like areas, landscaped with suitable plant materials, as part of the pedestrian system.

Because the proposed development of the Grand Avenue project contains commercial retail mall areas, public plazas and useable landscaped rooftop areas, the land coverage for Phase I is currently calculated at 29%. The Phase I schematics prepared by Gehry Partners, LLP show a total land coverage of 40,834 square feet. The total site area of Parcel Q is 139,738 square feet.

#### Off Street Parking (Section 816)

The Grand Avenue Project will provide parking sufficient to meet or exceed the requirements of the redevelopment plan. Section 816 of the redevelopment plan requires no less than one (1) space per apartment dwelling unit and one (1) space for each 800 square feet of gross commercial and office spaces. It should also be noted that parking requirements for special types of development are subject to the approval of the City of Los Angeles.

The proposed land uses, number of required parking spaces and the parking to be provided by phase is as follows.



### GRAND AVENUE PARKING BY PHASE

| Land Use  | No. of Units/Sq. Ft.             | Min. No. of Spaces Per Redev. Plan            |
|---|----------------------------------|---|
| <b>Phase One (Parcel Q)</b>                             |                                  |   |
| Residential   | 500 Units (1 Space/Unit)         | 500   |
| Hotel   | 275 Rooms (1 Space/Unit Rm.)     | 275   |
| Retail  | 285,000 Sq. Ft. (1 Space/800 Sq. | 356   |
| <b>Sub-Total:</b>                                       |                                  | <b>1,132</b><br><b>(1,500-1,510 provided)</b> |
| <b>Phase Two (Parcels L and M2)</b>                     |                                  |   |
| Residential   | 850 Units (1 Space/Unit)         | 850   |
| Retail  | 100,000 Sq. Ft. (1 Space/800 Sq. | 125   |
| <b>Sub-Total:</b>                                       |                                  | <b>975</b><br><b>(1,570 provided)</b>         |
| <b>Phase Three (Parcels W2 and W1) - With Office</b>    |                                  |   |
| Residential   | 710 Units (1 Space/Unit)         | 710   |
| Office  | 681,000 Sq. Ft. (1 Space/800 Sq. | 851   |
| Retail  | 64,000 Sq. Ft. (1 Space/800 Sq.  | 80  |
| <b>Sub-Total:</b>                                       |                                  | <b>1,641</b><br><b>(1,955 provided)</b>       |
| <b>Phase Three (Parcels W2 and W1) - Without Office</b> |                                  |   |
| Residential   | 1,310 (1 Space/Unit)             | 1,310   |
| Retail  | 64,000 Sq. Ft. (1 Space/800 Sq.  | 80  |
| <b>Sub-Total:</b>                                       |                                  | <b>1,390</b><br><b>(2,175 provided)</b>       |
| <b>TOTAL MINIMUM REQUIRED SPACES</b>                    |                                  |   |
| <b>With Office:</b>                                     |                                  | <b>3,747</b>                                  |
| <b>Without Office:</b>                                  |                                  | <b>3,497</b>                                  |
|   |                                  | <b>(5,035 - 5,255 provided)</b>               |

**TABLE 1: BUILT SQUARE FOOTAGE IN BUNKER HILL BY PARCEL AND LAND USE TYPE, 2007**

| Bunker Hill Parcel  | Common Name   | Site area (square feet) | Built Area by Land Use (square feet) |         |       |          |                     |                    | Total     |
|---|---|-------------------------|--------------------------------------|---------|-------|----------|---------------------|--------------------|-----------|
|   |   |                         | Office                               | Retail  | Other | Cultural | Market Rate Housing | Affordable Housing |           |
| Northwest Quadrant  |   |                         |                                      |         |       |          |                     |                    |           |
| A   | Promenade Towers                                    | 185,354                 | 26,000                               | 40,000  |       |          | 494,000             |                    | 560,000   |
| B   | The Park  | 199,954                 | 260,000                              | 10,000  |       |          |                     |                    | 270,000   |
| E   | Bunker Hill Towers, Promenade East & Promenade West | 596,586                 |                                      | 35,000  |       |          | 1,045,000           |                    | 1,080,000 |
| H   | Central Plant                                       | 85,744                  |                                      |         | 0     |          |                     |                    | 0         |
| Note: Per the City of Los Angeles Municipal Code (Chapter 1, Article 2, Section 12.03) mechanical equipment is excluded from calculation of floor area ratio. |   |                         |                                      |         |       |          |                     |                    |           |
| Southwest Quadrant  |   |                         |                                      |         |       |          |                     |                    |           |
| C   | Sheraton Grande                                     | 164,836                 | 50,000                               | 50,000  |       |          |                     | 320,000            | 420,000   |
| D   | Union Bank  | 160,216                 | 612,000                              | 18,000  |       |          |                     |                    | 630,000   |
| F   | World Trade Center                                  | 160,139                 | 230,000                              | 100,000 |       |          |                     |                    | 330,000   |
| G   | Bonaventure Hotel                                   | 154,275                 |                                      | 145,000 |       |          |                     | 1,025,000          | 1,170,000 |
| I   | Arco Center   | 183,635                 | 1,600,000                            | 20,000  |       |          |                     |                    | 1,620,000 |
| J1  | 444 S. Flower Street /a/                            | 59,190                  | 770,000                              | 0       |       |          |                     |                    | 770,000   |
| J2  | Parking   | 94,738                  |                                      |         |       | 75,000   |                     |                    | 75,000    |
| Northeast Quadrant  |   |                         |                                      |         |       |          |                     |                    |           |
| K   | Disney Hall   | 158,304                 | 23,000                               | 12,000  |       | 236,000  |                     |                    | 271,000   |
| L & M2  | Grand Ave. Project Phase II /b/                     | 118,182                 |                                      | 89,890  |       |          | 629,524             | 108,580            | 827,994   |
| M1  | Grand Promenade                                     | 49,335                  | 25,000                               | 10,000  |       |          | 245,000             | 70,000             | 350,000   |

**TABLE 1: BUILT SQUARE FOOTAGE IN BUNKER HILL BY PARCEL AND LAND USE TYPE, 2007**

| Bunker Hill Parcel   | Common Name                      | Site area (square feet) | Built Area by Land Use (square feet) |                  |                |                |                     |                    | Total                  |
|--|----------------------------------|-------------------------|--------------------------------------|------------------|----------------|----------------|---------------------|--------------------|------------------------|
|  |                                  |                         | Office                               | Retail           | Other          | Cultural       | Market Rate Housing | Affordable Housing | Hotel                  |
| Q  | Grand Ave. Project Phase I /b/   | 160,218                 |                                      | 252,760          |                |                | 469,419             | 93,895             | 280,350                |
| W1 & W2  | Grand Ave. Project Phase III /b/ | 141,447                 | 606,090                              | 56,960           |                |                | 513,785             | 102,747            |                        |
| Note: The numbers above represent a more intensive development option for parcels W1 and W2 with office. |                                  |                         |                                      |                  |                |                |                     |                    |                        |
| R1   | Colburn School                   | 35,005                  |                                      |                  |                | 50,000         |                     |                    | 50,000                 |
| R2   | Colburn Expansion                | 35,005                  |                                      |                  |                | 175,000        | 65,000              |                    | 240,000                |
| <b>Southeast Quadrant</b>  |                                  |                         |                                      |                  |                |                |                     |                    |                        |
| N & O  | Wells Fargo Center               | 177,079                 | 2,240,000                            | 75,000           |                | 5,000          |                     |                    | 2,320,000              |
| P2   | 400 S. Hope Street               | 80,146                  | 620,000                              | 5,000            |                |                |                     |                    | 625,000                |
| S, T, U  | Cal Plaza-Built                  | 336,668                 |                                      |                  |                |                |                     |                    | 2,892,000              |
|  | Museum Tower                     |                         |                                      | 8,000            |                |                | 194,000             |                    | 202,000                |
|  | One California Plaza             |                         | 880,000                              | 30,000           |                | 100,000        |                     |                    | 1,010,000              |
|  | Hotel Inter-Continental          |                         |                                      | 15,000           |                |                |                     |                    | 345,000                |
|  | Two California Plaza             |                         | 1,208,000                            | 45,000           |                | 67,000         |                     |                    | 1,320,000              |
|  | Cal Plaza-Unbuilt                |                         |                                      |                  |                |                |                     |                    |                        |
| Y1   | Future Office                    | 106,994                 |                                      |                  |                |                |                     |                    |                        |
| V  | Pacific Bell                     | 93,692                  | 50,000                               |                  | 300,000        |                |                     |                    | 350,000                |
| X1-2, Y2   | Angeles Plaza                    | 284,529                 | 55,000                               | 20,000           |                |                | 775,000             |                    | 850,000                |
| <b>Current Total Development</b>   |                                  |                         | <b>9,255,090</b>                     | <b>1,037,610</b> | <b>300,000</b> | <b>708,000</b> | <b>4,430,728</b>    | <b>375,222</b>     | <b>1,970,350</b>       |
|  |                                  |                         |                                      |                  |                |                |                     |                    | <b>Current FAR (c)</b> |
|  |                                  |                         |                                      |                  |                |                |                     |                    | <b>4.73</b>            |

**TABLE 1: BUILT SQUARE FOOTAGE IN BUNKER HILL BY PARCEL AND LAND USE TYPE, 2007**

| Bunker Hill Parcel   | Common Name | Site area (square feet) | Built Area by Land Use (square feet) |        |       |          |                     |                    | Total |            |
|--|-------------|-------------------------|--------------------------------------|--------|-------|----------|---------------------|--------------------|-------|------------|
|  |             |                         | Office                               | Retail | Other | Cultural | Market Rate Housing | Affordable Housing |       | Hotel      |
| Total Amount (square feet) at Build Out of Overall 5:1 FAR   |             |                         |                                      |        |       |          |                     |                    |       | 19,106,355 |
| Remaining Amount (square feet) to be Allocated by Agency to Attain Overall 5:1 FAR   |             |                         |                                      |        |       |          |                     |                    |       | 1,029,355  |
| Total Amount (square feet) at Build Out of Overall 6:1 FAR   |             |                         |                                      |        |       |          |                     |                    |       | 22,927,626 |
| Remaining Amount (square feet) that would be Allocated by Agency to Attain Overall 6:1 FAR   |             |                         |                                      |        |       |          |                     |                    |       | 4,850,626  |
| <i>/a/ 444 S. Flower Street also includes 20,000 square feet of retail and 70,000 square feet of office space located outside the Bunker Hill Project Area in the Amended CBD Project Area.</i><br><i>/b/ Includes affordable housing square footage based on a 25-35% density bonus granted by State Law which may be exempt from calculation of FAR. This exemption, however, was not figured into the overall total square footage.</i><br><i>/c/ Calculated as the total built square footage (18,077,000) divided by the total site square footage (3,821,271).</i><br><b>SOURCE:</b> Patricia Smith 2005-2007, TAHA 2007, and the Community Redevelopment Agency of the City of Los Angeles 2005-2007. |             |                         |                                      |        |       |          |                     |                    |       |            |
|  |             |                         |                                      |        |       |          |                     |                    |       |            |
|  |             |                         |                                      |        |       |          |                     |                    |       |            |