FINDINGS OF FACT (CEQA)

(As approved by the Planning and Land Use Management Committee on January 18, 2017)

Sustainable Communities Project CEQA Exemption

I. THE PROJECT IS EXEMPT UNDER CEQA

On January 5, 2017, the City received a request from the applicant to modify the unit count and associated conditions of approval for the project from 7 units set aside for Very Low Income Households and an additional 7 Moderate Income units to: 5 percent of the permitted base density set aside for affordable housing (7 units) for Very Low Income Households pursuant to LAMC Section 12.22-A,25; 1 additional Very Low Income unit (not Density Bonus - based on additional unit to reflect 5 percent of total units for Very Low Income Households); and an additional 6 units for Moderate Income units (not Density Bonus).

In light of this modification to the project and changes to the conditions of approval, the City has determined that, pursuant to the California Environmental Quality Act (CEQA) Section 21155.1, the 333 S. La Cienega project is a transit priority project that meets all the requirements to be declared a Sustainable Communities Project and is therefore eligible for a full CEQA exemption.

A checklist that fully discusses the project's eligibility for the Sustainable Communities Project exemption is located in the project's case files with the Department of City Planning and City Council File Nos. 16-1368 and 16-1368-S2.

Environmental Impact Report

II. INTRODUCTION

The Environmental Impact Report (EIR), consisting of the Draft EIR and the Final EIR, is intended to serve as an informational document for public agency decision-makers and the general public regarding the objectives and components of the project at 333 S. La Cienega Boulevard, Los Angeles. CRM Properties (project applicant) filed a Master Land Use Application with the City of Los Angeles (City) on March 4, 2015.

III. ENVIRONMENTAL DOCUMENTATION BACKGROUND

The project was reviewed by the Los Angeles Department of City Planning, Environmental Analysis Section (serving as Lead Agency) in accordance with the requirements of the California Environmental Quality Act (CEQA) (Pub. Resources Code, § 21000 et seq.). The City prepared an Initial Study in accordance with Section 15063(a) of the State CEQA Guidelines. Pursuant to the

provisions of Section 15082 of the State CEQA Guidelines, the City then circulated a Notice of Preparation (NOP) to State, regional and local agencies, and members of the public for a 30-day period commencing on January 25, 2016 and ending February 25, 2016. The purpose of the NOP was to formally inform the public that the City was preparing a Draft EIR for the project, and to solicit input regarding the scope and content of the environmental information to be included in the Draft EIR.

In addition, a public scoping meeting was conducted on February 16, 2016, to further inform the public agencies and other interested parties of the project and to solicit input regarding the Draft EIR. The meeting provided interested individuals, groups, and public agencies the opportunity to provide oral and written comments to the Lead Agency regarding the scope and focus of the Draft EIR as described in the NOP and Initial Study. Written comment letters responding to the NOP were submitted to the City by public agencies and interested organizations. Comment letters were received from four public agencies. In addition, written comments were provided by 20 interested organizations and/or individuals via mail, email or submittal at the NOP scoping meeting. The NOP letters and comments received during the comment period, as well as comment sheets from the public scoping meeting, are included in Appendix A-2 and A-3 of the Draft EIR.

The Draft EIR evaluated in detail the potential effects of the project. It also analyzed the effects of a reasonable range of three alternatives to the project, including a "No Project" alternative. The Draft EIR for the project (State Clearinghouse No. 2016011061), incorporated herein by reference in full, was prepared pursuant to CEQA and State, Agency, and City CEQA Guidelines (Pub. Resources Code § 21000, et seq.; 14 Cal. Code Regs. §15000, et seq.; City of Los Angeles Environmental Quality Act Guidelines). The Draft EIR was circulated for a 47-day public comment period beginning on May 19, 2016, and ending on July 5, 2016, beyond the 45 days required by CEQA Guidelines Section 15105(a). Copies of the written comments received are provided in the Final EIR. Pursuant to Section 15088 of the CEQA Guidelines, the City, as Lead Agency, reviewed all comments received during the review period for the Draft EIR and responded to each comment in Chapter 2, Comments and Responses, of the Final EIR.

The City published a Final EIR for the project on September 12, 2016, which is hereby incorporated by reference in full. The Final EIR is intended to serve as an informational document for public agency decision-makers and the general public regarding objectives and components of the project. The Final EIR addresses the environmental effects associated with implementation of the project, identifies feasible mitigation measures, and alternatives that may be adopted to reduce or eliminate these impacts, and includes written responses to all comments received on the Draft EIR during the public review period. Responses were sent to all public agencies that made comments on the Draft EIR at least 10 days prior to certification of the Final EIR pursuant to CEQA Guidelines Section 15088(b).

In addition, all individuals that commented on the Draft EIR also received a copy of the Final EIR. The Final EIR was also made available for review on the City's website. Hard copies of the Final EIR were also made available at four libraries and the City Department of Planning. Notices regarding availability of the Final EIR were sent to those within a 500-foot radius of the project site as well as individuals who commented on the Draft EIR, attended the NOP scoping meeting, or provided comments during the NOP comment period.

A duly noticed public hearing for the project was held by the Hearing Officer/Deputy Advisory Agency on behalf of the City Planning Commission on September 21, 2016. A duly noticed public hearing was held by the City Planning Commission on November 10, 2016. In its Letters of Determination issued November 18, 2016, the City Planning Commission certified the EIR, approved CPC-2015-896-GPA-VZC-HD-MCUP-ZV-DB-SPR, and granted in part and denied in part appeals of VTT-74131-1A, for the construction of the project.

The documents and other materials that constitute the record of proceedings on which the City's CEQA findings are based are located at the Department of City Planning, Environmental Review Section, 200 North Main Street, Room 750, Los Angeles, California 90012. This information is provided in compliance with CEQA Section 21081.6(a)(2).

IV. FINDINGS REQUIRED TO BE MADE BY LEAD AGENCY UNDER CEQA

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

A. The first possible finding is that "[c]hanges or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR." (Guidelines Section 15091 (a)(1)); and

B. The second possible finding is that "[s]uch changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency." (Guidelines Section 15091(a)(2)); and

C. The third possible finding is that "[s]pecific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible, the mitigation measures or Project alternatives identified in the final EIR." (Guidelines, Section 15091(a)(3)).

The findings reported in the following pages incorporate the facts and discussions of the environmental impacts that are found to be significant in the

Final EIR for the project as fully set forth therein. Section 15091 of the CEQA Guidelines requires findings to address environmental impacts that an EIR identifies as "significant." For each of the significant impacts associated with the project, either before or after mitigation, the following sections are provided:

1. Description of Significant Effects – A specific description of the environmental effects identified in the EIR, including a judgment regarding the significance of the impact;

2. Project Design Features – Reference to the identified Project Design Features that are a part of the project (numbering of the features corresponds to the numbering in the Draft EIR);

3. Mitigation Measures – Reference to the identified mitigation measures or actions that are required as part of the project (numbering of the mitigation measures correspond to the Mitigation Monitoring Program, which is included as Chapter 4 of the Final EIR. All of the project Mitigation Measures and Project Design Features are included in their entirety in Chapter 4);

4. Finding – One or more of the three specific findings in direct response to CEQA Section 21081 and CEQA Guidelines Section 15091;

5. Rationale for Finding – A summary of the reasons for the finding(s);

6. Reference – A notation on the specific section in the Draft EIR which includes the evidence and discussion of the identified impact.

Although the findings below identify specific pages within the Draft EIR and Final EIR in support of various conclusions reached below, the City incorporates by reference and adopts as its own, the reasoning set forth in both environmental documents and their appendices, and additional documents in the case files for the project, and thus relies on that reasoning, even where not specifically mentioned or cited below, in reaching the conclusions set forth below, except where additional evidence is specifically mentioned.

V. DESCRIPTION OF THE PROJECT

The project is a mixed-use development consisting of: a 16 percent Density Bonus (although the project is eligible for up to a 20 percent Density Bonus) to provide an additional 20 units in lieu of 125 base units, for a maximum of 145 residential units, with 5 percent of the permitted base density set aside for affordable housing (7 units for Very Low Income Households), and up to 31,055 square feet of commercial uses consisting of a 27,685 square-foot grocery market or other retail and a 3,370 square-foot restaurant. As modified and approved by the City Council, of the total 145 units, the project will set aside 7

units, equal to 5 percent of the base permitted density, for Very Low Income Households (Density Bonus), 1 additional unit for Very Low Income Household (not Density Bonus - based on additional unit to reflect 5 percent of total units for Very Low Income), and an additional 6 units for Moderate Income Households (not Density Bonus) (this is a revision from the originally submitted project). The development will be up to 185 feet in height to the main tower roof slab (El. 338.5 feet) on an approximately 1.15-acre site. The project provides 362 parking spaces, including 119 parking spaces for commercial uses in the two-level subterranean parking garage, and 243 parking spaces in the aboveground enclosed garage on Levels 2 through 4 for residential uses and for use by the mixed-use development at 8500 Burton Way, as required by Condition No. 11 in Ordinance 180,766. The project also includes 299 bicycle parking spaces (this is a revision from the originally submitted project). The project will contain a maximum of 294,294 square feet of floor area upon full build out. This project description is a refinement from the project description presented in the EIR. The project refinements do not result in any physical changes from the impacts described in the EIR.

VI. ENVIRONMENTAL IMPACTS FOUND NOT TO BE SIGNIFICANT OR LESS THAN SIGNIFICANT BY THE INITIAL STUDY

The City Planning Department prepared an Initial Study dated January 25, 2016. The Initial Study is located in Appendix A of the Draft EIR.

CEQA provides that "[a]esthetic and parking impacts of a residential, mixed-use residential, or employment center project on an infill site within a transit priority area shall not be considered significant impacts on the environment." (Pub. Resources Code, § 21099, subd. (d)(1). The project is a mixed-use residential development on an infill site. CEQA defines "infill site" as a "site that has been previously developed for qualified urban uses." (Pub. Resources Code, § 21061.3.) "Qualified urban use" means "any residential, commercial, public institutional, transit or transportation passenger facility, or retail use, or any combination of those uses." (Pub. Resources Code, § 21072.) As described in the EIR, the project site is developed with a single-tenant department store space (formerly a Loehmann's).

A "transit priority area" is an "area within one-half mile of a major transit stop that is existing or planned, if the planned stop is scheduled to be completed within the planning horizon included in a Transportation Improvement Program adopted pursuant to Section 450.213 or 450.322 of Title 23 of the Code of Federal Regulations." (Pub. Resources Code, § 21099, subd. (a)(7).) "Major transit stop" is defined as "a site containing . . . the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods." (Pub. Resources Code, § 21064.3.) The following major transit stops are located within one-half mile of the project site at the intersections of Wilshire Boulevard and La Cienega Boulevard, La Cienega Boulevard and 3rd Street, and La Cienega Boulevard and San

Vicente Boulevard: Metro Local bus lines 105, 218, 16/316, and Metro Rapid bus line 705 stop at the southwest corner of La Cienega Boulevard and 3rd Street. Metro Local bus lines 20 and 105 and Metro Rapid bus lines 705 and 720 stop at the northwest corner of La Cienega Boulevard and San Vicente Boulevard.

The Initial Study found the following environmental impacts not to be significant or less than significant.

A. Aesthetics
   1. Scenic Vista
   2. Scenic Resources
   3. Visual Character and Quality
   4. Cumulative Impacts
B. Agricultural and Forest Resources
   1. Farmland
   2. Existing zoning for agricultural use or Williamson Act Contract
   3. Forest Land or Timberland Zoning
   4. Loss of Conversion of Forest Land
   5. Cumulative Impacts
C. Air Quality
   1. Implementation of the South Coast Air Quality Management District Plan or Congestion Management Plan
   2. Violate any Air Quality Standards
   3. Net Increase in Criteria Pollutants
   4. Objectionable Odors
   5. Cumulative Impacts
D. Biological Resources
   1. Sensitive Biological Species
   2. Riparian Habitat and Wetlands
   3. Movement of any Resident or Migratory Species
   4. Local Biological Resources Policies or Ordinances/Tree Preservation Policy or Ordinance
   5. Habitat Conservation Plans
   6. Cumulative Impacts
E. Cultural Resources
   1. Historical Resources
   2. Human Remains
   3. Cumulative Impacts
F. Geology and Soils
   1. Rupture of Known Earthquake Fault (Alquist-Priolo Earthquake Fault Map)
   2. Seismic-Related Ground Failure (Liquefaction)
   3. Landslides
   4. Soil Erosion and Loss of Topsoil
   5. Unstable Geologic Unit
   6. Expansive Soil
   7. Septic Tanks

8. Cumulative Impacts

G. Greenhouse Gas Emissions
   1. Generation of Greenhouse Gas Emissions
   2. Conflict with Applicable Plans, Policies, or Regulations
   3. Cumulative Impacts

H. Hazards and Hazardous Materials
   1. Routine Transport, Use, or Disposal of Hazardous Materials
   2. Emit Hazardous Materials within ¼ mile of an Existing or Proposed School
   3. Included on List of Hazardous Materials Pursuant to Government Code 65962.5
   4. Airport Land Use Plan and Private Airstrips
   5. Emergency Response Plan or Emergency Evacuation Plan
   6. Wildland Fires
   7. Cumulative Impacts

I. Hydrology and Water Quality
   1. Water Quality Standards/Waste Discharge Requirements
   2. Alteration of Drainage Patterns/Course of Stream or River
   3. Stormwater Drainage Systems and Runoff Water
   4. Degrade Water Quality
   5. 100-Year Flood Hazard Areas and 100-Year Flood
   6. Failure of Levee or Dam
   7. Seiche, Tsunami, or Mudflow
   8. Cumulative Impacts

J. Land Use and Planning
   1. Physically Divide a Community
   2. Habitat or Natural Community Conservation Plans
   3. Cumulative Impacts

K. Mineral Resources
   1. Loss of Availability of Known Mineral Resources
   2. Loss of Mineral Resources Recovery Site
   3. Cumulative Impacts

L. Noise
   1. Ambient Noise Levels
   2. Airport Land Use Plan and Private Airstrips

M. Population and Housing
   1. Population Growth
   2. Displace Housing and People
   3. Cumulative Impacts

N. Public Services
   1. Fire Protection Services
   2. Police Protection Services
   3. Schools
   4. Parks
   5. Public Library System
   6. Cumulative Impacts

O. Recreation
   1. Physical Deterioration of Neighborhood and Regional Parks
   2. Construction or Expansion of Recreational Facilities
   3. Cumulative Impacts

P. Transportation and Circulation
   1. Congestion Management Program
   2. Air Traffic Patterns
   3. Hazards to a Design Feature/Incompatible Use
   4. Emergency Access
   5. Public Transit, Bicycle, or Pedestrian Facilities
   6. Cumulative Impacts

Q. Utilities and Service Systems
   1. Wastewater Treatment Requirements of Regional Water Quality Board
   2. Water and Wastewater Treatment Facilities
   3. Stormwater Drainage Facilities
   4. Water Supplies and Wastewater Treatment Capacity
   5. Landfill
   6. Solid Waste
   7. Cumulative Impacts

R. Energy Resources
   1. Energy Conservation Plans
   2. Non-Renewable Resources
   3. Cumulative Impacts

VII. ENVIRONMENTAL IMPACTS FOUND NOT TO BE SIGNIFICANT WITH INCORPORATION OF PROJECT DESIGN FEATURES IN THE INITIAL STUDY OR PRIOR TO MITIGATION IN THE DRAFT EIR

The following impact areas were determined to be less than significant, and based on that analysis and other evidence in the administrative record relating to the project, the City finds and determines that the following environmental impact categories will not result in any significant impacts and that no mitigation measures are needed.

Impacts Found Not to Be Significant in the Initial Study with Incorporation of Project Design Features

A. Air Quality

Expose Sensitive Receptors to Substantial Pollutant Concentrations: Projects in the South Coast Air Basin are required to analyze local air quality impacts. The nearest sensitive receptor to the project site is a multi-family residential building located approximately 110 feet from the project site's western boundary. SCAQMD has developed localized significance thresholds (LSTs) that represent the maximum emissions from a project that are not expected to cause or contribute to an exceedance of the most stringent applicable federal or state ambient air quality standards and, thus, would not cause or contribute to

localized air quality impacts. Since the nearest receptor to the project site is located approximately 110 feet away, the LSTs for a receptor distance of 82 feet are used to evaluate the potential localized air quality impacts associated with the project's peak day emissions to present a conservative analysis. The daily unmitigated on-site emissions generated during the project's worst-case construction scenario are presented in Table 4 of the Initial Study. The pollutant emissions calculated for the project's on-site demolition activities takes into account the incorporation of PDF AQ-1, which requires all off-road construction equipment exceeding 50 hp used during the project's demolition phase to either meet, at a minimum, USEPA Tier IV interim engine certification requirements, or apply other available technologies to the construction equipment that would achieve the same pollutant emissions reduction as USEPA Tier IV construction equipment. With implementation of this PDF, the daily unmitigated emissions generated onsite by the project's worst-case construction scenario do not exceed any of the applicable SCAQMD LSTs for a one-acre site in SRA 1 during any of the construction years. As the project's worst-case construction emissions do not exceed SCAQMD's applicable LSTs, the localized air quality impacts associated with the project's construction emissions are less than significant.

Cumulative Impacts: The nearest related project to the proposed project is located approximately 1,265 feet away at 316 North La Cienega Boulevard; however, at this time it is not known if this project would be constructed within the same time period as the proposed project. Nonetheless, under the condition where this project would be constructed concurrently with the proposed project, a sensitive receptor located equidistant from these two construction sites could be exposed to pollutant concentrations. However, a receptor located between the proposed project site and these two construction sites (i.e., a receptor located approximately 800 feet from the proposed project and the construction site located at 316 North La Cienega Boulevard, respectively) would be exposed to both construction emissions from the proposed project and would have a greater LSTs that would need to be exceeded before a potential localized air quality impact result. The proposed project will not exceed the more stringent LSTs for receptors located 82 feet from the project site, compared to the LSTs for receptors located 656 or 1,640 feet from a project site, which are more representative of cumulatively impacted receptors. Therefore, it is not anticipated that the on-site emissions that could potentially be generated concurrently at the project site and the nearest related projects site will be of a magnitude that exceeds the LSTs for a receptor distance of 656 or 1,640 feet. As such, the cumulative impacts related to exposure of sensitive receptors to substantial pollutant concentrations are less than significant.

1. Project Design Feature

The City finds that Project Design Feature, PDF AQ-1, which is incorporated into the project and incorporated into the Findings as set forth herein, reduce the impacts related to air quality to less than significant. This Project Design Feature was taken into account in the analysis of project impacts.

B. Cultural Resources

1. Archaeological Resources

The SCCIC records search results indicated that a total of 17 cultural resources studies have been conducted within a ½-mile radius of the project site, although none include any portion of the project site. No archaeological resources have been previously documented within the project site or a ½ mile-radius. Given the amount of previous development within the majority of the project site, the potential for subsurface archaeological resources is considered low. However, since the project includes ground-disturbing activities of up to 19 feet below ground surface and since the project includes excavation in areas that have not been subject to substantial previous disturbance (such as the paved parking lot), the project has the potential to disturb previously unknown significant archaeological resources. Therefore, with implementation of PDF CUL-1, the project has a less-than-significant impact to archaeological resources.

Cumulative Impacts: Although all of the related projects are located within an urban environment that has been previously disturbed, excavation activities associated with the related projects could contribute to the progressive loss of archaeological resources. Given the amount of previous development within the project site, the potential for subsurface archaeological resources in the project site is considered low. Since the project includes ground-disturbing activities of up to 19 feet below ground surface and since the project includes excavation in areas that have not been subject to substantial previous disturbance (such as the paved parking lot), the project has the potential to disturb previously unknown significant archaeological resources. Implementation of the proposed project, in combination with the other related projects in the project site vicinity, will result in the continued redevelopment and revitalization of the surrounding area. However, impacts to cultural resources are site-specific and are assessed on a site-by-site basis. In addition, each related project will be required to comply with existing regulations and undergo CEQA review to assure that any impacts are appropriately evaluated and, if necessary, mitigated. Therefore, any cumulative impact is less than significant. The analysis of the proposed project's impacts to cultural resources also concluded that the proposed project does not have significant impacts with respect to cultural resources following incorporation of PDF CUL-1 discussed above. Therefore, the proposed project's incremental contribution to a cumulative impact would not be considerable.

2. Tribal Cultural Resource

The NAHC has indicated that no sacred sites or Native American cultural resources are known to exist within the project site or vicinity. In addition, pursuant to AB 52, the City of Los Angeles notified tribes of the proposed project and received a response from the Soboba Band of Luiseño Indians in a letter dated January 4, 2016, but they did state any concerns with the project. In addition, the Gabrieleño Band of Mission Indians – Kizh Nation also responded in

letters dated December 15, 2015 and February 1, 2016, in which they mentioned that, due to the sensitivity of the area, the tribe requested a Native American monitor to be on the project site during ground disturbing activities. A third letter dated September 15, 2016 from the Gabrieleño Band of Mission Indians – Kizh Nation was also received, but the letter did not present any new information beyond what was presented in their previous letters. The Gabrieleño Band of Mission Indians – Kizh Nation did not request consultation with the City of Los Angeles. Nevertheless, with implementation of PDF CUL-5, which states that at least 30 days prior to the start of ground disturbance, the applicant shall retain a Native American monitor listed on the Native American Heritage Commission contact list as traditionally and culturally affiliated with the project area to observe all ground-disturbing activities, the project results in a less-than-significant impact to tribal cultural resources as defined in Public Resources Code 21074.

Cumulative Impacts: Implementation of the proposed project, in combination with the other related projects in the project site vicinity, will result in the continued redevelopment and revitalization of the surrounding area. Impacts to cultural resources tend to be site-specific and are assessed on a site-by-site basis. Each related project will be required to comply with existing regulations and undergo CEQA review to assure that any impacts are appropriately evaluated and, if necessary, mitigated. Therefore, any cumulative impact with regard to tribal cultural resources is less than significant.

3. Project Design Features

The City finds that the Project Design Features, PDFs CUL-1 and CUL-5, which are incorporated into the project and incorporated into these Findings as though fully set forth herein, reduce the potential for archaeological and tribal cultural resources impacts of the project. These Project Design Features were taken into account in the analysis of potential impacts.

C. Geology and Soils

1. Seismic Ground Shaking

Ground shaking during a major earthquake at the project site could cause structural damage to the project. Given the potential for strong seismic ground shaking, the project will be constructed with latest construction materials and built to the requirements of the California Building Code (CBC) and, thus, will have the structural integrity to withstand strong seismic ground shaking. The final choice of foundation design, site preparation requirements, and construction materials for the project will be informed by soil and/or geotechnical engineering reports to be prepared prior to final designs, as required by PDF GEO-1. In addition to compliance with CBC, the proposed project is subject to the provisions of the Seismic Hazards Mapping Act, which requires the implementation of feasible design measures to address seismic hazards, depending on the results of site-specific geotechnical studies. Required compliance with the CBC through the

implementation of PDF GEO-1 and compliance with the provisions of the Seismic Hazard Mapping Act ensure that potential impacts from strong seismic ground shaking are less than significant. Therefore, with implementation of PDF GEO-1, the project will not expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking and impacts would be less than significant.

Cumulative Impacts: Impacts related to geology are generally localized or site-specific, because each project site has a different set of geologic considerations that are subject to specific site development and construction standards. As such, the potential for cumulative impacts to occur is geographically limited. Similar to the proposed project, potential impacts related to geology and soils will be assessed on a case-by-case basis and, if necessary, the applicants of the related projects will be required to implement the appropriate mitigation measures. The analysis of the proposed project's geology and soils impacts concluded that there are no active faults in the project area or close enough to the project site to be considered a concern for fault rupture. Thus, impacts related to fault rupture and ground shaking are less than significant. Therefore, the proposed project does not make a cumulatively considerable contribution to any potential cumulative impacts, and the cumulative geology and soil impacts described herein will be less than significant.

2. Project Design Feature

The City finds that the Project Design Feature, PDF GEO-1, which is incorporated into the project and incorporated into these Findings as though fully set forth herein, reduces the potential geology and soils impacts of the project. This Project Design Feature was taken into account in the analysis of potential impacts.

D. Greenhouse Gas Emissions

1. Applicable Plan, Policy or Regulation

The project is designed to comply with the CARB AB 32 Scoping Plan, the Los Angeles Green Building Code, CALGreen Code, Green LA Plan, and SCAG 2012-2035 RTP/SCS to ensure that the project uses resources (energy, water, etc.) efficiently and that the project significantly reduces pollution and waste. Compliance with the Los Angeles Green Building Code results in reductions in energy and water consumption equal to or in excess of the CALGreen Code requirements. The Final EIR added PDF GHG-1 to further reduce the potential from greenhouse gas impacts. Therefore, impacts from the project on conflicts with GHG plans, policies or regulation are less than significant. In addition, the project will off-set 100 percent of the projected Greenhouse Gas emissions from both construction and permanent operations.

Cumulative Impacts: Implementation of the proposed project is consistent with both the CARB Scoping Plan as well as the Green LA Plan, as detailed in Section 7b of the Initial Study. Therefore, the project will not hinder or adversely affect the statewide attainment of GHG emission reduction goals of AB 32. This impact is less than cumulatively considerable.

2. Project Design Feature

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

Impacts Found Not to Be Significant Prior to Mitigation in the Draft EIR

E. Aesthetics

1. Light or Glare

Construction Impacts: Construction activities associated with the project involve the use of various lighting sources which have the potential to spill over to off-site sensitive land uses surrounding the project site. To reduce impacts to light sensitive receptors, construction activities at the project site will occur between the hours of 7:00 a.m. and 4:00 p.m. on Monday through Friday, and during the hours of 8:00 a.m. and 4:00 p.m. on Saturday. Lighting during the nighttime hours is required on-site for safety and security purposes and has the potential to result in nighttime lighting impacts if not directed properly. To reduce potential nighttime lighting impacts, the project implements PDF AES-1, which requires the shielding of construction-related light sources and ensures that impacts are less than significant.

Daytime glare associated with construction activities could occur if reflective construction materials are positioned in highly visible locations where the reflection of sunlight occurs; however, this is unlikely to occur and any glare produced during construction activities is highly transitory and short-term, given the movement of construction equipment and materials within the construction site and the temporary nature of construction activities. The potential for nighttime glare is negligible as construction occurs primarily during the daytime hours, as noted above, and the lighting during nighttime hours will be used for safety and security purposes and, as such, is shielded and/or aimed so that no direct beam spills over outside of the project site boundary, as ensured by the implementation of PDF AES-1, as described above. Therefore, impacts to offsite sensitive uses from daytime and nighttime glare during construction of the project are considered less than significant.

Operation Impacts: During operation of the project, site lighting will be installed throughout the project site, which will assist with safety, security, and wayfinding, which has the potential to spill over to off-site sensitive land uses in the project vicinity. However, the lighting will be low intensity and directed towards the interior of the project site to avoid light spillover and be subject to the provisions of the LAMC lighting regulations which are found in various chapters within the LAMC. Chapter 9, Article 3, Section 93.0117(b) of the LAMC establishes the standards for exterior lighting, and states no exterior lighting may cause more than two-foot candles of lighting intensity or generate direct glare onto exterior glazed windows or glass doors on any residential property; an elevated habitable porch, deck or balcony on any property containing residential units; or any ground surface intended for uses such as recreation, barbecues or lawn areas. Furthermore, lighting on the project site will be subject to PDFs AES-2 and AES-3, which outline standards for exterior lighting design on the project site. Compliance with LAMC requirements and PDFs AES-2 and AES-3 ensure that impacts from site lighting during operation of the project are less than significant.

Building lighting will be used for building identification, building accents, and includes lighting associated with the project's signage, interior lighting visible through the windows of the residential units and the ground floor and mezzanine commercial/retail uses, and aboveground parking garage. Building lighting used for the project will be low intensity. Building signage is regulated by LAMC, Chapter 1, Article 4.4, Section 14.4.4, which limits light intensity of signage to three foot candles above ambient lighting, as measured at the property line of the nearest residentially zoned property. PDF AES-3 prohibits the use of spotlights, floodlights, klieg lights, or similar high-intensity light source for outdoor lighting. All new street lighting associated with the project is required to meet the standards of LAMC Chapter 1, Article 4.7, Section 17.08 C. The project as designed, and including PDFs AES-2 and AES-3 and compliance with the LAMC, results in less-than-significant lighting impacts.

The project will introduce new sources of glare, including building surfaces and project-related vehicles. As described above under PDF AES-4, glass used in building facades will be anti-reflective or treated with anti-reflective coating in order to minimize glare from reflected sunlight. Thus, implementation of PDF AES-4 reduces any potential impacts from glare as a result of the use of glass or other building materials. Vehicles will be parked within the parking garages and, thus, do not have the potential to produce glare when exposed to the sun.

Cumulative Impacts: Development of the project, as well as the related projects in the area, will introduce new or expanded sources of artificial light. However, no related projects are located within 0.25 mile of the project site and, as such, do not significantly alter the existing lighting environment currently experienced in the area. Additionally, cumulative lighting is not be expected to interfere with the performance of off-site activities given the moderate to high ambient nighttime artificial light levels already present. Furthermore, like the project, related projects are subject to applicable lighting guidelines and the City's design review process

to ensure that potential artificial light sources will not significantly alter the light environment and result in cumulative impacts. Similarly, with regard to glare, the project and related projects are subject to design review to ensure that significant sources of glare are not introduced. Adherence to these measures ensures that building materials do not have the potential to produce a substantial degree of glare. Therefore, cumulative light and glare impacts from development of the project and related projects are less than significant.

2. Shade and Shadow

Development of the project will generate new shading with varied lengths and angles depending on the time of day and season, particularly to the west and east during the winter and fall solstices. However, no residential building or other sensitive use is shaded by the project, as described in the Draft EIR, for more than three hours, the threshold of significance, between the hours of 9:00 a.m. and 3:00 p.m. Pacific Standard Time (between early November and early March) or more than four hours, the threshold of significance, between 9:00 a.m. and 5:00 p.m. Pacific Daylight Time (between early March and early November). Therefore, impacts are less than significant. Furthermore, the project as modified and approved by the City Council will be reduced to 185 feet in height to the main tower roof slab, which is lower in height than the original project analyzed in the Draft EIR.

Cumulative Impacts: There are no related projects within a 0.25-mile radius of the project site and, therefore, there is no potential to create cumulative shading impacts in combination with the project.

3. Project Design Features

The City finds that the Project Design Features, PDFs AES-1, AES-2, AES-3, and AES-4, which are incorporated into the project and incorporated into these Findings as though fully set forth herein, reduce the potential aesthetics impacts with regard to light and glare of the project. The Project Design Features were taken into account in the analysis of potential impacts.

4. Aesthetic Impacts are Less Than Significant According to SB 743

Furthermore, CEQA states that "[a]esthetic and parking impacts of a residential, mixed-use residential, or employment center project on an infill site within a transit priority area shall not be considered significant impacts on the environment." (Pub. Resources Code, § 21099, subd. (d)(1).) As explained in Section V, the project meets these requirements and, thus, aesthetic impacts are considered less than significant.

F. Land Use and Planning

1. Consistency with Land Use Plans and Policies

The development of the project is subject to numerous state, regional, and City land use plans and policies, such as the 2016-2040 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS), City of Los Angeles General Plan Framework Element, Wilshire Community Plan, and City Zoning Ordinance. The project is generally consistent with all land use plans and policies. Specifically, the Wilshire Community Plan identifies the importance of mixed-use commercial developments, specifically mixed-use commercial and residential boulevards, along Beverly, Olympic, Pico, Robertson, and La Cienega Boulevards to encourage pedestrian activity, reduce traffic circulation and congestion, and invigorate commercial areas. Development of the project is consistent with these policies by creating a mixed-use residential building along the major corridors, La Cienega Boulevard and 3rd Street.

The project also conforms to the RTP/SCS as explained in the Draft EIR's Table 4.2-1 Consistency Analysis with Local Land Use Plans and other documents in the record. The 2016 RTP/SCS identifies the anticipated population of the City of Los Angeles in 2040 to be approximately 4,609,400 persons, an increase of 617,700 persons in a 20-year period. The project adds a population of approximately 331 persons, or less than one percent (0.05 percent) of the total increase in population within that time period. The project will result in an increase in 84 commercial jobs within the City, less than 0.1 percent of the total anticipated employment increase. Therefore, the employment increase from the project is accounted for in the SCAG growth projections. The project is also accounted for in the SCAG growth projections as identified by the 2016 RTP/SCS. Because the project is consistent with the Community Plan and the employment and population growth resulting from the project is consistent with SCAG's regional forecast, the project is consistent with the growth projections accounted for in SCAQMD's Air Quality Management Plan. Therefore, impacts related to consistency with these land use plans are less than significant.

Cumulative Impacts: There are 53 related projects in the vicinity of the project site, which generally consist of infill development and redevelopment of existing uses, including mixed-use, office, residential, etc. The related projects consist of infill development within the larger Wilshire Community Plan Area as well as in the surrounding cities of West Hollywood and Beverly Hills, which are primarily built-out. As with the project, the related projects are subject to CEQA review and review by City regulatory agencies on a case-by-case basis. Therefore, the project and related projects will not have cumulatively significant land use impacts as both the project and related projects will be consistent with applicable land use and zoning plans and standards, which does not incrementally contribute to cumulative inconsistencies with respect to land use and zoning plans and standards. Thus, cumulative impacts with regard to potential conflicts with applicable land use plan, policy, or regulations are less than significant.

G. Transportation and Circulation

1. Conflict with Applicable Plan, Ordinance, or Policy

Construction: Potential traffic impacts from project construction activities could occur as a result of the following: increase in haul truck and automobile traffic, temporary lane closures, and reduced access to emergency services. Construction activities are expected to be primarily contained within the project site; however, lane and sidewalk closures on La Cienega Boulevard and San Vicente Boulevard will be required at times for construction staging, utility relocations and hook ups, delivery of materials, and other construction activities. These closures will occur at different stages of construction and are implemented as a part of PDF TR-1, Construction Traffic Management Plan (CTMP), which will be prepared and implemented as a part of the project. Construction workers can also add traffic to roadways around the project site during the construction phase; however, because construction worker traffic occurs outside the peak hours, traffic from construction workers is not expected to create a significant impact on the street system. According to the traffic analysis, haul truck trips will be spread out throughout the day and are not anticipated to contribute to a substantial amount of traffic during the weekday morning and afternoon peak periods. Given that La Cienega Boulevard is listed as a designated disaster route in the General Plan Safety Element, the CTMP includes a disaster route detour plan to ensure that emergency access is maintained throughout construction. The CTMP is to be reviewed and approved by the LADOT prior to being implemented and the detour plan will be disseminated to emergency services providers prior to the start of construction. In addition, PDF TR-1 includes a requirement for the applicant to coordinate with Metro to ensure that access to transit services in maintained, including the relocation of the Metro Local Route 105 bus stop. This project design feature has been revised herein to include the relocation of the Metro Rapid 705 bus stop as well. Therefore, with implementation of PDF TR-1, transportation and circulation impacts associated with project construction are less than significant.

Operation: Traffic volume projections were developed for the project to analyze the existing traffic conditions after completion of the project. Twenty-five intersections were evaluated, and 23 of the 25 intersections will operate at LOS D or better during both the morning and afternoon peak period. The remaining two intersections, La Cienega Boulevard and Wilshire Boulevard (Intersection 20) and La Cienega Boulevard and Olympic Boulevard (Intersection 21), will operate at LOS E or worse during the morning and afternoon peak periods; however, the addition of project traffic to existing conditions does not increase the V/C delay by more than 0.005 and, therefore, does not exceed the significance thresholds set forth in the *L.A. CEQA Thresholds Guidelines*. Furthermore, all driveway intersections, with the exception of the southern driveway on La Cienega Boulevard, are unsignalized. An LOS analysis for the unsignalized intersections was conducted using HCM methodology and the LOS for all driveway

intersections was estimated to be LOS B or better in both the AM and PM peak hours.

The LOS analysis is based on trip generation rates from the Institute of Transportation Engineers Trip Generation Manual, with reductions made to account for pass-by trips, transit and walk trips, and pass-by trips for the restaurant. The reductions in trip generation are appropriate here to account for the urban and transit-oriented nature of the project, and the reductions applied in the analysis are well within typical ranges recommended by the ITE Manual. Furthermore, all of the trip reductions applied in the analysis are allowed by LADOT's Traffic Study guidelines and were reviewed and approved by LADOT staff.

Even though the reductions in trip generation are appropriate and supported by substantial evidence, further analysis was conducted to determine whether application of smaller reductions results in any significant impacts. That analysis demonstrates that even with just a 25-percent reduction in trips, impacts remain less than significant.

The project site is located in a pedestrian-oriented and bicycle accessible area that consists of a mix of residential uses, institutional, and regional commercial uses. Given that the project maintains the existing sidewalk and circulation system and includes streetscape and walkability improvements, it is not anticipated that the project will increase hazards to bicyclists, pedestrians, or vehicles. Therefore, impacts with regard to transportation and circulation during project operation are considered less than significant.

Cumulative Impacts: The construction of 53 related projects is anticipated in the project area between existing conditions and the cumulative conditions horizon year of 2019. These 53 projects are dispersed throughout the project vicinity within the general Wilshire Community Plan area and draw upon a workforce from all parts of Los Angeles County. There is the potential for the construction-related activities and/or haul routes of the project and related projects to overlap, particularly with respect to other projects located along La Cienega Boulevard. Specifically, there is potential for these related projects and the project to use the same haul routes at the same time. There is also the potential for the nearby related projects and the project to require lane closures during construction at the same time. However, the implementation of the CTMP ensures that disaster routes are established in the event of lane closures. The requirement of a CTMP also applies to any cumulative project that includes lane closures that affect emergency access routes. Therefore, cumulative effects of lane closures are not cumulatively considerable. The traffic models used in the analysis above incorporated forecasted traffic increases due to ambient growth and trip generation estimates for the related projects through the year 2019. Therefore, cumulative impacts on intersections, the regional transportation system and access as a result of the project are accounted for in the Draft EIR, and cumulative impacts are less than significant.

2. Congestion Management Program (CMP)

At the intersection of La Cienega Boulevard and Wilshire Boulevard (Intersection 20), the project will add 52 trips, which is slightly higher than the arterial CMP station analysis threshold of 50 trips. However, this intersection operates at LOS E with or without the project, with an increase of the V/C ratio of 0.002 due to the project in the AM peak hour. While the intersection operates at LOS F during the PM peak hour, this is with or without the project and the project only increase the V/C ratio by 0.004 in the PM peak hour, below the CMP threshold. Therefore, there is no significant impact at this intersection. In addition to this intersection, the project will add a maximum of 19 trips at La Cienega Boulevard and Santa Monica Boulevard, three eastbound peak hour trips to the CMP freeway monitoring station located at I-10, east of Overland Avenue, and three westbound peak hour trips to the CMP freeway monitoring station located at I-10, east of La Brea Boulevard. Project related trips are well below the CMP threshold of 50 or more trips to any CMP intersection or more than 150 trips to a CMP mainline freeway location; therefore, the project does not conflict with the local CMP. This is considered a less-than-significant impact.

3. Project Design Feature

The City finds that Project Design Feature, PDF TR-1, which is incorporated into the project and incorporated into these Findings as though fully set forth herein, reduce the potential construction transportation/circulation impacts of the project. This Project Design Feature was taken into account in the analysis of potential impacts.

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

The following impact areas were concluded by the EIR to be less than significant with the implementation of mitigation measures described in the Final EIR. Based on that analysis and other evidence in the administrative record relating to the project, the City finds and determines that mitigation measures described in the Final EIR reduce potentially significant impacts identified for the following environmental impact categories to below the level of significance.

Impacts Found to Be Less Than Significant After Mitigation in the Initial Study

A. Cultural Resources

Paleontological Resources: Results of the paleontological resources records search indicated that surficial deposits within the project site consist of younger Quaternary Alluvium, derived as alluvial fan deposits from the Santa Monica Mountains to the north. A total of six localities (LACM 3176, 7669, 7671, 7672, 7673, and 7770) within the older Quaternary deposits have been recorded within the vicinity of the project site. While excavation into the younger Quaternary

Alluvium is unlikely to impact significant paleontological resources, any substantial excavation below the uppermost layers and into the underlying older Quaternary deposits and/or the Palos Verdes Sand deposits has a good chance of uncovering significant vertebrate fossil remains. Excavations for the project shall reach depths of at least 19 feet below the existing ground surface and have the potential to encounter significant vertebrate fossils.

1. Mitigation Measure

The City finds that Mitigation Measures CUL-2, CUL-3, CUL-4 which are incorporated into the project and incorporated into the Findings as set forth herein, reduce the impacts related to paleontological resources to less than significant.

2. Finding

Paleontological Resources: With implementation of Mitigation Measure CUL-2, CUL-3, and CUL-4, impacts related to paleontological resources are less than significant. No further mitigation is required.

3. Rationale for Finding

Paleontological Resources: Results of the paleontological resources records search indicated that surficial deposits within the project site consist of younger Quaternary Alluvium, derived as alluvial fan deposits from the Santa Monica Mountains to the north. The younger Quaternary Alluvium deposits usually do not contain significant vertebrate fossils, at least in the uppermost layers; however, these deposits are underlain by older Quaternary deposits at relatively shallow depths that do contain significant vertebrate fossils. Below the older Quaternary Alluvium deposits are even older Quaternary deposits known as the Palos Verdes Sand. While excavation into the younger Quaternary Alluvium is unlikely to impact significant paleontological resources, any substantial excavation below the uppermost layers and into the underlying older Quaternary deposits and/or the Palos Verdes Sand deposits has a good chance of uncovering significant vertebrate fossil remains. Numerous fossil Pleistocene (approximately 2.6 million years ago-11,000 years ago) localities have been documented within Los Angeles County from deposits similar to those underlying the project site. Ice age animals recovered from these localities include, but are not limited to, mammoths, mastodons, horses, camels, ground sloths, and carnivores. Given that fossils localities have been previously documented within or immediately adjacent to the project site and several more have been documented within 0.50 mile of the project area in the same sediments that underlie the project site, the project site is considered highly sensitive for presence of paleontological resources. Excavations for the project shall reach depths of at least 19 feet below the existing ground surface and have the potential to encounter significant vertebrate fossils. Previous depths of disturbance for the existing buildings is unknown, but were likely more shallow than proposed excavation since existing

buildings do not include subterranean parking and the project will include two levels of subterranean parking. Also, there are areas that have not been subject to substantial past ground disturbance. Therefore, the project has the potential to result in a significant impact to unique paleontological resources. However, implementation of Mitigation Measures CUL-2 through CUL-4, which includes pre-construction worker paleontological resources sensitivity training, monitoring of all ground-disturbing activities, and recommendations on what to do should paleontological resources be discovered during construction, ensure that potential impacts to any unique paleontological resources are less than significant.

4. Reference

For a complete discussion of impacts associated with Cultural Resources, please see Section 5 of the Initial Study.

B. Hazards and Hazardous Materials

Release of Hazardous Materials into the Environment: Construction and operational activities of the project require the use of some hazardous materials such as fuels, oils, paints, solvents, and glues. All potentially hazardous materials used during construction or operation of the project will be handled, stored, and disposed of in accordance with the manufacturers' specifications and applicable regulations. Nonetheless, during construction, there is the possibility of the inadvertent exposure or release of hazardous materials into the surrounding environment, which could inadvertently impact the soils, surface waters, or groundwater quality.

1. Mitigation Measures

The City finds that Mitigation Measures HAZ-1, HAZ-2, HAZ-3 and HAZ-4, which are incorporated into the project and incorporated into these Findings as fully set forth herein, reduce the potentially significant impact related to the accidental release of hazardous materials into the environment to less than significant.

2. Findings

Changes or alterations and mitigation measures have been required in, or incorporated into, the project that avoid or substantially lessen potential significant environmental effects on hazards associated with the accidental release of hazardous materials in the environment to less than significant levels with the implementation of Mitigation Measures HAZ-1 through HAZ-4. No further mitigation measures are required.

3. Rationale for Findings

Construction activities required for implementation of the project involve trenching, excavation, grading, and other ground-disturbing activities. The construction activities require the use of equipment, such as trucks, excavators, and other powered equipment, and will use potentially hazardous materials such as fuels (gasoline or diesel) and lubricants (oils and greases). In addition, construction of the structure may use hazardous materials such as glues, solvents, paints, thinners, or other chemicals. Reasonably foreseeable upset and accident conditions could occur involving the release of hazardous materials during the construction of the project, which could be an adverse impact to workers and/or the environment during construction activities. Operations of the project consist of the typical common activities associated with development of residential, associated amenities (e.g., spa, swimming pool), restaurant and commercial uses. Household and landscape maintenance materials such as cleaning supplies, paints, oil, grease, fertilizers, and chlorine will be used during project operations. However, all potentially hazardous materials will be used and stored in accordance with manufacturers' instruction and handled in compliance with federal, state, and local regulations. Compliance with these regulations ensures that any associated risk is adequately reduced to less than significant.

An Asbestos and Lead-Based Paint Survey Report was prepared for the project site and found that while asbestos containing materials (ACMs) were not found on the project site, lead-based paint (LBP) was detected in the existing structure. The lead concentration of the exterior of the existing building is over 1,000 ppm lead. Therefore, without proper abatement procedures, demolition/removal could expose workers and/or the environment to lead, a potentially significant impact. Implementation of Mitigation Measures HAZ-1 and HAZ-2 ensures the proper handling and removal of LBP and reduces the potential impacts of exposure to these hazardous building materials to a less-than-significant level.

A previous subsurface soil investigation at the project site indicated concentrations of total recoverable petroleum hydrocarbons (TRPH) up to 4,900 mg/kg were detected. In the absence of proper handling procedures, soil excavation at the project site could expose workers to elevated concentrations of hazardous materials during project construction. To ensure proper handling of contaminated soils, Mitigation Measure HAZ-3, which requires the preparation and implementation of a site-specific Health and Safety Plan in accordance with federal OSHA regulations, and Mitigation Measure HAZ-4, which requires the preparation and implementation of a Soil and Groundwater Management Plan, will be implemented prior to and during project construction. Implementation of these mitigation measures ensures that potential impacts from the release of contaminated soils during project construction are reduced to a less-than-significant level.

The project site has been identified by the Los Angeles Department of Building and Safety (LADBS) as being located in a Methane Zone, which is defined as a site that has been found to have the risk of methane intrusion emanating from on-site geologic formations. All new buildings and paved areas located in a

Methane Zone shall be required to comply with requirements set forth in the Los Angeles Building Code, Division 71, and the Methane Mitigation Standards established by the LADBS, including those listed below as Mitigation Measures HAZ-5 and HAZ-6, and impacts are reduced to less than significant.

4. References

For a complete discussion of impacts associated with Hazards and Hazardous Materials, please see Section 8 of the Initial Study.

C. Hydrology and Water Quality

Groundwater Supplies/Groundwater Recharge: Groundwater levels are estimated to be between 10 and 15 feet below ground surface (bgs) at the project site and the project includes two subterranean parking levels that will extend at least 19 feet bgs. As such, contact with the groundwater table could likely occur during construction and dewatering is likely required. Impacts to the groundwater table may result from implementation of the project through direct withdrawals per dewatering, or through interception of an aquifer by cuts or excavations. In addition, the groundwater table could be determined to be sufficiently high at consistent rates so as to require a permanent dewatering system throughout the project's operation in order to avoid consequential soil stability issues. Temporary and long-term dewatering that may be required could result in potentially significant impacts to the quantity of groundwater present in the local groundwater basin.

1. Mitigation Measures

The City finds that Mitigation Measures HYD-1, HYD-2, HYD-3, and HYD-4 which are incorporated into the project and incorporated into the Findings as set forth herein, reduce the impacts related to hydrological resources to less than significant.

2. Finding

Groundwater Supplies/Groundwater Recharge: With implementation of Mitigation Measures HYD-1, HYD-2, HYD-3, and HYD 4, impacts related to groundwater supplies and recharge are less than significant. No further mitigation is required.

3. Rationale for Finding

The project site is underlain by the Hollywood Subbasin of the Coastal Plain of Los Angeles Groundwater Basin. Based on review of local groundwater records and past geotechnical investigations, groundwater in the near-site vicinity has been encountered at depths ranging from approximately 10 to 15 feet below ground surface (bgs); the historic high groundwater level for the site, as of 1998, was less than 10 feet below bgs. Impacts to the groundwater table may result

from implementation of the project through direct withdrawals per dewatering, or through interception of an aquifer by cuts or excavations. Additionally, the groundwater table could be determined to be sufficiently high at consistent rates so as to require a permanent dewatering system throughout the project's operation in order to avoid consequential soil stability issues. Any dewatering must be controlled to avoid inducing settlement or other impacts to adjacent structures and facilities. Temporary and long-term dewatering that may be required could result in potentially significant impacts to the quantity of groundwater present in the local groundwater basin. A preliminary hydrogeology study of the site indicates that dewatering is not anticipated to draw water down across substantial distances, adversely impact the rate or direction of flow of groundwater, or have any drawdown influence on the production rate of water supply wells. Given the limited extent of the dewatering. Prior to initiating dewatering at the Project site, additional data would be obtained pursuant to Mitigation Measure HYD-2 that, with the preliminary hydrogeology study, would assist in the design of the dewatering. Mitigation Measure HYD-2 requires a groundwater hydrology report be prepared to assess to what extent temporary dewatering is necessary during construction and whether a permanent dewatering system is required for project operation. The report will also determine how the proposed dewatering affects the height of the local groundwater table and the extent of the impact of groundwater drawdown. In addition, Mitigation Measure HYD-3 requires the Applicant to prepare a Report of Waste Discharge for dewatering activities in order to determine what permit is required to cover those activities and ensure protection of water quality. Mitigation Measure HYD-1 will be required in the case that a permanent dewatering system is necessary as determined by Mitigation Measure HYD-2. Mitigation Measure HYD-1 requires the water obtained from the permanent dewatering system to serve a beneficial use on-site such as irrigation or be returned to the groundwater basin by an injection well. In addition, PDF-HYD-4 allows for the recharge of the local groundwater basin by requiring the construction of permeable sidewalks along the project's street frontages.

4. Reference

For a complete discussion of impacts associated with Hydrology and Water Quality, please see Section 9 of the Initial Study.

Impacts Found to Be Less than Significant After Mitigation in the Draft EIR

D. Noise

Impacts of Generation of Excessive Noise Onsite Construction: During project construction, the nearest and most notable off-site sensitive receptors that are exposed to increased noise levels are the existing multi-family residential, church, and medical center uses located around the project site. Due to the proximity of these off-site sensitive uses to the project site, the project's

construction activities will expose these sensitive receptors to increased exterior noise levels. Over the course of a construction day, the highest noise levels are generated when multiple pieces of construction equipment are being operated concurrently. The peak day construction noise levels experienced by the off-site sensitive receptors will range from 67.4 dBA L_{eq} at the Cedars-Sinai Medical Center building located northwest of the project site to approximately 82 dBA L_{eq} at the Our Lady of Mount Lebanon-St. Peter Cathedral located west of the project site. With the exception of the Cedars-Sinai Medical Center which will only experience a minimal noise increase, construction activities associated with the project will generate episodic noise levels above the ambient noise levels currently experienced in the remaining identified noise-sensitive receptors surrounding the project site. The project is measured against the significance thresholds set forth in the *L.A. CEQA Thresholds Guide*, which state that construction activities lasting more than 10 days in a three-month period, which increase ambient exterior noise levels by 5 dBA or more at a noise sensitive use, normally result in a significant impact. With the exception of the Cedars-Sinai Medical Center, an increase in ambient exterior noise levels by 5 dBA or more will occur at the remaining identified off-site sensitive receptors. The 5 dBA threshold from the *L.A. CEQA Thresholds Guide* is used because construction of the proposed project will occur for more than 10 days in a three-month period. Thus, potentially significant short-term noise impacts from construction will occur at these sensitive off-site locations. Mitigation Measures NOI-1 through NOI-9 shall be implemented to reduce the temporary increase in ambient daytime noise levels at the nearby sensitive receptors during project construction to the maximum extent feasible, as required under Section 112.05 of the LAMC.

Impacts of Excessive Ground-Bourne Vibration: Construction activities at the project site have the potential to generate low levels of ground borne vibration as the operation of heavy equipment (i.e., tractors, loaders, excavators, backhoes, haul trucks, etc.) generates vibrations that propagate through the ground and diminish in intensity with distance from the source. The nearest off-site receptors, both sensitive and non-sensitive uses, to the project site that could be exposed to vibration levels generated from project construction include the mixed-use residential/retail building located to the south, across San Vicente Boulevard and Burton Way, the multi-family residential buildings located to the southwest, across San Vicente Boulevard and Burton Way, the Our Lady of Mount Lebanon-St. Peter Cathedral and Westbury Terrace condominium tower located to the west, across San Vicente Boulevard, the retail uses located directly to the north, and the commercial/retail uses to the west, across La Cienega Boulevard. The retail structures located directly to the north of the project site will be exposed to potential vibration levels of 0.998 inches per second which exceed the 0.5 inches per second PPV Caltrans' and FTA building damage criteria as shown in Tables 4.3-4 and 4.3-6, respectively. As such, the vibration impacts at these retail structures would be potentially significant.

1. Mitigation Measures

Excessive On-site Construction Noise: The City finds that Mitigation Measures NOI-1 through NOI-7 and NOI-9, which are incorporated into the project and incorporated into these Findings as set forth herein, reduce the impacts related to on-site construction impacts to less than significant.

Ground-Borne Vibration: The City finds that Mitigation Measure NOI-8, which is incorporated into the project and incorporated into these Findings as set forth herein, reduce the impacts related to excess ground-borne vibration to less than significant.

2. Finding

Excessive On-site Construction Noise: With implementation of Mitigation Measures NOI-1 through NOI-7 and NOI-9, impacts related to off-site construction noise are less than significant. No further mitigation measure is required. With implementation of Mitigation Measures NOI-1 through NOI-7 and NOI-9, the project's contribution to cumulative impacts related to noise is less than significant.

Ground-Borne Vibration: With implementation of Mitigation Measure NOI-8, impacts related to ground-borne vibration are less than significant. No further mitigation measure is required. With implementation of Mitigation Measure NOI-8, the project's contribution to cumulative impacts related to ground-borne vibration is less than significant.

4. Rationale for Finding

Excessive On-site Construction Noise: The project's estimated construction noise levels were calculated for a scenario in which all construction equipment was assumed to be operating simultaneously and located at the construction area nearest to the affected receptors to present a conservative impact analysis. The estimated noise levels at the off-site sensitive receptors were calculated using the FHWA's RCNM, and were based on the concurrent operation of 12 pieces of equipment (i.e., five air compressors, two concrete saws, excavator, front end loader, vacuum sweeper, tractor, and dump truck) on a peak construction day during the demolition phase. The peak day construction noise levels experienced by the off-site sensitive receptors range from 67.4 dBA L_{eq} at the Cedars-Sinai Medical Center building located northwest of the project site to approximately 82 dBA L_{eq} at the Our Lady of Mount Lebanon-St. Peter Cathedral located west of the project site. Thus, with the exception of the Cedars-Sinai Medical Center which will only experience a minimal noise increase, construction activities associated with the project will generate episodic noise levels above the ambient noise levels currently experienced in the remaining identified noise-sensitive receptors surrounding the project site. The increase in noise levels at the off-site locations during construction at the project site is temporary in nature, and will not generate continuously high noise levels, although occasional single-event disturbances from construction are possible. The typical operating cycle for a

piece of construction equipment involves one or two minutes of full power operation followed by three or four minutes at lower power settings. Furthermore, while the estimated construction noise levels at each of the off-site locations is loudest when construction activities are occurring at an area within the project site that is nearest to the off-site location, the majority of the time noise levels at these off-site locations will be reduced as construction activities conclude or move to another more distant location within the project site. Based on criteria set forth in the *L.A. CEQA Thresholds Guide*, construction activities lasting more than 10 days in a three-month period, which increase ambient exterior noise levels by 5 dBA or more at a noise sensitive use, normally result in a significant impact. Implementation of Mitigation Measures NOI-1 through NOI-7 and NOI-9 reduce the temporary increase in ambient daytime noise levels at the nearby sensitive receptors during project construction to the maximum extent feasible, as required under Section 112.05 of the LAMC. Therefore, the project's short-term on-site construction-related noise impacts are less than significant with implementation of these mitigation measures.

Ground-Borne Vibration: None of the existing off-site residential structures or the commercial/retail uses located to the east of the project site will be exposed to PPV ground borne vibration levels exceeding the FTA and Caltrans' 0.5 inches per second criteria. However, the retail structures located directly to the north of the project site will be exposed to potential vibration levels of 0.998 inches per second, which exceeds the 0.5 inches per second PPV Caltrans' and FTA building damage criteria. Implementation of Mitigation Measure NOI-8 reduces the ground-borne vibration levels at the retail structures located directly to the north of the project site during project construction. Under this mitigation measure, the operation of construction equipment that generates high levels of vibration, such as large bulldozers and loaded trucks, shall be prohibited within 10 feet of existing retail structures located directly north of the project site during project construction. Instead, small bulldozers not exceeding 310 horsepower shall be used within this area during demolition, grading, and excavation operations. The use of smaller bulldozers results in vibration levels of 0.38 inches per second PPV at these retail uses to the north of the project site, which does not exceed Caltrans' vibration criteria of 0.5 inches per second PPV for continuous/frequent intermittent vibration sources. Therefore, the vibration impact is less than significant with the implementation of Mitigation Measure NOI-8.

5. Reference

For a complete discussion of impacts associated with the noise, please see Section 4.3 of the Draft EIR.

IX. ENVIRONMENTAL IMPACTS FOUND TO BE SIGNIFICANT AND UNAVOIDABLE

The project results in the following impact, which is found to be significant and unavoidable.

A. Noise

Ambient Noise Levels: During project construction, the project is likely to expose existing off-site sensitive receptors to increased exterior noise levels. With the exception of Cedars-Sinai Medical Center, an increase in ambient exterior noise levels by 5 dBA or more will occur at all of the identified off-site sensitive receptors. Thus, short-term noise impacts from construction at these sensitive offsite locations are significant.

1. Mitigation Measure

The City finds that Mitigation Measures NOI-1 through NOI-9, which are incorporated into the project and incorporated in these Findings as fully set forth herein, further reduce construction noise levels at the existing noise sensitive land uses located near the project site. These mitigation measures require the implementation of noise reduction devices and techniques during construction at the project site, which serve to reduce the noise levels associated with construction of the project to the maximum extent that is technically feasible. However, these mitigation measures do not reduce the impact to a less-than-significant level.

2. Findings

Changes and alterations and mitigation measures, where available, have been required for or incorporated into the project to reduce unavoidable noise impacts to the greatest extent possible. There are no additional measures which the City can impose to reduce noise impacts to less-than-significant levels.

Even with compliance with Mitigation Measures NOI-1 through NOI-9, the temporary impacts related to construction of the project remain significant and unavoidable.

3. Rationale for Finding

Due to the proximity of the existing off-site sensitive uses to the project site, the project's construction activities expose these sensitive receptors to increased exterior noise levels. As set forth in the *L.A. CEQA Thresholds Guide*, a project normally has a significant impact on noise levels from construction if construction activities lasting more than 10 days in a three-month period exceed existing ambient exterior noise levels by 5 dBA or more at a noise-sensitive use. Based on the estimated noise levels at the nearest off-site sensitive receptors to the project site that are shown in Table 4.3-11, it was determined that an increase in ambient exterior noise levels by 5 dBA or more will occur at all of the identified off-site sensitive receptors, with the exception of the Cedars-Sinai Medical Center. The implementation of Mitigation Measures NOI-1 through NOI-9 reduce the construction noise levels at the existing noise sensitive land uses located near the project site. While implementation of these mitigation measures would

render the project's construction activities in compliance with the City's noise regulations established in Sections 41.40 and 112.05 of the LAMC because all technically feasible noise-reduction measures will be used at the site, these mitigation measures do not fully attenuate the project's construction noise levels to a degree where an increase in ambient noise levels at the nearest off-site receptors by more than 5 dBA do not occur. An eight-foot barrier at the project site is only effective in reducing noise levels at the ground level. In addition to the Westbury Terrace condominium tower to the west, there are other nearby off-site uses that have receptors located at elevated heights in the direct line-of-sight of the project site during construction. These other nearby off-site uses are the mixed-use residential/retail building to the south (8500 Burton Way) and the multi-family residential buildings to the southwest on Burton Way, which are multi-story buildings. Due to the height of these nearby off-site buildings, no feasible measures are available to reduce the project's construction-related noise levels at these receptors. Consequently, the project's construction noise levels still exceeds the existing ambient noise levels at these nearby multi-story buildings by more than 5 dBA at receptors located above the ground level. Overall, because all of the identified off-site receptors, with the exception of the Cedars-Sinai Medical Center, will experience an increase in their existing ambient noise levels by more than 5 dBA, it is concluded that the project's construction activities generate a substantial temporary or periodic increase in ambient noise levels in the project vicinity, and these construction noise impacts are significant and unavoidable.

4. Reference

For a complete discussion of impacts associated with Noise, please see Section 4.3 of the Draft EIR.

X. ALTERNATIVES TO THE PROJECT

In addition to the project, the Draft EIR evaluated a reasonable range of three alternatives to the project. These Alternatives are: (1) No Project Alternative; (2) Existing Zoning Alternative; and (3) Reduced Density Alternative. In accordance with CEQA requirements, the alternatives to the project include a "No Project" alternative and alternatives designed to reduce or avoid the significant adverse impacts of the project. These alternatives and their impacts, which are summarized below, are more fully described in section VI of the Draft EIR.

A. Summary of Findings

Based on the following analysis, the City finds, pursuant to CEQA Guidelines Section 15096(g)(2), that none of the alternatives or feasible mitigation measures within its powers would substantially lessen or avoid the significant effect from construction noise that the project would have on the environment.

B. Project Objectives

An important consideration in the analysis of alternatives is the degree to which such alternatives would achieve the objectives of the project. As more thoroughly described in the Chapter 2, *Project Description*, of the Draft EIR, both the City and applicant have established specific objectives concerning the project, which are incorporated by reference herein and discussed further below.

C. Project Alternatives Analyzed

1. Alternative 1 – No Project Alternative

Alternative 1, the No Project Alternative, would assume that the development of the high-rise multi-story mixed-use residential building on the 1.15-acre site would not occur. The No Project Alternative would not require a General Plan Amendment (GPA) to change the land use designation from Neighborhood Office Commercial to General Commercial. Nor would the alternative require a Vesting Zoning and Height District change from C2-1VL-O to (T)(Q)C2-2D-O to change the Height District 1VL to Height District 2D to allow construction of a 185-foot building (this is a reduction in height from the 240-foot building studied in the EIR). Under this Alternative, the existing vacant ground-floor commercial space, previously occupied by the Loehmann's Department Store, would be occupied by another commercial tenant. Under the No Project Alternative, there would be no project, no amendments, and the existing project site would continue to operate consistent with prior operations.

Impact Summary: The project results in a significant and unavoidable impact related to an increase in ambient exterior noise to existing sensitive receptors during construction. This would be avoided under the No Project Alternative. The No Project Alternative would avoid most of the project's less-than-significant impacts as well. The No Project Alternative would not implement or meet any regional or local planning policies.

Findings: The No Project Alternative reduces adverse environmental impacts compared to the project. Therefore, the No Project Alternative is environmentally superior to the project. However, the No Project Alternative does not satisfy any of the Project Objectives, discussed below. It is found, pursuant to Public Resources Code section 21081, subsection (a)(3), that specific economic, legal, social, technological, or other considerations, including considerations identified in Section XII of these Findings (Statement of Overriding Considerations), make infeasible the No Project Alternative described in the Draft EIR.

Rationale for Findings: The No Project Alternative maintains the project site in its current condition with the existing three-story building, with a single-tenant department store space on the ground floor and a three level parking garage (including the roof). There would be no GPA to change the land use designation from Neighborhood Office Commercial to General Commercial, and no

demolition, construction, and use of a mixed-use residential project. As a result, the No Project Alternative would not create 145 residential units, 8 of which would be set aside for Very Low Income Households and 6 for Moderate Income Households, nor generate 84 employees. In addition, the No Project Alternative would not create community serving amenities such as the 31,055 square feet of commercial retail uses, including a 27,685 square-foot grocery market and 3,370 square feet restaurant space, or ground level open space and water features. Therefore, the No Project Alternative would not meet any of the Project Objectives.

Reference: For a complete discussion of impacts associated with Alternative 1, please see Chapter 6 of the Draft EIR.

2. Alternative 2 - Existing Zoning Alternative

Alternative 2, the Existing Zoning Alternative, would develop the project site in compliance with the existing zoning and height designations. The Wilshire Community Plan designates the project site as Neighborhood Office Commercial and the City's Zoning Code designates the project site as C2-1VL-O (Commercial, Height District 1VL, Oil Drilling District). Under the existing zoning, Height District 1VL is limited to a maximum building height of 45 feet, and a FAR of 1.5:1. Uses permitted in the C2 zone include, but are not limited to, offices (business or professional), retail stores or repair shops, restaurants or cafes, amusement enterprises, residential uses (that must comply with requirements of the R4 zone, Section 12.11, C.2 and 3), uses permitted in C1.5 Limited Commercial Zones, including retail and specialty stores, hotels, and residential uses, hospitals, and medical or dental clinics and laboratories. Under this Alternative, there would be no GPA to change the land use designation from Neighborhood Office Commercial to General Commercial. Under the Existing Zoning Alternative, there would be two development options. Option 1 would include the development of a 3-story, 45-foot tall building, with 132,000 square feet of medical office uses on all three floors. Option 2 would include the development of a 3-story, 45-foot tall building, with ground floor medical office uses and 2 stories of residential units above, totaling 40 units (20 units per floor). Under both options, there would be two levels of underground parking.

Impact Summary: The Existing Zoning Alternative (Options 1 and 2) would not avoid the project's significant and unavoidable construction noise impact. In addition, this Option 1 would increase the daily vehicle trips to the project site compared to the project. Given this increase, the volume-to-capacity ratio at these intersections would increase and potentially exceed the significance thresholds set forth by LADOT and City of Beverly Hills.

Findings: The Existing Zoning Alternative would have a similar significant and unavoidable impact as the project, with regard to construction noise. In addition, this option would increase the daily vehicle trips to the project site compared to the project. Given this increase, the volume-to-capacity ratio at these

intersections would increase and potentially exceed the significance thresholds set forth by LADOT and City of Beverly Hills. Thus, it is likely that Alternative 2, Option 1 would result in a greater transportation impact than the proposed project. Impacts associated with the remaining environmental issues would be similar or less than those of the proposed project. Alternative 2 is rejected as infeasible because it does not satisfy the basic project objectives.

Rationale for Findings: Option 1 would meet the project objectives to provide services needed in the community and to minimize impacts to the environmental by using sustainable building practices including water and energy saving design principles. Given that Alternative 2, Option 1 would develop the site with medical office uses only, though, it would not meet the project objective to develop the project site with an aesthetically pleasing and well-designed mixed-use housing and retail development. While this option would develop a new use on the project site, the aesthetic character and use of the site would be similar to what currently exists. In addition, Option 1 would not fully meet the project objectives that promote the development of high quality, high-density mixed-use residential and retail uses adjacent to major public transportation lines, in close proximity to employment, goods, and services, and near compatible uses. It would also not meet the project objective to create open space and recreational opportunities for residents, nor would it provide new ground level open space and water features that would enhance the visual character of the neighborhood. Furthermore, this alternative would not encourage pedestrian activity with walkability and safety improvements, landscaping, and high quality architecture.

Option 2 would include the development of both medical office and residential uses. Similar to Option 1 and the project, Option 2 would meet the project objectives to provide goods and services needed in the community and to minimize impacts to the environmental by using sustainable building practices including water and energy saving design principles. However, while this alternative would provide mixed-use housing that is complementary to the community's character, adjacent to major public transportation lines, to employment, goods, and services, and near compatible uses, it would not provide high-density housing which is one of the key components of the project objectives. Thus, Option 2 would not meet this objective. In addition, Option 2 would not create open space and recreational opportunities for residents, nor would it provide new ground level open space and water features that would enhance the aesthetic of the neighborhood. Furthermore, this alternative would not encourage pedestrian activity with walkability and safety improvements, landscaping, and visually stimulating architecture. Additionally, as shown in the Financial Feasibility Analysis of Two EIR Alternatives memorandum as submitted to the Council File on January 18, 2017, prepared by HR&A Advisors, Option 2 would not be financially feasible.

Reference: For a complete discussion of impacts associated with Alternative 1, please see Chapter 6 of the Draft EIR.

3. Alternative 3 – Reduced Density Alternative

The Reduced Density Alternative would reduce the density of the project, including a reduction in height, commercial square footage, and residential units. The height of the building would be reduced to 87 feet, which would reduce the structure from 16 stories to a maximum of 8 stories in height. Residential units would be reduced to 87 units and commercial square footage would be reduced to 20,000 square feet. Under this Alternative, an amendment to the General Plan would still be required to change the land use designation from Neighborhood Office Commercial to General Commercial, consistent with surrounding designations. In addition, a Zoning and Height District amendment would also be required to change the designation from C2-1VL-O to (T)(Q)C2-2D-O, which would allow an increase in building height from 45 feet to 87 feet high. This Alternative would develop an 8-story, 87-foot tall, mixed-use residential building similar to the neighboring 8-story mixed use residential/retail building at 8500 Burton Way, with 20,000 square feet of ground floor commercial-retail land uses, 87 residential units above, and two levels of underground parking and two levels of above-ground parking.

Impact Summary: The Reduced Density Alternative would not avoid the project's significant and unavoidable construction noise impact. Impacts associated with the remaining environmental issues would be similar or slightly less than those of the project. Because Alternative 3 would not meet basic project objectives, it is rejected as infeasible.

Findings: Under Alternative 3, similar amendments to the Zoning and Height District designations would be required to change the allowable building height as the project. In addition, a GPA would be required to change the land use designation from Neighborhood Office Commercial to General Commercial. Alternative 3 would be required to comply with the City's Building Code requirements and, as such, noise impacts associated with land use compatibility would be less than significant, similar to those of the project. But the Reduced Density Alternative would not avoid the significant and unavoidable impact of the project with respect to construction noise.

Rationale for Findings: The Reduced Density Alternative would reduce the density of the project, including a reduction in height, commercial square footage, and residential units. The height of the building would be reduced to 87 feet, which would reduce the structure to a maximum of 8 stories in height. Residential units would be reduced to 87 units and commercial square footage would be reduced to 20,000 square feet. Similar to the project, the Reduced Density Alternative would include both commercial/retail and residential uses. The Reduced Density Alternative would meet the project objectives to include retail that provides goods and services needed in the community and to minimize impacts to the environment by using sustainable building practices including water and energy saving design principles. However, while this alternative would provide mixed-use housing that is complementary to the community's character

and uses, adjacent to major public transportation lines, and close to employment, goods and services, it would not provide high-density housing, one of the key components of the project objectives. While this alternative would provide an amenity level, similar to the project, it would not provide new ground level open space and water features that would enhance the neighborhood. Thus, this alternative would not meet the project objectives to provide open space and amenities for pedestrians and residents. Furthermore, this alternative would not encourage pedestrian activity with walkability and safety improvements, landscaping, and high quality architecture. Additionally, as shown in the Financial Feasibility Analysis of Two EIR Alternatives memorandum dated January 18, 2017 prepared by HR&A Advisors, Alternative 3 would not be financially feasible.

Reference: For a complete discussion of impacts associated with Alternative 1, please see Chapter 6 of the Draft EIR.

D. Alternatives Rejects as Being Infeasible

In addition to the three alternatives listed above, two other alternatives were considered and rejected. The first alternative considered, the All Commercial Alternative, would require the same General Plan Amendment and Zoning Code Change as the project. However, the building would contain a ground floor grocery market and commercial office above. Under this Alternative, there would be no residential uses on-site. The height of the building under this Alternative would be reduced to 11 stories. While this alternative would reduce the duration of construction activities and, therefore, shorten the duration of construction noise impacts to the surrounding sensitive receptors, there would still be a significant and unavoidable noise impact. In addition, as an all-commercial use, this alternative would conflict with the Wilshire Community Plan which identifies La Cienega Boulevard as a mixed-use corridor and which promotes the development of new mixed-use residential uses to activate a high-trafficked corridor. Accordingly, this alternative was considered but rejected as infeasible.

The second alternative, Alternative Off-site Location, would consider an alternate site. This alternative was rejected as being infeasible because development of the project at an alternate off-site location would not be consistent with the project's purpose and objectives. The project's purpose and key objectives are to develop an underutilized site with an aesthetically pleasing and well-designed mixed-use housing and retail development that is distinctive and complementary to the community's commercial and mixed-use character and that locates high-density residential uses adjacent to major transportation lines including the planned Metro Purple Line station at Wilshire Boulevard and La Cienega Boulevard, existing Metro local bus lines, Los Angeles Department of Transportation DASH route and an Antelope Valley bus line. Moreover, the mixed-use nature of the project would not complement another location that is not designated a mixed-use boulevard. As such, the project is focused on the development of the particular site, which is under the ownership of the project

applicant. No equivalent alternative site exists. Accordingly, this alternative was considered but rejected as infeasible.

E. Environmentally Superior Alternative

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

The Draft EIR provides a comparative summary of the environmental impacts anticipated under each alternative with the environmental impacts associated with the project in Table 6-1, Summary of Project and Alternative Impacts. Pursuant to Section 15126.6(c) of the CEQA Guidelines, the analysis presented above addresses the ability of the alternatives to "avoid or substantially lessen one or more of the significant effects" of the project.

As previously stated, the intent of the alternatives analysis is to reduce the significant impacts of a project. Implementation of the project would result in a significant and unavoidable impact on a project level with regard to construction noise.

Alternative 1, the No Project Alternative, would eliminate all of the significant impacts of the project, including construction noise, as there would be no change to the existing site conditions. As Alternative 1 eliminates all of the project's significant impacts, it is determined to be the Environmentally Superior Alternative. In accordance with the CEQA Guidelines requirement to identify an Environmentally Superior Alternative other than the No Project Alternative, a comparative evaluation of the remaining alternatives was conducted and indicates that Alternative 2, the Existing Zoning Alternative, Option 2 would reduce project impacts to a greater degree than Alternative 3; however, the significant and unavoidable impact to construction noise would remain under both Alternatives 2 and 3. Nonetheless, because Alternative 2, Option 2 reduces impacts to a greater degree than Alternative 3, the Existing Zoning Alternative, Option 2 is selected as the Environmentally Superior Alternative.

XI. OTHER CEQA CONSIDERATIONS

A. Growth Inducing Impacts

Section 15126(d) of *CEQA Guidelines* requires that an EIR discuss the ways in which the project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment.

The project would develop a multi-story mixed-use residential building up to 185 feet in height to the roof (El. 338.5 feet), with commercial retail on the ground floor and up to 145 residential units, with 5 percent of the permitted base density as affordable housing (7 units) for Very Low Income Households (Density Bonus), 1 additional unit for Very Low Income Household (not Density Bonus - based on additional unit to reflect 5 percent of total units for Very Low Income Households) and 6 units set aside for Moderate Income Households (not Density Bonus). The 145 residential units would generate approximately 331 new residents to the Wilshire Community Plan area. The project would also provide employment opportunities, primarily through employment associated with the 31,055 square feet of commercial retail development, including a 27,685 square-foot grocery market and 3,370 square feet of restaurant space. The residential units provided by the project would be expected to result in direct population growth. Growth inducement potential can be measured through evaluating consistency with regional growth projections. The City of Los Angeles anticipates at build-out (which was projected for the year 2010 but was not reached at the time), that the Wilshire Community Plan area would increase by an overall 29 percent to 377,144 from a 2014 population of 290,383 persons, which would therefore accommodate the increases in population and housing anticipated by the project. The project's population represents 0.39 percentage of the 2010 population growth forecast. Because the proposed project would include the construction of both residential and commercial uses, some of the additional demand for commercial uses that would be generated by the proposed residential uses could be accommodated on the project site. The proposed commercial uses could also result in a limited potential to demand housing for its employees, but employees would be filled by the local economy and would not require employees to move to the project or vicinity. Therefore, the implementation of the project would not result in a substantial inducement of growth at the project site or in the vicinity.

A project would indirectly induce growth if it would increase the capacity of infrastructure in an area in which the public service currently meets demand. Examples would be increasing the capacity of local utilities or roadway improvements beyond that needed to meet existing demand. Such an increase could indirectly induce population growth within the vicinity of a project. The project proposes amendments to the General Plan and Zoning Code, which would modify the City's existing land use and could potentially result in the need to increase the City's infrastructure to service the project site. However, as discussed in the Initial Study (Appendix A), the project site is located on an already developed site and would utilize existing infrastructure connections. Thus, the project would not result in the need for additional infrastructure in the vicinity of the project and, thus, no indirect growth would occur. No other sources of indirect growth have been identified.

B. Significant Irreversible Environmental Changes

In accordance with Section 15126.2(c) of the CEQA Guidelines, an EIR is required to evaluate significant irreversible environmental changes that would be caused by implementation of the project. As stated in CEQA Guidelines Section 15126.2(c), "[u]ses of nonrenewable resources during the initial and continued phases of the project may be irreversible since a large commitment of such resources makes removal or nonuse thereafter unlikely. Primary impacts and, particularly, secondary impacts (such as highway improvement which provides access to a previously inaccessible area) generally commit future generations to similar uses. Also, irreversible damage can result from environmental accidents associated with the project. Irretrievable commitments of resources should be evaluated to assure that such current consumption is justified."

The project would require the consumption of renewable and non-renewable resources during the temporary construction phase of the project and would continue throughout its operational lifetime. Project development would include the following commitment of resources: building materials, fuel and operational materials/resources, and transportation of goods and people to the project site. Several non-renewable resources, or renewable resources that are non-replenishable or may renew so slowly as to be considered non-renewable, would be required during project construction, such as certain types of lumber and other forest supplies; aggregate materials contained in concrete and asphalt including sand, gravel and stone; metals such as steel, cooper, and lead; petrochemical construction materials such as plastics; and water. Additionally, non-renewable fossil fuels such as gasoline and oil would also be consumed in the use of construction vehicles and equipment, as well as the transportation of goods and people to and from the project site.

Project operation would increase the amount of nonrenewable resources that are currently consumed within the City. These resources would include energy resources and natural gas, petroleum-based fuels required for vehicle-trips, fossil fuels and water. Fossil fuels would be considered the primary energy source associated with both construction and ongoing operation of the proposed project, and the existing, finite supplies of these natural resources would be incrementally reduced. However, this resource consumption would be consistent with growth and anticipated growth in the Los Angeles area.

In addition, the project would contribute to a land use pattern that would reduce reliance on private automobiles and the consumption of nonrenewable resources when considered in a larger context. The project would provide a maximum of 145 residential units close to the regional commercial uses immediately north of the project site such as the Beverly Center and Beverly Connection. The project site is located within a highly urbanized neighborhood, with access to public transit and bicycle infrastructure. Given its location, the project site would support pedestrian access to a considerable range of employment, retail, and entertainment activities. The project also provides access to the regional transit system, including various Metro Local bus lines 105, 21, 707, 16/316, and 30/330; the DASH bus lines; and the Antelope Valley Transit bus lines. The

future Wilshire/La Cienega Station as a result of the heavy-rail (subway) Metro Purple Line extension is anticipated to be located within one-half mile of the project site. These factors would contribute to a land use pattern that is considered to reduce the consumption of non-renewable resources.

The project would be designed to meet certain LEED standards through the incorporation of green building techniques and other sustainability features. Energy efficient features include, but are not limited to: energy efficiency above that required by Title 24; construction and demolition waste recycling; bicycle storage; storm water treatment features; energy-star rated residential appliances, green roofs to provide open space and reduce solar gain; and HVAC features that improve indoor environmental quality.

Continued use of non-renewable resources during construction and operation on a relatively small scale would be consistent with regional and local growth forecasts in the area, as well as state and local goals for reductions in the consumption of such resources. Also, the project would not affect access to existing resources, nor interfere with the production or delivery of such resources. The project site contains no energy resources that would be precluded from future use through project implementation. The project's irreversible changes to the environment related to the consumption of nonrenewable resources would be less than significant.

C. CEQA Considerations

1. The City, acting through the Department of City Planning, is the "Lead Agency" for the project evaluated the EIR. The City finds that the EIR was prepared in compliance with CEQA and the CEQA Guidelines. The City finds that it has independently reviewed and analyzed the EIR for the project, that the Draft EIR which was circulated for public review, reflected its independent judgment, and that the Final EIR reflects the independent judgment of the City.

2. The EIR evaluated the following potential project and cumulative environmental impacts: Aesthetics, Land Use and Planning, Noise, and Transportation and Circulation. Additionally, the EIR considered Growth Inducing Impacts and Significant Irreversible Environmental Changes. The significant environmental impacts of the project and the alternatives were identified in the EIR.

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

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

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

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

Specifically, the City finds that:

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

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

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

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

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

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

10. The custodian of the documents or other material which constitute the record of proceedings upon which the City's decision is based is the Department of City Planning.

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

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

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

14. The City finds that none of the public comments to the Draft EIR or subsequent public comments or other evidence in the record, including the changes in the project in response to input from the community and the Council Office, include or constitute substantial evidence that would require recirculation of the Final EIR prior to its certification and that there is no substantial evidence elsewhere in the record of proceedings that would require substantial revision of the Final EIR prior to its certification, and that the Final EIR need not be recirculated prior to its certification.

15. Furthermore, on January 5, 2017, the City received a request from the applicant to modify the unit count and associated conditions of approval for the project from 7 units set aside for Very Low Income Households and an additional 7 Moderate Income units to: 5 percent of the permitted base density (7 units) for Very Low Income households pursuant to State Density Bonus Law; 1 additional unit for Very Low Income households (not Density Bonus – based on an additional unit to reflect 5 percent of total units for Very Low Income Households); and 6 units for Moderate Income units (not Density Bonus).

In light of this modification to the project and changes to the conditions of approval, the City has determined that, pursuant to the CEQA Section 21155.1, the 333 S. La Cienega project is a transit priority project that meets all the requirements to be declared a Sustainable Communities Project and is therefore eligible for a full CEQA exemption.

A checklist that fully discusses the project's eligibility for the Sustainable Communities Project exemption is located in the project's case files with the Department of City Planning and City Council File Nos. 16-1368 and 16-1368-S..

XII. STATEMENT OF OVERRIDING CONSIDERATIONS

The Final EIR identified the following significant and unavoidable impact: 1) Noise – On-site Construction Noise. Section 21081 of the California Public Resources Code and Section 15093(b) of the CEQA Guidelines provide that when the decisions of the public agency allow the occurrence of significant impacts identified in the Final EIR that are not substantially lessened or avoided, the lead agency must state in writing the reasons to support its action based on the Final EIR and/or other information in the record. Article I of the City's CEQA Guidelines incorporates all of the State CEQA Guidelines contained in Title 15, California Code of Regulations, Sections 15000 et seq. and thereby requires, pursuant to Section 15093 (b) of the CEQA Guidelines, that the decision maker adopt a Statement of Overriding Considerations at the time of approval of a Project if it finds that significant adverse environmental effects identified in the Final EIR cannot be substantially lessened or avoided. These findings and the Statement of Overriding Considerations are based on substantial evidence in the record, including but not limited to the Final EIR, the source references in the

Final EIR, and other documents and material that constitute the record of proceedings.

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

Summarized below are the benefits, goals, and objectives of the project. These provide the rationale for approval of the project. Any one of the overriding considerations of economic, social, aesthetic and environmental benefits individually would be sufficient to outweigh the significant unavoidable impact of the project and justify the approval, adoption or issuance of all of the required permits, approvals and other entitlements for the project and the certification of the completed Final EIR.

Despite the unavoidable noise impact caused by the construction of the project, the City approves the project based on the following contributions of the project to the community. The project will:

- Develop an infill site with a high-density, mixed-use development with much needed rental housing, including 5 percent of the permitted base density (7 units) for Very Low Income Households (Density Bonus), 1 additional unit for Very Low Income Household (not Density Bonus - based on additional unit to reflect 5 percent of total units for Very Low Income Households), and 6 units for Moderate Income Households (not Density Bonus), near employment centers like the Cedars-Sinai Medical Center and Beverly Center, and next to the mixed-use boulevard and district identified in the Wilshire Community Plan along 3rd Street between La Cienega Boulevard and Fairfax Avenue.

- Provide new retail with goods and services needed in the community, specifically a 27,685 square-foot grocery market and a 3,370 square-foot restaurant, that complements the commercial uses in the surrounding vicinity, including the Beverly Center, Beverly Connection, commercial/retail shops along 3rd Street and the ground floor retail located at 8500 Burton Way. These new retail uses will also generate 84 new jobs. Generate over 600 full and part-time on-site jobs during construction in addition to the operational jobs generated by the project, and approximately $115 million in economic output associated with project construction and $8.5 million in total annual economic output associated with on-site operations.

- Reinforce the City's commitment to facilitating a reduction in air quality, greenhouse gas and traffic impacts by locating employment-generating land

uses and residences in an area well served by public transportation, including, but no limited to, the Metro Purple Line station at Wilshire Boulevard and La Cienega Boulevard (expected 2023) and existing Metro local bus lines, a Los Angeles Department of Transportation DASH route, and an Antelope Valley bus line, thereby reducing vehicles miles traveled and associated air quality and greenhouse gas emissions impacts.

- Support the City's policies related to encouraging multimodal transit by providing 299 bicycle parking spaces throughout the project site, including in a fully-covered and secured "bike lounge" with direct access to the bicycle lane on San Vicente Boulevard. In addition, the project improves bicyclist safety by adding green painted bicycle lanes with conflict markings along San Vicente Boulevard and Burton Way, and adding a bicycle signal request light on the west side of the project site along San Vicente Boulevard. The project further supports other modes of transit by adding a new bus shelter for the Metro Local Route 105 bus line along La Cienega Boulevard, north of San Vicente Boulevard.

- Add new open space by replacing an underutilized building currently used as a parking structure with a new, ground level 6,910 square-foot plaza with landscaping and a water feature with sitting areas at the corner of La Cienega Boulevard and San Vicente Boulevard that enhances the visual character of the neighborhood and creates a pedestrian-friendly environment within and around the project site. This new open space at this location also establishes a primary entry to the Cedars Sinai-Beverly Center as recommended by the Wilshire Community Plan.

- Activate the public realm and improve the pedestrian experience by enhancing the existing streetscape with improvements, such as new trees and sidewalk parkways. In addition, the project further supports pedestrian safety by adding the following: enhanced crosswalks from the project site across La Cienega Boulevard, San Vicente Boulevard and on Burton Way; a widened crosswalk in front of 8500 Burton Way; a new controlled right-turn light along the southbound lane of La Cienega Boulevard, north of San Vicente Boulevard; a new landscaped median with a pedestrian refuge island along La Cienega Boulevard, north of San Vicente Boulevard; and a new pedestrian signalized crossing with enhanced crosswalks at La Cienega Boulevard and Blackburn Avenue.

- Create a 1,650 square-foot community room with a small meeting room and preparation kitchen for the use of residents and other community members.

Finding: For all the foregoing reasons, the City finds that the benefits of the project, as approved, outweigh and override the significant and unavoidable impact identified above.

FINDINGS OF FACT (SUBDIVISION MAP ACT)

In connection with the approval of Vesting Tentative Tract Map No. 74131 the City Council 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 project site is located within the adopted Wilshire Community Plan area and is designated with a Neighborhood Office Commercial land use with the corresponding C1, C1.5, C2, C4, P, CR, RAS3, and RAS4 Zones. The project site contains approximately 1.15 net acres (50,216 net square feet). The applicant is requesting approval of a General Plan Amendment from Neighborhood Office Commercial and a Vesting Zone Change from C2-1VL-O to (T)(Q)C2-2D-O. The proposed General Commercial land use designation will be consistent with the proposed (T)(Q)C2-2D-O Zone upon approval of Case No. CPC-2015-896-GPA-VZC-HD-MCUP-ZV-DB-SPR.

The project 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, or any other specific plan.

The project includes the construction of a mixed-use development consisting of a 16 percent Density Bonus to provide an additional 20 units in lieu of 125 base units, for a maximum of 145 residential units, with 5 percent of the permitted base density set aside for affordable housing (7 units for Very Low Income Households), and 31,055 square feet of commercial uses. As modified and approved by the City Council, of the total 145 units, the project will set aside 5 percent of the permitted base density (7 units) for Very Low Income Households (Density Bonus), 1 additional unit for Very Low Income Household (not Density Bonus – based on additional unit to reflect 5 percent of total units for Very Low Income Households), and an additional 6 units for Moderate Income Households (not Density Bonus). The development features one tower, up to 185 feet in height to the main tower roof slab (El. 338.5). The total floor area of the project upon full buildout is a maximum of 294,294 square feet. The project also includes 362 parking spaces and 299 bicycle parking spaces.

The proposed subdivision consists of one master ground lot (Lot 1) and four additional air space lots (Lots 2-5). The master ground lot also goes up into the air, and, therefore, the subdivision consists of a total of five airspace lots.

The Subdivision Map Act requires the Advisory Agency to find the proposed map be consistent with the General Plan. The Wilshire Community Plan, a part of the Land Use Element of the City's General Plan, states the following objectives and policies that are relevant to the project:

Policy 1-1.4: Provide for housing along mixed-use boulevards where appropriate.

Objective 1-2:	Reduce vehicular trips and congestion by developing new housing in close proximity to regional and community commercial centers, subway stations, and existing bus route stops.
Policy 1-2.1:	Encourage higher density residential uses near major public transportation centers.
Objective 1-4:	Provide affordable housing and increased accessibility to more population segments, especially students, the handicapped and senior citizens.
Policy 2-1.2:	Protect existing and planned commercially zoned areas especially in Regional Commercial Centers, from encroachment by standalone residential development by adhering to the community plan land use designations.
Objective 2-2:	Promote distinctive commercial districts and pedestrian-oriented areas.
Policy 2-2.1:	Encourage pedestrian-oriented design in designated areas and in new development.
Policy 2-2.3:	Encourage the incorporation of retail, restaurant, and other neighborhood serving uses in the first floor street frontage of structures, including mixed-use projects located in Neighborhood Districts.
Policy 15-1.2:	Develop off-street parking resources, including parking structures and underground parking in accordance with design standards.

The project site is located along 3rd Street, which is designated as a mixed-use boulevard in the Wilshire Community Plan. This project therefore helps achieve Policy 1-1.4 above by locating new housing along mixed-use boulevards.

In addition, the project helps achieve Policy 1-2.1 and Objective 1-2 above as well as the vision of the City's Housing Element 2013-2021 "to create for all residents a city of livable and sustainable neighborhoods with a range of housing types, sizes and costs in proximity to jobs, amenities and services." The project helps achieve these policies by providing needed housing along several transit lines, including the Metro Purple Line extension to Wilshire and La Cienega (under construction), Metro Local bus lines 105, 218, 16/316, and Metro Rapid bus line 705, which stop at the southwest corner of La Cienega Boulevard and 3rd Street, and Metro Local bus lines 20 and 105 and Metro Rapid bus lines 705 and 720, which stop at the northwest corner of La Cienega Boulevard and San Vicente Boulevard. In addition, LADOT operates the DASH Fairfax route, which connects the Cedars-Sinai Medical Center and the intersection of La Brea Avenue and Wilshire Boulevard, and runs along 3rd Street and La Cienega Boulevard in

the vicinity of the project site. Finally, the project achieves Objective 1-4 by providing 5 percent of the permitted base density (7 units) for Very Low Income Households (Density Bonus), 1 additional unit for Very Low Income Household (not Density Bonus - based on additional unit to reflect 5 percent of total units for Very Low Income Households), and an additional 6 units set aside for Moderate Income Households (not Density Bonus).

The project is also consistent with the City's Framework Element which states that anticipated growth should be directed toward high-density, mixed-use centers and to the neighborhoods around its 80 rail stations. In addition, the project specifically fulfills Objective 1-2 of the Wilshire Community Plan through accessibility to regional and community commercial centers and other services and facilities including the Beverly Connection, Beverly Center, and Cedars-Sinai Medical Center.

The project also helps achieve Policy 2-1.2 by integrating commercial uses into the development, preventing a standalone residential project from being constructed. Specifically, the project includes 31,055 square feet of commercial uses consisting of a 27,685 square-foot grocery market and a 3,370 square-foot restaurant. In addition, the proposed General Plan land use designation of General Commercial will be consistent with the proposed zone upon approval of Case No. CPC-2015-896-GPA-VZC-HD-MCUP-ZV-DB-SPR. Therefore, the proposed General Commercial land use will help achieve the Wilshire Community Plan's Policy 2-1.2 to protect existing and planned commercially zoned areas.

The project is also consistent with Objective 2-2, Policy 2-2.1 and Policy 2-2.3 above by creating new commercial uses in a unified, pedestrian-friendly development. In terms of helping to achieve Objective 2-2, the project will contribute to the existing commercial uses along La Cienega Boulevard and 3rd Street, further promoting the viability of those two mixed-use boulevards. In addition, the project achieves Policy 2-2.1 and Policy 2-2.3 by including 31,055 square feet of commercial-retail on the ground floor of the development. The first floor frontage will include pedestrian amenities, including outdoor seating and improved sidewalks with parkways. Therefore, the project will enhance the appearance of the existing area by replacing an underutilized building that lacks landscaping with a contemporary architectural design that includes an open space fronting the commercial uses. In addition, the project also provides community-serving uses including a proposed restaurant and market at the ground level with abundant glazing and awnings to enhance the appearance and quality of the commercial district and activate the street.

In order to achieve Policy 15-1.2, the project will include two subterranean parking levels and three levels of aboveground parking (Levels 2 through 4). Therefore, the project will develop off-street parking resources including parking structures and underground parking in accordance with design standards.

Therefore, as conditioned, the proposed vesting tract map is consistent with the intent and purpose of the Wilshire Community Plan.

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

The design and improvement of the proposed subdivision will be consistent with the update to the City's General Plan Transportation Element: Mobility Plan 2035. Specifically, 3rd Street, to the north of the project site, is designated an Avenue II in the Mobility Plan 2035, dedicated to an 86-foot width. La Cienega Boulevard, adjoining the project site to the east, is designated an Avenue I in the Mobility Plan 2035, dedicated to a 100-foot width. Burton Way, adjoining the project site to the south, is designated an Avenue II in the Mobility Plan 2035, dedicated to an 86-foot width. San Vicente Boulevard, adjoining the project site to the west, is designated a Boulevard II in the Mobility Plan 2035, dedicated to a 110-foot width. In order to be consistent with the aforementioned designations in Mobility Plan 2035, the project requires the construction of concrete curbs, concrete gutters, suitable surfacing to join the existing pavement, and a concrete sidewalk with tree wells along San Vicente Boulevard, including a suitable radius property line return at the intersection with La Cienega Boulevard to provide for a necessary ADA-compliant handicap ramp. There are currently two existing on-site driveways, one driveway at the intersection of La Cienega with Blackburn and the second driveway at the northwest corner of the existing building, which will both be maintained. In addition, the project involves the creation of three new driveways located at approximately mid-block locations or at a sufficient distance from adjacent intersections to not interfere with driver and pedestrian visibility and safety in accordance with LADOT standards and approvals. Finally, nine new streetlights are required for the project: five on San Vicente Boulevard and four on La Cienega Boulevard. In addition, the project will provide the following improvements: enhanced crosswalks from the project site across La Cienega Boulevard, San Vicente Boulevard and on Burton Way; a widened crosswalk in front of 8500 Burton Way; a new controlled right-turn light along the southbound lane of La Cienega Boulevard, north of San Vicente Boulevard; a new landscaped median with a pedestrian refuge island along La Cienega Boulevard, north of San Vicente Boulevard; green painted bicycle lanes with conflict markings along San Vicente Boulevard and Burton Way; a bicycle signal request light on the west side of the project site along San Vicente Boulevard; and a new pedestrian signalized crossing with enhanced crosswalks at La Cienega Boulevard and Blackburn Avenue.

The project also provides infrastructure improvements including a minimum of 62 new on-site trees and pedestrian amenities along the streets. Specifically, San Vicente Boulevard and La Cienega Boulevard are designed to provide for an enhanced pedestrian experience with new sidewalks, curbs, gutters, landscape parkways, and retail entries with abundant glazing and canopies along the street-level frontage. In addition, a new open space with landscaping and sitting areas will be located on the project site at the intersection of La Cienega Boulevard and San Vicente Boulevard.

The project includes 362 total parking spaces for commercial uses within a two-level subterranean parking garage and parking spaces for residential uses within an

aboveground enclosed garage on Levels 2 through 4. The parking structure is physically integrated within the project site. The various parking areas are accessed via two driveways on San Vicente Boulevard: the northernmost driveway for retail parking

access and the driveway at approximately midblock for residential parking access. The residential parking can also be accessed by entering the driveway on La Cienega Boulevard at Blackburn Avenue. In each case, the vehicular driveway into the garage is the minimum width required to be as efficient as possible. The project also provides 299 bicycle parking spaces.

Therefore, as conditioned, the design and improvement of the proposed subdivision are consistent with the applicable General Plan.

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

The project site is physically suitable for the proposed subdivision because it is already developed with an existing building and is located in a highly urbanized area. Specifically, the 1.15 net-acre project site is currently developed with an approximately 131,338 square-foot, three-story building consisting of a department store space (formerly Loehmann's, currently vacant) on the ground level and an operating parking garage on levels 2, 3 and the roof.

The project consists of the demolition of the existing building and new construction of a mixed-use development consisting of a 16 percent Density Bonus to provide an additional 20 units in lieu of 125 base units, for a maximum of 145 residential units, with 5 percent of the permitted base density set aside for affordable housing (7 units for Very Low Income Households), and 31,055 square feet of commercial uses. As modified and approved by the City Council, of the total 145 units, the project will set aside 7 units for Very Low Income Households (Density Bonus), 1 additional unit for Very Low Income Household (not Density Bonus - based on additional unit to reflect 5 percent of total units for Very Low Income Households), and an additional 6 units for Moderate Income Households (not Density Bonus). The development will be up to 185 feet in height to the main tower roof slab (El. 338.5). The project's proposed land use designation is General Commercial and the proposed zone is (T)(Q)C2-2D-O. The C2 zone allows commercial uses and multiple dwelling uses, thus allowing the proposed mixed-use project.

The project site is relatively flat and located within an urbanized area and is not located in a slope stability study area, or a fault/rupture study zone. However, the proposed subdivision is located in a liquefaction seismic hazard zone as designated by the State of California and, therefore, tract approval is contingent upon the completion of a liquefaction analysis as well as preliminary foundation and shoring recommendations based on the liquefaction analysis and proposed subsurface structures to the satisfaction of the Department of Building and Safety, Grading Division prior to the recordation of the map and issuance of any permits. With the conditions as set forth by

the Department of Building and Safety, Grading Division, the site is physically suitable for the proposed development.

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

While the project introduces new residential and commercial uses on an underutilized lot that consists of a parking structure that is currently in operation and a vacant store, the project site is physically suitable for the proposed density of the subdivision because it is a commercially zoned infill site within an already high-density commercial, institutional and residential area. Specifically, the properties located directly north of the subject property, along the north side of 3rd Street, are within the [T][Q]C2-1VL-O, C2-1, C2-1-O, and [T][Q]C2-2D-O Zones and developed with the Beverly Connection, Beverly Center, and Cedars-Sinai Medical Center. The properties located east of the subject property, along the east side of La Cienega Boulevard, are within the C2-1VL-O Zone and developed with various retail uses, including a Pet Smart, Coffee Bean, a bridal shop, cell phone stores, and a flower shop. The property located directly south of the subject property, along the south side of Burton Way, is within the (Q)C2-2D-O Zone and is developed with a mixed-use residential/retail building at 8500 Burton Way. In addition, there are various large multi-family residential complexes on Burton Way farther to the west. The properties located to the west of the subject property, along the west side of San Vicente Boulevard, are within the C2-1VL-O and [Q]R4-1-O Zones and developed with the Westbury Terrace condominium tower and Our Lady of Mount Lebanon-St. Peter Cathedral church.

The project site is physically suitable for the proposed density consisting of a maximum of 145 residential units and 31,055 square feet of commercial space. With the proposed General Plan Amendment and Vesting Zone Change, the project will have a General Commercial land use designation and be within the (T)(Q)C2-2D-O Zone. The allowable density in the C2 zone is the same as the R4 zone for residential uses; that is equal to 400 square feet of lot area per dwelling unit. Therefore, the permitted base density allows 125 units (50,216 square feet ÷ 400 square feet/unit = 125 units). The project is requesting a 16% Density Bonus to provide an additional 20 units in lieu of the 125 base units, for a maximum of 145 units. The C2 zone also allows residential and commercial uses, thus allowing the mixed-use project. In addition, the project includes approximately 22,975 square feet of usable common and private open space, in excess of the minimum 19,575 square feet of open space required by the Los Angeles Municipal Code (LAMC). The project's open space improvements include a new 6,910 square foot plaza at the southern tip of the project site at the intersection of Burton Way, San Vicente Boulevard and La Cienega Boulevard. There are no setbacks provided as a part of the proposed project so the podium base and landscaped areas would occupy the entire parcel. Finally, the project provides a total of 362 parking spaces within a parking structure that is physically integrated within the project site, ensuring adequate parking for the proposed high-density project.

The project, as conditioned and with approval of the requested General Plan Amendment to change the land use designation to General Commercial and Vesting Zone Change to (T)(Q)C2-2D-O, complies with all LAMC requirements for parking, yards and open space. Therefore, as conditioned, the proposed vesting 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.

The EIR prepared for the project identifies no potential adverse impacts on fish or wildlife resources. The project site, as well as the surrounding area, are presently developed with residential, institutional and commercial structures and do not provide a natural habitat for either fish or wildlife. The project site is presently improved with a single-tenant department store space (formerly Loehmann's, now vacant) on the ground level and a parking garage above the retail space and does not contain any natural open spaces, act as a wildlife corridor, contain riparian habitat, wetland habitat, migratory corridors, conflict with any protected tree ordinance, conflict with a Habitat Conservation Plan, nor possess any areas of significant biological resource value. Therefore, the design of the subdivision would not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

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

There appear to be no potential public health problems caused by the design or improvement of the proposed subdivision.

The development is required to be connected to the City's sanitary sewer system, where the sewage will be directed to the Hyperion Treatment Plant, which 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.

The Bureau of Engineering indicated in their comment letter dated September 1, 2016 that 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. A 20-foot wide easement for underground storm drain and appurtenances in favor of the Los

Angeles County Flood Control District is located through a portion of the project site. The project proposes improvements above grade over the easement area while the underground structures are located outside the easement area. The County issued conceptual approval (County permit No. PCFL 201602446) for the project subject to satisfying certain conditions and obtaining final approval from the County prior to construction. The tentative map is conditioned to require that a certified copy of a covenant and agreement executed with the County Flood Control District be provided to the City and that the County provide a letter stating that the applicant has satisfied the conditions set forth in the County's conceptual approval and obtained final approval from the County. There is also a 10-foot underground sewer easement in favor of the City of Los Angeles on the subject site. The tentative map has been conditioned to require the applicant to record a covenant and agreement with a Notice of Acknowledgment of Easement and to obtain approval for any construction within or above the easement area prior to recordation of the Final Map. With these conditions, the proposed subdivision and improvements will not conflict with easements obtained for public purposes.

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

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

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 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 Vesting Tentative Tract Map No. 74131.