FINDINGS

A. General Plan

1. General Plan Land Use Designation.

The subject property is located within the Central City Community Plan area (adopted January 8, 2003), which designates the property as Light Manufacturing land use with the corresponding zones of MR2 and M2. The project site is currently zoned M2-2D. The recommended General Plan Amendment will change the land use designation to Regional Commercial, which has the corresponding zones of CR, C1.5, C2, C4, C5, R3, R4, R5, RAS3, and RAS4. In addition, the General Plan Amendment will allow for the modification of the Central City's Community Plan Footnote No. 4 to apply to the project site and allow a Height District No. 2D. Generally, Height District 2 in the C zone allows unlimited height with an FAR of 6.0:1; however, the existing "D" limitation would limit the FAR to 3:1. The proposed Vesting Zone Change is consistent with the proposed land use designation and is a corresponding zone.

Redesignating the land use of the project site reinforces the General Plan Framework's guidance of locating density and jobs near transit. The project site provides a high-density development near transit lines including, but not limited to, the Metro Local and Rapid Lines, LADOT DASH E, and the Metro Blue Line. The redesignation also reflects changing development patterns in the City, specifically locating mixed-use developments that includes high density residential and job producing uses near transit lines. Furthermore, the project supports the General Plan by contributing to the available housing stock within the City, specifically within the Central City Community Plan area, and towards the housing crisis in the city, as well as the Mayor's initiative to build 100,000 homes by 2020.

The mixed-use project is not presently consistent with the current Central City Community Plan land use because the Light Manufacturing land use does not permit residential uses. However, with approval of the General Plan Amendment from Light Manufacturing to Regional Commercial and modification of Footnote No. 4, the project will be consistent with the land use designation. The corresponding C2 zone allows the construction of 945 residential units in conjunction with commercial uses and a corporate/educational campus.

In addition, the Central City Community Plan update, proposes to be designate the site a "Transit Community" characterized as a complete urban neighborhoods and vibrant centers of activity. These secondary transit nodes have a regular street grid and active alleys. Mid-rise buildings have strong street walls and active ground floors reinforcing the urban character of these areas. Key pathways between regional transit resources and adjacent activity center enhance the pedestrian experience and provide clear wayfinding between adjacent place types. Residential, office, and community uses are integrated to create balanced centers of activity. High-quality streetscapes and public spaces provide amenities to workers, residents, and visitors and promote a pedestrian-friendly environment. The Transit Community designations are proposed to have a maximum FAR of 6:1 to 8:1.

The City's current planning efforts in the proposed Central City Community Plan Update recognize that the project site should be designated as a Transit Community, and that mixed-use projects are appropriate developments. Given the proximity to transit options, the project is in line with the City's efforts of providing a mix of residential, hotel, commercial, and corporate/educational campus uses in the center of the Fashion District.

Further, the approval of the General Plan Amendment and Vesting Zone Change are in line with the CRA's FashionYourDistrict effort that identified the City Market site as one of the few select properties that have the potential to serve as catalysts for development, largely due to its size and central location within the Fashion District. Specifically, FashionYourDistrict identified a demand for a mixed-use development for the City Market of Los Angeles.

2. **General Plan Text**

a. Central City Community Plan: The mixed-use development is consistent with several objectives and policies of the Central City Community Plan. The plan text includes the following relevant residential and commercial objectives and policies:

Residential

Objective 1-2: To increase the range of housing choices available to Downtown employees and residents.

Policy 1-2.1: Promote the development of neighborhood work/live housing.

Objective 1-3: To foster residential development which can accommodate a full range of incomes.

Policy 1-3.1: Encourage a cluster neighborhood design comprised of housing and services.

Commercial

Objective 2-1: To improve Central City's competitiveness as a location for offices, business, retail, and industry.

Objective 2-2: To retain the existing retail base in Central City.

Objective 2-3: To promote land uses in Central City that will address the needs of all the visitors to Downtown for business, conventions, trade shows, and tourism.

Objective 2-5: To increase specialty and ethnic markets in order to foster a diverse range of retail and commercial uses in Central City.

Industrial

Objective 3-2: To study the possibility of developing "artist-in-residence" districts, where appropriate and feasible, in industrial areas where the development of joint live/work units would continue to improve the jobs/housing ratio, respond to market demands, complement surrounding uses and maintain and enhance the viability of industrial lands as the space needs of manufacturers evolve.

The mixed-use project replaces under-utilized warehouse buildings and associated surface parking lots, in an area characterized by retail/wholesale and warehousing uses that are in close proximity to public transit options, including Metro Local and

Express Lines, LADOT DASH Line E, and the Metro Blue Line. The project provides much-needed housing, hotel rooms, and jobs to the Central City area, and includes landscaping and pedestrian improvements that support this area as a vibrant downtown environment that will serve the residents and employees of the Fashion District, as well as visitors for business, trade shows, and tourism.

b. Framework Land Use Chapter: The Framework Element's Land Use chapter encourages the retention of the City's stable residential neighborhoods and proposes incentives to encourage whatever growth that occurs to locate in neighborhood districts, commercial and mixed-use centers, along boulevards, industrial districts, and in proximity to transportation corridors and transit stations. Land use standards and densities vary by location to reflect the local conditions and diversity and range from districts oriented to the neighborhood, the community, the region, and, at the highest level, the national and international markets.

The site is located in the Downtown Center of the Framework Element's Land Use chapter. The General Plan Framework identifies Downtown Centers as "an international center for finance and trade that serves the population of the five county metropolitan region. Downtown is the largest government center in the region and the location for major cultural and entertainment facilities, hotels, professional offices, corporate headquarters, financial institutions, high-rise residential towers, regional transportation facilities and the Convention Center, The Downtown Center is generally characterized by a floor area ratio up to 13:1 and high rise buildings."

The project supports and will be generally consistent with the General Plan Framework Land Use Chapter as it accommodates development of residential and commercial uses in accordance with the applicable policies of the Central City Community Plan. Specifically, the project will comply with the Downtown Center following goal and objective set forth in the General Plan Framework Land Use Chapter:

Goal 3G: A Downtown Center as the primary economic, governmental, and social focal point of the region with an enhanced residential community.

Objective 3.11: Provide for the continuation and expansion of government, business, cultural, entertainment, visitor-serving, housing, industries, transportation, supporting uses, and similar functions at a scale and intensity that distinguishes and uniquely identifies the Downtown Center.

The project is a mixed-use development consisting of 945 residential dwelling units, 210 hotel rooms, 272,283 square feet of commercial office uses, 224,862 square feet of retail uses (including restaurants, bars, event space, wholesale uses, and a cinema with 744 seats), and a 312,112 square feet corporate/educational campus. The new hotel, office, commercial, restaurants, corporate/educational campus will provide new job opportunities, as well as services for the surrounding neighborhood. The residential uses will provide an enhanced residential community. As proposed, the project is meeting the intent of the goals, policies and objectives of the Framework Element.

c. Housing Element: 2013-2021 Housing Element, the Housing Element of the General Plan, is the City's blueprint for meeting housing and growth challenges. The Housing Element identifies the City's housing conditions and needs, identifies goals, objectives, and policies that are the foundation of the City's housing and growth strategy, and provides an array of programs the City has committed to in order to implement and create sustainable, mixed-income neighborhoods across Los Angeles. The project is consistent with the following goals, objectives and policies of the Housing Element:

Goal 1: Housing Production and Preservation: A City where housing production and preservation result in an adequate supply of ownership and rental housing that is safe, healthy and affordable to people of all income levels, races, ages, and suitable for their various needs.

Objective 1.1: Produce an adequate supply of rental and ownership housing in order to meet current and projected needs.

Policy 1.1.3: Facilitate new construction and preservation of a range of different housing types that address the particular needs of the city's households.

Policy 1.1.4: Expand opportunities for residential development, particularly in designated Centers, Transit Oriented Districts and along Mixed-Use Boulevards.

Policy 1.3.5: Provide sufficient land use and density to accommodate an adequate supply of housing units by type and cost within the City to meet the projections of housing needs, according to the policies and objectives of the City's Framework Element of the General Plan.

Objective 2.2: Promote sustainable neighborhoods that have mixed incomes housing, jobs, amenities, services and transit.

Policy 2.2.1: Provide incentives to encourage the integration of housing with other compatible land uses.

Policy 2.2.2: Provide incentives and flexibility to generate new multifamily housing near transit and centers, in accordance with the General Plan Framework element as reflected in Map ES-1.

The site currently does not include residential uses. The project proposes to develop 945 residential units in a range of sizes, including one, two and three-bedroom units, and live/work lofts. The variety in dwelling unit types will accommodate a variety of family sizes within the existing mixed-use community. The project's 945 residential units will help further achieve the Mayor's goal of producing 100,000 dwelling units by 2021. Furthermore, the project is located within walking distance to several Metro Local and Rapid bus lines, LADOT DASH Line E, Gardena Municipal Bus Line, and the Metro Blue Line.

Goal 2: Safe, Livable and Sustainable Neighborhoods

Objective 2.3: Promote sustainable buildings, which minimize adverse effects on the environment and minimize the use of non-renewable resources.

Policy 2.3.2: Promote and facilitate reduction of water consumption in new and existing housing.

Policy 2.3.3: Promote and facilitate reduction of energy consumption in new and existing housing.

Objective 2.4: Promote livable neighborhoods with a mix of housing types, quality design and a scale and character that respects unique residential neighborhoods in the City.

Policy 2.4.1: Promote preservation of neighborhood character in balance with facilitating new development.

The mixed-use project will replace existing warehouse buildings and associated surface parking lots, creating a safe and livable environment adjacent to existing employment and several public transportation lines. The project also includes several amenities for residents, employees and visitors including commercial retail, restaurant establishments, a theater, and publically accessible open space. In addition, the project will comply with all state, regional, local and LAMC requirements for water and energy conservation and waste reduction. The project wil comply with the City's Green Building Code and the EIR stated that there are no GHG impacts. The project also includes EV ready parking spaces and open space, including plazas, urban squares, paseos, and an above grade linear park.

d. Health and Wellness Element: Plan for a Healthy Los Angeles, the Health and Wellness Element of the General Plan, seeks the promotion of a healthy built environment in a manner that enhances opportunities for improved health and well-being, and which promotes healthy living and working conditions. As further analyzed in the EIR and herein, the project is consistent with the following policies:

Policy 2.2: Healthy building design and construction

"Promote a healthy built environment by encouraging the design and rehabilitation of buildings and sites for healthy living and working conditions, including promoting enhanced pedestrian-oriented circulation, lighting, attractive and open stairs, healthy building materials and universal accessibility using existing tools, practices, and programs."

The project includes mixed-use development consisting of a 945 residential dwelling units, 210 hotel rooms, 272,283 square feet of commercial office uses, 224,862 square feet of retail uses (including restaurants, bars, event space, wholesale uses, and a cinema with 744 seats), and a 312,112 square feet corporate/educational campus. The project also includes open space of public and private open space, including landscaped plazas, paseos, urban squares, and an above grade linear park that will be publicly accessible. The project's location, near public transportation lines will encourage pedestrian circulation.

Policy 2.6: Repurpose underutilized spaces for health

"Work proactively with residents to identify and remove barriers to leverage and repurpose vacant and underutilized spaces as a strategy to improve community health."

The project will replace warehouse buildings and associated surface parking lots with 945 residential dwelling units, 210 hotel rooms, 272,283 square feet of commercial office uses, 224,862 square feet of retail uses (including restaurants, bars, event space, wholesale uses, and a cinema with 744 seats), and a 312,112 square feet corporate/educational campus that will be a significant benefit to the immediate community. In addition, the project will provide open space as required by the LAMC.

Policy 5.1: Air pollution and respiratory health

"Reduce air pollution from stationary and mobile sources; protect human health and welfare and promote improved respiratory health."

The project is located within walking distance of several public transportation lines and is adjacent to designated bicycle lanes. Project residents and visitors will be within walking distance of retail, restaurants and jobs. In addition, the project will provides bicycle parking spaces as required by the LAMC and electric vehicle (EV) ready parking spaces, to encourage alternative means of transportation, thus reducing air pollution from vehicles. The project also provides HVAC systems for all residential units with the minimum Code required MERV 11 rated filters to improve the health and welfare of project residents.

Policy 5.7: Land use planning for public health and GHG emission reduction

"Promote land use policies that reduce per capita greenhouse gas emissions, result in improved air quality and decreased air pollution, especially for children, seniors and others susceptible to respiratory diseases."

As discussed above, the project includes bicycle parking and EV ready spaces to help reduce GHG emissions during operation of the project.

e. Mobility Element: Mobility Plan 2035, the Mobility Element of the General Plan, will not be negatively affected by the recommended action herein. The project is consistent with the five goals of the plan to provide:

1. Safety First
2. World Class Infrastructure
3. Access for All Angelenos
4. Collaboration, Communication and Informed Choices
5. Clean Environments & Healthy Communities

Pursuant to Mobility Plan 2035, the designations of the project's adjacent streets are:

9th Street is an Avenue II dedicated to a variable width of 90 feet to 95 feet along the project's eastern street frontage; 11th Street is a designated Modified Collector Street dedicated with a variable width of 60 feet to 61.5 feet; 12th Street is Modified Collector Street dedicated to a width of 60 feet along the project site's southern street frontage; San Julian Street is a Local Street dedicated to a variable width of 60 to 65 feet at the project site's western street frontage; Olympic Boulevard is a Modified Avenue III dedicated to a variable width of 70 feet to 85 feet; Alleys between 11th Street and 12th Street and each dedicated to a width of 20 feet. Moreover, the Bureau of Engineering has required dedications on 9th Street, 11th Street, 12th Street, and the alley; and improvements on 9th Street, 11th Street, 12th Street, San Julian Street, San Pedro Street, Olympic Boulevard, and the alley. Additionally, the project includes a mitigation measures MM K.1-1,

contributing $250,000 to the Department of Transportation for the implementation of an on-site mobility hub. The mobility hub would serve to enhance mobility connectivity, including providing bicycle maintenance and storage, bike sharing, vehicle sharing programs, and promote its proximity to transit service. The mitigation measures also includes a $250,000 contribution to improve bicycle facilities in the area.

The project site is served by the following transit and bus lines:

- Metro Local Lines: 10, 28, 33, 48, 51, 52, 53, 55, 60, 66, 83, 92, 352, and 355
- Metro Rapid Lines: 728, 733, and 760
- LADOT DASH E
- Gardena Municipal Bus Line GA IX
- Metro Blue Line (San Pedro Street Blue Line Station at San Pedro/Washington Boulevard, and to the Expo, Red, and Purple Lines in Downtown LA, and to the Green Line in Willowbrook)

As shown in the Mobility Plan, San Pedro Street and 11th Street are designated as being part of the Bicycle Enhanced Network. 11th Street is a designated priority right of way for bicycle movement. Currently there is a painted bike lane on 11th Street beginning at Wall Street and extending westerly which may eventually connect to the project site.

Bicycle lanes, which are facilities where bicycles have use of a dedicated and striped lane within the roadway, are a component of street design with dedicated striping, separating vehicular traffic from bicycle traffic. These facilities offer a safer environment for both cyclists and motorists. Bicycle routes, which are facilities where bicycles share the lane with vehicular traffic on a marked and signed roadway, are identified as bicycle-friendly streets where motorists and cyclists share the roadway and there is no dedicates striping of a bicycle lane. Bicycle routes are preferably located on collector and lower volume arterial streets.

f. Sewerage Facilities Element: Improvements may be required for the construction or improvement of sewer facilities to serve the subject project and complete the City sewer system for the health and safety of City inhabitants, which will assure compliance with the goals of this General Plan Element.

3. **Charter Compliance - City Charter Section 555 (General Plan Amendment).** The proposed General Plan Amendment complies with the procedures as specified in Section 555 of the Charter, including:

a. **Amendment in Whole or in Part.** The General Plan Amendment before the City Planning Commission represents an Amendment in Part of the Central Community Plan, representing a change to the social, physical and economic identity of project site, which is currently designated as Light Manufacturing and zoned M2-2D. The instant request provides the City an opportunity to develop an underutilized site in a manner consistent with the goals, objectives and policies of the General Plan Framework for the Downtown Center.

Approval of a General Plan Amendment is necessary to modify the project site's land use designation to Regional Commercial. In addition, the proposed Vesting Zone Change allows the construction of residential units in conjunction with commercial uses under the corresponding C2 zone. Redesignating the land use of the project site reinforces the General Plan Framework's guidance of locating density and jobs near transit. The project

site provides a high-density development near transit lines including, but not limited to, the Metro Local and Rapid Lines, LADOT DASH E, and the Metro Blue Line. The redesignation also reflects changing development patterns in the City, specifically locating mixed-use developments near transit lines. Furthermore, the project supports the General Plan by contributing to the available housing stock within the City, specifically within the Central City Community Plan area, and towards the housing crisis in the city, as well as the Mayor's initiative to build 100,000 homes by 2020.

The mixed-use project is not consistent with the current Central City Community Plan land use because the Light Manufacturing land use does not allow residential uses. However, with approval of the General Plan Amendment from Light Manufacturing to Regional Commercial and modification of Footnote No. 4, the project will be consistent with the land use designation. The corresponding C2 zone allows the construction of 945 residential units in conjunction with commercial uses and a corporate/educational campus.

The proposed amendment involves significant economic and physical identity. The entire property bounded by 9th Street, San Pedro Street, 12th Street and San Julian Street is the location of a former wholesale food market under common ownership. The entire area is proposed for a multi-phased project under common ownership of one entity. It will be developed as a multi-phased but integrated project which will include residential, commercial, hotel and institutional uses with a common design theme and which is economically and physically integrated between uses.

In addition, the Central City Community Plan update, proposes the site to be designated Transit Community which are complete urban neighborhoods and vibrant centers of activity. These secondary transit nodes have a regular street grid and active alleys. Mid-rise buildings have strong street walls and active ground floors reinforcing the urban character of these areas. Key pathways between regional transit resources and adjacent activity center enhance the pedestrian experience and provide clear wayfinding between adjacent place types. Residential, office, and community uses are integrated to create balanced centers of activity. High-quality streetscapes and public spaces provide amenities to workers, residents, and visitors and promote a pedestrian-friendly environment. The Transit Community designations are proposed to have a maximum FAR of 6:1 to 8:1.

The City's current planning efforts in the proposed Central City Community Plan recognize that the project site should be designated as a Transit Community, and that mixed-use projects are appropriate developments. Given the proximity to transit options, the project is in line with the City's efforts of providing a mix of residential, hotel, commercial, and corporate/educational campus uses in the center of the South Market District.

Further, the approval of the General Plan Amendment and Vesting Zone Change are in line with the CRA's FashionYourDistrict effort that identified the City Market site as one of the few select properties that have the potential to serve as catalysts for development, largely due to its size and central location within the Fashion District. Specifically, FashionYourDistrict identified a demand for a mixed-use development for the City Market Los Angeles.

b. **Initiation of Amendments.** In compliance with this sub-section, the Director of Planning proposed the amendment to the Central Community Plan (General Plan Land Use Element), pursuant to a memo dated June 6, 2016.

c. **Commission and Mayoral Recommendations.** The noticing and hearing requirements of the General Plan Amendment were satisfied, pursuant to LAMC Section 12.32-C,3. The hearing was scheduled, duly noticed, and held in City Hall on May 17, 2017. The City Planning Commission shall make its recommendation to the Mayor upon a recommendation of approval, or to the City Council and the Mayor upon a recommendation of disapproval.

This action is further subject to the following sections of Charter Section 555:

d. **Council Action.** The Council shall conduct a public hearing before taking action on a proposed amendment to the General Plan. If the Council proposes any modification to the amendment approved by the City Planning Commission, that proposed modification shall be referred to the City Planning Commission and the Mayor for their recommendations. The City Planning Commission and the Mayor shall review any modification made by the Council and shall make their recommendation on the modification to the Council in accordance with subsection (c) above. If no modifications are proposed by the Council, or after receipt of the Mayor's and City Planning Commission's recommendations on any proposed modification, or the expiration of their time to act, the Council shall adopt or reject the proposed amendment by resolution within the time specified by ordinance.

e. **Votes Necessary for Adoption.** If both the City Planning Commission and the Mayor recommend approval of a proposed amendment, the Council may adopt the amendment by a majority vote. If either the City Planning Commission or the Mayor recommends the disapproval of a proposed amendment, the Council may adopt the amendment only by a two-thirds vote. If both the City Planning Commission and the Mayor recommend the disapproval of a proposed amendment, the Council may adopt the amendment only by a three-fourths vote. If the Council proposes a modification of an amendment, the recommendations of the Commission and the Mayor on the modification shall affect only that modification."

4. **Charter Findings - City Charter Sections 556 and 558 (General Plan Amendment).**

The proposed General Plan Amendment complies with Section 556 and 558 in that the plan amendment promotes an intensity and pattern of development that is consistent with the area's proposed General Plan Framework designation that encourages density in commercial centers, transit use, reduced vehicle dependency, and improved air quality. Moreover, the framework further promotes the development of commercial uses near transit and in a manner that enhances the pedestrian environment. The General Plan Amendment will change the land use designation from Light Manufacturing to Regional Commercial and allow a modification of Footnote No. 4, promoting many of the City's land use policies and addressing the City's need to accommodate job and housing growth in established employment and the Downtown Center. The requested amendment will help promote the general welfare and reflects good zoning practices by supporting many of the land use policies and objectives identified in the Central City Community Plan, including locating housing and commercial areas in the Downtown Center area.

The project replaces surface parking lots and underutilized warehouse buildings with commercial, residential, and corporate/educational uses, which are compatible with other developments and improvements in the immediate vicinity. The General Plan Amendment would allow for redevelopment of the site, while providing neighborhood-serving retail, restaurants, offices, a hotel, a corporate/educational campus, open space, and housing in the Central City's Fashion District area to accommodate a growing population in the surrounding area.

5. **Redevelopment Plan (CRA – Council District 9 Redevelopment Project Area)**

Enacted on June 29, 2011, Assembly Bill 1x-26 (AB 26) revised provisions of the Community Redevelopment Law of the State of California, to dissolve all redevelopment agencies and community development agencies in existence and designate successor agencies, as defined, as successor entities. Among the revisions, the amendments to the law withdrew all authority to transact business or authorize powers previously granted under the Community Redevelopment Law (Section 34172.a.2), and vested successor agencies with all authority, rights, powers, duties and obligations previously vested with the former redevelopment agencies (Section 34172.b). The CRA/LA, is the Designated Local Authority, and successor agency to the CRA.

The portion of the project site (Blocks 1, 3, and 4) is located within the boundaries of the City Center Redevelopment Project Plan area. As such, consistency with the Redevelopment Plan goals and objectives must be examined together with the land use policies of the Central City Community Plan. The project is consistent with the following objectives of the Redevelopment Plan:

Objective 1. To eliminate and prevent the spread of blight and deterioration and to rehabilitate and redevelop the Project Area in accordance with this Plan.

Objective 2. To further the development of Downtown as the major center of the Los Angeles metropolitan region, within the context of the Los Angeles General Plan as envisioned by the General Plan Framework, Concept Plan, City-wide Plan portions, the Central City Community Plan, and the Downtown Strategic Plan.

Objective 3. To create an environment that will prepare, and allow, the Central City to accept that share of regional growth and development which is appropriate, and which is economically and functionally attracted to it.

Objective 4. To promote the development and rehabilitation of economic enterprises including retail, commercial, service, sports and entertainment, manufacturing, industrial and hospitality uses that are intended to provide employment and improve the Project Area's tax base.

Objective 5. To guide growth and development, reinforce viable functions, and facilitate the redevelopment, revitalization or rehabilitation of deteriorated and underutilized areas.

Objective 6. To create a modern, efficient and balanced urban environment for people, including a full range of around-the-clock activities and uses, such as recreation, sports, entertainment and housing.

Objective 7. To create a symbol of pride and identity which gives the Central City a strong image as the major center of the Los Angeles region.

Objective 9. To achieve excellence in design, based on how the Central City is to be used by people, giving emphasis to parks, green spaces, streetscapes, street trees, and places designed for walking and sitting, and to develop an open space infrastructure that will aid in the creation of a cohesive social fabric.

Objective 12. To provide a full range of employment opportunities for persons of all income levels.

Objective 13. To provide high and medium density housing close to employment and available to all ethnic, social and economic groups, and to make an appropriate share of the City's low- and moderate-income housing available to residents of the area.

The project will revitalize the Redevelopment Plan area by redeveloping the site with a mixed-use project with residential, commercial, a hotel, office uses and a corporate/educational campus. The project will generate increased activity on-site, further promoting a sense of place in the community. The new uses will provide approximately 1,705 net new job opportunities and will increase property tax, transient occupancy tax, and retail sales tax revenues.

B. Entitlement Findings

1. Zone and Height District Change Findings

a. Pursuant to L.A.M.C. Section 12.32.C.7, and based on these Findings, the recommended action is deemed consistent with the General Plan and is in conformity with public necessity, convenience, general welfare and good zoning.

The project includes a Vesting Zone Change for the entire project site from M2-2D to [T][Q]C2-2D-SN. Approval of the Vesting Zone Change will provide consistency between the proposed land use designation and the zoning of the project site. Although the surrounding area is zoned M2, significant changes to the land use pattern are moving away from traditional industrial type land use to more commercial purposes.

Many of the properties in the area are underutilized, as evidenced by the Industrial Land Use Policy research that shows that warehousing and manufacturing are not the predominant land uses in the survey at and around the project site. Furthermore, much of the existing development in the area is sparsely landscaped, lacks pedestrian amenities, and does not take full advantage of locating housing and jobs near transit.

Based on the analysis above, the City finds that the project is consistent with the General Plan and is in conformity with the public necessity, convenience, general welfare and good zoning.

ADDITIONAL FINDINGS FOR A' Q' QUALIFIED CLASSIFICATION:

b. The project will protect the best interests of and assure a development more compatible with the surrounding property or neighborhood.

The project is a development consisting of four City blocks. The project is located an area of Central City consisting of retail, warehouse and wholesale land uses. Many of the properties in the area are underutilized, as evidenced by the Industrial Land Use Policy research that shows that warehousing and manufacturing are not the predominant land uses in the survey around the project site.

The project will convert an underutilized industrial site with much-needed housing and employment opportunities, as well as a mix of retail, restaurant, hotel, corporate/educational space, and open space amenities near public transit options that include Metro Local and Express Lines, LADOT DASH Line E, and the Metro Blue Line.

The "Q" Conditions will ensure that the project is constructed as approved herein and subject to the mitigation measures and project design features identified in the EIR.

c. The project will secure an appropriate development in harmony with the objectives of the General Plan.

The project promotes an intensity and pattern of development that is consistent with the proposed Regional Commercial (referred to as Downtown Center) General Plan Framework designation that is "an international center for finance and trade that serves the population of the five county metropolitan region. Downtown is the largest government center in the region and the location for major cultural and entertainment facilities, hotels, professional offices, corporate headquarters, financial institutions, high-rise residential towers, regional transportation facilities and the Convention Center, The Downtown Center is generally characterized by a floor area ratio up to 13:1 and high rise buildings."

The project will serve as a transit-oriented, pedestrian friendly development that supports the Framework Element's goal of encouraging major cultural and entertainment facilities, hotels, professional offices, corporate headquarters, financial institutions, and high-rise residential towers. Moreover, the framework further promotes the development of new projects that accommodate a broad range of uses that serve the needs of adjacent residents, promote neighborhood and community activity, are compatible with adjacent neighborhoods, and are developed to be desirable places to live, work and visit, during the day and night.

The project will provide an appropriate development that is in harmony with the General Plan by supporting many of the land use goals, objectives and policies identified in the Central City Community Plan. The project will: reduce vehicular trips and congestion by developing new housing in proximity to adequate services and facilities; create opportunities for new development; and improve shopping convenience as well as offer local employment.

d. The project will prevent or mitigate potential adverse environmental effects of the zone change.

The project has been conditioned herein to comply with all project design features, mitigation measures and the mitigation monitoring program of environmental impact report, Case No. ENV-2012-3033-EIR (SCH No. 2013021046), which are hereby identified as Condition No. Q-6.

2. Establishment of Sign District. Pursuant to Section 13.11 of the LAMC and the procedures set forth in 12.32-S, the establishment of a Sign District is subject to the following conditions:

a. The proposed Sign District is NOT in conformance with the purposes, intent and provisions of the City of Los Angeles General Plan.

As part of the mixed-use development, the applicant sought a Sign District that includes on- and off-site signage in various sign forms including digital displays, high rise signs, projecting signs, and roof signs. The proposed signs included a total of four digital display

signs to be located on the façade facing San Julian Street, San Pedro Street, and 9th Street. The total signage area of digital display is approximately 22,847 square feet of signage. The proposed digital display signage includes two signs on the San Julian Street façade with one of the signs wrapping around to 9th Street, and two signs on San Pedro Street façade with one of the signs wrapping around to 9th Street. In addition, a roof sign is proposed at the roof of the residential tower. At its meeting on November 9, 2017, the City Planning Commission denied the Supplemental Use District to establish a Sign District for the site.

There are eleven elements of the General Plan. Each of these Elements establishes policies that provide for the regulatory environment in managing the City and for addressing environmental concerns and problems. The majority of the policies derived from these Elements are in the form of Code Requirements of the Los Angeles Municipal Code. The Land Use Element of the City's General Plan divides the city into 35 Community Plans. The recommended General Plan Amendment will change the land use designation to Regional Commercial, which has the corresponding zones of CR, C1.5, C2, C4, C5, R3, R4, R5, RAS3, and RAS4. The Central City Community Plan text is silent with regards to Sign Districts. In such cases, the City Planning Commission must interpret the intent of the Plan. Granting of the variance would be unlikely to adversely affect any element of the General Plan, but as the other mandatory Sign District findings could not be made, the Sign District has been denied. Furthermore, as stated by the City Planning Commission, the proposed Sign District is in contrast with the Citywide Sign Regulations approved by City Planning Commission on October 22, 2015.

b. The proposed Sign District would NOT conform to public necessity, convenience, general welfare and good zoning practice.

Adjacent uses consist of commercial retail/textile uses to the north across 9th Street in the M2-2D Zone; commercial retail/whole sale land uses to the south across 12th Street in the M2-2D Zone; retail and wholesale land uses to the west across from San Julian Street in the M2-2D Zone; and retail and wholesale land uses to the east across San Pedro Street in the M2-2D Zone.

Although the project site is within the Fashion District, the proposed Sign District will not necessarily improve the surrounding neighborhood as the surrounding uses consist of a mixture of retail/wholesale and warehousing uses. The proposed digital signs are facing San Julian Street, San Pedro Street, and 9th Street. The proposed Sign District will not enhance the environment by complementing the existing uses in the area as there are no adjacent entertainment uses nor existing Sign Districts in the immediate area.

In addition, although the project site is within close proximity to the Los Angeles Convention Center, the Staples Center, and LA Live, the proposed Sign District is within the Fashion District is not similar with the recently approved Figueroa and Olympic South Sign District, located directly across the Los Angeles Sports and Entertainment District. The Sign District does not reflect good zoning practice because it is not consistent with the character and sign regulations of comparable mixed-use, transit-oriented developments in the area, as the project is not directly adjacent to an entertainment district.

c. The Proposed Sign District Would NOT Directly Advance the Purposes of Aesthetics and Traffic Safety.

Although the project will result in unavoidable traffic impacts, no impacts to traffic safety due to permitted signs under the proposed Sign District will occur. The project is subject to conditions of approval, as well as project design features and mitigation measures, to minimize any adverse effects due to traffic. Specifically, mitigation measure MM K.1-1, includes vehicle trip reduction measures to encourage the use of transit and reduce vehicle trips, thereby minimizing potential operational parking and traffic impacts on the surrounding street system to the maximum extent feasible.

However, the proposed Sign District does not provide an exception to the Citywide sign regulations as is typical for other sign districts within the City in cases where there are aesthetic and other benefits that will result from a sign district. At its meeting of November 9, 2017, the City Planning Commission stated that the proposed Sign District will provide light pollution to the surrounding uses, is not in an established entertainment district, and would not enhance the adjoining area.

3. **Conditional Use Findings**

a. The project will enhance the built environment in the surrounding neighborhood or will perform a function or provide a service that is essential or beneficial to the community, city, or region.

The subject site is located in the Central City Community Plan and has a proposed Regional Commercial land use designation. The project site is a 9.45 net acre site, generally bounded by 9th Street to the north, San Pedro Street to the east, 12th Street to the south, and San Julian Street to the west with two outlying parcels situated on the west side of San Julian between 11th Street and 9th Street. The proposed mixed-use development will consist of 945 residential dwelling units, 210 hotel rooms, 272,283 square feet of commercial office uses, 224,862 square feet of retail uses (including restaurants, bars, event space, wholesale uses, and a cinema with 744 seats), and a 312,112 square feet corporate/educational campus.

Major Development

The project area is characterized by a mix of one to three-story retail, wholesale and warehousing uses. Adjacent uses consist of commercial retail/textile uses to the north across 9th Street; commercial retail/wholesale land uses to the south across 12th Street; retail and wholesale land uses to the west across from San Julian Street; and retail and wholesale land uses to the east across San Pedro Street. Much of the existing development in the area is sparsely landscaped and lacks pedestrian amenities. As with the project, many of the proposed projects throughout the Central City Community Plan area and in the project vicinity include replacing existing surface parking lots and other under-utilized sites with mixed-use buildings of varying heights.

The project includes the development of four City blocks. Approximately 91,729 square feet of the existing structures on the site will be demolished and redeveloped with a maximum of 1,699,536 net square feet of total developed floor area consisting of 945 residential dwelling units, 210 hotel rooms, 272,283 square feet of commercial office uses, 224,862 square feet of retail uses (including restaurants, bars, event space, wholesale uses, and a cinema with 744 seats), and a 312,112 square feet corporate/educational

campus. The project is anticipating a 20-year build out and is requesting the approval of a Land Use Equivalency Matrix providing limited and specific flexibility to the ultimate build out. The proposed building heights will range from three stories to 38 stories, with a maximum building height of 435 feet above grade.

The project provides much needed housing, retail and restaurant establishments, corporate/educational campus, hotel and publically accessible outdoor space; uses that will benefit the immediate area. Therefore, the project will provide a service that is essential and beneficial to the community.

Master Conditional Use (On and Off-Site Alcohol Sales)

The applicant is requesting a Master Conditional Use to permit the following: 1) off-site sales for beer and wine for one for one establishment; 2) off-site sales of a full line of alcoholic beverages for two establishments; 3) on-site sales, dispensing, and consumption of beer and wine for three establishments; and 4) on-site sales, dispensing, and consumption of a full line of alcoholic beverages for 17 establishments.

Numerous residential lofts, condominiums and apartments have been and are being developed to attract a more residential population to the Central City. These current and future residents are demanding a broader array of dining and retail options than are currently available. At the same time, nearby workers and visitors, are also seeking upscale and diverse dining venues for lunch, dinner and late night. The subject project would provide a convenient eating places as well as a hotel to serve the many residents, workers, and visitors in the area. It will also increase the number of hotel rooms within walking distance of the Fashion District and add to the number of dining and entertainment venues for buyers and merchants visiting the Fashion Business District.

The subject site is in a prime location where efforts to provide a vibrant environment in the South Markets District have resulted in the development of mixed-use projects integrating with the surrounding neighborhood. The proposed hotel and restaurants will be desirable to the public convenience and welfare as it is near office, commercial, retail, and warehouse uses, and is zoned for such. The proposed hotel and commercial uses are in a convenient location that residents, workers, and visitors for business, trade shows, and tourism can reach by walking or by public transit, and will provide alternative amenities and menus to the community and to the downtown area. The project will enhance the surrounding neighborhood and provide services that are beneficial to the community.

The Master Conditional Use permit provides an umbrella entitlement with conditions that apply to the subject property and in general to all venues. More specific physical and operational conditions will be included as part of the Approval of Plans determination required for each venue as established by the Master Conditional Use permit provisions. The proposed mixed-use development consisting of 945 residential dwelling units, 210 hotel rooms, 272,283 square feet of commercial office uses, 224,862 square feet of retail uses (including restaurants, bars, event space, wholesale uses, and a cinema with 744 seats), and a 312,112 square feet corporate/educational campus, in conjunction with the imposition of operational conditions as part of the Approval of Plans, will provide a function that is fitting and compatible with the character of the surrounding community and commercial viability of the region as a whole.

b. The project's location, size, height, operations and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare, and safety.

The project is a mixed-use development consisting of 945 residential dwelling units, 210 hotel rooms, 272,283 square feet of commercial office uses, 224,862 square feet of retail uses (including restaurants, bars, event space, wholesale uses, and a cinema with 744 seats), and a 312,112 square feet corporate/educational campus. Surrounding uses consist of a mixture of retail/wholesale and warehousing uses. Adjacent uses consist of commercial retail/textile uses to the north across 9th Street in the M2-2D Zone; commercial retail/whole sale land uses to the south across 12th Street in the M2-2D Zone; retail and wholesale land uses to the west across from San Julian Street in the M2-2D Zone; and retail and wholesale land uses to the east across San Pedro Street in the M2-2D Zone.

Major Development

The 9.45 net acre project site is comprised of four City blocks and is developed with warehouse buildings and associated surface parking lots with minimal landscaping. The mixed-use project provides a vertically integrated mix of uses including 945 residential units, retail, office, restaurant space, a hotel, and a corporate/educational campus to assist in promoting the area as a center of population, employment, retail services and entertainment. The project is anticipating a 20-year build out and is requesting the approval of a Land Use Equivalency Matrix providing limited and specific flexibility to the ultimate build out.

The education campus is envisioned to be part of the first phase and will provide classroom and support space for more than 1,400 students. The 312,112 square-foot education campus will include an auditorium/assembly space with approximately 500 seats. The higher education campus is intended for the northern end of Block 1 within Sites 1, 2, and 3. Designed as a campus, the project will be able to accommodate either a single institution in multiple buildings or multiple institutions in their own buildings or portions thereof.

The residential component will include up to 945 multi-family residential housing units, consisting of approximately 526 one-bedroom units, 263 two-bedroom units, 88 three-bedroom units, and 68 live/work lofts. The residential uses will consist of mid-rise and high-rise buildings and the residential buildings will be located above ground floor retail and podium parking. Residential uses are proposed on Block 1 within Sites 5-8; and Block 2 within Site 9. Live-work lofts are intended on the east side of San Julian of Block 3 within Site 15.

The hotel is located at the corner of Olympic Boulevard and San Julian Street and is proposed on Block 4 within Site 16. The mid-size hotel will provide accommodations to business people and buyers coming to the Fashion District as well as serve visitors to the educational campus. The hotel component is envisioned to include approximately 210 rooms with approximately 111,715 gross square feet. Amenities provided within the hotel program may include a rooftop pool and bar, exercise room, full-scale restaurant and lounge.

The retail component located on Blocks 1-4, will include approximately 224,862 square feet of retail, wholesale, and entertainment related uses (including restaurants, bars, event space, wholesale uses and a cinema with approximately 744 seats). Retail uses will be an integral component of the ground floor for each of the development sites. Local shops,

sit down restaurants, cafes, a grocery store, entertainment including a nightclub, movie theaters, and commercial/creative office space are among the mix of retail land uses envisioned to activate the pedestrian environment and complement the on-site educational, residential and hotel land uses. The cinema/theater use may include up to 744 seats in approximately 37,180 square feet of floor area.

The commercial and creative office land uses are intended for the south block, on Block 2 within Sites 3, 5, and 6. Approximately 272,283 square feet of commercial office space is proposed. It is envisioned that the office use may include a mix of general office, creative office space and/or medical office space.

The project will meet the open space requirements of the LAMC and will incorporate a variety of open space areas and amenities to accommodate the needs of the hotel guests, visitors, and residents. The Design Guidelines will implement the landscape and open space requirements.

The project will provide two public plazas within Block 1 that will include a total of 12,750 square feet; three urban square within Blocks 1, 2, and 4 that that will include a total of 32,200 square feet; and two paseos within Blocks 1 and 2 that will include a total of 7,700 square feet. The second level will include a runway, a linear park that meanders and connects Block 1 and 2. The elevated linear park will be parallel San Julian Street approximately 20 feet above grade level.

The project area is characterized by a mix of one to three-story retail, wholesale and warehousing uses. Adjacent uses consist of commercial retail/textile uses to the north across 9th Street; commercial retail/wholesale land uses to the south across 12th Street; retail and wholesale land uses to the west across from San Julian Street; and retail and wholesale land uses to the east across San Pedro Street. Much of the existing development in the area is sparsely landscaped and lacks pedestrian amenities. As with the project, many of the proposed projects throughout the Central City Community Plan area and in the project vicinity include replacing existing surface parking lots and other under-utilized sites with mixed-use buildings of varying heights.

Based on the analysis above, the Major Development's project location, size, height, operations and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare, and safety.

Master Conditional Use (On and Off-Site Alcohol Sales)

The applicant is requesting a Master Conditional Use to permit the following: 1) off-site sales for beer and wine for one for one establishment; 2) off-site sales of a full line of alcoholic beverages for two establishments; 3) on-site sales, dispensing, and consumption of beer and wine for three establishments; and 4) on-site sales, dispensing, and consumption of a full line of alcoholic beverages for 17 establishments.

As proposed, the use will serve the public convenience and welfare and as sited, the location is compatible with the surrounding community. The Master Conditional Use Permit also includes general conditions which will be supplemented by more tailored conditions designed to address the specific characteristics of each venue through the Approval of Plans determination. These conditions may include, but are not limited to a term grant, security, hours of operation, seating, size and any other conditions which are intended to minimize impacts on surrounding uses. Under each review, at its discretion,

the Zoning Administrator and the Police Department will also have another opportunity to comment and recommend any conditions. The sale of alcohol is regulated by the State of California through the issuance of an Alcoholic Beverage Control License. Thus, as conditioned, combined with the enforcement authority of ABC and LAPD will ensure that the sale of alcohol will not be detrimental to the public health, safety and welfare.

c. The project substantially conforms with the purpose, intent and provisions of the General Plan, the applicable community plan, and any applicable specific plan.

Major Development

The project is a mixed-use development consisting of 945 residential dwelling units, 210 hotel rooms, 272,283 square feet of commercial office uses, 224,862 square feet of retail uses (including restaurants, bars, event space, wholesale uses, and a cinema with 744 seats), and a 312,112 square feet corporate/educational campus. The development includes several buildings ranging in height from three stories to 38 stories, with a maximum building height of 435 feet on an approximately 9.45 net acre property consisting of four City blocks. The project includes 3,671 vehicle parking spaces and will contain approximately 1,699,536 net square feet of floor area upon full build out.

The Central City Community Plan, a part of the Land Use Element of the General Plan includes the following relevant land use goals, objectives and policies:

Objective 1-2: To increase the range of housing choices available to Downtown employees and residents.

Policy 1-2.1: Promote the development of neighborhood work/live housing.

Objective 1-3: To foster residential development which can accommodate a full range of incomes.

Policy 1-3.1: Encourage a cluster neighborhood design comprised of housing and services.

Objective 2-1: To improve Central City's competitiveness as a location for offices, business, retail, and industry.

Objective 2-2: To retain the existing retail base in Central City.

Objective 2-3: To promote land uses in Central City that will address the needs of all the visitors to Downtown for business, conventions, trade shows, and tourism.

Objective 2-5: To increase specialty and ethnic markets in order to foster a diverse range of retail and commercial uses in Central City.

Objective 3-2: To study the possibility of developing "artist-in-residence" districts, where appropriate and feasible, in industrial areas where the development of joint live/work units would continue to improve the jobs/housing ratio, respond to market demands, complement surrounding uses and maintain and enhance the viability of industrial lands as the space needs of manufacturers evolve.

With the approval of the General Plan Amendment to Regional Commercial and the Vesting Zone and Height District Change to [T][Q]C2-2D-SN, the project will be consistent with objectives and policies of the Central City Community Plan. The proposed Central City Community Plan also recognizes that the project site should be designated as a Transit Community, and that mixed-use projects are appropriate developments. Given the proximity to transit options, the project is in line with the City's efforts of providing a mix of residential, hotel, commercial, and corporate/educational campus uses in the center of the Fashion District.

Further, the project in line with the CRA's FashionYourDistrict effort that identified the City Market site as one of the few select properties that have the potential to serve as catalysts for development, largely due to its size and central location within the Fashion District. Specifically, FashionYourDistrict identified a demand for a mixed-use development for the City Market Los Angeles.

A portion of the project site is located within the City Center Redevelopment Project Plan area. The plan was adopted on May 15, 2001, pursuant to Ordinance No. 174,593. The project is consistent with the following objectives for the project area:

Objective 1. To eliminate and prevent the spread of blight and deterioration and to rehabilitate and redevelop the Project Area in accordance with this Plan.

Objective 2. To further the development of Downtown as the major center of the Los Angeles metropolitan region, within the context of the Los Angeles General Plan as envisioned by the General Plan Framework, Concept Plan, City-wide Plan portions, the Central City Community Plan, and the Downtown Strategic Plan.

Objective 3. To create an environment that will prepare, and allow, the Central City to accept that share of regional growth and development which is appropriate, and which is economically and functionally attracted to it.

Objective 4. To promote the development and rehabilitation of economic enterprises including retail, commercial, service, sports and entertainment, manufacturing, industrial and hospitality uses that are intended to provide employment and improve the Project Area's tax base.

Objective 5. To guide growth and development, reinforce viable functions, and facilitate the redevelopment, revitalization or rehabilitation of deteriorated and underutilized areas.

Objective 6. To create a modern, efficient and balanced urban environment for people, including a full range of around-the-clock activities and uses, such as recreation, sports, entertainment and housing.

Objective 7. To create a symbol of pride and identity which gives the Central City a strong image as the major center of the Los Angeles region.

Objective 9. To achieve excellence in design, based on how the Central City is to be used by people, giving emphasis to parks, green spaces, streetscapes, street trees, and places designed for walking and sitting, and to develop

an open space infrastructure that will aid in the creation of a cohesive social fabric.

Objective 12. To provide a full range of employment opportunities for persons of all income levels.

Objective 13. To provide high and medium density housing close to employment and available to all ethnic, social and economic groups, and to make an appropriate share of the City's low- and moderate-income housing available to residents of the area.

The mixed-use project replaces underutilized warehouse buildings and associated surface parking lots in an area characterized by retail, wholesale and warehousing uses that are in close proximity to several public transit options. The project provides much-needed housing and jobs to the Central City Community Plan area, including neighborhood serving retail and restaurant uses, a hotel and publically accessible open space that support this area of Central City as an emerging commercial center for population growth, employment, retail services and transit.

With adoption of the General Plan Amendment to change the land use designation of the project site to Regional Commercial and to modify Footnote No. 4, the project will be consistent with the applicable objectives and policies set forth in the Central City Community Plan. Based on the above analysis, the project is in substantial conformance with the purposes, intent and provisions of the General Plan and applicable Redevelopment Plan.

Master Conditional Use (On and Off-Site Alcohol Sales)

There are eleven elements of the General Plan. Each of these Elements establishes policies that provide for the regulatory environment in managing the City and for addressing environmental concerns and problems. The majority of the policies derived from these Elements are in the form of Code Requirements of the Los Angeles Municipal Code. Except for those entitlements described herein, the project does not propose to deviate from any of the requirements of the Los Angeles Municipal Code. The Land Use Element of the City's General Plan divides the city into 35 Community Plans. The Central City Plan Map designates the property for Light Manufacturing land use with the corresponding zones of MR2 and M2. However, with approval of the General Plan Amendment and Vesting Zone Change, the project site will be changed to Regional Commercial land use with the [T][Q]C2-2D-SN zone which is intended to provide for concentrations of commercial uses, including restaurants, and entertainment venues, within mixed-use buildings. The Central City Community Plan text is silent with regards to alcohol sales. In such cases, the Zoning Administrator must interpret the intent of the Plan. The project is not located within a Specific Plan area. The proposed request for the sale of a full line of alcoholic beverages and public dancing and live entertainment in conjunction with the hotel and restaurants are consistent with the commercial land use discussion of the Community Plan, including:

Objective 2-1: To improve Central City's competitiveness as a location for offices, business, retail, and industry.

Objective 2-2: To retain the existing retail base in Central City.

Objective 2-3: To promote land uses in Central City that will address the needs of all the visitors to Downtown for business, conventions, trade shows, and tourism.

Objective 2-4: To encourage a mix of uses which create an active, 24-hour downtown environment for current residents and which would also foster increased tourism.

Policy 2-4.1: Promote night life activity by encouraging restaurants, pubs, night clubs, small theaters, and other specialty uses to reinforce existing pockets of activity

Objective 2-5: To increase specialty and ethnic markets in order to foster a diverse range of retail and commercial uses in Central City.

The Plan encourages new uses which strengthen the economic base and promote a diverse range of retail and commercial uses. The project is located centrally in the Fashion District, promoting visitors to Downtown for business, conventions, trade shows, and tourism. The request is in keeping with the policies of the Central City Community Plan, which seeks to promote land uses that will address the needs of workers, residents, and visitors to Downtown. Policy 2-4.1 also encourages the promotion of night life activity including restaurants, pubs and night clubs in existing pockets of activity.

ADDITIONAL FINDINGS FOR MAJOR DEVELOPMENT PROJECT

d. Pursuant to L.A.M.C. Section 12.24 U, and based on these Findings, the recommended action provides for an arrangement of uses, buildings, structures, open spaces and other improvements that are compatible with the scale and character of the adjacent properties and surrounding neighborhood.

The project area is characterized by a mix of one to three-story retail, wholesale and warehousing uses. Adjacent uses consist of commercial retail/textile uses to the north across 9th Street; commercial retail/wholesale land uses to the south across 12th Street; retail and wholesale land uses to the west across from San Julian Street; and retail and wholesale land uses to the east across San Pedro Street.

The project proposes a Design Guidelines to establish standards for streetscape, open space, parking, architectural features, massing, and landscape treatment. Due to the unique nature of the project site's size and assemblage of development sites, the intent of the Design Guidelines is to establish a level of design quality and consistency for the entire development and ensure design continuity will be carried through to the full implementation of the project. The Design Guidelines, which will be implemented in conjunction with the Q conditions, will establish the site planning requirements for future development on the project site. The following project elements are incorporated into the Design Guidelines in a manner that is compatible with both existing and future development in the surrounding area:

i. Building Orientation/Frontage. The project includes the development of four blocks. Block 1 is envisioned to be part of the first phase of development and will include the education/corporate campus and housing. Block 2 includes a retail center, ground level wholesale, housing, and two existing buildings that have been repurposed as office space, restaurants, bars and coffee shops. Block 3 includes live-work lofts. Block 4 includes a hotel.

Through the Design Guidelines, view corridors will be implemented by mid-block connections through the required active alleys, paseos, and urban squares. The mid-block connections promote walkability and create pedestrian routes through the project site.

The Design Guidelines requires access and entrances to: locate main entrances to front public streets, provide features such as awnings and recessed entries, main entrance canopies and projections, and transparent glazing.

ii. Height/Bulk. With the implementation of the Design Guidelines, new development will be limited by four height zones that reinforces the street edge, shape the massing, and limit the maximum building height. Height Zone A refers to the first 25 feet above grade, the Street Wall; Height Zone B refers to the building zone between 25 feet to 50 feet, the Mid Zone; Height Zone C refers to the building zone between 50 feet to 150 feet, the Upper Zone; and Height Zone D refers to the building zone between 150 feet to 454 feet, the High Wise. Although the surrounding area is characterized by a mix of one to three-story retail, wholesale and warehousing uses, the variation in building heights, size, and setbacks will reduce the mass of the buildings and will be designed to be compatible with the existing and future development of neighboring properties.

iii. Setbacks. New development will follow the required setbacks as designated in the Design Guidelines. Development fronting the street are generally to be built to the front property line to reinforce the existing street wall. Proposed side yard setback setbacks range from 5 feet to 45 feet; and proposed rear yard setbacks range from 10 feet to 25 feet. Most of the setbacks and building separations will be incorporated with plazas, walkways, and passive open space. In addition, buildings taller than 150 feet are required to provide a 15-foot step-back after 150 feet of height.

iv. Open Space. The project will meet the open space requirements of the LAMC and will incorporate a variety of open space areas and amenities to accommodate the needs of the hotel guests, visitors, and residents. The Design Guidelines will implement the landscape and open space requirements.

The project will provide two public plazas within Block 1 that will include a total of 12,750 square feet; three urban square within Blocks 1, 2, and 4 that that will include a total of 32,200 square feet; and two paseos within Blocks 1 and 2 that will include a total of 7,700 square feet. The second level will include a runway, a linear park that meanders and connects Block 1 and 2. The elevated linear park will be parallel San Julian Street approximately 20 feet above grade level.

The Design Guidelines will establish arrangement of buildings, structures, open spaces and other improvements that are compatible with the scale and character of the adjacent properties and surrounding neighborhood.

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

The applicant is requesting a General Plan Amendment to change the land use designation of the project site from Light Manufacturing to Regional Commercial, with the corresponding zones of CR, C1.5, C2, C4, C5, R3, R4, R5, RAS3, and RAS4 in the Central City Community Plan. In addition, the applicant is requesting modification of Footnote No. 4 to allow the project comply with the regulations of Height District No. 2D and a Vesting

Zone Change from M2-2D to [T][Q]C2-2D-SN, to establish consistency with the proposed land use. The proposed land use designation, footnote and vesting zone and height district change allows a development with an FAR of 4.1:1.

The project site is composed of four City blocks, with a total of 9.45 net acres. Accordingly, the project site's proposed FAR of 4.1:1 allows a maximum floor area of approximately 1,699,536 square feet of development on the site.

With respect to setback regulations pursuant to LAMC Section 12.14-C, buildings erected and used for commercial purposes in the C2 zone do not require front, side or rear yard setbacks. New development will follow the required setbacks as designated in the Design Guidelines. Development fronting the street are generally to be built to the front property line to reinforce the existing street wall. Proposed side yard setback setbacks range from 5 feet to 45 feet; and proposed rear yard setbacks range from 10 feet to 25 feet. Most of the setbacks and building separations will be incorporated with plazas, walkways, and passive open space. In addition, buildings taller than 150 feet are required to provide a 15-foot step-back after 150 feet of height.

New development will be limited by four height zones in the Design Guidelines that reinforces the street edge, shape the massing, and limit the maximum building height. Height Zone A refers to the first 25 feet above grade, the Street Wall; Height Zone B refers to the building zone between 25 feet to 50 feet, the Mid Zone; Height Zone C refers to the building zone between 50 feet to 150 feet, the Upper Zone; and Height Zone D refers to the building zone between 150 feet to 454 feet, the High Wise.

Therefore, with approval of the General Plan Amendment and Vesting Zone and Height District Change, the Major Development Project will comply with the height and area regulations of the project site.

f. The Major Development Project is consistent with the City Planning Commission's design guidelines for Major Development Projects, if any.

The project site is located in an area that does not have formally adopted design guidelines for Major Development Projects. However, the applicant designed the project to be consistent with the City's *Walkability Checklist, Citywide Design Guidelines for Commercial Buildings,* and the *Downtown Design Guidelines.*

As part of the project, a Design Guidelines is proposed to establish standards for streetscape, open space, parking, architectural features, massing, and landscape treatment. Due to the unique nature of the project site's size and assemblage of development sites, the intent of the Design Guidelines is to establish a level of design quality and consistency for the entire development and ensure design continuity will be carried through to the full implementation of the project. The Design Guidelines, which will be implemented in conjunction with the Q conditions, will establish the site planning requirements for future development on the project site.

ADDITIONAL FINDINGS FOR ALCOHOL SALES:

g. The proposed use will not adversely affect the welfare of the pertinent community.

The subject site is planned for Regional Commercial with the corresponding zones of CR, C1.5, C2, C4, C5, R3, R4, R5, RAS3, and RAS4. The site will be utilized with a mixed-use development consisting of 945 residential dwelling units, 210 hotel rooms, 272,283 square

feet of commercial office uses, 224,862 square feet of retail uses (including restaurants, bars, event space, wholesale uses, and a cinema with 744 seats), and a 312,112 square feet corporate/educational campus that offer the sale of alcohol for on and off-site consumption.

Conditions of approval are imposed to prevent impacts and integrate the uses into the community as well as protect community members from adverse potential impacts. All future operators are required to file plan approvals prior to opening to allow for the review of the mode of operation, security, and the floor plan. The limited term of the grant for each plan approval allows the City to review the operation of the establishment and consider any changes in the surroundings. The operation's conduct and any negative impacts it causes will be considered when a new plan approval is requested.

h. The granting of the application will not result in an undue concentration of premises for the sale or dispensing for consideration of alcoholic beverages, including beer and wine, in the area of the City involved, giving consideration to applicable State laws and to the California Department of Alcoholic Beverage Control's guidelines for undue concentration; and also giving consideration to the number and proximity of these establishments within a one thousand foot radius of the site, the crime rate in the area (especially those crimes involving public drunkenness, the illegal sale or use of narcotics, drugs or alcohol, disturbing the peace and disorderly conduct), and whether revocation or nuisance proceedings have been initiated for any use in the area.

According to the California State Department of Alcoholic Beverage Control licensing criteria, 10 on-site and 9 off-site licenses are allocated to the subject Census Tract No. 2260.02. There are currently 27 on-site and 7 off-site licenses active within this census tract. The data indicates that for the on- and off-site licenses, the tract is above its allocated number, which is not uncommon given the concentration of intense commercial activity in the area. The subject site is planned for Regional Commercial land use designations, which are intended to serve as the focal point for regional commerce, identity, entertainment, and activity. Given the diversity of uses permitted and encouraged within the Regional Commercial, a high concentration of alcohol licenses can be anticipated. There are a variety of establishments which have both on- and off-site alcohol sales in the area. There is a daytime population which includes local employees and the increasing number of residents and tourists during the evening and night hours. The request involves a number of establishments which will be monitored as a part of the entire complex's operational oversight as well as by specific conditions imposed under each individual Approval of Plans determination.

Statistics from the Los Angeles Police Department's Central Division reveal that in Crime Reporting District No. 1303, which has jurisdiction over the subject property, a total of 372 crimes were reported in 2016, compared to the citywide average of 180 crimes and the high crime reporting district average of 215 crimes for the same period. Of the 372 crimes reported, 5 arrests were made for liquor laws, 27 arrests were made for public drunkenness, no arrests were made for disturbing the peace, no arrests were made for disorderly conduct, and 10 arrests were for driving under the influence. Crime reporting statistics for 2017 are not yet available.

The above figures indicate that the mixed-use development is located in a high crime reporting district. Due to high crime statistics, conditions typically recommended by the Los Angeles Police Department, such as those related to the STAR Program and age verification, have been imposed in conjunction with this Master Conditional Use Permit

approval. Each establishment is part of a larger development will benefit from oversight of the building complex as a whole. Any concerns associated with any individual venue can be addressed in more detail through the Approval of Plans determination which is an opportunity to consider more specific operational characteristics as a tenant is identified and the details of each venue are identified. Security plans, floor plans, seating limitations and other recommended conditions, as well as the mode and character of the operation, will be addressed and assured through site specific conditions.

i. **The proposed use will not detrimentally affect nearby residentially zoned communities in the area of the City involved, after giving consideration to the distance of the proposed use from residential buildings, churches, schools, hospitals, public playgrounds and other similar uses, and other establishments dispensing, for sale or other consideration, alcoholic beverages, including beer and wine.**

The following sensitive use is located within 1,000 feet of the subject site:

- Central High School Tri-C – 7168 East 14th Street
- City of Los Angeles Independent Studies – 1449 South San Pedro Street
- Multi-family residential uses.

There are 600 feet of the project site. The project will not detrimentally affect the sensitive uses, neighboring residential, and commercial properties or other sensitive uses in the area because the sale of alcoholic beverages in the establishments will be in a controlled environment where the property owner retains responsibility for strict oversight due to the Master Conditional Use Permit. The proposed use will not detrimentally affect these sensitive uses within proximity of the subject site because conditions that will reduce any potential impacts related to the sale of alcoholic beverages have been imposed and for consideration by the State Department of Alcoholic Beverage Control. Individual establishments will have additional conditions tailored to the specific use and operation that will further any potential impacts to the surrounding uses.

4. **Site Plan Review Findings**

a. **Pursuant to L.A.M.C. Section 16.05, and based on these Findings, the recommended action is deemed in substantial conformance with the purposes, intent and provisions of the General Plan, applicable community plan, and any applicable specific plan.**

The mixed-use project will consist of 945 residential dwelling units, 210 hotel rooms, 272,283 square feet of commercial office uses, 224,862 square feet of retail uses (including restaurants, bars, event space, wholesale uses, and a cinema with 744 seats), and a 312,112 square feet corporate/educational campus. The project is anticipating a 20-year build out and is requesting the approval of a Land Use Equivalency Matrix providing limited and specific flexibility to the ultimate build out. The project includes a total of 3,671 parking spaces and bicycle spaces in compliance with the LAMC.

The project site is located within the Central City Community Plan area.

The mixed-use project is consistent with several goals, objectives, and polices of the Central City Community Plan. The plan text includes the following relevant residential commercial, and industrial land use goals, objectives and policies:

Objective 1-2: To increase the range of housing choices available to Downtown employees and residents.

Policy 1-2.1: Promote the development of neighborhood work/live housing.

Objective 1-3: To foster residential development which can accommodate a full range of incomes.

Policy 1-3.1: Encourage a cluster neighborhood design comprised of housing and services.

Objective 2-1: To improve Central City's competitiveness as a location for offices, business, retail, and industry.

Objective 2-2: To retain the existing retail base in Central City.

Objective 2-3: To promote land uses in Central City that will address the needs of all the visitors to Downtown for business, conventions, trade shows, and tourism.

Objective 2-5: To increase specialty and ethnic markets in order to foster a diverse range of retail and commercial uses in Central City.

Objective 3-2: To study the possibility of developing "artist-in-residence" districts, where appropriate and feasible, in industrial areas where the development of joint live/work units would continue to improve the jobs/housing ratio, respond to market demands, complement surrounding uses and maintain and enhance the viability of industrial lands as the space needs of manufacturers evolve.

The mixed-use project replaces warehouse buildings and associated surface parking lots in an area characterized by retail, warehouse, and wholesale uses (that are in close proximity to public transit options, including Metro Local and Express Lines, LADOT DASH Line E, and the Metro Blue Line. The project provides much-needed for-sale housing, hotel rooms, and jobs to the Central City area, including landscaping and pedestrian improvements that support this as a vibrant downtown environment that will serve the residents and employees of the South Markets District, as well as visitors for business, trade shows, and tourism.

A portion of the project site is located within the boundaries of the City Center Redevelopment Project Plan area. As such, consistency with the Redevelopment Plan goals and objectives must be examined together with the land use policies of the Central City Community Plan. The project is consistent with the following objectives of the Redevelopment Plan:

Objective 1. To eliminate and prevent the spread of blight and deterioration and to rehabilitate and redevelop the Project Area in accordance with this Plan.

Objective 2. To further the development of Downtown as the major center of the Los Angeles metropolitan region, within the context of the Los Angeles General Plan as envisioned by the General Plan Framework, Concept Plan, City-wide Plan portions, the Central City Community Plan, and the Downtown Strategic Plan.

Objective 3. To create an environment that will prepare, and allow, the Central City to accept that share of regional growth and development which is appropriate, and which is economically and functionally attracted to it.

Objective 4. To promote the development and rehabilitation of economic enterprises including retail, commercial, service, sports and entertainment, manufacturing, industrial and hospitality uses that are intended to provide employment and improve the Project Area's tax base.

Objective 5. To guide growth and development, reinforce viable functions, and facilitate the redevelopment, revitalization or rehabilitation of deteriorated and underutilized areas.

Objective 6. To create a modern, efficient and balanced urban environment for people, including a full range of around-the-clock activities and uses, such as recreation, sports, entertainment and housing.

Objective 7. To create a symbol of pride and identity which gives the Central City a strong image as the major center of the Los Angeles region.

Objective 9. To achieve excellence in design, based on how the Central City is to be used by people, giving emphasis to parks, green spaces, streetscapes, street trees, and places designed for walking and sitting, and to develop an open space infrastructure that will aid in the creation of a cohesive social fabric.

Objective 12. To provide a full range of employment opportunities for persons of all income levels.

Objective 13. To provide high and medium density housing close to employment and available to all ethnic, social and economic groups, and to make an appropriate share of the City's low- and moderate-income housing available to residents of the area.

The project will revitalize the Redevelopment Plan area by redeveloping the site with a mixed-use project with residential, commercial, restaurant, hotel, office, and corporate/educational uses. The project will generate increased activity on-site, further promoting a sense of place in the community. The new uses will provide approximately 1,705 net new job opportunities and will increase property tax, transient occupancy tax, and retail sales tax revenues.

b. That the project consists of an arrangement of buildings and structures (including height, bulk and setbacks), off-street parking facilities, loading areas, lighting, landscaping, trash collection, and other such pertinent improvements, that is or will be compatible with existing and future development on adjacent properties and neighboring properties.

The surrounding area is mix of one to three-story retail, wholesale and warehousing uses. Adjacent uses consist of commercial retail/textile uses to the north across 9th Street in the M2-2D Zone; commercial retail/wholesale land uses to the south across 12th Street in the M2-2D Zone; retail and wholesale land uses to the west across from San Julian Street in

the M2-2D Zone; and retail and wholesale land uses to the east across San Pedro Street in the M2-2D Zone.

The project proposes a Design Guidelines to establish standards for streetscape, open space, parking, architectural features, massing, and landscape treatment. Due to the unique nature of the project site's size and assemblage of development sites, the intent of the Design Guidelines is to establish a level of design quality and consistency for the entire development and ensure design continuity will be carried through to the full implementation of the project. The Design Guidelines, which will be implemented in conjunction with the Q conditions, will establish the site planning requirements for future development on the project site. The following project elements are incorporated into the Design Guidelines in a manner that is compatible with both existing and future development in the surrounding area:

Height/Bulk

The mixed-use project will consist of 945 residential dwelling units, 210 hotel rooms, 272,283 square feet of commercial office uses, 224,862 square feet of retail uses (including restaurants, bars, event space, wholesale uses, and a cinema with 744 seats), and a 312,112 square feet corporate/educational campus. The project is anticipating a 20-year build out. New development will be guided by four height zones that reinforces the street edge, shape the massing, and limit the maximum building height.

Height Zone A refers to the first 25 feet above grade, the Street Wall; Height Zone B refers to the building zone between 25 feet to 50 feet, the Mid Zone; Height Zone C refers to the building zone between 50 feet to 150 feet, the Upper Zone; and Height Zone D refers to the building zone between 150 feet to 454 feet, the High Wise.

Although the surrounding area is characterized by a mix of one to three-story retail, wholesale and warehousing uses, the variation in building heights, size, and setbacks will reduce the mass of the buildings and will be designed to be compatible with the existing and future development of neighboring properties.

Building Materials

The Design Guidelines encourages a variety of building materials to be used throughout the development to enhance the building quality and the pedestrian experience. A variety of building materials is required to complete each other. Ground floor window and door glazing will be transparent and non-reflective to reinforce a visual connection with open spaces are grade. The building design will integrate sustainable materials and design features such as photovoltaic panels, renewable, recycled, and regional materials and green roofs. The Design Guidelines also prohibits the use of low grade aluminum windows.

Setbacks

New development will follow the required setbacks as designated in the Design Guidelines. Development fronting the street are generally to be built to the front property line to reinforce the existing street wall. Proposed side yard setback setbacks range from 5 feet to 45 feet; and proposed rear yard setbacks range from 10 feet to 25 feet. Most of the setbacks and building separations will be incorporated with plazas, walkways, and passive open space. In addition, buildings taller than 150 feet are required to provide a 15-foot step-back after 150 feet of height.

Parking
The project includes 3,671 vehicular parking spaces. Parking will be provided in subterranean parking garages throughout the project site and above ground within the building podiums. The parking provided for the educational/office uses located on Block 1 and the parking provided for the residential units located in Block 2 will be dedicated to those specific uses respectively and will be physically separate from the commercial parking. The commercial parking will generally be accessible to all commercial uses. A stand alone, multi-level above-grade parking structure is proposed on Block 2, Site 12, to support the commercial office, retail and entertainment uses. The parking program for the entire unified development would include approximately 3,671 parking spaces.

Signage and Lighting
The project includes lighting for signage, commercial and architectural accents, balcony lighting, wayfinding, and security. The project is proposing a Sign District with on- and off-site signage. The signage includes various sign forms including digital displays, high rise signs, projecting signs, and roof signs. No billboard signs are proposed. The Sign District establishes regulations and provisions regarding signage area, illumination levels, hours of operation, type of signage, location of signage, and compatibility of signage.

A total of four digital display signs are proposed to be located on the façade facing San Julian Street, San Pedro Street, and 9th Street. The total signage area of digital display is approximately 22,847 square feet of signage. The proposed digital display signage includes two signs on the San Julian Street façade with one of the signs wrapping around to 9th Street, and two signs on San Pedro Street façade with one of the signs wrapping around to 9th Street. In addition, a roof sign is proposed at the roof of the residential tower.

Landscaping
The project will meet the open space requirements of the LAMC and will incorporate a variety of open space areas and amenities to accommodate the needs of the hotel guests, visitors, and residents. The Design Guidelines will implement the landscape and open space requirements.

The project will provide two public plazas within Block 1 that will include a total of 12,750 square feet; three urban square within Blocks 1, 2, and 4 that that will include a total of 32,200 square feet; and two paseos within Blocks 1 and 2 that will include a total of 7,700 square feet. The second level will include a runway, a linear park that meanders and connects Block 1 and 2. The elevated linear park will be parallel San Julian Street approximately 20 feet above grade level.

Equipment/Trash Collection
As required by the Design Guide, mechanical equipment visible from the street are required to be screened from view with landscaping or enclosures. Trash enclosures are required to be sited to minimize nuisance to adjacent properties.

c. That any residential project provide recreational and service amenities to improve habitability for its residents and minimize impacts on neighboring properties.

As previously mentioned, the project will meet the open space requirements of the LAMC and will incorporate a variety of open space areas and amenities to accommodate the needs of the hotel guests, visitors, and residents. The Design Guidelines will implement the landscape and open space requirements.

The project will provide two public plazas within Block 1 that will include a total of 12,750 square feet; three urban square within Blocks 1, 2, and 4 that that will include a total of 32,200 square feet; and two paseos within Blocks 1 and 2 that will include a total of 7,700 square feet. The second level will include a runway, a linear park that meanders and connects Block 1 and 2. The elevated linear park will be parallel San Julian Street approximately 20 feet above grade level.

In addition, the EIR prepared for the project found that with implementation of regulatory requirements, such as the payment of the Dwelling Unit Construction Tax and/or the payment of Quimby Fees, impacts to local parks and recreation facilities will be less than significant. Therefore, it is determined that the project provides sufficient recreational and service amenities to serve residents without creating negative impacts on neighboring properties.

5. Findings of Fact (CEQA)

I. INTRODUCTION

The Environmental Impact Report (EIR) for the City Market of Los Angeles Project ("project"), consisting of the Draft EIR, the Recirculated Draft EIR and the Final EIR, was prepared in accordance with the California Environmental Quality Act ("CEQA"), and the City of Los Angeles L.A. CEQA Thresholds Guide (2006) (ENV-2012-3003-EIR, State Clearinghouse Number: 2013021046). The EIR is an informational document for public agency decision-makers and the general public regarding the objectives and components of the project. The project site is generally bounded by 9th Street to the north, San Pedro Street to the east, 12th Street to the south and San Julian Street to the west with two outlying parcels situated on the west side of San Julian between 11th Street and 9th Street. The project addresses include: 1057 S. San Pedro Street (main identifying address for the project site) and ; 900-1038, 941, 943, 945, 929, 1027, 1021, 1023, 1122, 1142, 1146, 1150, S. San Julian Street; 901-1041, 1051-1053, 1101, 1105, 1109-13, 1117, 1119,1125, 1127, 1137 S. San Pedro Street; ; and 604-654 E. 9th Street, 90015. The project site is located in a heavily developed area of Downtown Los Angeles. The project site is currently developed with approximately 115,249 square feet of improved floor area, of which only 59,000 square feet is currently occupied and operational with warehouse, wholesale, office, bank, and storage land uses, and associated surface parking lots.

The project seeks to redevelop an approximately 10-acre project site across portions of four blocks in Downtown Los Angeles. The project site is located within the Central City Community Planning Area of the City of Los Angeles. The proposed project seeks to demolish up to approximately 91,729 square feet of the existing structures on the project site and redevelop the project site with a mixed-use project with a maximum of approximately 1,719,658 square feet of total developed floor area. The proposed project is anticipated to be built out over a proposed 20-year period and will include the construction of approximately 945 multiple residential dwelling units, approximately 210 hotel rooms, approximately 294,641 square feet of commercial (including medical and general office) and manufacturing uses, approximately 224,862 square feet of retail floor area (including restaurants, bars, event space, wholesale uses, and a cinema with approximately 744 seats), and approximately 312,112 square feet of corporate/educational campus floor area. The project also includes approximately 3,670 parking spaces in above and below grade parking structures. Proposed building heights would range from three stories to 38 stories (max. 435 feet above grade). The total project net square footage of development would not exceed an FAR of 4.10:1 or 1,719,658 square feet.

The applicant for the proposed project, following the close of the original Draft EIR public review period on August 10, 2015, incorporated changes to the proposed project. The primary changes

to the proposed project, leading to recirculation of the EIR ("Recirculated Draft EIR") include the addition of a Land Use Equivalency Program that would allow for an exchange of one land use for another land use, subject to specific terms and process to ensure the environmental impacts disclosed in the Recirculated Draft EIR were not exceeded, and changes to the requested discretionary actions and entitlement requests. In addition, the findings of a freeway segment and on-ramp and off ramp analysis, which was requested by Caltrans as part of the NOP process, and was contained in Appendix D to the Traffic Impact Study for the Draft EIR, was summarized in Section IV.K-1 of the Recirculated Draft EIR. The entire supplemental freeway analysis is provided in Appendix D to the Traffic Study and as Appendix K to the Recirculated Draft EIR.

No other changes to the proposed project that was analyzed in the Draft EIR occurred. The City of Los Angeles circulated the Recirculated Draft EIR in July 2016 to add new information as generally described above to the EIR after the public notice review of the Draft EIR, pursuant to CEQA Guidelines Section 15088.5.

For purposes of these findings, "the proposed project" evaluated in these CEQA Findings shall refer to the project as described in the Final EIR and not the proposed project proposed in the Draft EIR, except as expressly noted or as context requires. Unless referring to a specific document, "EIR" shall mean the Final EIR, including the Draft EIR, and the Recirculated Draft EIR.

II. ENVIRONMENTAL DOCUMENTATION BACKGROUND

The proposed project was reviewed by the Los Angeles Department of City Planning, Environmental Review Section serving as Lead Agency) in accordance with the requirements of the CEQA. Pursuant to the provisions of Section 15082 of the State CEQA Guidelines, the City prepared and circulated a Notice of Preparation (NOP) to State, regional and local agencies, and members of the public for a 30-day period commencing on February 20, 2013. 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.

Written comment letters responding to the NOP were submitted to the City by public agencies and interested organizations. Comment letters were received from various public agencies. The NOP and NOP comment letters are included in Appendix A 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 seven alternatives to the project, including the following: (1) No Project Alternative A – City Market South Buildout; (2) No Project Alternative B - Existing Zoning and General Plan Buildout; (3) Reduced Density Alternative A (3:1 FAR); (4) Reduced Density Alternative B (4:1 FAR with No Residential, and 6:1 FAR on Hotel Block); 5) Reduced Density Alternative C (proposed project with 6:1 FAR on Hotel Block); (6) Reduced Density Alternative D (3:1 FAR with No Residential and 6:1 FAR on Hotel Block); and (7) Reduced Density Alternative E (No Residential West of San Julian Street). The Draft EIR for the project, incorporated herein by reference in full, was prepared pursuant to CEQA, the State CEQA Guidelines, and City CEQA Guidelines (Pub. Resources Code § 21000, et seq.; 14 Cal. Code Regs. §15000, et seq.; City of Los Angeles CEQA Guidelines). The Draft EIR was circulated for a 45-day public review period beginning on June 25, 2015 and ending on August 10, 2015. On July 28, 2016, the Notice of Completion/Notice of Availability (NOC/NOA) of the release of the Recirculated Draft EIR was published. The Recirculated Draft EIR was available for public review for 45 days, until September 12, 2016. 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 and Recirculated Draft EIR and responded to each comment in Section III of the Final EIR.

The City released a Final EIR for the project in April 2017, 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 and Recirculated 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 and Recirculated Draft EIR also received a copy of the Final EIR. The Final EIR was also made available for review on the City's Department of City Planning website. Hard copies of the Final EIR were also made available at two libraries and the City Department of Planning. Notices regarding availability of the Final EIR and the Notice of Public Hearing 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 joint public hearing for the project will be held by the Hearing Officer/Deputy Advisory Agency on behalf of the City Planning Commission on May 17, 2017.

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).

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

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

- Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR. (State CEQA Guidelines Section 15091, subd. (a)(1)).

- Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency. (State CEQA Guidelines Section 15091, subd. (a)(2)).

- Specific 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. (State CEQA Guidelines Section 15091, subd. (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. Although Section 15091 of the CEQA Guidelines does not require findings to address environmental impacts that an EIR identifies as merely "potentially significant," these findings nevertheless fully account for all such effects identified in the Final EIR for the purpose

of better understanding the full environmental scope of the proposed project. For each environmental issue analyzed in the Draft EIR and Recirculated Draft EIR, the following information is provided:

- Description of Effects - A specific description of the environmental effects identified in the EIR.
- Project Design Features - Identified project design features or actions that are included as part of the proposed project (numbering of the Project Design Features corresponds to the Mitigation Monitoring Program, which is included as Section 4.0 of the Final EIR).
- Mitigation Measures - Identified mitigation measures or actions that are required as part of the proposed project (numbering of the Mitigation Measures corresponds to the Mitigation Monitoring Program, which is included as Section 4.0 of the Final EIR).
- Finding - One or more of three specific findings in direct response to CEQA Section 21081 and CEQA Guidelines Section 15091 as discussed in the previous paragraph.
- Rationale for Finding - A summary of the reasons for the finding(s).
- Reference - A notation on the specific section of the Draft EIR and Recirculated Draft EIR, which includes the evidence and discussion of the identified impact.

The balance of these findings are organized as follows:

- Description of the Project (Section IV)
- Impacts Determined In The Initial Study To Have No Impacts Or Less Than Significant Impacts (Section V)
- Impacts The EIR Found To Be Less Than Significant (Section VI)
- Impacts The EIR Found To Be Less Than Significant After Mitigation (Section VII)
- Impacts The EIR Found To Be Significant And Unavoidable After Mitigation (Section VII)
- Alternatives To The proposed project (Section IX)
- Findings Regarding General Impact Categories (Section X)
- Other CEQA Considerations (Section XI)
- Statement Of Overriding Considerations (Section XII)

IV. Description of the Proposed Project

A. PROJECT LOCATION AND SURROUNDING USES

The project is proposed on several lots covering approximately 10 acres of land within the Central City Community Planning Area of the City of Los Angeles (project site). The project site is generally bounded by 9th Street to the north, San Pedro Street to the east, 12th Street to the south and San Julian Street to the west with two outlying parcels situated on the west side of San Julian between 11th Street and 9th Street. The project site is located within a heavily developed area of

downtown Los Angeles. The project site is situated in the southeastern area of the downtown core, and centrally located within the Fashion District. The project site is within a 1-mile radius (e.g., 20-minute walk) of several important cultural and civic destinations, including the Convention Center, Staples Center and L.A. Live, South Park, the Broadway Theater District, City Hall and the LA Civic Center, the Financial District, the Jewelry District, and Bunker Hill.

The project site is regionally accessible via I-10 (Santa Monica Freeway), located approximately 0.33 mile to the south of the project site, and I/SR 110 (Harbor Freeway), located approximately 1.2 miles to the west. Downtown Union Station is located approximately 1.5 miles to the north of the project site.

B. EXISTING CONDITIONS

1. EXISTING USES

The project site is currently developed with a number of existing commercial land uses and activities, including wholesale/storage uses, retail/café uses, and commercial offices. There are 18 buildings/structures located within the project site (See Figure II-3, Existing Conditions Plot Plan, on Page II-8, of the Recirculated Draft EIR). There are seven remaining structures on Block 1; eleven buildings/structures on Block 2, and surface parking lots on Blocks 3 and 4. In total, there is approximately 115,249 square feet of improved structural floor area within the project site, of which only 59,000 square feet is currently occupied and operational. The occupied floor area represents the active uses that were occupied/operational at the time the NOP was prepared (February 2013).

2. LAND USE AND ZONING DESIGNATIONS

The project site is located within the Central City Community Planning Area. The General Plan land use designation for the project site is "Light Manufacturing." The Central City Plan area is composed of nine districts: Civic Center, Bunker Hill, Financial Core, Convention Center/Arena, South Park, Center City/Historic Core, Little Tokyo, Central City East and South Markets. The project site is located in the South Markets District, which is described as the hub for garment sales and retailing and manufacturing, the produce industry, the flower wholesale industry, toy industry, and serves as a staging area and major distribution point for the region. Other uses in the district include wholesale and warehousing, and a variety of other manufacturing and industrial uses.

The project site is currently zoned for M2-2D (Light Manufacturing). The M2 designation corresponds to the Light Manufacturing land use designation and permits light manufacturing land uses. Pursuant to LAMC Section 12.21-1,A(2), the total floor area contained in all the buildings on a lot in Height District No. 2 shall not exceed six times the buildable area of said lot (*Amended by Ord. No. 161,684, Effective 11/3/86*). However, the D condition limits the allowable floor area ratio (FAR) on the project site to 3:1.

The portions of the project site north of 11th Street including all of Block 1, 3 and 4 (as shown in Figure II-7, of the Recirculated Draft EIR), fall within the boundaries of the City Center Redevelopment Project Area. More specifically, this area of the project site is located within the City Markets Development Subarea of the Redevelopment Plan.

3. PROJECT CHARACTERISTICS

The project results in the demolition of up to approximately 91,729 square feet of the existing structures on the project site and redevelopment of the project site with a mixed-use project with

a maximum of approximately 1,719,658 square feet of total developed floor area. The project is anticipated to be built out over a proposed 20-year period and would include the construction of approximately 945 multiple residential dwelling units, approximately 210 hotel rooms, approximately 294,641 square feet of commercial (including medical and general office) and manufacturing uses, approximately 224,862 square feet of retail floor area (including restaurants, bars, event space, wholesale uses, and a cinema with approximately 744 seats), and approximately 312,112 square feet of corporate/educational campus floor area. The project will include approximately 3,670 parking spaces in above and below grade parking structures. Proposed building heights would range from three stories to 38 stories (max. 435 feet above grade). The total project net square footage of development does not exceed an FAR of 4.1:1 or 1,719,658 square feet. (See Table II-3 program Development Program Metrics, in Section II, Project Description of the Recirculated Draft EIR.)

The project includes approximately 3,671 parking spaces in structured and below grade parking area. Proposed building heights range from three stories to 38 stories (e.g. a maximum of 435 feet above grade). The development program is comprised of 16 development sites located on 4 blocks. Block 1 encompasses 8 development sites; Block 2 includes 6 development sites; and Blocks 3 and 4 are each comprised of one development site (see Figure II-7, Project Development Sites, in the Recirculated Draft EIR).

In July 2016, the Draft EIR was revised and recirculated to incorporate changes to the proposed project (i.e., the most substantial changes being the incorporation of a Land Use Equivalency Program and changes to the discretionary requests) and corresponding revisions to the environmental analysis. A detailed description of the Land Use Equivalency Program is as follows:

Land Use Equivalency Program

The project includes a proposed Land Use Equivalency Program (the "Equivalency Program") to provide for limited and specified flexibility in the proposed long-term buildout of the overall development program. The purpose of the Equivalency Program is to allow the project some limited and appropriate flexibility with respect to modifying the proposed land uses and floor area that is responsive to the future demands of the changing market and economy over the anticipated build out over 25 years. The Equivalency Program is based on a framework where permitted land uses and square footages could be exchanged for other permitted land uses so long as the limitations of the Equivalency Program are satisfied and no additional environmental impacts occur. Under all resulting development scenarios and combinations of land uses, the total project net square footage of development will not exceed the proposed FAR of 4.1:1 or 1,719,658 square feet. Further, additional caps are set forth below on various land uses to ensure that the flexibility is limited and appropriate.

As identified in Table II-7, Land Use Equivalency Program Trip Equivalency Matrix, below, the rate of conversation between land uses is generally based on p.m. peak hour trips per square feet of development, to maintain vehicular trip totals equivalent to and not exceeding those studied in the EIR for the project. For certain land uses, however, such as hotel and residential units, assumptions have been factored in to allow for the conversion of dwelling units or rooms to square feet. In addition, the applicant has identified the following range of maximum limits to any one proposed land use for purposes of ensuring a mixed-use project that does not exceed any of the environmental impacts as identified in this EIR:

- A maximum of 1,418 dwelling units;
- A maximum of 441,962 square feet of office space;
- A maximum of 281,523 square feet of retail/entertainment uses;
- A maximum of 315 hotel rooms;

- A maximum of 2,100 students.

Note: In no instance, shall floor area exceed 1,719,658 square feet, total water demand would not exceed 452 acre feet per year, and the total wastewater would not exceed 299,021 gallons per day.

To the extent the Land Use Equivalency Program is utilized to increase any land use above the Proposed Development Program Metrics identified in Table II-3, up to but not exceeding these maximum limits, it will necessitate an environmental equivalent reduction in another land use.

In the event the applicant or subsequent applicants choose to utilize the Land Use Equivalency Program, the subsequent phase(s) of the project shall be subject to LAMC Section 16.05 (Site Plan Review). The procedures set forth in LAMC Section 16.05 shall apply with the following provisions (if the project is approved, this requirement will be identified in a "Q" Condition):

1. Section 16.05-D and Section 16.05-I shall not be applicable;
2. That in addition to the provisions of LAMC Section 16.04-E,4, an "Addendum", a "Supplemental EIR", or a "Subsequent EIR" shall be acceptable to satisfy the requirements of CEQA.
3. In addition to those findings identified in Section 16.05-F, the City shall also find that: "The proposed phase of the project is consistent with the approved Land Use Equivalency Program."
4. Appeals shall be heard by the City Planning Commission, the original decision-maker on the Land Use Equivalency, in lieu of the Area Planning Commission as otherwise specified in LAMC Section 16.05-H,1; and
5. Shall be consistent with the City Market Design Guidelines.

Design Guidelines

As part of the project's entitlement process, the applicant and the City will establish a set of uniform Design Guidelines to establish standards for use, massing, parking and loading, architectural features, open space, landscape treatment, signage, lighting, and sustainability. Because of the unique nature of the project site's size and assemblage of development sites, strict application of the zoning code will preclude the development as a unified development. The intent of the Design Guidelines is to establish a level of design quality and consistency for the entire development and ensure design continuity will be carried through to the full implementation of the project. The Design Guidelines, which will be adopted in conjunction with the entitlements, will establish the site planning requirements for future development on the project site. To the extent there are differences between the Design Guidelines and other land use standards in the LAMC, or in the event the applicant submits alternative site layouts to the Conceptual Site Plan, the Design Guidelines will clarify and set forth compliance procedures for development of the project.

Signage Program

The proposed signage program includes a comprehensive set of development standards and guidelines related to signage and illumination as it relates to the unified development program.

V. IMPACTS DETERMINED IN THE INITIAL STUDY TO HAVE NO IMPACTS or LESS THAN SIGNIFICANT IMPACTS

The City prepared an Initial Study in 2013 that evaluated the project applicant's development program for the project site at the time. This Initial Study determined that an Environmental Impact

Report (EIR) was required and the City issued a Notice of Preparation (NOP) of an EIR in February 2013.

The Initial Study is included in Appendix A of the Draft EIR and Recirculated Draft EIR. The Initial Study provides a discussion of the potential environmental impacts by topic and the reasons that each topical area is or is not analyzed further in the Draft EIR. As further described in the Initial Study, the City determined that the proposed project will not result in significant impacts related to Aesthetics (related to scenic vistas); Agricultural Resources; Biological Resources; Geology and Soils (related to landslides); Hazards and Hazardous Materials (related to the proposed project's proximity to schools, a public airport or public use airport, and a private airstrip); Hydrology and Water Quality (related to placement of housing or structures within a 100-year flood plain and inundation by seiche, tsunami, or mudflow); Land Use and Planning (related to conflicting with any applicable habitat conservation plan or natural community conservation plan); Mineral Resources; Noise (related to proximity to a public use or public airport and private airstrip); Population and Housing (related to displacement of substantial numbers of housing and people); and Transportation/Circulation (related to changes in air traffic patterns).

The rationale for the conclusion that no significant impact will occur in each of these issue areas is summarized below (and set forth in Appendix A of the Draft EIR and Recirculated Draft EIR). Based on that rationale and other evidence in the administrative record, the City finds and determines that the proposed project will not result in any significant impacts in the following environmental impact categories and that no mitigation measures are needed.

A. ENVIRONMENTAL CATEGORIES THE INITIAL STUDY DETERMINED HAD NO IMPACTS

The Initial Study determined that the proposed project will have no impact in the following environmental categories. The City finds that the proposed project will have no impact on the following environmental issues for the reasons set forth below and as explained in more detail in the Initial Study.

1. AESTHETICS – SCENIC VISTAS

The existing project site is partially vacant and partially developed with one and two-story commercial office/wholesale retail land uses. There are no rock outcroppings on-site and the site is not located within a state scenic highway. Therefore, no impacts to scenic vistas will occur. There have been no changes in circumstances since the Initial Study was prepared that will affect this conclusion. Subsequent to the publication of the NOP and Initial Study, SB 743 was enacted which amended Section 21099 (d)(1) of the Public Resources Code (PRC) to state that a project's aesthetic and parking impacts shall not be considered a significant impact on the environment if: (1) The project is a residential, mixed-use residential, or employment center project, and (2) The project is located on an infill site within a transit priority area. Accordingly, because the project is a mixed-use residential project on an infill site within a transit priority area, the project's aesthetic impacts shall not be considered significant.

2. AGRICULTURAL RESOURCES

The project site is zoned for light manufacturing uses (M2-2D) and is not used for any agricultural-related uses. Therefore, the proposed project will have no impact associated with the conversion of agricultural uses or forested lands. There have been no changes in circumstances since the Initial Study was prepared that will affect this conclusion.

3. BIOLOGICAL RESOURCES

The existing project site is partially vacant and partially developed with one and two-story commercial office/wholesale retail land uses. The project site is devoid of any natural habitat. No candidate, sensitive or special status species identified in local plans, policies or regulations, or by the California Department of Fish and Game (CDFG) or the U.S. Fish and Wildlife Service (USFWS) are expected to occur on the project site. The project site is within an industrially developed area of the City and there are no nearby stretches of open space or areas of significant biological resource value. As such, the proposed project will not have an adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act. The proposed project will not interfere with the movement of any native resident or migratory fish or wildlife species and no impact will occur. There have been no changes in circumstances since the Initial Study was prepared that will affect this conclusion.

4. GEOLOGY AND SOILS – LANDSLIDES

The project site is topographically flat and is not located within a City designated landslide area. Therefore, landslides will not be expected to occur on the project site. No impact will occur. There have been no changes in circumstances since the Initial Study was prepared that will affect this conclusion.

5. HAZARDS AND HAZARDOUS MATERIALS – PROXIMITY TO SCHOOLS

The project site is not within one-quarter mile of a primary or secondary school. Therefore, no impacts involving schools as it related to the accidental release of potentially hazardous materials will occur. There have been no changes in circumstances since the Initial Study was prepared that will affect this conclusion.

6. HAZARDS AND HAZARDOUS MATERIALS – PROXIMITY TO PUBLIC AIRPORT

The Hawthorne Airport and the Los Angeles International Airport (LAX) are located approximately 9 and 10 miles to the southwest of the project site, respectively. No impacts involving public use or public airports will occur. There have been no changes in circumstances since the Initial Study was prepared that will affect this conclusion.

7. HAZARDS AND HAZARDOUS MATERIALS – PROXIMITY TO PRIVATE AIRSTRIP

The project site is not located near a private airstrip. No impacts involving private airstrips will occur. There have been no changes in circumstances since the Initial Study was prepared that will affect this conclusion.

8. HYDROLOGY AND WATER QUALITY - PLACEMENT OF STRUCTURES WITHIN 100-YEAR FLOOD PLAIN AND OTHER FLOOD RISK

The project site is not located within an area identified by Federal Emergency Management Agency (FEMA) as potentially subject to 100-year floods nor is it located within a City-designated 100-year or 500-year flood plain. The project site is located in an area of minimal flooding and will not introduce structures to an area of high flood risk. Therefore, the project will not contain any significant risks of flooding and will not have the potential to impede or redirect floodwater flows.

No impact will occur. There have been no changes in circumstances since the Initial Study was prepared that will affect this conclusion.

9. HYDROLOGY AND WATER QUALITY - PLACEMENT OF PEOPLE WITHIN 100-YEAR FLOOD PLAIN AND OTHER FLOOD RISK

The project site is not located within an area identified by Federal Emergency Management Agency (FEMA) as potentially subject to 100-year floods nor is it located within a City-designated 100-year or 500-year flood plain. The project site is located in an area of minimal flooding and will not introduce people to an area of high flood risk. Therefore, the project will not contain any significant risks of flooding and will not have the potential to impede or redirect floodwater flows. No impact will occur. There have been no changes in circumstances since the Initial Study was prepared that will affect this conclusion.

10. HYDROLOGY AND WATER QUALITY – INUNDATION BY SEICHE, TSUNAMI, OR MUDFLOW

The project site is not located in a Tsunami Hazard Area, and it is located at least 10 miles from the Pacific Ocean and is not near any other major water bodies; therefore, risks associated with seiches or tsunamis will be considered extremely low at the project site. Furthermore, the project site is located within a developed industrial zone within the Fashion District in downtown Los Angeles where little open space exists. Therefore, the potential for mudflows to impact the project site is highly unlikely. The proposed project will have no impact with regard to seiches, tsunamis, or mudflows. There have been no changes in circumstances since the Initial Study was prepared that will affect this conclusion.

11. LAND USE AND PLANNING – CONFLICT WITH HABITAT CONSERVATION PLAN OR NATURAL COMMUNITY CONSERVATION PLAN

No habitat conservation plans or natural community conservation plans presently exist which govern any portion of the project site. The project site is located in an area that has been previously disturbed and graded. Therefore, the proposed project will not have the potential to conflict with any applicable habitat conservation plan or natural community conservation plan. No impact will occur. There have been no changes in circumstances since the Initial Study was prepared that will affect this conclusion.

12. MINERAL RESOURCES

The project site is not located near any oil fields and no oil extraction activities have historically occurred on or are presently conducted at the project site. Furthermore, the project site is not in an area identified by the City of Los Angeles as containing a significant mineral deposits site that will be of value to the region and the residents of the state. Therefore, no locally designated resources will be impacted by development of the proposed project. No impact will occur. There have been no changes in circumstances since the Initial Study was prepared that will affect this conclusion.

13. NOISE – PROXIMITY TO PUBLIC AIRPORT

The project site is not located within an airport land use plan. The nearest airport to the project site is the Los Angeles International (LAX) Airport, which is located approximately 10 miles to the west of the project site. Therefore, no impact will occur. There have been no changes in circumstances since the Initial Study was prepared that will affect this conclusion.

14. NOISE – PROXIMITY TO PRIVATE AIRSTRIP

The project site is not located in the vicinity of a private airstrip. Therefore, no impact will occur. There have been no changes in circumstances since the Initial Study was prepared that will affect this conclusion.

15. POPULATION AND HOUSING – DISPLACEMENT OF SUBSTANTIAL NUMBERS OF HOUSING

The project site is currently zoned for and developed with M2 Light Manufacturing land uses and no housing will be displaces. Thus, the proposed project will not displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere. Therefore, no impact will occur. There have been no changes in circumstances since the Initial Study was prepared that will affect this conclusion.

16. POPULATION AND HOUSING – DISPLACEMENT OF SUBSTANTIAL NUMBERS OF PEOPLE

The proposed demolition will not involve the displacement of any residential uses, as none are currently developed on the project site. Therefore, no impact will occur. There have been no changes in circumstances since the Initial Study was prepared that will affect this conclusion.

17. TRANSPORTATION/CIRCULATION – CHANGES IN AIR TRAFFIC PATTERNS

The proposed project does not contain any aviation-related uses, and the proposed project will not include the development of any aviation-related uses. Thus, the proposed project will have no impact on air traffic patterns. There have been no changes in circumstances since the Initial Study was prepared that will affect this conclusion.

B. ENVIRONMENTAL CATEGORIES THE INITIAL STUDY DETERMINED HAD LESS THAN SIGNIFICANT IMPACTS

The Initial Study determined that the proposed project will have less than significant impacts in the following environmental categories. The City finds that the proposed project will have less than significant impact in these areas for the reasons set forth below and as explained in more detail in the Initial Study.

1. HAZARDS AND HAZARDOUS MATERIALS – EXPOSURE OF PEOPLE OR STRUCTURES TO SIGNIFICANT RISK OF LOSS, INJURY OR DEATH INVOLVING WILDLAND FIRES

The project site is not located in Mountain Fire District or Fire Buffer Zone. As such, the proposed project's potential to expose people or structures to a significant risk of loss, injury or death involving wildland fires will be less than significant. There have been no changes in circumstances since the Initial Study was prepared that will affect this conclusion.

2. PUBLIC SERVICES – OTHER PUBLIC FACILITIES

There are three Los Angeles Public Library (LAPL) library facilities within a 2-mile radius of the project site. The project is anticipated to increase the resident population in the project Area, and will likely increase demands upon existing library facilities. However, it is not anticipated that the

project will necessitate the new construction or physical remodeling of any of the library facilities serving the project site. The Revised Branch Facilities Plan, a component of the LAPL 2007-2010 Strategic Plan identifies a total of 19 projects to build expand or remodel facilities throughout the City of Los Angeles, one of which includes developing a new branch facility in Southeast Los Angeles. The targeted acquisition area for this facility is approximately 1 to 1.25 miles to the south of the project site (south of the 10 Freeway). This planned library, once constructed will further serve to accommodate the project area's demands upon LAPL services. The proposed project's impacts on LAPL services will therefore be less than significant. There have been no changes in circumstances since the Initial Study was prepared that will affect this conclusion.

VI. IMPACTS THE EIR FOUND TO BE LESS THAN SIGNIFICANT

In the Initial Study for the proposed project, the City also identified impacts that required further study in an EIR. The impact areas discussed in this Section VI were determined to be less than significant in the Draft EIR and the Recirculated Draft EIR. These topics include the following: Aesthetics (Operational Visual Character, Scenic Views, Obstruction of Views, Daytime Glare, and Shade and Shadow); Air Quality (AQMP Consistency, Consistency with the General Plan Air Quality Element, Localized Construction Air Quality Impacts, Localized Operational CO Impacts, TAC Impacts, and Odor Impacts); Cultural Resources (Historic Resources, Archaeological Resources and Paleontological Resources); Geology and Soils (Ground Failure, Sedimentation, Soil Erosion and Loss of Topsoil); Greenhouse Gas Emissions (Estimated Construction GHG Emissions and Estimated Operational GHG Emissions); Hydrology and Water Quality (Water Quality – Construction, Water Quality – Operation, Surface Water Hydrology, Inundation and Flooding, and Groundwater); Land Use and Planning (Impacts to Established Communities and Land Use Consistency); Noise (Operation-related Noise and Vibrations); Population, Housing and Employment; Public Services (Fire Protection Services and Recreation and Parks); Transportation / Traffic (CMP Analysis, and CMP Transit Impact Analysis); Parking (Operational Impacts and Bicycle Parking); Public Utilities (Water Supply, Wastewater, Electricity, Natural Gas, and Solid Waste); and Hazardous Materials / Risk of Upset (Construction Impacts and Operational Impacts).

A. AESTHETICS

Subsequent to the publication of the NOP and Initial Study, SB 743 was enacted which amended Section 21099 (d)(1) of the Public Resources Code (PRC) to state that a project's aesthetic and parking impacts shall not be considered a significant impact on the environment if: (1) The project is a residential, mixed-use residential, or employment center project, and (2) The project is located on an infill site within a transit priority area. Accordingly, because the project is a mixed-use residential project on an infill site within a transit priority area, the project's aesthetic impacts shall not be considered significant. Nevertheless the EIR provided the following analysis for informational purposes.

1. DESCRIPTION OF EFFECTS

a) OPERATIONAL VISUAL CHARACTER

The project site will be maintained in a safe and sanitary condition and good repair, and free from graffiti, debris, rubbish, garbage, trash, or overgrown vegetation during the operational life of the project. Impacts to visual character will be less than significant with adherence to regulatory code compliance measures.

With respect to visual character, the exchange of one land use for another will not affect the proposed design guidelines, scale and massing of the project or sign program. The exchange of

one permitted land use for another permitted land use will be accomplished within the same FAR limitation at the proposed project. Land use exchanges permitted under the Land Use Equivalency Program will also be subject to the same Regulatory Compliance Measures as the project and will be subject to the Site Plan Review Process pursuant to LAMC Section 16.05. Thus, the aesthetic impacts will be the same under the Land Use Equivalency Program as described for the proposed project.

b) SCENIC VIEWS

The project site is located within a highly urbanized area of Downtown Los Angeles, and on-site and surrounding views are limited by level topography and with existing one to five-story commercial buildings, light industrial, and warehouse land uses. Although the proposed project is expected to significantly alter the existing viewshed and aesthetic character of the existing project site, the project will not adversely impact or block any existing scenic views within the immediate project vicinity or at the pedestrian level. The project will have a less than significant impact upon scenic vistas.

c) OBSTRUCTION OF VIEWS

The project is comprised of modern structures proposed on an infill site entirely surrounded by existing buildings ranging from one to five stories in height. Architecturally, the project has been designed to stand out vertically in a manner that frames the historic core of downtown Los Angeles. The project site is located in a zone that permits development up to three times the buildable area of the lot, but does not provide any restrictions on height. As no standards or policies exist to protect private views within the immediate area, the blockage of any private views will be considered less than significant.

With respect to obstruction of views, the exchange of one land use for another will not affect the proposed design guidelines, scale and massing of the project or sign program. The exchange of one permitted land use for another permitted land use will be accomplished within the same FAR limitation at the proposed project. Land use exchanges permitted under the Land Use Equivalency Program will also be subject to the same Regulatory Compliance Measures as the project and will be subject to the Site Plan Review Process pursuant to LAMC Section 16.05. Thus, the aesthetic impacts will be the same under the Land Use Equivalency Program as described for the proposed project.

d) DAYTIME GLARE

The architectural materials of the proposed project will be compatible with other modern structures in downtown Los Angeles. The project will comply with code-required lighting measures that will reduce light and glare impacts to the greatest extent feasible and will result in a less than significant impact with respect to generating a source of glare within the project area.

With respect to light and glare impacts, the exchange of one land use for another will not affect the proposed design guidelines, scale and massing of the project or sign program. The exchange of one permitted land use for another permitted land use will be accomplished within the same FAR limitation at the proposed project. Land use exchanges permitted under the Land Use Equivalency Program will also be subject to the same Regulatory Compliance Measures as the project and will be subject to the Site Plan Review Process pursuant to LAMC Section 16.05. Thus, the aesthetic impacts will be the same under the Land Use Equivalency Program as described for the proposed project.

e) SHADE AND SHADOW

For the shade and shadow analysis in the Recirculated Draft EIR, the maximum height of the project is expected to be approximately 455 feet for the hotel and residential towers. The project site is located within an area characterized with light industrial land uses and no sensitive receptors were identified. Based on a conservative estimate of the project's maximum building envelope and maximum building heights, the shadow impacts are anticipated to be longer and thus more conservative than what will result after build out. The project's shade and shadow impacts were analyzed for the hours of 9:00 am through 3:00 pm during Winter Solstice and for the hours of 9:00 am through 5:00 pm during Summer Solstice. The EIR concluded that the project will not cause shadows on any identified shade- sensitive uses for three or more hours between 9:00 am and 3:00 pm during Winter Solstice. Additionally, the project will not cast shadows on any identified shade-sensitive uses for four or more hours between 9:00 am and 5:00 pm during Summer Solstice. Therefore, the project's shade and shadow impacts will be considered less than significant and no mitigation is required.

With respect to the project's shade and shadow impacts, the exchange of one land use for another will not affect the scale and massing of the proposed project or result in any changes to the proposed design guidelines. Under the Land Use Equivalency Program the project will be developed in accordance with the specified design guidelines, building setbacks, and maximum building height zones as described in Section II, project Description. Thus, the shade and shadow impacts under the Land Use Equivalency Program will be less than significant and the same as described for the proposed project.

f) CUMULATIVE IMPACTS

Based on a review of the related projects within proximity to the project site (see Figure III-1, Related projects Location Map, of the Recirculated Draft EIR) none of the related projects are located within the vicinity of the project site that will combine to create a cumulative aesthetic impact, either in terms of blockage of views or architectural compatibility. As such, the project will not contribute to cumulatively degrade the project area and no cumulatively significant impact will occur.

With respect to light and glare impacts, the project in combination with the related projects will increase nighttime lighting and daytime glare in the downtown Los Angeles area. Similar to the project, related projects will be expected to comply with Code-required lighting measures that will reduce light and glare impacts to the greatest extent feasible. As such, the project will not contribute to a substantial increase in light or glare and no cumulatively significant impact will occur. Overall, the cumulative development underway in the vicinity of the project site will positively affect the architectural urban revitalization of the project area. The project will not contribute to a cumulatively considerable significant impact with respect to aesthetics (including visual character and light/glare) as it will implement the urban design goals and objectives identified for multi-family residential uses within the Central City Community Plan Area. Cumulative impacts will be less than significant.

Regarding cumulative shade and shadow impacts, it is possible that the project plus additional ambient growth in the downtown Los Angeles area could create a cumulative shade shadow impact in the future. However, shade and shadow impacts and obstruction of views in the downtown area of the City of Los Angeles are, by nature, an inherent effect of the underlying zoning district and land use designations of the surrounding properties. There are no known related projects within the vicinity of the project site that will contribute to a cumulative shadow impact (see Figure II-31 of the Recirculated Draft EIR). Therefore, the project will not contribute

to a cumulatively significant shade and shadow impact, and cumulative shade and shadow impacts will be less than significant.

2. PROJECT DESIGN FEATURES

The following Project Design Feature is relevant to aesthetics:

PDF A.2-1: The project proposes various height guidelines establishing maximum building height zones and structural building setbacks to control the scale and massing of the proposed development program. The project includes two primary height zones, as identified in Figure II-16, Building Height Guidelines. The primary height zones include the following:

- Height Zone A will permit development to a maximum of 150 feet above ground zone and will be located within the first 40 feet of the property lines fronting the adjacent roadways.
- Height Zone B will permit development to a maximum of 455 feet above grade level and will be located on the interior of the lots setback approximately 40 feet from the adjacent property line fronting the adjacent roadways.

In addition to the primary height zones, the project included a set of secondary zones for each development site. The secondary height zones, identified as A, B, C, and D, generally reflect the vertical zones from grade level to the highest structural roof level. For Block 1, Development sites 1-4, and Blocks 3 and 4, there are three secondary Zones proposed: Zone A (0-20 feet), Zone B (20-50 feet above grade) and 50 to 100 feet above grade.

3. FINDINGS

The proposed project's impacts to visual character will be less than significant with adherence to regulatory code compliance measures. No mitigation measures are required. The proposed project will have a less than significant impact upon scenic vistas. No mitigation measures are required. The proposed project's blockage of any private views will be considered less than significant. No mitigation measures are required. The proposed project will result in a less than significant impact with respect to generating a source of glare within the project area. No mitigation measures are required. The proposed project's shade and shadow impacts will be considered less than significant and no mitigation is required. The proposed project will have a less than significant cumulative impact on aesthetics. No mitigation is required.

4. RATIONALE FOR FINDINGS

With respect to impacts to visual character and image, the project is comprised of modern structures proposed on an infill site entirely surrounded by existing buildings ranging from one to five stories in height. Architecturally, the project has been designed to stand out vertically in a manner that frames the historic core of downtown Los Angeles. With respect to building height and massing, the proposed project specifies three types of building massing: Low-rise massing, which is generally less than 6-stories; Mid-rise massing which is 7-20 stories and typically 12- 20 stories and; High–rise, which pertains to towers that are more than 20 stories. Any portion of a building that is above 150 feet is subject to the tower standards and guidelines in the Downtown Design Guide. The project proposes various height guidelines establishing maximum building height zones and structural building setbacks to control the scale and massing of the proposed development program. The proposed project includes two primary height zones as identified in Figure II-16, Building Height Guidelines, in Section II, project Description of the Recirculated Draft EIR. Height Zone A will permit development to a maximum of 150 feet above ground zone and will be located within the first 40 feet of the property lines fronting the adjacent roadways. Height Zone B will permit development to a maximum of 455 feet above grade level and will be located

on the interior of the lots setback approximately 40 feet from the adjacent property line fronting the adjacent roadways. While the scale and massing of the proposed structures will no doubt change the existing visual character of the project area, the new development will be a visual improvement to the existing partially vacant and underutilized project site. With respect to architectural features, the proposed project will incorporate building materials and elements that are consistent with the Design Guide to ensure compatibility with the existing urban form and character of the surrounding neighborhood. Architectural elements that are discussed in the Design Guide include façade variation, materials and window treatment. As with any new development, building façades have the potential to deteriorate over time and can be subjected to vandalism, litter, and graffiti. In accordance with regulatory compliance measure CM A.1-3, the project site will be maintained in a safe and sanitary condition and good repair, free from graffiti, debris, rubbish, garbage, trash, or overgrown vegetation. Therefore, impacts to visual character will be less than significant.

With respect to impacts upon scenic vistas, due to the project's scale and massing, and proposed tower heights of 455 feet above grade, the project will have the potential to alter distant scenic views of the downtown L.A. skyline. The project site and surrounding Fashion District area are in proximity to the downtown Los Angeles skyline, which is visible from locations fairly distant from downtown, but is presently developed with low-rise structures. As shown in Figures IV.A.1-1 through IV.A.1-6 in this Section, public views looking east, south, west, and north of the project site show primarily dense low-rise development ranging from approximately one to five stories in height. Although the project is expected to significantly alter the existing viewshed and aesthetic character of the existing project site, the project will not adversely impact or block any existing scenic views within the immediate project vicinity or at the pedestrian level. As previously discussed, views within the project vicinity are limited at the pedestrian level as a result of the relatively level topography and arrangement of existing buildings, which block distant or panoramic views of the downtown skyline. The proposed project will enhance opportunities for scenic vistas as the proposed high-rise towers will become prominent structures enriching the downtown Los Angeles skyline, which could be viewed from a multitude of locations throughout the area. Therefore, the project will have a less-than-significant impact with respect to public scenic vistas.

Regarding blockage of public and private views, the project will permanently alter public and private views of certain surrounding buildings from particular points on surrounding streets. Currently, public views from various vantage points along the adjacent roadways and sidewalks are obstructed by existing low-rise commercial retail structures that comprise the focal views at the street level (See Figures IV.A1-1 through IV.A.1-6 on Pages IV.A.1-6 through IV.A.1-11 of the Recirculated Draft EIR). Private views that are accessible to the general public from the second level of the adjacent San Pedro Street Market (see Views 11 and 12a in Figure IV.A.1-3 on Page IV.A.1-8 of the Recirculated Draft EIR) will be permanently altered. Certain views looking over the project site to adjacent buildings and land uses including the downtown skyline will be permanently blocked. However, neither state nor local law protects private views from private lands except in accordance with uniformly applied standards and policies. The project site is located in a zone that permits development up to three times the buildable area of the lot, but does not provide any restrictions on structural height. As no standards or policies exist to protect private views within the immediate area, the blockage of any private views will be considered less than significant.

With respect to glare, the project site currently produces minimal glare, primarily associated with vehicles parked on the on- site surface parking lot. The project will introduce high-rise towers to the project site, which will largely be comprised of concrete, steel and low-emissivity ("low-e") glass. While the high-rise structures will be constructed with materials designed to reduce glare to the greatest extend feasible, it is still likely that some degree of glare will be generated by the

façade materials and windows. The architectural materials of the project will be compatible with other modern structures in downtown Los Angeles, and will result in a less than significant impact with respect to generating a source of glare within the project area.

For the shade and shadow analysis in the Recirculated Draft EIR, the maximum height of the project is expected to be approximately 455 feet for the hotel and residential towers. This analysis presents a conservative estimate as the shadow lengths drawn for this analysis are anticipated to be longer than what will result after build out. As shown in Figures IV.A.2-1 through IV.A.2-7 on Pages IV.A.2-4 through IV.A.2-10 of the Recirculated Draft EIR, the winter solstice shadows created by the project will shade the surrounding industrial/commercial properties extending to the commercial properties on the west side of Santee Street to the west of the project site, approximately 250 feet north of 8th Street to the north of the project site, and the commercial properties along the east side of San Pedro Street to the east of the project site from the hours of 9:00 a.m. to 3:00 p.m., respectively. The project site and surrounding areas within this shadow envelope are zoned for M2 (Light Industrial) land uses and are not considered shade and shadow sensitive uses. There are no parks or green space within the project's winter shadow envelope during the study time period. Furthermore, there do not appear to be any solar panels or photovoltaic arrays within the winter shadow envelope. Therefore, the project will not cast shadows on any identified shade-sensitive uses for three or more hours between 9:00 a.m. and 3:00 p.m. during the winter solstice and the project's shade and shadow impacts will be considered less than significant.

As shown in Figures IV.A.2-8 through IV.A.2-16 on Pages IV.A.2-11 through IV.A.2-19 of the Recirculated Draft EIR, the summer solstice shadows created by the project will shade the surrounding industrial/commercial properties extending to the commercial properties located approximately 225 feet southwest of San Julian Street approximately mid-block between San Julian Street and Wall Street at 9:00 a.m., and will progress in a northeast clockwise direction extending to the centerline of San Pedro Street to the north at 12:00 p.m. and to Cocker Street between 9th Street and E. Ducasse Alley to the east at 5:00 p.m. The project site and surrounding areas within the summer shadow envelope are zoned for M2 (Light Industrial) land uses and are not considered shade and shadow sensitive uses. Furthermore, there do not appear to be any solar panels or photovoltaic arrays within the winter shadow envelope. Therefore, the project will not cast shadows on any identified shade-sensitive uses for four or more hours between 9:00 a.m. and 5:00 p.m. during the summer solstice and the project's shade and shadow impacts will be considered less than significant.

Based on a review of the related projects within proximity to the project site (see Figure III-1, Related projects Location Map, of the Recirculated Draft EIR) none of the related projects are located within the immediate vicinity of the project site that will combine to create a cumulative aesthetic impact, either in terms of blockage of views or architectural compatibility. As such, the project will not contribute to cumulatively degrade the project area and no cumulatively significant impact will occur.

With respect to light and glare impacts, the project in combination with the related projects will increase nighttime lighting and daytime glare in the downtown Los Angeles area. Similar to the project, related projects will be expected to comply with Code-required lighting measures that will reduce light and glare impacts to the greatest extent feasible. As such, the project will not contribute to a substantial increase in light or glare and no cumulatively significant impact will occur. Overall, the cumulative development underway in the vicinity of the project site will positively affect the architectural urban revitalization of the project area. The project will not contribute to a cumulatively considerable significant impact with respect to aesthetics (including visual character and light/glare) as it will implement the urban design goals and objectives

identified for multi-family residential uses within the Central City Community Plan Area. Cumulative impacts will be less than significant.

Due to the geographical latitude of the City of Los Angeles, buildings predominately cast shadows towards the southwest, west, north, and east between 9:00 a.m. and 5:00 p.m. It is possible that the project plus additional ambient growth in the downtown Los Angeles area could create a cumulative shade shadow impact in the future. However, shade and shadow impacts and obstruction of views in the downtown area of the City of Los Angeles are, by nature, an inherent effect of the underlying zoning district and land use designations of the surrounding properties. There are no known related projects within the vicinity of the project site that will contribute to a cumulative shadow impact (see Figure II-31 of the Recirculated Draft EIR). Therefore, the project will not contribute to a cumulatively significant shade and shadow impact, and cumulative shade and shadow impacts will be less than significant.

5. REFERENCE

For a complete discussion of aesthetics impacts please see the following: (1) Section IV.A.1, Views / Light and Glare of the Recirculated Draft EIR; (2) Section IV.A.2, Shade and Shadow of the Recirculated Draft EIR; and (3) Section II, Additions and Corrections to the Recirculated Draft EIR of the Final EIR.

B. AIR QUALITY

1. DESCRIPTION OF EFFECTS

a) AQMP CONSISTENCY

The project will comply with applicable SCAQMD rules and regulations for new or modified sources. By meeting SCAQMD rules and regulations, project construction activities will be consistent with the goals and objectives of the AQMP to improve air quality in the Basin. Implementation of the project will not expose any possible sensitive receptors to substantial localized CO concentrations. The proposed project will result in construction and operational air quality emissions that exceed the SCAQMD thresholds of significance at the project level. Although the project will exceed certain project-level construction and operational SCAQMD thresholds, it will not have the potential to increase the frequency of severity of existing air quality violations or cause or contribute to new air quality violations. The proposed project is consistent with the AQMP. The proposed project's increase in population and housing will be consistent with the SCAG growth projections of the SCAQMD's AQMP and will not cause or worsen an exceedance of an ambient air quality standard. Thus, the proposed project is consistent with the AQMP and these impacts are determined to be less than significant.

With respect to the air quality, the exchange of one land use for another will be limited to the maximum allowable floor area for the project as a whole, and similar to the assumptions employed for the proposed project, will not exceed the volume of construction for each phase of development as identified in the EIR. In addition the Land Use Equivalency Program will allow for an exchange of one permitted land use for another permitted land use and will not result in the development of any land uses not allowed in the proposed C2 zone. Thus, the Land Use Equivalency Program will not affect the conclusions of the EIR with respect to consistency with the AQMP Impacts under the Land Use Equivalency Program will be less than significant for these environmental issue areas.

b) CONSISTENCY WITH THE GENERAL PLAN AIR QUALITY ELEMENT

The proposed project will be consistent with the goals, objectives, and policies set forth in the City's General Plan Air Quality Element. Therefore, impacts related to consistency with the applicable air quality policies in the General Plan will be less than significant.

With respect to the air quality topics discussed above, the exchange of one land use for another will be limited to the maximum allowable floor area for the project as a whole, and similar to the assumptions employed for the proposed project, will not exceed the volume of construction for each phase of development as identified in the EIR. In addition the Land Use Equivalency Program will allow for an exchange of one permitted land use for another permitted land use and will not result in the development of any land uses not allowed in the proposed C2 zone. Thus, the Land Use Equivalency Program will not affect the conclusions of the EIR with respect to consistency with the General Plan Air Quality Element. Impacts under the Land Use Equivalency Program will be less than significant for these environmental issue areas.

c) LOCALIZED CONSTRUCTION AIR QUALITY IMPACTS

Localized air quality impacts associated with project-related construction emissions will be considered less than significant.

With respect to the air quality, the exchange of one land use for another will be limited to the maximum allowable floor area for the project as a whole, and similar to the assumptions employed for the proposed project, will not exceed the volume of construction for each phase of development as identified in the EIR. In addition the Land Use Equivalency Program will allow for an exchange of one permitted land use for another permitted land use and will not result in the development of any land uses not allowed in the proposed C2 zone. Thus, the Land Use Equivalency Program will not affect the conclusions of the EIR with respect to consistency with the localized construction emissions. Impacts under the Land Use Equivalency Program will be less than significant for these environmental issue areas.

d) LOCALIZED OPERATION CO IMPACTS

With respect to localized operational CO impacts, CO concentration levels at the study intersections under the Existing With project scenario will not exceed the national and State 1-hour and 8-hour CO standards and these impacts will be less than significant.

With respect to the air quality topics discussed above, the exchange of one land use for another will be limited to the maximum allowable floor area for the project as a whole, and similar to the assumptions employed for the proposed project, will not exceed the volume of construction for each phase of development as identified in the EIR. In addition the Land Use Equivalency Program will allow for an exchange of one permitted land use for another permitted land use and will not result in the development of any land uses not allowed in the proposed C2 zone. Thus, the Land Use Equivalency Program will not affect the conclusions of the EIR with respect to consistency with the operational CO emissions. Impacts under the Land Use Equivalency Program will be less than significant for these environmental issue areas.

e) TAC IMPACTS

No appreciable operational-related toxic airborne emissions will result from project implementation. With respect to construction, the construction activities associated with the project will be typical of other similar mixed-use developments in the City, and will be subject to

the regulations and laws relating to toxic air pollutants at the regional, state, and federal level that will protect sensitive receptors from substantial concentrations of these emissions. Therefore, impacts associated with the release of toxic air contaminants will be less than significant.

With respect to the air quality topics discussed above, the exchange of one land use for another will be limited to the maximum allowable floor area for the project as a whole, and similar to the assumptions employed for the proposed project, will not exceed the volume of construction for each phase of development as identified in the EIR. In addition the Land Use Equivalency Program will allow for an exchange of one permitted land use for another permitted land use and will not result in the development of any land uses not allowed in the proposed C2 zone. Thus, the Land Use Equivalency Program will not affect the conclusions of the EIR with respect to consistency with the TAC. Impacts under the Land Use Equivalency Program will be less than significant for these environmental issue areas.

f) ODOR IMPACTS

The project does not include any of the uses identified by the SCAQMD as being associated with odors. The project will not create objectionable odors affecting a substantial number of people during construction or long-term operation. Therefore, a less than significant impact will occur with respect to the creation of objectionable odors.

With respect to the air quality topics discussed above, the exchange of one land use for another will be limited to the maximum allowable floor area for the project as a whole, and similar to the assumptions employed for the proposed project, will not exceed the volume of construction for each phase of development as identified in the EIR. In addition the Land Use Equivalency Program will allow for an exchange of one permitted land use for another permitted land use and will not result in the development of any land uses not allowed in the proposed C2 zone. Thus, the Land Use Equivalency Program will not affect the conclusions of the EIR with respect to consistency with the odors. Impacts under the Land Use Equivalency Program will be less than significant for these environmental issue areas.

g) CUMULATIVE IMPACTS

As long as growth in the Basin is within the projections for growth identified by SCAG, implementation of the AQMP will not be obstructed by such growth and cumulative impacts will be less than significant. Since the proposed project is consistent with SCAG's growth projections, it will not have a cumulatively considerable contribution to an impact regarding a potential conflict with or obstruction of the implementation of the applicable air quality plan. Thus, cumulative impacts related to conformance with the AQMP will be less than significant.

The construction activities associated with the project and related projects will be similar to other development projects in the City, and will be subject to the regulations and laws relating to toxic air pollutants at the regional, state, and federal level that will protect sensitive receptors from substantial concentrations of these emissions. In addition and similar to the proposed project, related projects construction activity will not result in long-term substantial sources of TAC emissions (i.e., 70 years) and will not combine with the project to generate ongoing TAC emissions. Thus, cumulative TAC emissions from the project and related projects will be considered less than significant.

Based on mandatory compliance with SCAQMD Rules, it is anticipated that construction activities and materials used in the construction of the project and related projects will not combine to create objectionable odors. Thus, cumulative odor impacts are considered less than significant.

With respect to cumulative localized CO impacts, CO concentration levels at the study intersections under the Future With project scenario will not exceed the national and State 1-hour and 8-hour CO standards and these impacts will be less than significant.

2. PROJECT DESIGN FEATURES

No specific design features are proposed that pertain to the air quality impact analysis.

3. FINDINGS

The proposed project is consistent with the AQMP and these impacts are determined to be less than significant. No mitigation measures are required. The proposed project's impacts related to consistency with the applicable air quality policies in the General Plan will be less than significant. No mitigation measures are required. Localized air quality impacts associated with project-related construction emissions will be considered less than significant. No mitigation measures are required. CO concentration levels at the study intersections under the Existing With project scenario will not exceed the national and State 1-hour and 8-hour CO standards and these impacts will be less than significant. No mitigation measures are required. The proposed project's impacts associated with the release of toxic air contaminants will be less than significant. No mitigation measures are required. A less than significant impact will occur with respect to the creation of objectionable odors. No mitigation measures are required. The proposed project will have a less than significant cumulative impact on conformance with the AQMP, TAC impacts, odor impacts, and localized CO impacts.

4. RATIONALE FOR FINDINGS

a. AQMP Consistency

The analysis in the EIR evaluates the two criteria for consistency with regional plans and the regional AQMP adopted by the SCAQMD:

1) Will the project increase the frequency or severity of existing air quality violations or cause or contribute to new air quality violations?; and
2) Will the project exceed the assumptions utilized in preparing the AQMP?

With respect to the first criteria, area air quality planning, including the AQMP, assumes that there will be emissions from new growth, but that such emissions may not impede the attainment and may actually contribute to the attainment of applicable air quality standards within the Basin. The proposed project will result in construction and operational air quality emissions that exceed the SCAQMD thresholds of significance at the project level. Construction-related emissions will be temporary in nature, lasting only for the duration of the construction period, and will not have a long- term impact on the region's ability to meet state and federal air quality standards. Furthermore, the project will be required to comply with applicable SCAQMD rules and regulations for new or modified sources. For example, the project must comply with SCAQMD Rule 403 for the control of fugitive dust during construction. By meeting SCAQMD rules and regulations, project construction activities will be consistent with the goals and objectives of the AQMP to improve air quality in the Basin. With respect to operations, because the project does not introduce substantial stationary sources of emissions, CO is the preferred benchmark pollutant for assessing local area air quality impacts from post-construction motor vehicle operations. Based on methodologies set forth by the SCAQMD, one measure of local area air quality impacts that can indicate whether the project will cause or affect a violation of an air quality standard will be based on the estimated CO concentrations at selected receptor locations located in close proximity to the project. Implementation of the project will not expose any possible sensitive

receptors (such as residential uses, schools, hospitals) to substantial localized CO concentrations. Thus, although the project will exceed certain project-level construction and operational SCAQMD thresholds, it will not have the potential to increase the frequency or severity of existing air quality violations or cause or contribute to new air quality violations.

With respect to the second criteria, the AQMP was prepared to achieve national and state air pollution standards within the region. projects, land uses, and activities that are consistent with the applicable assumptions used in the development of the AQMP will not jeopardize attainment of the air quality levels identified in the AQMP, even if they exceed the SCAQMD's recommended daily emissions thresholds. projects that are consistent with the projections of employment, population and housing forecasts identified by SCAG are considered to be consistent with the AQMP growth projections since the forecast assumptions by SCAG forms the basis of the land use and transportation control portions of the AQMP. As discussed in Sections IV.G, Land Use Planning and IV.I, Population, Housing and Employment, of the Recirculated Draft EIR, the project will not exceed the population, housing, and employment projections and will not jeopardize attainment of the air quality conditions projected in the AQMP. Thus, the project will not exceed SCAG's assumptions utilized in preparing the AQMP and will not have the potential to impair implementation of the AQMP. Accordingly, through evaluation of the project against the two criteria for consistency with regional plans and the regional AQMP adopted by the SCAQMD, impacts with respect to regional plans and AQMP consistency will be less than significant.

b) Consistency with the General Plan Air Quality Element

Regarding impacts related to consistency with the City's General Plan Air Quality Element, the project will be consistent with the goals, objectives, and policies set forth in the City's General Plan Air Quality Element (see Table IV.B-9 on Page IV.B-26 of the Recirculated Draft EIR). Therefore, impacts related to consistency with the applicable air quality policies in the General Plan will be less than significant.

c) Localized Impacts

With respect to localized construction air quality impacts, the calculations in the Recirculated Draft EIR assume that appropriate dust control measures will be implemented as part of the proposed project during each phase of development, as specified by SCAQMD Rule 403 (Fugitive Dust), as required by Regulatory Compliance Measure B-1, (see Regulatory Compliance Measures in Section IV.B, Air Quality of the Recirculated Draft EIR). The closest receptor distance provided in the SCAQMD's Mass Rate LST Look-up Tables is 82 feet (25 meters). SCAQMD's LST methodology states that projects with boundaries located closer than 82 feet (25 meters) from the nearest receptor should use the LSTs for receptors located at 82 feet. As shown in Table IV.B-14, Localized On-site Peak Daily Construction Emissions, on Page IV.B-36 of the Recirculated Draft EIR, on-site emissions generated by the project will not exceed the established SCAQMD localized significance thresholds. Therefore, the localized air quality impacts resulting from construction emissions associated with the project will be less than significant.

Nine study intersections were identified for analysis for potential localized CO impacts. A significant impact may occur if a project exceeds the local or national CO ambient air quality standards for 1- hour or 8-hours. The national 1-hour CO ambient air quality standard is 35.0 ppm, and the State 1-hour CO ambient air quality standard is 20.0 ppm. The 8-hour national and State standards for localized CO concentrations are 9.0 ppm. CO concentration levels at the study intersections under the Existing With project scenario, as shown in Table IV.B-16 on Page IV.B-38 of the Recirculated Draft EIR, will not exceed the national and State 1-hour and 8-hour CO standards and these impacts will be less than significant.

d) TAC Impacts

With respect to impacts associated with the release of toxic air contaminants (TACs), the project will not include the operations of any land uses routinely involving the use, storage, or processing of carcinogenic or non-carcinogenic toxic air contaminants. Thus, no appreciable operational-related toxic airborne emissions will result from project implementation. With respect to construction, the construction activities associated with the project will be typical of other similar mixed-use developments in the City, and will be subject to the regulations and laws relating to toxic air pollutants at the regional, state, and federal level that will protect sensitive receptors from substantial concentrations of these emissions. Therefore, project construction will not result in long-term substantial sources of TAC emissions (i.e., 70 years), and impacts associated with the release of toxic air contaminants will be less than significant.

e) Odors

Regarding odor impacts, the project does not include any of the uses identified by the SCAQMD as being associated with odors. In addition, SCAQMD Rule 402 (Nuisance), and SCAQMD Best Available Control Technology Guidelines will limit potential objectionable odor impacts during the project's long-term operations phase. Potential sources that may emit odors during construction activities include the use of architectural coatings and solvents as well as asphalt paving. SCAQMD Rules 1108 and 1113 limit the amount of volatile organic compounds from cutback asphalt and architectural coatings and solvents, respectively. Based on mandatory compliance with SCAQMD Rules, no construction activities or materials that will create a significant level of objectionable odors are proposed. The project will not create objectionable odors affecting a substantial number of people during construction or long-term operation. Therefore, a less than significant impact will occur with respect to the creation of objectionable odors.

f) Cumulative Impacts

Cumulative development can affect implementation of AQMP. The AQMP was prepared to accommodate growth, reduce pollutants within the areas under SCAQMD jurisdiction, improve the overall air quality of the region, and minimize the impact on the economy. Growth considered to be consistent with the AQMP will not interfere with attainment because this growth is included in the projections utilized in the formulation of the AQMP. Consequently, as long as growth in the Basin is within the projections for growth identified by SCAG, implementation of the AQMP will not be obstructed by such growth and cumulative impacts will be less than significant. Since the proposed project is consistent with SCAG's growth projections, it will not have a cumulatively considerable contribution to an impact regarding a potential conflict with or obstruction of the implementation of the applicable air quality plan. Thus, cumulative impacts related to conformance with the AQMP will be less than significant.

With respect to TACs, the greatest potential for TAC emissions at related projects will involve diesel particulate emissions associated with heavy construction equipment. The construction activities associated with the project and related projects will be similar to other development projects in the City, and will be subject to the regulations and laws relating to toxic air pollutants at the regional, state, and federal level that will protect sensitive receptors from substantial concentrations of these emissions. In addition and similar to the proposed project, related projects construction activity will not result in long-term substantial sources of TAC emissions (i.e., 70 years) and will not combine with the project to generate ongoing TAC emissions. Thus, cumulative TAC emissions from the project and related projects will be considered less than significant.

With respect to odor impacts, potential sources that may emit odors during construction activities at each related project include the use of architectural coatings, solvents, and asphalt paving. SCAQMD Rules 1108 and 1113 limit the amount of volatile organic compounds from cutback asphalt and architectural coatings and solvents, respectively. Based on mandatory compliance with SCAQMD Rules, it is anticipated that construction activities and materials used in the construction of the project and related projects will not combine to create objectionable odors. Thus, cumulative odor impacts are considered less than significant.

With respect to localized CO impacts, SCAQMD recommends an evaluation of potential localized CO impacts when volume to capacity (V/C) ratios are increased by two percent or more at intersections with a level of service (LOS) of C or worse, or when LOS changes from an A, B, or C to a D or worse. As shown in the project Traffic Study (contained in Appendix K to the Recirculated Draft EIR), this criterion was met at 13 intersections under the Future With project scenario. The results of the Future With project scenario CO concentration calculations for the 13 intersections are presented in Table IV.B-17, Future With project (2023) Localized Carbon Monoxide Concentrations, on Page IV.B-42 of the Recirculated Draft EIR, for representative receptors located distances of 25 and 50 feet from each roadway. The national 1-hour CO ambient air quality standard is 35.0 ppm, and the State 1-hour CO ambient air quality standard is 20.0 ppm. The 8-hour national and State standards for localized CO concentrations are 9.0 ppm. As shown in Table IV.B-17 on Page IV.B-42 of the Recirculated Draft EIR, CO concentration levels at the study intersections under the Future With project scenario will not exceed the national and State 1-hour and 8-hour CO standards and these impacts will be less than significant.

5. REFERENCE

For a complete discussion of air quality impacts please see the following: (1) Section IV.B, Air Quality of the Recirculated Draft EIR and (2) Section II, Additions and Corrections to the Recirculated Draft EIR of the Final EIR.

C. CULTURAL RESOURCES

1. DESCRIPTION OF EFFECTS

a) HISTORICAL RESOURCES

To provide flexibility in the long-term buildout of the proposed project, it is conservatively assumed that all buildings and structures on the project site may be demolished over the course of the project's buildout – with the notable exception of one building located at 1122 San Julian Street that is identified as a historic resource. Within the study area, there are a total of 36 buildings, one structure, and remnants of two buildings, the majority of which were constructed between 1909 and 1949. The historic impact assessment are based on the information presented in the *City Market Los Angeles, California Historic Resource Report*, prepared by GPA Consulting, dated April 2014 (Historic Report), which is provided in Appendix E.1 to the DEIR. No changes were made to the Cultural Resources Section of the RDEIR. The Historic Resource Report analyzed the physical conditions at the project site as of the date of the issuance of the NOP, consistent with the guidance set forth in CEQA Guidelines, section 15125(a). At that time the project site contained 17 buildings and one structure. The Historic Report evaluated 17 buildings and one structure, within the study area as potential historic resources because they are over 45 years of age, retained sufficient integrity to warrant evaluation, or were previously evaluated in 1992. The remainder of the buildings are less than 45 years of age or are so heavily altered that they do not retain sufficient integrity to qualify as potential historic resources. Based on the research and field inspection conducted, none of the buildings within the study area are eligible for the National Register of Historic Places, the California Register of Historical Resources or City Historic-Cultural

Monuments due to lack of significance or lack of integrity, except for the building located at 1122 San Julian Street, which is a historic resource. This building will be retained and rehabilitated in accordance with the Secretary of the Interior's Standards for Rehabilitation. The project does not involve the demolition of any historic resources. Therefore, the project will have no direct impacts on historic resources, and no mitigation is required. Further, as set forth in Response to Comments 7A-5, the project will not involve indirect on any nearby historic resources.

With respect to potential impacts upon cultural resources (including historic) the exchange of one land use for another will not affect the proposed grading and earthwork assumptions, or physical development within the overall scope of the project with respect to maximum floor area, the project's design guidelines, or Project Design Features. The exchange of one permitted land use for another permitted land use will be accomplished within the same FAR limitation at the proposed project. Land use exchanges permitted under the Land Use Equivalency Program will also be subject to the same Regulatory Compliance Measures as the project and will be subject to the Site Plan Review Process pursuant to LAMC Section 16.05. Thus, the impacts to cultural resources will be the same under the Land Use Equivalency Program as described for the proposed project.

b) ARCHAEOLOGICAL RESOURCES

The project site is located in an urbanized area within the City of Los Angeles, which has been previously disturbed by past development activities. The project site is not located in an area designated by the City as an archaeological site or survey area. Therefore, it is considered highly unlikely that archaeological resources or human remains will be encountered. Compliance with standard regulatory measures will reduce any potential impacts of unearthed resources to a less than significant level.

With respect to potential impacts upon cultural resources (including archeological), the exchange of one land use for another will not affect the proposed grading and earthwork assumptions, or physical development within the overall scope of the project with respect to maximum floor area, the project's design guidelines, or Project Design Features. The exchange of one permitted land use for another permitted land use will be accomplished within the same FAR limitation at the proposed project. Land use exchanges permitted under the Land Use Equivalency Program will also be subject to the same Regulatory Compliance Measures as the project and will be subject to the Site Plan Review Process pursuant to LAMC Section 16.05. Thus, the impacts to cultural resources will be the same under the Land Use Equivalency Program as described for the proposed project.

c) PALEONTOLOGICAL RESOURCES

No vertebrate fossil sites have been identified on the project site or in the vicinity of the project site. Compliance with standard regulatory measures will reduce any potential impacts of unknown paleontological materials to a less than significant level.

With respect to potential impacts upon cultural resources (including paleontological resources), the exchange of one land use for another will not affect the proposed grading and earthwork assumptions, or physical development within the overall scope of the project with respect to maximum floor area, the project's design guidelines, or Project Design Features. The exchange of one permitted land use for another permitted land use will be accomplished within the same FAR limitation at the proposed project. Land use exchanges permitted under the Land Use Equivalency Program will also be subject to the same Regulatory Compliance Measures as the project and will be subject to the Site Plan Review Process pursuant to LAMC Section 16.05.

Thus, the impacts to cultural resources will be the same under the Land Use Equivalency Program as described for the proposed project.

d) CUMULATIVE IMPACTS

The proposed project, in combination with the construction and operation of the 139 related projects will result in the continued redevelopment and revitalization of the surrounding area. However, impacts to cultural resources tend to be site-specific and are assessed on a site-by-site basis. Additionally, the historic resource assessment for the proposed project concluded that the project will not result in significant adverse impacts on identified historic resources located within and adjacent to the project site following appropriate mitigation. Therefore, the proposed project's incremental contribution to a cumulative impact will not be considerable, and cumulative impacts to cultural resources will be less than significant.

2. PROJECT DESIGN FEATURES

The following Project Design Feature is relevant to cultural resources:

PDF C-1 The building located at 1122 San Julian Street (identified as Building 5 in the Historic Resources Report) will be preserved in place and incorporated into the proposed project.

3. FINDINGS

The project will have no impacts on historic resources, and no mitigation is required. Compliance with standard regulatory measures will reduce any potential impacts of unearthed resources to a less than significant level. No mitigation is required. Compliance with standard regulatory measures will reduce any potential impacts of unknown paleontological materials to a less than significant level. No mitigation is required. The proposed project's incremental contribution to a cumulative impact will not be considerable, and cumulative impacts to cultural resources will be less than significant. No mitigation is required.

4. RATIONALE FOR FINDINGS

The project does not involve the demolition of any historic resources. The only historic resource on the project site is the building located at 1122 San Julian Street. This structure is identified as Building 5 in the Historic Resources Report (contained in Appendix E.1 of the Recirculated Draft EIR) and will be preserved in place and incorporated into the proposed project. The only anticipated alterations to the building are interior tenant improvements. Overall any work on the historic resource will conform to the Secretary of the Interior's Standards for Rehabilitation. Therefore, the project will have no direct impacts on historic resources.

The bulk of the proposed development will be located on the block north of the historic resource. The property to immediately south of the historic resource is not part of the project. The driveway north of the subject building that originally provided access to the loading dock will be preserved as open space. A new building will be constructed east of the historic resource facing South San Pedro Street. However, the construction of this building will not involve any alterations to the historic resource. Thus, the historic resource will remain a freestanding building and no indirect impacts from the project will result. As the project will have no impact on historic resources, no mitigation is required or recommended.

Regarding impacts on archaeological resources, the project site is located in an urbanized area which has been previously disturbed by past development activities. As evident in the historic resources assessment presented above, the City Market of Los Angeles was initially constructed

in 1909. The project site is not located in an area designated by the City as an archaeological site or survey area. Additionally, no archeological sites or resources are located within the project site. Thus, any surficial archaeological resources that may have existed at one time have likely been previously unearthed or disturbed. While no further evaluation of archaeological resources is recommended, periodic monitoring during construction is recommended as a precautionary measure to mitigate potential impacts upon the unlikely discovery of archaeological resources, including the potential Native American cultural resources or burial sites, during construction of the proposed project, should any such materials be encountered. Without mitigation, the accidental discovery and/or damage to any archaeological resources that may exist below grade during the construction process will result in a potentially significant impact.

As discussed in the Initial Study (see Appendix A to the Recirculated Draft EIR), there are no known paleontological resources on the project site. No vertebrate fossil sites have been identified in the vicinity of the project site. Therefore, previously disturbed surficial soil layers on the project site are not likely to contain substantive vertebrate fossils. The project site has been previously disturbed and paved for development. The proposed excavation of the parking structures and associated excavation and grading for building foundations and utilities will extend to approximately 35-40 feet below grade level. While it is possible that paleontological resources could be discovered during construction activities, it is unlikely due to the previous disturbance and development that has occurred on the project site. Nevertheless, without mitigation, the accidental discovery and/or damage to any paleontological resources during the construction process will result in a potentially significant impact.

With respect to cumulative impacts to cultural resources, the proposed project, in combination with the construction and operation of the 139 related projects will result in the continued redevelopment and revitalization of the surrounding area. However, impacts to cultural resources tend to be site-specific and are assessed on a site-by-site basis. Additionally, the historic resource assessment for the proposed project concluded that the project will not result in significant adverse impacts on identified historic resources located within and adjacent to the project site following appropriate mitigation. Therefore, the proposed project's incremental contribution to a cumulative impact will not be considerable, and cumulative impacts to cultural resources will be less than significant.

5. REFERENCE

For a complete discussion of cultural resources impacts please see the Section IV.C, Cultural Resources of the Recirculated Draft EIR and (2) Section II, Additions and Corrections to the Recirculated Draft EIR of the Final EIR.

D. GEOLOGY AND SOILS

1. DESCRIPTION OF EFFECTS

a) GROUND FAILURE

The project site is not located in an area delineated on the Alquist-Priolo Earthquake Fault Zoning Map. In addition, the project site is not located within a fault rupture zone. However, similar to all properties in the region, the project site is susceptible to ground motion and shaking as a result of potential movement along faults in the region. These geologic hazards are common and ubiquitous throughout Southern California. Based on the City of Los Angeles Safety Element "Areas Susceptible to Liquefaction" map, the project site is not located within a liquefiable area or potentially liquefiable area. With conformance with the California Building Code (CBC) standards and the recommendations from the project's geotechnical report, potential risk of lateral

spreading, subsidence, and collapse is considered low. Conformance with the CBC standards and recommendations of the final geotechnical report will ensure that no significant impacts related to ground shaking or ground failure will occur. The combination of these mandatory code-compliance measures will ensure impacts with respect to geologic hazards will be less than significant.

b) SEDIMENTATION, SOIL EROSION AND LOSS OF TOPSOIL

The project will alter the on-site drainage patterns due to the development of the buildings and open space areas that will modify the elevations of the project site, thus altering the storm water runoff pattern. However, this alteration will not result in on-site erosion because all runoff will be directed to areas of BMPs and/or other storm drain infrastructure. Additionally, the project requires the preparation of a Stormwater Pollution and Prevention Plan (SWPPP), which will implement requirements that will minimize soil erosion and the transmission of sediment to the City's sewer system. Therefore, the project's impacts related to sedimentation, erosion, and loss of topsoil will be less than significant.

With respect to geology/soils and geotechnical hazards, the exchange of one land use for another will not affect the analytical assumptions pertaining to earthwork and grading, design guidelines, scale and massing of the project, or overall floor area. The exchange of one permitted land use for another permitted land use will be accomplished within the same FAR limitation at the proposed project. Land use exchanges permitted under the Land Use Equivalency Program will also be subject to the same Regulatory Compliance Measures as the project and will be subject to the Site Plan Review Process pursuant to LAMC Section 16.05. Thus, impacts to geology/soils and geotechnical hazards will be the same under the Land Use Equivalency Program as described for the proposed project.

c) CUMULATIVE IMPACTS

Cumulative development in the area will increase the overall population for exposure to seismic hazards by increasing the number of people potentially exposed. However, with adherence to applicable State and Federal regulations, buildings codes and sound engineering practices, geologic hazards could be reduced to less-than-significant levels. Furthermore, development of each of the related projects and the project will be subject to uniform site development and construction review standards that are designed to protect public safety. Therefore, cumulative geotechnical impacts will be less than significant.

PROJECT DESIGN FEATURES

No specific design features are proposed that pertain to the geology and soils impact analysis.

3. FINDINGS

The combination of mandatory code-compliance measures will ensure the proposed project's impacts with respect to geologic hazards will be less than significant. No mitigation measures are required. The project's impacts related to sedimentation, erosion, and loss of topsoil will be less than significant. No mitigation measures are required. The proposed project's cumulative geotechnical impacts will be less than significant. No mitigation measures are required.

4. RATIONALE FOR FINDINGS

With regard to impacts related to surface fault rupture, the project site is not located in an area delineated on the Alquist-Priolo Earthquake Fault Zoning Map. In addition, the project site is not located within a fault rupture zone. As such, the potential for surface fault rupture at the project site is low and impacts related to surface fault rupture will be less than significant.

However, similar to all properties in the region, the project site is susceptible to ground motion and shaking as a result of potential movement along faults in the region. These geologic hazards are common and ubiquitous throughout Southern California. The project will be designed and constructed in conformance with the most recently adopted CBC design parameters, which are specifically tailored to minimize the risk of structure failure due to seismic hazards. As shown on the "State of California Seismic Hazard Zones" map presented in Appendix F to the Recirculated Draft EIR, the project site is located outside of the seismically induced landslide and liquefaction hazard zone. In addition, based on the City of Los Angeles Safety Element "Areas Susceptible to Liquefaction" map, the project site is not located within a liquefiable area or potentially liquefiable area. Thus, the risk for ground failure or liquefaction at the project site is low. Additionally, a final design geotechnical and seismic study, including additional subsurface investigations and evaluation, will be performed at the project site once final structures and loads are determined, prior to final foundation design. Conformance with the CBC standards and recommendations of the final geotechnical report will ensure that no significant impacts related to ground shaking or ground failure will occur. The combination of these mandatory code-compliance measures will ensure impacts with respect to geologic hazards will be less than significant.

With regard to impacts related to sedimentation, erosion and loss of topsoil, the project will alter the on-site drainage patterns due to the development of the buildings and open space areas that will modify the elevations of the project site, thus altering the storm water runoff pattern. However, this alteration will not result in on-site erosion because all runoff will be directed to areas of BMPs and/or other storm drain infrastructure. During construction, however, soils could be exposed to the elements. The project will be designed to comply with the Construction General Permit Water Quality Order 2009-0009-DWQ as amended by Order No. 2010-0014-DWQ to prevent short-term construction-induced water quality impacts resulting from erosion and sedimentation issues. Similarly, as a regulatory requirement, the project requires the preparation of a SWPPP because construction activities will disturb more than one acre of land (see regulatory compliance measures CM F-1 to CM F-7 in Section IV.F, Hydrology and Water Quality of the Recirculated Draft EIR). These mandatory requirements will minimize soil erosion and the transmission of sediment into the City's separate storm sewer system. Therefore, project impacts related to sedimentation, erosion and loss of topsoil will be less than significant.

Geotechnical impacts related to future development in the City of Los Angeles will involve hazards related to site-specific soil conditions, erosion, and ground-shaking during earthquakes. Such conditions are site-specific and will not be common to (nor shared with, in an additive sense) the impacts on other sites that are not physically connected. Cumulative development in the area will increase the overall population for exposure to seismic hazards by increasing the number of people potentially exposed. However, with adherence to applicable State and Federal regulations, buildings codes and sound engineering practices, geologic hazards could be reduced to less-than-significant levels. Furthermore, development of each of the related projects and the project will be subject to uniform site development and construction review standards that are designed to protect public safety. Therefore, cumulative geotechnical impacts will be less than significant.

5. REFERENCE

For a complete discussion of geology and soils impacts please see the following: (1) Section IV.D, Geology and Soils of the Recirculated Draft EIR and (2) Section II, Additions and Corrections to the Recirculated Draft EIR of the Final EIR.

E. GREENHOUSE GAS EMISSIONS

1. DESCRIPTION OF EFFECTS

a) ESTIMATED CONSTRUCTION GHG EMISSIONS

On-site emissions of GHGs were calculated using CalEEMod. The greatest annual increase in GHG emissions from the project's construction activities will be 1,552.32 CO2e MTY. The total amount of construction-related GHG emissions is estimated to be approximately 4,057.68 CO2e MT, or approximately 135.26 CO2e MTY amortized over a 30-year period. Thus, the proposed project will result in less than significant impacts related to construction greenhouse gas emissions.

Implementation of the Land Use Equivalency Program will not exceed the construction emissions as disclosed in this EIR, as the change in one land use for another land use will not alter the gross building area assumptions for each phase of construction as identified in greater detail in Section II, project Description and Section IV.B, Air Quality. The exchange of one land use for another will be limited to the maximum allowable floor area for the project as a whole, and similar to the assumptions employed for the proposed project, will not exceed the volume of construction for each phase of development as identified above. Thus, the construction-related GHG emissions under the Land Use Equivalency Program will be the same as the proposed project.

b) ESTIMATED OPERATIONAL GHG EMISSIONS

The proposed project has demonstrated an approximate 24.0% reduction in GHG emissions as a result of the implementation of the L.A. Green Building Code, the project's mixed-use design, and proximity to transit. As such, the project will be consistent with statewide goals and policies in place for the reduction of greenhouse gas emissions, including AB 32 and the corresponding Scoping Plan, the L.A. Green Building Code, California's Sustainable Communities and Climate Protection Act (SB 375), and SCAG's Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS). Thus, the proposed project will result in less than significant impacts related to operational greenhouse gas emissions.

In the context of operational air quality impacts, GHG emissions associated with the operation of the project are predominantly based on the number of daily vehicle trips that will be generated by the proposed project. In accordance with the trip conversion factors presented in Table II-7, Land Use Equivalency Program Trip Equivalency Matrix, in Section II, Project Description, the Land Use Equivalency Program allows for the exchange of one land use for another, as long as the total number of p.m. peak hour trips generated does not exceed the total identified in the project Traffic Study. Implementation of the Land Use Equivalency Program will be subject to LAMC Section 16.05 (Site Plan Review), where the trip equivalency matrix will be verified to ensure that the number of daily and p.m. peak hour trips do not exceed the volume of trips that are assumed in the project Traffic Study. Thus, since the number of daily vehicle trips generated under the Analyzed project will not be exceeded, the mobile source air quality emissions will remain unchanged. With respect to operational emissions and area sources, the volume of developed floor area will not exceed the maximum allowable floor area as proposed under the proposed project. Thus, while certain land uses may be exchanged for other land uses, the energy demands under the Land Use Equivalency Program will be substantially similar to the proposed project. Land use exchanges permitted under the Land Use Equivalency Program will be subject to the

same Project Design Features and Regulatory Compliance Measures as the project. Thus, the operational-related GHG impacts under the Land Use Equivalency Program will be the same as the proposed project.

c) CUMULATIVE IMPACTS

A project's GHG emissions typically are relatively very small in comparison to state or global GHG emissions and, consequently will, in isolation, have no significant direct impact on climate change. The proposed project's GHG emissions will not be considered to be substantial when compared to California's statewide GHG emissions.

Given the project's consistency with State, regional, and City GHG emissions reduction goals and objectives described in this Section, its contribution to the cumulative impact of global climate change will be less than significant and will not conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of GHGs. Similarly, related projects will also be subject to these emissions reduction goals and objectives (e.g., the L.A. Green Building Code). Therefore, the potential impact on global warming resulting from implementation of the proposed project and related projects will not be cumulatively considerable.

2. PROJECT DESIGN FEATURES

PDF E-1: The proposed project is designed to incorporate sustainable and responsible building design features to promote further resource conservation including, waste reduction and conservation of electricity and water by exceeding Title 24 2008 Standards by a minimum of 15% and reducing potable water demands by 20% through the use of low-flow water fixtures. Building design and construction will promote efficient use of materials and energy.

PDF E-2: The project is designed to meet, at a minimum, a certification level of Leadership in Energy and Environmental Design (LEED) Silver standards or its equivalent. In addition to the project's sustainable feature as an infill development lot, sustainable design features may include: roof- or building-mounted photovoltaic panels; building-integrated photovoltaic cells; day-lighting of work areas; operable windows and fresh air circulation; dual piping to enable the use of recycled water; water efficient fixtures; and recycling during demolition and construction.

3. FINDINGS

The proposed project will result in less than significant impacts related to construction greenhouse gas emissions. No mitigation measures are required. The proposed project will result in less than significant impacts related to operational greenhouse gas emissions. Although no mitigation measures are required MM-E-1, which requires that at least 20% of the project's code required spaces be capable of supporting future electric vehicle supply equipment, will further serve to reduce greenhouse gas emissions associated with vehicle emissions. The potential impact on global warming resulting from implementation of the proposed project and related projects will not be cumulatively considerable. No mitigation measures are required.

4. RATIONALE FOR FINDINGS

Due to the speculative nature of quantifying emissions from the off-site manufacture and transport of construction materials and prefabricated building components they were not addressed in this analysis. CEQA does not require an evaluation of speculative impacts (CEQA Guidelines §15145). Therefore, the construction analysis does not consider such GHG emissions. All GHG emissions are reported on an annual basis. Emissions of GHGs were calculated using CalEEMod for each phase and each year of construction of the project. The greatest annual increase in GHG

emissions from the project's construction activities will be 1,552.32 CO2e MTY in 2016. The total amount of construction-related GHG emissions is estimated to be approximately 4,057.68 CO2e MTY, or approximately 135.26 CO2e MTY amortized over a 30-year period.

The GHG emissions resulting from operation of the proposed project, which involves the usage of on- road mobile vehicles, electricity, natural gas, water, landscape equipment, hearth combustion, and generation of solid waste and wastewater, were calculated under two separate scenarios in order to illustrate the effectiveness of the project's compliance with the L.A. Green Building Code and to illustrate the reduction of motor vehicle-related GHG emissions as a result of the project's mixed-use design and proximity to transit. These scenarios are characterized as the project Without GHG Reduction Measures (i.e., "BAU Scenario") and the project With GHG Reduction Measures. Emissions of operational GHGs are shown in Table IV.E-6, proposed project Operational Greenhouse Gas Emissions on Page IV.E-17 of the Recirculated Draft EIR. As shown, the net increase in GHG emissions generated by the proposed project under the project Without GHG Reduction Measures ("BAU Scenario") will be 40,490.34 CO2e MTY and the net increase in GHG emissions generated by the proposed project under the project With GHG Reduction Measures scenario will be 30,771.53 CO2e MTY. This represents an approximate 24.0% reduction in GHG emissions as a result of the implementation of the L.A. Green Building Code, the project's mixed-use design, and proximity to transit. CARB estimates a 16 percent reduction below the estimated statewide BAU levels will be necessary to return to 1990 emission levels (i.e., 427 MMTCO2E) by 2020. As the project's GHG reduction measures will result in an approximate 24.9% reduction in GHG emissions, the project will be consistent with statewide reduction targets established in the 2011 Scoping Plan.

Although the proposed project is expected to emit GHGs, the emission of GHGs by a single project into the atmosphere is not itself necessarily an adverse environmental effect. Rather, it is the increased accumulation of GHG from more than one project and many sources in the atmosphere that may result in global climate change. The resultant consequences of that climate change can cause adverse environmental effects. A project's GHG emissions typically are relatively very small in comparison to state or global GHG emissions and, consequently will, in isolation, have no significant direct impact on climate change. The proposed project's GHG emissions will not be considered to be substantial when compared to California's statewide GHG emissions.

Given the project's consistency with State, regional, and City GHG emissions reduction goals and objectives described in Section IV.E of the Recirculated Draft EIR, its contribution to the cumulative impact of global climate change will be less than significant and will not conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of GHGs. Therefore, the potential impact on global warming resulting from implementation of the proposed project and related projects will not be cumulatively considerable.

5. REFERENCE

For a complete discussion of greenhouse gas emissions impacts please see the following: (1) Section IV.E, Greenhouse Gas Emissions of the Recirculated Draft EIR and (2) Section II, Additions and Corrections to the Recirculated Draft EIR of the Final EIR.

F. HYDROLOGY AND WATER QUALITY

1. DESCRIPTION OF EFFECTS

a) WATER QUALITY – CONSTRUCTION

The proposed project will be required to prepare and implement SWPPP in accordance with the NPDES. The site-specific SWPPP will be prepared prior to earthwork activities and will be implemented and monitored for compliance during project construction activities. The SWPPP will include BMPs and erosion control measures to prevent pollution in storm water discharge. Additionally, all project construction activities will comply with the City's grading permit regulations. Construction-related impacts to hydrology and water quality will therefore be less than significant.

With respect to water quality impacts, the exchange of one land use for another will not affect the analytical assumptions pertaining to earthwork and grading, design guidelines, scale and massing of the project, or overall floor area. The exchange of one permitted land use for another permitted land use will be accomplished within the same FAR limitation at the proposed project. Land use exchanges permitted under the Land Use Equivalency Program will also be subject to the same Project Design Features and Regulatory Compliance Measures as the project and will be subject to the Site Plan Review Process pursuant to LAMC Section 16.05. Thus, impacts to hydrology and water quality impacts will be the same under the Land Use Equivalency Program as described for the proposed project.

b) WATER QUALITY – OPERATION

The existing project site is 97 percent impervious and after project development the project site will be 89 percent impervious due to the added landscape areas. In accordance with NPDES requirements, the project applicant is required to have a project-specific SUSMP in place during the operational life of the project to address the management of urban runoff from the project site. Compliance with the City's Low Impact Development (LID) Ordinance will ensure that project water quality impacts during operation will be less than significant.

c) SURFACE WATER HYDROLOGY

The project will alter the on-site drainage patterns due to the development of the buildings and open space areas that will modify the elevation of the project site and alter stormwater runoff patterns. An extensive system of piping network will be employed to connect trench drains, area drains, roof receptacles, and down spouts to a water quality treatment system before discharging to the public storm drain system. The post-development condition will result in no change in the total drainage area and will result in a slight alteration of the distribution of the flows due to the nature of the project. The project will not create or contribute runoff water which will exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. Impacts associated with hydrology will be less than significant.

With respect to hydrology, the exchange of one land use for another will not affect the analytical assumptions pertaining to earthwork and grading, design guidelines, scale and massing of the project, or overall floor area. The exchange of one permitted land use for another permitted land use will be accomplished within the same FAR limitation at the proposed project. Land use exchanges permitted under the Land Use Equivalency Program will also be subject to the same Project Design Features and Regulatory Compliance Measures as the project and will be subject to the Site Plan Review Process pursuant to LAMC Section 16.05. Thus, impacts to hydrology and water quality impacts will be the same under the Land Use Equivalency Program as described for the proposed project.

d) INUNDATION AND FLOODING

The project site is not located within a 100-year or 500-year floodplain. Therefore, the project will not place housing within a 100-year flood hazard area. The project site is located within a

designated inundation area; however, this designation is an indication of the urbanization of downtown Los Angeles, and the potential of flooding to occur as a result of increased impermeable surface area. The project will comply with the Bureau of Engineering's drainage and hydrology design standards, and potential hazards associated with inundation will be reduced to a less than significant level.

e) GROUNDWATER

The highest historic groundwater level in the project site area was recorded at approximately 100 feet below grade. The proposed depth of excavation for the project is approximately 35 feet below grade. As such, the project will no impact the groundwater table, and no wells are proposed for the project. Thus, the project will not substantially deplete groundwater supplies and a less than significant impact will occur.

f) CUMULATIVE IMPACTS

Future development projects within the project area are likely to be subject to more stringent BMPs (since BMPs are regularly updated) than what are in use under the existing conditions. As such, future development will likely result in a net beneficial impact by reducing surface water runoff flows during storm events and improving the overall quality of water draining from the area.

Additionally, similar to the project, each of the applicants of the related projects will be required to prepare and implement a SWPPP (construction) and SUSMP (operation) and will be subject to preliminary Site Plan Review by the City to determine what drainage improvements and BMPs will be required to ensure no significant water quality issues. The project will not result in any significant hydrology and water quality impacts and together with the related projects, will not create an impact that is cumulatively considerable, as each development project will have to comply with site specific development standards and state water quality regulations. Compliance with these standards will ensure that the related projects will further the objectives of applicable regional water quality plans. Therefore, cumulative impacts to hydrology and water quality will not be cumulatively considerable.

2. PROJECT DESIGN FEATURES

No specific design features are proposed that pertain to the hydrology and water quality impact analysis.

3. FINDINGS

Construction-related impacts to hydrology and water quality will be less than significant. No mitigation measures are required. Compliance with the City's Low Impact Development (LID) Ordinance will ensure that project water quality impacts during operation will be less than significant. No mitigation measures are required. The proposed project's impacts associated with hydrology will be less than significant. No mitigation measures are required. The project will comply with the Bureau of Engineering's drainage and hydrology design standards, and potential hazards associated with inundation will be reduced to a less than significant level. No mitigation measures are required. The project will not substantially deplete groundwater supplies and a less than significant impact will occur. No mitigation measures are required. Cumulative impacts to hydrology and water quality will not be cumulatively considerable. No mitigation measures are required.

4. RATIONALE FOR FINDINGS

With respect to construction related impacts to hydrology and water quality, the proposed project will be required to prepare and implement SWPPP in accordance with the NPDES. The site-specific SWPPP will be prepared prior to earthwork activities and will be implemented and monitored for compliance during project construction activities. The SWPPP will include BMPs and erosion control measures to prevent pollution in storm water discharge. Additionally, all project construction activities will comply with the City's grading permit regulations. Therefore, through compliance with NPDES requirements and City grading regulations, the project's construction impacts related to water quality will not violate any water quality standards or waste discharge requirements or otherwise substantially degrade water quality. Construction-related impacts to hydrology and water quality will therefore be less than significant.

In accordance with NPDES requirements, the project applicant will be required to have a project-specific SUSMP in place during the operational life of the project to address the management of urban runoff from the project site. The SUSMP will include site design, source control, low-impact development, and treatment control BMPs and will address site design BMPs (such as minimizing impervious areas, maximizing permeability, minimizing directly connected impervious areas, and creating reduced or "zero discharge" areas); incorporate applicable source control BMPs; incorporate treatment control BMPs as described in the Los Angeles County SUSMP; describe long-term operation and maintenance requirements for the treatment control BMPs; and describe the mechanism for funding the long-term operation and maintenance of the treatment control BMPs. The final selection of BMPs will be completed through coordination with the City. Also, per the NPDES, the storm water quality plan will be subject to review and approval by the City for compliance with the City's Development Best Management Practices Handbook, Low Impact Development Manual, Part B Planning Activities. Therefore, implementation of the storm water quality plan as discussed above water quality impacts during operation will be less than significant.

Regarding surface water hydrology impacts, by incorporating future storm water treatment and drainage improvements the post development flow rate from the project site will be reduced. The project will not increase the peak flow or materially alter the patterns of storm runoff when compared to pre-development conditions. Thus, it follows that the project will not create or contribute runoff water which will exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. Impacts associated with hydrology will be less than significant.

With regard to inundation impacts, the project site is not located within a 100-year or 500-year floodplain. Therefore, the project will not place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map. With respect to the potential for inundation, the project will not expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam. The project is located within a designated inundation area as shown in Exhibit G, Inundation and Tsunami Hazard Area, of the Safety Element of the General Plan. However, this designation is an indication of the urbanization of downtown Los Angeles, and the potential for flooding to occur as a result of increased impermeable surface area. With adherence to the drainage and hydrology design standards implemented by the Bureau of Engineering, potential hazards associated with inundation will be reduced to less than significant levels.

The project will not substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there will be a net deficit in aquifer volume or a lowering of the local groundwater table level. Groundwater seepage was not encountered in the boreholes to the

depths explored, and is not anticipated to impact the proposed construction. The seismic Hazard Evaluation for the Hollywood Quadrangle by the State of California indicates that the highest historic water level in this area was recorded at approximately one-hundred (100) feet below ground surface. As the proposed depth of excavation will be a maximum of approximately 35 feet below grade, the project will not impact the groundwater table. In addition, the project will be served by the municipal water and sewer system, and no production wells for a source of water will be installed. Thus, the project will not substantially deplete groundwater supplies or substantially interfere with groundwater recharge. Therefore, impacts related to groundwater level under the project will be less than significant.

Regarding cumulative impacts, the project site is almost entirely developed with impervious surfaces, and the quality of runoff from the area is affected by existing development patterns and commercial and industrial land uses. Future development projects within the project area are likely to be subject to more stringent BMPs (since BMPs are regularly updated) than what are in use under the existing conditions. As such, future development will likely result in a net beneficial impact by reducing surface water runoff flows during storm events and improving the overall quality of water draining from the area.

Additionally, similar to the project, each of the applicants of the related projects will be required to prepare and implement a SWPPP (construction) and SUSMP (operation) and will be subject to preliminary site plan review by the City to determine what drainage improvements and BMPs will be required to ensure no significant water quality issues. The project will not result in any significant hydrology and water quality impacts and together with the related projects, will not create an impact that is cumulatively considerable, as each development project will have to comply with site specific development standards and state water quality regulations. Compliance with these standards will ensure that the related projects will further the objectives of applicable regional water quality plans. Therefore, cumulative impacts to hydrology and water quality will not be cumulatively considerable.

5. REFERENCE

For a complete discussion of hydrology and water quality impacts please see the following: (1) Section IV.F, Hydrology and Water Quality of the Recirculated Draft EIR and (2) Section II, Additions and Corrections to the Recirculated Draft EIR of the Final EIR.

G. LAND USE AND PLANNING

1. DESCRIPTION OF EFFECTS

a) IMPACTS TO ESTABLISHED COMMUNITIES

The proposed project will not physically divide an established community. While the project's scale and massing will contrast with the buildings within the immediate vicinity of the project site, implementation of the project will not disrupt, divide or isolate the physical arrangement of the established community surrounding the project site and land use impacts will be considered less than significant.

b) LAND USE CONSISTENCY

Redevelopment of the project site will result in an infill development, and will occupy an approximate 10-acre site that is roughly two-thirds vacant. The proposed project will be consistent with the largely commercial nature of the surrounding land uses but will introduce a mixed-use project with residential and hotel land uses that are currently not permitted within the M2 Zone.

With approval of a General Plan Amendment from Light Manufacturing ("LM") to the new plan designation of Regional Commercial ("RC") and a Vesting Zone Change from M2-2D to [Q]C2-2, the project site's zoning and Land Use Designation will allow these proposed uses.

This general area of the City has the bulk of industrial zoning but the character of this area has changed significantly to reflect the trend away from pure manufacturing and warehousing to one of commercial and retail uses with eating facilities in support. The properties surrounding the project site on all sides are improved and operating as commercial retail and wholesale land uses which are allowed in the Light Industrial Zone but are also consistent with and compatible with the proposed C2 Zoning and land use designation of Regional Commercial. None of the properties immediately surrounding the project site operate land uses that are not otherwise permitted in the C2 commercial zone. Although the proposed project will not result in any changes to the zoning or land use designations outside of the project site, the compatibility of the allowable uses with the existing surrounding land uses will result in a less than significant impact. The project's proposed land uses will be compatible with the surrounding environment and will not conflict with the existing land uses operating on adjacent properties or separate an established community.

The City of Los Angeles recently unveiled its initial drafts of the Community Plan update known as Downtown Los Angeles 2040 (DTLA 2040). DTLA 2040 seeks to build on Downtown's transit rich nature and use new zoning tools. According to City document "As Downtown is a collection of places (not to be confused with neighborhoods) the update involves creating "place types" which are descriptive of the broad common conditions that the update seeks to create in terms of physical built form and functional use aspects that differentiate one area from another." The City has located the site in two separate land use designations. For Blocks 1 and 2, the City is creating a "Transit Edge" designation while Blocks 3 & 4 are located in a "Markets" designation. The Transit Edge allows for an intense development pattern permitting a maximum floor area ratio of 10 times the buildable area and envisions a mixed-use neighborhood with residential, commercial, office and services uses. The Markets designation allows a 6:1 floor area ratio and defines the appropriate uses as wholesale commercial, creative office, limited residential, including live work, uses. While this update process is in the very early stages of development, its current vision for the site is generally consistent with the proposed project.

The Land Use Equivalency Program is designed to direct how development will occur on the project site and allow for land uses to be exchanged for other permitted land uses. The exchange of one permitted land use for another permitted land use will be accomplished within the approved development envelope and subject to the site plan review procedures set forth in LAMC Section 16.05. The procedures set forth in LAMC Section 16.05 shall apply with the following provisions (if the project is approved, this requirement will be identified in a "Q" Condition):

1. Section 16.05-D and Section 16.05-I shall not be applicable;
2. That in addition to the provisions of LAMC Section 16.04-E,4, an "Addendum", a "Supplemental EIR", or a "Subsequent EIR" shall be acceptable to satisfy the requirements of CEQA.
3. In addition to those findings identified in Section 16.05-F, the City shall also find that: "The proposed phase of the project is consistent with the approved Land Use Equivalency Program."
4. Appeals shall be heard by the City Planning Commission, the original decision-maker on the Land Use Equivalency, in lieu of the Area Planning Commission as otherwise specified in LAMC Section 16.05-H,1; and
5. Shall be consistent with the City Market Design Guidelines.

Under these conditions, there will be no substantial variation in the project's street configurations or relationship to the surrounding community. The development of the project will be subject to the same design criteria (e.g., building height envelope, setbacks, etc.) under the Land Use Equivalency Program. Potential exchanges under the Land Use Equivalency Program will not substantially alter the overall character of the project and will allow flexibility in the land use mix to address market conditions throughout the duration of the project's build out. Exchanges under the Land Use Equivalency Program will not be permitted to exceed the 4.1:1 FAR that is applicable to the project, will not be permitted to exceed total water demand of 452 acre feet per year, and will not be permitted to exceed total wastewater of 299,021 gallons per day.

Furthermore, the land uses that could occur under the Land Use Equivalency Program will be compatible with the existing plans and land uses already proposed under the proposed project. Thus, the planned densities, and impacts regarding the regulatory framework under the Land Use Equivalency Program will be the same as the proposed project.

c) CUMULATIVE IMPACTS

All related projects will be subject to the same development standards as the project with respect to assessing the consistency of each project relative to the Central City Community Plan, the Planning and Zoning Code, the City Center Redevelopment Plan, and the other applicable specific and or regional land use plans. Related projects outside of the Central City Community Plan and City Center Redevelopment Plan will be required to follow the development standards of the respective Community Plan and/or Redevelopment Plans that govern their respective geographic area. Therefore, no significant cumulative land use impacts are anticipated.

2. PROJECT DESIGN FEATURES

No specific design features are proposed that pertain to the land use impact analysis.

3. FINDINGS

Implementation of the project will not disrupt, divide or isolate the physical arrangement of the established community surrounding the project site and land use impacts will be considered less than significant. No mitigation measures are required. The project's proposed land uses will be compatible with the surrounding environmental and will not conflict with the existing land uses operating on adjacent properties or separate an established community. No mitigation measures are required. No significant cumulative land use impacts are anticipated. No mitigation measures are required.

4. RATIONALE FOR FINDINGS

The proposed project will not physically divide an established community. The land uses surrounding the project site consist of commercial and industrial buildings, both large and small. The majority are one to three stories in height, with buildings of four or more stories interspersed and located primarily to the northwest. Redevelopment of the project site will result in an infill development, and will occupy an approximate 10-acre site that is roughly two-thirds vacant. The proposed project will be consistent with the largely commercial nature of the surrounding land uses and will introduce a new mixed-use project with residential and hotel land uses that are currently not permitted within the M2 Zone. However, with approval of a General Plan Amendment from Light Manufacturing ("LM") to Regional Commercial ("RC") and a Vesting Zone Change from M2-2D to [Q]C2-2, the project site's zoning and Land Use Designation will allow these proposed uses. The properties surrounding the project site on all sides are improved and operating as commercial retail and wholesale land uses which are allowed in the Light Industrial Zone but are

also consistent with and compatible with the proposed C2 Zoning and Regional Commercial land use designation being sought by the applicant. None of the properties immediately surrounding the project site are operating with land uses that are not otherwise permitted in the C2 commercial zone. Although the proposed project will not result in any changes to the zoning or land use designations outside of the project site, the compatibility of the allowable uses with the existing surrounding land uses will result in a less than significant impact.

The project's proposed land uses will be compatible with the surrounding environment and will not conflict with the existing land uses operating on adjacent properties or separate an established community. In the immediate vicinity of the project site, the project's proposed structures will create a skyline of high-rise development where none currently exists. However, in the context of the downtown Central City area, the project site is within a one-mile radius of the tallest structures in Los Angeles. Therefore, while the project's scale and massing will contrast with the buildings within the immediate vicinity of the project site, implementation of the project will not disrupt, divide or isolate the physical arrangement of the established community surrounding the project site and land use impacts will be considered less than significant.

With regard to cumulative land use impacts, the project will implement important local and regional goals and policies for the downtown Los Angeles area, which will assist the City of Los Angeles in achieving short- and long-term planning goals and objectives. Future development associated with the related projects will support the furtherance of the Downtown Center, and specifically the Fashion District, which is consistent with SCAG and City policies for promoting more intense lands uses adjacent to transit stations and job centers, providing a variety of housing options, and increasing the number of attractive around-the-clock commercial uses in the downtown area. Furthermore, all related projects will be subject to the same development standards as the project with respect to assessing the consistency of each project relative to the Central City Community Plan, the Planning and Zoning Code, the City Center Redevelopment Plan, and the other applicable specific and or regional land use plans. Related projects outside of the Central City Community Plan and City Center Redevelopment Plan will be required to follow the development standards of the respective Community Plan and/or Redevelopment Plans that govern their respective geographic area. Therefore, no significant cumulative land use impacts are anticipated.

5. REFERENCE

For a complete discussion of land use and planning impacts please see the following: (1) Section IV.G, Land Use and Planning of the Recirculated Draft EIR and (2) Section II, Additions and Corrections to the Recirculated Draft EIR of the Final EIR.

H. NOISE

1. DESCRIPTION OF EFFECTS

a) OPERATION-RELATED NOISE AND VIBRATIONS

The increase in traffic resulting from implementation of the proposed project will increase ambient noise levels at sensitive off-site locations in the project vicinity. The increase in local noise levels at all of the analyzed roadway segments resulting from implementation of the proposed project will be less than the 3 dBA and 5 dBA CNEL thresholds established under the *L.A. City CEQA Thresholds Guide*, and impacts will be less than significant.

With regard to noise impacts associated with stationary sources, the project will not include any stationary equipment that will result in excessive vibration levels. With implementation of new

technology, building design, and appropriate regulatory control measures, noise associated with on-site parking and stationary sources (such as HVAC units) will be less than significant.

With respect to operational noise impacts, traffic noise levels impacted by the operation of the project relate to the overall number of trips generated by the project. By definition, the Land Use Equivalency Program permits land use exchanges as long as the total number of peak hour trips generated does not exceed the total identified in the project's Traffic Study. Thus, operational noise impacts associated with mobile source noise will not exceed the anticipated noise levels as described above for the proposed project. Similar to the proposed project, traffic noise levels associated with the Land Use Equivalency Program will be less than significant. Operational noise impacts associated with the Land Use Equivalency Program will be substantially similar to the proposed project as the as the Equivalency Program will involve exchanging permitted land uses for other permitted land uses. Operational noise sources associated with mechanical equipment, parking areas, loading and trash areas and outdoor spaces will be the same as the project, regardless of the land uses that could result from land use exchanges permitted under the Land Use Equivalency Program. Furthermore, under the Land Use Equivalency Program, subsequent phase(s) of the project will be subject to LAMC Section 16.05 (Site Plan Review), and the conditions enumerated in Section II, project Description, of the Recirculated DEIR. Land use exchanges permitted under the Land Use Equivalency Program will also be subject to the same Project Design Features, Regulatory Compliance Measures, and Mitigation Measures as the project. Thus, operational noise impacts under the Land Use Equivalency Program will be the same as described for the proposed project.

b) CUMULATIVE IMPACTS

Cumulative Construction Noise and Vibration Impacts

All of the related projects will be subject to LAMC Section 41.40, which limits the hours of allowable construction activities. In addition, each of the related projects will be subject to Section 112.05 of the LAMC, which prohibits any powered equipment or powered hand tool from producing noise levels that exceed 75 dBA at a distance of 50 feet from the noise source within 500 feet of a residential zone. Noise levels are only allowed to exceed this noise limitation under conditions where compliance is technically infeasible. Construction noise levels for the project will not exceed existing ambient noise levels by more than 10 dBA for more than one day at any noise-sensitive receptors or for more than 5 dBA for 10 days in a three-month period. Similarly, because construction vibration levels will not exceed the FTA's VdB threshold at any sensitive receptors during construction of the proposed project, construction groundborne vibration impacts associated with human annoyance will be less than significant. As project-related construction noise and vibration impacts will be considered less than significant and none of the related projects are located in close enough proximity to the project site to create cumulative noise or vibration impacts, project-related construction activities will not have the potential to result in a cumulatively considerable noise and vibration impact during construction. As such, cumulative impacts with respect to construction noise and vibration will be less than significant.

Cumulative Operational Impacts

Cumulative mobile source noise impacts will occur primarily as a result of increased traffic on local roadways due to the proposed project, ambient growth, and related projects within the study area. Local noise levels will increase by a maximum of 2.4 dBA CNEL at the roadway segment of San Pedro Streets between 8th and 9th Streets. As the increase in roadway noise will not exceed the 3.0 dBA CNEL and 5.0 dBA CNEL thresholds at any of the study roadway segments, the noise increase will not be substantial. Therefore, the cumulative impact associated with mobile source noise will be less than significant.

2. PROJECT DESIGN FEATURES

No specific design features are proposed that pertain to the noise impact analysis.

3. FINDINGS

The increase in local noise levels at all of the analyzed roadway segments resulting from implementation of the proposed project will be less than the 3 dBA and 5 dBA CNEL thresholds established under the *L.A. City CEQA Thresholds Guide*, and impacts will be less than significant. No mitigation measures are required. With implementation of new technology, building design, and appropriate regulatory control measures, noise associated with on-site parking and stationary sources (such as HVAC units) will be less than significant. No mitigation measures are required. Cumulative impacts with respect to construction noise and vibration will be less than significant. No mitigation measures are required. The cumulative impact associated with mobile source noise will be less than significant. No mitigation measures are required.

4. RATIONALE FOR FINDINGS

There are no known off-site sensitive receptors (i.e., schools, libraries, residences, day-care centers, etc.) located within 500 feet of the project site. (See Recirculated DEIR on page IV.H-16) Vehicular parking for the project will be provided in a series of at grade, above grade and subterranean parking garages. The proposed parking areas have the potential to generate noise due to cars entering and exiting the site, engines accelerating, braking, car alarms, squealing tires and other general activities associated with people using the parking areas (i.e., talking, opening/closing doors, etc.) at all hours of the day and night. Noise levels within the parking areas will fluctuate with the amount of automobile and human activity. Noise levels will be highest in the early morning and evening when the largest number of people will enter and exit the project site. As the subterranean parking garages will be entirely below grade and fully enclosed on all sides aside from the entrance driveway, noise generated from within the structures will not be expected to adversely affect the existing off-site sensitive receptors located near the project site. Furthermore, operational noise generated by motor driven vehicles within the project site is regulated under the LAMC. Section 114.02 of the LAMC prohibits the operation of any motor driven vehicles upon any property within the City such that the created noise will cause the noise level on the premises of any occupied residential property to exceed the ambient noise level by more than five dBs. Thus, noise impacts associated with parking will be less than significant.

As part of the project, new mechanical equipment, HVAC units, and exhaust fans will be installed on the roof of the proposed new structures. Although the operation of this equipment will generate noise, the design of these on-site HVAC units and exhaust fans will be required to comply with the regulations under Section 112.02 of the LAMC, which prohibits noise from air conditioning, refrigeration, heating, pumping, and filtering equipment from exceeding the ambient noise level on the premises of other occupied properties by more than five dBs. Thus, the on-site equipment will be designed such that they will be shielded and appropriate noise muffling devices will be installed on the equipment to reduce noise levels that affect nearby uses. In addition, nighttime noise limits will be applicable to any equipment items required to operate between the hours of 10:00 P.M. and 7:00 A.M. As such, potential impacts related to stationary noise sources will be less than significant.

Regarding vibration impacts associated with stationary equipment, the project will not include any stationary equipment that will result in excessive vibration levels. Groundborne vibration at the project site and immediate vicinity currently result from heavy-duty vehicular travel (e.g., refuse trucks and transit buses) on the nearby local roadways, and the proposed land uses at the project

site will not result in substantial increased use of these heavy-duty vehicles. While refuse trucks will be used for the disposal of solid waste at the project site, these trips are already occurring within the neighborhood and only occur once a week. The number of transit buses that travel along adjacent roadways will also not substantially increase due to the proposed project. Thus, vibration impacts associated with operation of the proposed project will be less than significant.

With regard to cumulative construction noise and vibration impacts, construction of the project in combination with related projects will result in an increase in construction-related noise and vibration in this already urbanized area of the City. All of the related projects will be subject to LAMC Section 41.40, which limits the hours of allowable construction activities. In addition, each of the related projects will be subject to Section 112.05 of the LAMC, which prohibits any powered equipment or powered hand tool from producing noise levels that exceed 75 dBA at a distance of 50 feet from the noise source within 500 feet of a residential zone. Noise levels are only allowed to exceed this noise limitation under conditions where compliance is technically infeasible. As previously discussed above, construction noise levels for the project will not exceed existing ambient noise levels by more than 10 dBA for more than one day at any noise-sensitive receptors or for more than 5 dBA for 10 days in a three-month period. Similarly, because construction vibration levels will not exceed the FTA's VdB threshold at any sensitive receptors during construction of the proposed project, construction groundborne vibration impacts associated with human annoyance will be less than significant. As project-related construction noise and vibration impacts will be considered less than significant and none of the related projects are located in close enough proximity to the project site to create cumulative noise or vibration impacts, project-related construction activities will not have the potential to result in a cumulatively considerable noise and vibration impact during construction. As such, cumulative impacts with respect to construction noise and vibration will be less than significant.

Cumulative mobile source noise impacts will occur primarily as a result of increased traffic on local roadways due to the proposed project, ambient growth, and related projects within the study area. Therefore, cumulative traffic-generated noise impacts have been assessed based on the contribution of the proposed project to the Future With project (2023) volumes on the roadway segments in the project vicinity. As shown previously in Table IV.H-10 on Page IV.H-20 of the Recirculated Draft EIR, local noise levels will increase by a maximum of 2.4 dBA CNEL at the roadway segment of San Pedro Streets between 8th and 9th Streets. As the increase in roadway noise will not exceed the 3.0 dBA CNEL and 5.0 dBA CNEL thresholds at any of the study roadway segments, the noise increase will not be substantial. Therefore, the cumulative impact associated with mobile source noise will be less than significant.

5. REFERENCE

For a complete discussion of noise impacts please see the following: (1) Section IV.H, Noise of the Recirculated Draft EIR and (2) Section II, Additions and Corrections to the Recirculated Draft EIR of the Final EIR.

I. POPULATION, HOUSING AND EMPLOYMENT

1. DESCRIPTION OF EFFECTS

a) POPULATION, HOUSING AND EMPLOYMENT

The proposed project includes the construction of 945 dwelling units and the generation of 1,446 new residents, which represents approximately 0.55 percent and 0.4 percent, respectively, of SCAG's population and housing projections for the City of Los Angeles between 2020 and 2035. As such, the project will not exceed the housing and population growth estimates for 2035 and

impacts will be less than significant. Construction jobs are not likely to generate new residents in the area. The project's addition of 1,705 new permanent jobs will not likely generate new residents in the area as the jobs associated with the proposed land uses are generally filled by residents that already reside within the area. The project will not generate substantial indirect population growth or demand for new housing. Furthermore, the mixed-use nature of the project promotes a healthy jobs-housing balance for the project site and area. Therefore, the proposed project will result in less than significant impacts to population, housing, and employment.

With respect to population and housing, the Land Use Equivalency will allow for the potential increase or reduction of residential dwelling units in an effort to respond to the market demands, up to but not exceeding 1,418 dwelling units. Under the maximum residential scenario, the project's estimated resident population will increase from 1,446 persons to 2,170 persons. Citywide, the increase in dwelling units and population under the Land Use Equivalency Program will represent approximately 0.85 percent of the housing growth and 0.66 percent of the population growth that is anticipated to occur citywide between 2020 and 2035. The addition of these new housing units and corresponding increase in population will be within SCAG's growth projection for the 2020-2035 planning period. On a regional scale, the maximum resident population under the Land Use Equivalency Program will represent only 0.66 percent of the population growth that is expected to occur in the SCAG region between 2020 and 2035. With respect to housing, the maximum number of dwelling units allowed under the Land Use Equivalency Program will represent only 0.17 percent of the housing growth that is expected to occur in the SCAG region between 2020 and 2035. Thus impacts to population and housing growth projections will be less than significant under the Land Use Equivalency Program.

b) CUMULATIVE IMPACTS

The related projects will generate approximately 27,962 housing units, and a resident population of approximately 42,782 persons. Based on this estimate, the proposed project's cumulative contribution to the housing and population growth will be approximately .85% for both housing and population projections. As the proposed cumulative total of new housing and population will not exceed SCAG's regional growth projections, the project's contribution to a cumulative housing and population impact will be less than significant.

2. PROJECT DESIGN FEATURES

No specific design features are proposed that pertain to the population, housing and employment impact analysis.

3. FINDINGS

The proposed project will result in less than significant impacts to population, housing, and employment. No mitigation measures are required. The project's contribution to a cumulative housing and population impact will be less than significant. No mitigation measures are required.

4. RATIONALE FOR FINDINGS

The proposed project is anticipated to generate a number of skilled construction-related jobs during the long-term buildout of the project. However, construction workers typically work at several job sites within a particular region throughout the year. Therefore, most construction workers will not be expected to relocate their place of residence as a consequence of working on the proposed project. As such, a substantial number of new permanent residents will not be generated as a result of the construction of the proposed project and impacts associated with population growth due to temporary jobs will be less than significant.

With regard to housing growth impacts, the proposed project's 945 dwelling units will generate approximately 1,446 new residents. The estimated population projections were based on an average household size of 1.53 persons per multi-family dwelling unit, which is consistent with the most recent statistical information provided by the Department of City Planning for the Central City planning area. The project will not exceed the citywide or regional housing growth estimates for 2035 2040 and impacts will be less than significant.

Regarding population growth impacts, the 1,446 new residents anticipated to be generated by the project will result in a negligible increase in the City's population growth forecast, and is within SCAG's regional population growth projection. Therefore, the project's population growth is accounted for in the citywide and regional population projections.

The land uses proposed as part of the project are estimated to generate a total of approximately 1,705 new employees at the project site. While the proposed project will provide an increase in permanent jobs as compared to existing on-site activities, jobs in the retail, hotel, and restaurant industries typically do not generate substantial population growth within the region as such jobs are generally filled by residents that already reside within proximity to those jobs. Further, the proposed project's residential component will be supportive and complementary to the proposed commercial office and educational land uses. As such, the proposed project will not generate substantial indirect population growth or demand for new housing.

With regard to cumulative housing and population impacts, the related projects will generate approximately 27,962 housing units, and a resident population of approximately 42,782 persons. Based on this estimate, the proposed project's cumulative contribution to the housing and population growth will be approximately .85% for both housing and population projections. As the proposed cumulative total of new housing and population will not exceed SCAG's regional growth projections, the proposed project's contribution to a cumulative housing and population impact will be less than significant.

5. REFERENCE

For a complete discussion of population, housing and employment impacts please see the following: (1) Section IV.I, Population, Housing and Employment of the Recirculated Draft EIR and (2) Section II, Additions and Corrections to the Recirculated Draft EIR of the Final EIR.

J. PUBLIC SERVICES

1. DESCRIPTION OF EFFECTS

a) FIRE PROTECTION SERVICES

The proposed project will be constructed with recommendations and approval of the Department of Building and Safety and the Fire Department. With implementation of the mitigation measures, project construction will not be expected to tax fire fighting and emergency services to the extent that there will be a need for new or expanded fire facilities, in order to maintain acceptable service ratios, response times, or other performance objectives of the LAFD. Therefore, construction-related impacts to fire protection services will be less than significant.

The proposed project will introduce new employees and residents to the project site. Thus, an increase in the demand for fire protection services is anticipated. The LAFD has indicated that proposed project may result in increased staffing for existing facilities, the need for additional fire protection facilities and relocation of present fire protection facilities. Nevertheless, the proposed

project will have a less than significant impact with relation to response distance, emergency access, and fire flow. As such, the proposed project's operational impacts on Fire Protection will be less than significant.

With respect to the project's potential impacts upon public services, the Land Use Equivalency Program will increase demands for such services in the same manner as the project. The exchange of one permitted land use for another permitted land use, subject to the limitations of the Equivalency Program and "[Q]" Conditions will not materially change the mixed-use nature of the project. Furthermore, as the Land Use Equivalency Program is based on an exchange of land uses that will result in an equal level of p.m. peak hour trips, the exchange of land uses will not increase traffic impacts beyond what is anticipated under the proposed project. Furthermore, land use exchanges permitted under the Equivalency Program will be subject to the same Project Design Features and Regulatory Compliance Measures as the project and will be subject to the Site Plan Review Process pursuant to LAMC Section 16.05. Thus, impacts to response distance, emergency access, and fire flow will be less than significant and the same under the Land Use Equivalency Program as described for the proposed project.

b) RECREATION AND PARKS

The proposed project will generate increased demands for public recreation facilities and open space. The applicant will be required to pay applicable Quimby fees or contribute to the Park and Recreational sites and Facilities Fund to be used exclusively for the acquisition and development of park and recreational sites. Under the City's Quimby Ordinance and/or Dwelling Unit Construction Tax, which require fees to be collected prior to a certificate of occupancy for residential land uses, the project's impact upon parks and recreational facilities will be reduced to a less-than-significant level.

Under the Land Use Equivalency Program, the number of residential units could increase or decrease, but will be limited to no more than 1,418 dwelling units. As the proposed project will comply with the open space requirements of the LAMC, the amount of public and private open space will fluctuate commensurate with the increase or decrease in residential units. As discussed above, the applicant will be required to pay applicable Quimby fees and/or contribute to the Park and Recreational sites and Facilities Fund to be used exclusively for the acquisition and development of park and recreational sites on a per dwelling unit basis. Under the City's Quimby Ordinance and/or Dwelling Unit Construction Tax, which require fees to be collected prior to a certificate of occupancy for residential land uses, the project's impact upon parks and recreational facilities will be reduced to a less-than-significant level.

c) CUMULATIVE IMPACTS

The project, in combination with the construction and operation of the 139 related projects will increase the demand for fire protection services in the project Area. Similar to the project, each of the related projects will be individually subject to LAFD review and will be required to comply with all applicable construction-related and operational fire safety requirements of the LAFD and the City of Los Angeles in order to mitigate fire protection impacts adequately. In addition, for any residential related project more than 1.5 miles from the nearest LAFD Engine Company or Truck Company, or for any industrial or commercial related project more than one mile from an LAFD Engine Company or 1.5 miles from an LAFD Truck Company, or any high density industrial or commercial related projects more than 0.75 miles from the nearest LAFD Engine Company or more than 1.0 mile from the nearest LAFD Truck Company, LAMC Section 57.09.06 will require the installation of automatic fire sprinkler systems, in order to compensate for the additional response distance. Therefore, the project will not have a cumulative impact and will be less than significant.

The proposed project, in combination with ambient growth and the 139 related projects will increase the demand for police protection services in the Central City Area. Similar to the project, each of the related projects will be individually subject to LAPD review, and will be required to comply with all applicable safety requirements of the LAPD and the City of Los Angeles in order to address police protection services demands adequately. Impacts created by new development will be reduced by the incorporation of required security measures into each proposed development, which will revitalize the Central City Area. Ongoing revitalization efforts will help reduce the cumulative crime impacts in the Central City Area. For one, the continuous presence of people and activity on-site and in the project area will deter criminal activity, as more eyes will be on the street. In addition, similar to the project site, the related projects that are proposed within the Central City Area will eliminate blighted and underutilized sites and will be required to develop new projects with improved security design features (i.e. low level lighting, controlled access, and elimination of dead spaces). The LAPD also monitors the need for police services and proposes appropriate service enhancement through the yearly budgetary process. Therefore, cumulative impacts on police protection services will be less-than- significant.

With regard to cumulative impacts related to school services, the proposed project, in combination with the 139 related projects is expected to result in a cumulative increase in the demand for school services. The related projects will generate approximately 6,196 elementary students, 2,988 middle school students and 2,999 high school students. Of the 12,596 students generated by the project and related projects, the project represents approximately 3.28%. Under the Land Use Equivalency Program, the project's contribution to potential new students will represent up to 4.7% of the total 12,596 cumulative students estimated to be generated by the related projects. Many of the students generated by the related projects reside in areas served by the LAUSD and will already be enrolled on LAUSD schools. Furthermore, as with the project, each of the related projects will be expected to pay required developer school fees to the LAUSD (pursuant to SB 50) to reduce any impacts they may have on school services. The provisions of SB 50, discussed above, provide full and complete mitigation of school facilities impacts. The payment of these fees by the project and the related projects will be mandatory, and will reduce the cumulative impact upon school services to a less- than-significant level.

With regard to cumulative impacts related to parks and recreational facilities, each of the residential related projects are expected to comply with payment of Quimby (for condominium units) and other fees, such as the Parks and Recreation Fee (for apartment units). Therefore, with payment of the applicable recreation fees on a project-by-project basis, the cumulative park impacts related to parks and recreational facilities will be reduced to a less-than-significant level.

2. PROJECT DESIGN FEATURES

No specific design features are proposed that pertain to the fire protection services and recreation and parks impact analysis.

3. FINDINGS

The proposed project's operational impacts on Fire Protection will be less than significant. No mitigation measures are required. Under the City's Quimby Ordinance and/or Dwelling Unit Construction Tax, which require fees to be collected prior to a certificate of occupancy for residential land uses, the project's impact upon parks and recreational facilities will be reduced to a less-than-significant level. No mitigation measures are required. Cumulative impacts upon public services will result in less than significant levels. No mitigation measures are required.

4. RATIONALE FOR FINDINGS

During the removal of the existing structures and construction of the proposed project, the proposed project will implement "good housekeeping" procedures and comply with mandatory OSHA regulations by the construction contractors and the work crews will minimize these hazards. Good housekeeping procedures that will be implemented during demolition and construction of the project include: the maintenance of mechanical equipment in good operating condition; careful storage of flammable materials in appropriate containers; and the immediate and complete cleanup of spills of flammable materials when they occur.

Construction activities also have the potential to affect fire protection services, such as emergency vehicle response times, by adding construction traffic to the street network and by partial lane closures during street improvements and utility installations. The impacts, while potentially adverse, are considered to be less than significant for the following reasons: (1) Construction impacts are temporary in nature and do not cause lasting effects; and (2) Partial lane closures will not greatly affect emergency vehicles, the drivers of which normally have a variety of options for avoiding traffic, such as using their sirens to clear a path of travel or driving in the lanes of opposing traffic. Additionally, if there are partial closures to streets surrounding the project site, flagmen will be used to facilitate traffic flow until construction is complete. Furthermore, throughout the construction process, the project will be required to maintain appropriate fire flow and access pursuant to the Los Angeles Fire Code, LAMC Sections 57.09.01 through 57.09.11. project construction will not be expected to tax fire fighting and emergency services to the extent that there will be a need for new or expanded fire facilities, in order to maintain acceptable service ratios, response times, or other performance objectives of the LAFD, the construction of which could cause significant environmental impacts. Therefore, construction-related impacts to fire protection services will be less than significant.

During operation, the project will introduce new employees and residents to the project site. Thus, an increase in the demand for fire protection services is anticipated. The LAFD has indicated that project may result in increased staffing for existing facilities, the need for additional fire protection facilities and relocation of present fire protection facilities. The following discussion analyzes the major criteria for determining the impacts of the project to fire protection services, including response distance, emergency access/evacuation and fire flow. The response distances from the project site to the Fire Stations meet the desired response distances and performance standards. Further, fire sprinkler systems will be installed and any other fire protection devices deemed necessary by the Fire Chief (e.g., fire signaling systems, fire extinguishers, smoke removal systems etc.) per the City of Los Angeles Fire Department Code. Therefore, due to the proximity of the project site to six well- equipped fire stations, fire protection response will be considered adequate with respect to response distances and impacts will be less than significant.

The project will not involve any other activities during its operational phase that could impede public access or travel upon public right-of-way or will interfere with an adopted emergency response or evacuation plan. Emergency vehicle access to the project site will continue to be provided from local public roadways. The project will result in a less than significant with respect to traffic, emergency access, design hazards, or alternative modes of transportation that currently serve the project area.

Furthermore, the Water Operations Division of the DWP will perform a fire flow study at the time of permit review in order to ascertain whether further water system or site-specific improvements will be necessary. Hydrants, water lines, and the water tanks will be installed per Fire Code requirements and will be based upon the specific land uses of the project. Furthermore as noted as mitigation below, the project applicant will be required to ensure adequate fire flows and infrastructure pursuant to the LAFD Fire Code. The above proposed points of connection will need

to be verified at the time of connection to ensure adequate water supply and pressure existing in the proposed connection lines. Therefore, with respect to fire flows, fire protection will be adequate and the project's impact upon fire protection services will be less than significant.

With regard to impacts upon schools, the project site is located approximately 1,500 feet (0.28 miles) west of 9th Street Elementary School. Therefore, it is likely that students pass by the project site on their way to and from school. Construction activities could result in potentially significant impacts by exposing students walking to school to temporary noise and air quality impacts and other safety hazards that are inherently associated with the construction process. The project will generate students mostly from the 945 residential units. However, the LAUSD includes student generation rates for retail, hotel and office uses. Therefore, all of the proposed land uses were analyzed for the number of school-age student generation. The project is estimated to generate approximately 210 elementary students, 101 middle school students, and 102 high school students for a total of 413 students. While it is likely that some of the students generated by the project will already reside in areas served by LAUSD and will already be enrolled in LAUSD schools, for a conservative analysis, it is assumed that all students generated by the project will be new to the LAUSD. As stated above, the mandatory payment of developer fees to the LAUSD are deemed to provide full and complete mitigation of school facilities impacts. Therefore, the project's operational impacts upon schools will be less than significant.

With respect to cumulative impacts on fire protection services, the project, in combination with the construction and operation of the 139 related projects will increase the demand for fire protection services in the project Area. Similar to the project, each of the related projects will be individually subject to LAFD review and will be required to comply with all applicable construction-related and operational fire safety requirements of the LAFD and the City of Los Angeles in order to mitigate fire protection impacts adequately. In addition, for any residential related project more than 1.5 miles from the nearest LAFD Engine Company or Truck Company, or for any industrial or commercial related project more than one mile from an LAFD Engine Company or 1.5 miles from an LAFD Truck Company, or any high density industrial or commercial related projects more than 0.75 miles from the nearest LAFD Engine Company or more than 1.0 mile from the nearest LAFD Truck Company, LAMC Section 57.09.06 will require the installation of automatic fire sprinkler systems, in order to compensate for the additional response distance. Therefore, the project will not have a cumulative impact and will be less than significant.

Regarding cumulative impacts on police protection services, the project, in combination with ambient growth and the 139 related projects (), will increase the demand for police protection services in the Central City Area. Similar to the project, each of the related projects will be individually subject to LAPD review, and will be required to comply with all applicable safety requirements of the LAPD and the City of Los Angeles in order to address police protection services demands adequately. Impacts created by new development will be reduced by the incorporation of required security measures into each proposed development, which will revitalize the Central City Area. Ongoing revitalization efforts will help reduce the cumulative crime impacts in the Central City Area. For one, the continuous presence of people and activity on-site and in the project area will deter criminal activity, as more eyes will be on the street. In addition, similar to the project site, the related projects that are proposed within the Central City Area will eliminate blighted and underutilized sites and will be required to develop new projects with improved security design features (i.e. low level lighting, controlled access, and elimination of dead spaces). The LAPD also monitors the need for police services and proposes appropriate service enhancement through the yearly budgetary process. Therefore, cumulative impacts on police protection services will be less-than- significant.

The project, in combination with the 139 related projects is expected to result in a cumulative increase in the demand for school services. The related projects will generate approximately

6,196 elementary students, 2,988 middle school students and 2,999 high school students. Of the 12,596 students generated by the project and related projects, the project represents approximately 3.28%. Under the Land Use Equivalency Program, the project's contribution to potential new students will represent up to 4.7% of the total 12,596 cumulative students estimated to be generated by the related projects.

Many of the students generated by the related projects reside in areas served by the LAUSD and will already be enrolled on LAUSD schools. Furthermore, as with the project, each of the related projects will be expected to pay required developer school fees to the LAUSD (pursuant to SB 50) to reduce any impacts they may have on school services. The provisions of SB 50, discussed above, provide full and complete mitigation of school facilities impacts. The payment of these fees by the project and the related projects will be mandatory, and will reduce the cumulative impact upon school services to a less- than-significant level.

With regard to cumulative impacts related to parks and recreational facilities, development of the project in conjunction with the 139 related projects, could result in an increase in permanent residents residing in the project area. In the absence of mitigation, additional cumulative development will contribute to lowering the City's existing parkland to population ratio, which is currently below the preferred standard. However, each of the residential related projects are expected to comply with payment of Quimby (for condominium units) and other fees, such as the Parks and Recreation Fee (for apartment units). Therefore, with payment of the applicable recreation fees on a project-by-project basis, the cumulative park impacts related to parks and recreational facilities will be reduced to a less-than-significant level.

5. REFERENCE

For a complete discussion of public services impacts please see the following: (1) Section IV.J, Public Services of the Recirculated Draft EIR and (2) Section II, Additions and Corrections to the Recirculated Draft EIR of the Final EIR.

K. TRANSPORTATION / TRAFFIC

1. DESCRIPTION OF EFFECTS

a) CMP ANALYSIS

The project will not cause any significant traffic impacts at the CMP monitoring intersection.

b) CMP TRANSIT IMPACT ANALYSIS

The project will generate approximately 151 net additional transit trips (80 inbound trips and 71 outbound trips) in the A.M. peak hour due to the project, and approximately 205 additional transit trips (97 inbound and 108 outbound) in the P.M. peak hour. The highest number of additional transit trips will therefore occur in the P.M. peak hour. The project will not cause the capacity of the transit system to be substantially exceeded and therefore that the project will not create any significant impacts on the transit systems serving the project Area.

c) CUMULATIVE IMPACTS

Development of the proposed project in conjunction with the 139 related projects will increase the amount of traffic and parking demand in the Central City area of Downtown Los Angeles. Under the Future With project for the A.M. peak hour, the addition of project traffic will result in a significant traffic impact at four intersections. For the Future With project condition for the P.M.

peak hour, the addition of project traffic will result in a significant traffic impact at eight intersections. The project will not result in a significant impact with respect to CMP intersections.

With respect to Traffic from each of the related projects, mitigation measures for each related project will be implemented individually in coordination with LADOT. The proposed project will result in a less than significant with respect to traffic, emergency access, design hazards, or alternative modes of transportation that currently serve the project area. With respect to each of these areas, the design of each related project will be evaluated individually in coordination with LADOT, LAFD and LAPD to minimize any potential impacts. Overall, the proposed project's cumulative transportation and traffic impact will be less than significant.

2. PROJECT DESIGN FEATURES

No specific design features are proposed that pertain to the traffic and transportation (CMP analysis, and CMP transit impact analysis) impact analysis.

3. FINDINGS

The project will not cause any significant traffic impacts at the CMP monitoring intersection. No mitigation measures are required. The project will not cause the capacity of the transit system to be substantially exceeded and therefore that the project will not create any significant impacts on the transit systems serving the project Area. No mitigation measures are required. The proposed project's cumulative transportation and traffic impact will be less than significant. No mitigation measures are required.

4. RATIONALE FOR FINDINGS

For the CMP analysis, the incremental increase in V/C ratio will be less than the significant impact threshold of 0.02. Based on this analysis, the project will not cause any significant traffic impacts at the CMP monitoring intersections.

The maximum number of project trips that will be added to any single freeway segment at these monitoring locations will be 48. As these volumes are all less than the CMP threshold of 150 or more trips in either direction during either A.M. or P.M. weekday peak hours, no further analysis is necessary, and there will be no significant CMP freeway impacts. Per Caltrans' request, a supplemental freeway analysis was conducted of the freeway system in the vicinity of the proposed project. It addresses freeway mainline locations (segments), and freeway off- ramps and on-ramps in locations that will most likely be affected by proposed project traffic. The analysis addresses sixteen freeway mainline segments covering all the freeways that could be used by proposed project traffic, and including I-10, I-110, SR-110, US-101, I-5, and SR-60. The analysis has shown that the proposed project will not cause Caltrans freeway mainline level of service targets to be exceeded, will add low volumes of trips to the freeway system, will not cause queue lengths on off-ramps that will exceed storage lengths, and will not cause on-ramp capacities to be exceeded. Further, the volume of traffic that will be added to any freeway mainline or ramp locations will be small, will constitute an increase in traffic of generally 0.5% or less and in no case more than 1.5%, and so traffic increases due to the project are considered to be negligible. For a detailed description of the study methodology and traffic impact calculations, see Appendix D to the Traffic Study. The Traffic Impact Study is contained in Appendix K to the Recirculated Draft EIR.

For the CMP transit impact analysis, there will be approximately 151 net additional transit trips (80 inbound trips and 71 outbound trips) in the A.M. peak hour due to the project, and approximately 205 additional transit trips (97 inbound and 108 outbound) in the P.M. peak hour.

The highest number of additional transit trips will therefore occur in the P.M. peak hour. The peak capacity of the transit system serving the project site is shown in Table IV.K-15, Existing Public Transit Service Capacity Serving the project site, of the Traffic Study contained in Appendix K to the Recirculated Draft EIR. The highest directional volume of peak hour trips added by the project will be 108 trips. As this will be only about 2.2% of the total hourly directional transit capacity, it is concluded that the project will not cause the capacity of the transit system to be substantially exceeded and therefore that the project will not create any significant impacts on the transit systems serving the project Area.

With regard to cumulative traffic impacts, development of the proposed project in conjunction with the 139 related projects will increase the amount of traffic and parking demand in the Central City area of Downtown Los Angeles. The cumulative traffic impacts were addressed in the analysis in Section IV.K.1, Traffic / Transportation of the Recirculated Draft EIR. Under the Future With project for the A.M. peak hour, the addition of project traffic will result in a significant traffic impact at four intersections. For the Future With project condition for the P.M. peak hour, the addition of project traffic will result in a significant traffic impact at eight intersections. The project will not result in a significant impact with respect to CMP intersections.

With respect to Traffic from each of the related projects, mitigation measures for each related project will be implemented individually in coordination with LADOT. The proposed project will result in a less than significant with respect to traffic, emergency access, design hazards, or alternative modes of transportation that currently serve the project area. With respect to each of these areas, the design of each related project will be evaluated individually in coordination with LADOT, LAFD and LAPD to minimize any potential impacts. Overall, the proposed project's cumulative transportation and traffic impact will be less than significant.

5. REFERENCE

For a complete discussion of transportation/traffic impacts please see the following: (1) Section IV.K.1, Traffic / Transportation of the Recirculated Draft EIR and (2) Section II, Additions and Corrections to the Recirculated Draft EIR of the Final EIR.

L. PARKING

Section 21099 (d)(1) of the Public Resources Code (PRC) states that a project's aesthetic and parking impacts shall not be considered a significant impact on the environment if: (1) The project is a residential, mixed-use residential, or employment center project, and (2) The project is located on an infill site within a transit priority area. Accordingly, because the project is a mixed-use residential project on an infill site within a transit priority area, the project's parking impacts shall not be considered significant. Nevertheless, the EIR provided the following analysis for informational purposes.

1. DESCRIPTION OF EFFECTS

a) PARKING – OPERATIONAL IMPACTS

On-site parking will largely be provided in subterranean parking garages beneath each development site and at the podium level above the ground floor retail spaces. The parking program for the entire unified development will include approximately 3,671 parking spaces, with approximately 2,428 spaces on Block 1, 1,049 spaces on Block 2, 83 spaces on Block 3, and 111 spaces on Block 4. The proposed project will meet the minimum code requirements of the LAMC and operational parking impacts will be less than significant.

Under the Land Use Equivalency Program, the amount of code-required parking spaces could increase or decrease, dependent upon the land uses to be exchanged. Since the project's parking supply will considerably exceed the LAMC parking requirements, and the location of the parking areas will conform to the provisions of the code, no significant parking impacts with respect to compliance with the LAMC will occur under the Land Use Equivalency Program. The amount and location of vehicle parking spaces provided under the Land Use Equivalency Program will be determined during the Site Plan Review process. Thus, impacts under the Land Use Equivalency Program will be less than significant.

b) BICYCLE PARKING

The project will be developed in substantial compliance with the Bicycle Ordinance. The project will require a minimum of 868 short- term parking spaces and 1,429 long-term parking spaces in order to comply with the LAMC. The project proposes to provide bicycle storage areas within the subterranean parking garages and at various locations on the street level. The project will comply with the provisions of the Bicycle Ordinance and will provide the required number of bicycle parking spaces based on the land uses provided. Therefore, impacts associated with bicycle parking will be less than significant.

Under the Land Use Equivalency Program, the amount of code-required bicycle parking spaces could increase or decrease, dependent upon the land uses to be exchanged. Since the project's bicycle parking supply will considerably exceed the LAMC bicycle parking requirements, and the location of the bicycle parking areas will conform to the provisions of the code, no significant parking impacts with respect to compliance with the LAMC will occur under the Land Use Equivalency Program. The amount and location of bicycle parking spaces provided under the Land Use Equivalency Program will be determined during the Site Plan Review process. Thus, impacts under the Land Use Equivalency Program will be less than significant.

c) CUMULATIVE IMPACTS

Development of the project in conjunction with the related projects will increase the parking demand in the Central City Community Planning area and Fashion District area in which the project is located. The project will meet the residential, office, educational, hotel and commercial retail/entertainment parking requirements as outlined in the analysis presented above. Furthermore, development of each of the related projects will be subject to all applicable parking requirements as outlined by the LAMC and the City Planning Department Deputy Advisory Agency, and will be evaluated on a case by case basis considering the demand and availability for parking in the surrounding neighborhoods. Therefore, the project's parking impacts will not be cumulatively considerable and will therefore result in a less than significant cumulative impact with respect to parking.

2. PROJECT DESIGN FEATURES

PDF K.2-1: Parking for the project will be provided in accordance with the LAMC requirements, except where otherwise stated within the Development Regulations. On-site parking will be located underground throughout the site and at the podium above the retail. Service and loading dock access will be accommodated by using existing alleys and internal ground level service streets.

3. FINDINGS

The proposed project will meet the minimum code requirements of the LAMC and operational parking impacts will be less than significant. No mitigation measures are required. Impacts

associated with bicycle parking will be less than significant. No mitigation measures are required. The project's parking impacts will not be cumulatively considerable and will therefore result in a less than significant cumulative impact with respect to parking. No mitigation measures are required.

4. RATIONALE FOR FINDINGS

The parking program for the entire unified development will include approximately 3,671 parking spaces, with approximately 2,428 spaces on Block 1, 1,049 spaces on Block 2, 83 spaces on Block 3, and 111 spaces on Block 4. The project will provide sufficient parking to meet the parking code requirements for the individual land uses being proposed. The LAMC will require a total of 3,080 total parking spaces for the proposed land uses. The project proposes to provide approximately 3,671 spaces. Since the project will provide 591 more spaces than is required, the project will more than meet the City Code. Since the project's parking supply will considerably exceed the LAMC parking requirements, and the location of the parking areas will conform to the provisions of the code, no significant parking impacts with respect to compliance with the LAMC will occur. Additionally, the project will be substantially consistent with the policies and provisions of the Downtown Design Guide as it pertains to parking. Furthermore, the project will be consistent with the Los Angeles Downtown Parking Management Ordinance Implementation project. In total, the Implementation project will reduce the amount of code-required spaces of 3,080 to 2,078 spaces. However, the project is proposing to provide parking to meet the anticipated market demand and is not seeking further parking reductions below the code minimum. Thus, the project will thus be consistent with this policy and no impact will occur.

With respect to bicycle parking impacts, the proposed project will be developed in compliance with the Bicycle Ordinance. The project proposes to provide bicycle storage areas within the subterranean parking garages and at various locations on the street level. The proposed project will require a minimum of 868 short-term parking spaces and 1,429 long-term parking spaces in order to comply with the LAMC. The project will comply with the provisions of the Bicycle Ordinance and will provide the required number of bicycle parking spaces based on the land uses provided. Therefore, impacts associated with bicycle parking will be less than significant.

With regard to cumulative parking impacts, development of the project in conjunction with the related projects will increase the parking demand in the Central City Community Planning area and Fashion District area in which the project is located. The project will meet the residential, office, educational, hotel and commercial retail/entertainment parking requirements as outlined in the analysis presented above. With mitigation, construction impacts will be reduced with respect to potential impacts associated with the loss of street parking during construction, and construction worker parking. The project is anticipated to provide all of the project's parking demand on- site and thus will not contribute to increased demands for parking in the surrounding neighborhood.

Furthermore, development of each of the related projects will be subject to all applicable parking requirements as outlined by the LAMC and the City Planning Department Deputy Advisory Agency, and will be evaluated on a case by case basis considering the demand and availability for parking in the surrounding neighborhoods. Therefore, the project's parking impacts will not be cumulatively considerable and will therefore result in a less than significant cumulative impact with respect to parking.

5. REFERENCE

For a complete discussion of parking impacts please see the following: (1) Section IV.K.2, Parking of the Recirculated Draft EIR and (2) Section II, Additions and Corrections to the Recirculated Draft EIR of the Final EIR.

M. PUBLIC UTILITIES

1. DESCRIPTION OF EFFECTS

a) WATER SUPPLY

The proposed project is estimated to increase the total water demand within the site by 452 acre-feet (AF) annually based on review of information submitted by the Planning Department. LADWP's WSA finds adequate water supplies will be available to meet the total additional water demand of 452 AF annually for proposed project. LADWP anticipates the projected water demand from proposed project can be met during normal, single-dry, and multiple-dry water years, in addition to the existing and planned future demands on LADWP. Impacts upon water supplies will therefore be less than significant.

With respect to the project's water demand, the City of Los Angeles DWP has confirmed that it can supply the domestic needs of the project from the existing water system based on an estimated demand of 452 acre feet per year. Because the City's anticipated water supply and associated infrastructure findings are based on this demand, the exchange of one land use for another land use under the proposed Land Use Equivalency Program will be permitted as long as the total project's water demand does not exceed 452 acre feet per year. Verification of the project's anticipated water demand will be provided during the Site Plan Review process in accordance with LAMC Section 16.05 and implementing "[Q]" Conditions. Thus, impacts associated with water supply and infrastructure will be less than significant and the same as described for the proposed project.

b) WASTEWATER

The proposed project is anticipated to generate approximately 299,021 gallons per day (gpd) of wastewater, or 109 million gallons per year. The Los Angeles Filtration Plant is the primary water treatment plant that serves the project site. Sewage generated by the proposed project will be conveyed and treated at the Hyperion Treatment Plant, which has adequate capacity to accommodate the increased wastewater flows. Based on preliminary information from the Bureau of Engineering, the anticipated wastewater flows can be accommodated by existing infrastructure serving the project site and surrounding area. Thus, wastewater impacts will be less than significant.

With respect to impacts upon sewer systems, a project's wastewater generation is directly related to the project's potable water use. Thus, because wastewater flows are directly correlated to the project's potable water use, impacts associated with wastewater and wastewater conveyance systems under the Land Use Equivalency Program will not exceed the 299,021 gallons per day as estimated for the proposed project. Therefore wastewater impacts will be less than significant and the same as the proposed project.

c) ELECTRICITY

The proposed project will increase the demands for electricity service in the project Area. Electricity is currently provided by the LADWP. The estimated net increase in electricity

consumption by the proposed project will be approximately 18,806,744 kilowatts per year. The project will achieve the equivalent of LEED™ certification at the Silver Level pursuant to the City's Green Building Program. Therefore, the project's electricity impacts will be less than significant.

In the context of electricity, the project's estimated energy demands under the Land Use Equivalency Program could increase marginally above what is anticipated under the analyzed proposed project. Although the exchange of one permitted land use for another permitted land use could result in an increase in the project's operational energy demand, the Land Use Equivalency Program will require a corresponding decrease in floor area for another land use(s) based on vehicle trips, total floor area, and the anticipated potable water demand. Additionally, the specific energy conservation related Project Design Features and regulatory compliance measures that apply to the proposed project will also apply to any changes in land uses and/or floor area under the Land Use Equivalency Program. Therefore, environmental impacts associated with electricity and natural gas demands will be less than significant and the same as the proposed project.

d) NATURAL GAS

The Southern California Gas Company manages the pipelines adjacent to the project site. The proposed project's demand for natural gas is estimated to be approximately 6,028,805 cubic feet (cf) per month, or approximately 72,345,660 cf/year. SCG has adequate capacity to serve the project site and impacts upon natural gas will be less than significant.

In the context natural gas impacts, the project's estimated energy demands under the Land Use Equivalency Program could increase marginally above what is anticipated under the analyzed proposed project. Although the exchange of one permitted land use for another permitted land use could result in an increase in the project's operational energy demand, the Land Use Equivalency Program will require a corresponding decrease in floor area for another land use(s) based on vehicle trips, total floor area, and the anticipated potable water demand. Additionally, the specific energy conservation related Project Design Features and regulatory compliance measures that apply to the proposed project will also apply to any changes in land uses and/or floor area under the Land Use Equivalency Program. Therefore, environmental impacts associated with electricity and natural gas demands will be less than significant and the same as the proposed project.

e) SOLID WASTE

Construction of the proposed project is estimated to generate approximately 3,490 tons of construction debris. Operation of the proposed project is estimated to generate approximately 9,259 pounds (4.63 tons) of solid waste per day, or approximately 8,948 lbs./day over existing conditions. The proposed project's construction and operational waste will be reduced through compliance with mandatory waste reduction measures required by the LAMC and California Green Building Code. Furthermore, the Sunshine Canyon Landfill and the Chiquita Canyon landfill have adequate capacity to serve the project site. The project's impacts to solid waste will be less than significant.

With respect to solid waste disposal needs, the project's estimated solid waste generation could increase marginally above what is anticipated under the analyzed proposed project. However, for any increase in one permitted land use, there will be a corresponding decrease in another land use as constrained by the project's peak hour trips, total permitted floor area, the project's potable water demand, and the maximum land use limits identified above. Furthermore, the specific solid waste reduction efforts mandated by the applicable regulatory compliance measures will further ensure that any changes in land uses and/or floor area under the Land Use Equivalency Program

will not result in a substantial increase in solid waste impacts beyond what is identified for the proposed project. Therefore, environmental impacts associated with solid waste disposal needs will be less than significant and the same as the proposed project.

f) CUMULATIVE IMPACTS

Implementation of the proposed project in conjunction with cumulative development within the City of Los Angeles will further increase cumulative demands for water supplies in the LADWP service area. In terms of the City's overall water supply condition, the water demands for projects that are consistent with the City's General Plan have been taken into account in the planned growth of the Water System. Because the LADWP has determined that the project's anticipated water demands are within the growth projections of the 2010 UWMP, the project's cumulative contribution to impacts upon the City's water resources will be less than significant.

Implementation of the proposed project in conjunction with the related projects will further increase demands for sewer service. The total sewage generation by the related projects and the proposed project will be approximately 9,643,470 gpd, or about 9.6 mgd. Sewage generated by the proposed project will contribute approximately 3 percent of the total cumulative sewage generation created by the related projects. Furthermore, the cumulative sewage generation for the proposed project and the related projects will be well within the excess treatment capacity currently available and projected to be available at HTP. Therefore, the proposed project in combination with the related projects will not require the construction of new wastewater treatment facilities or the expansion of existing wastewater treatment facilities. Similar to the proposed project, each related project will be evaluated on a case-by-case basis and will be required to consult with the Bureau of Sanitation and comply with all applicable city and state water conservation programs and sewer allocation ordinances. Therefore, cumulative impacts on wastewater services will be less than significant.

In accordance with current building codes and construction standards, each of the related projects will be required to comply with the energy conservation standards established in Title 24 of the California Administrative Code. Compliance with Title 24 energy conservation standards and other energy conservation programs on the local level will further reduce cumulative energy demands. Cumulative impacts to electricity service will therefore be less than significant.

Implementation of the proposed project in conjunction with the related projects will further increase regional demands for natural gas resources. The total natural gas consumption by the proposed and related projects will be 261,283,536 cubic feet per month. As a public utility provider, the SCG continuously analyzes increases in natural gas demands resulting from projected population and employment growth in its service area and it is anticipated that it will be able to meet the needs of future development within the region. Additionally, compliance with energy conservation standards pursuant to Title 24 of the California Administrative Code will reduce cumulative demands for natural gas resources. Each of the related projects will be reviewed on a case-by-case basis to determine the Gas Company's ability to serve each project. As such, it is anticipated the related projects in the vicinity will likely also be accommodated by SCG. Cumulative impacts upon natural gas resources and infrastructure will therefore be less than significant.

With regard to cumulative solid waste impacts, the proposed project will contribute approximately 0.36 tons of solid waste per day to the Sunshine Canyon landfill, which is negligible in relation to the region as a whole, and solid waste disposal solutions are continuously being sought after on the regional level, the project's contribution to cumulative impacts will be considered less than significant. The total solid waste generation by the proposed project and the related projects will be approximately 285,173 pounds per day or approximately 143 tons per day. The amount of

solid waste to be generated by the proposed project in conjunction with the related projects equates to approximately 0.85 percent of the combined daily capacity at the Sunshine Canyon and Chiquita Canyon landfill's daily excess permitted intake capacity. As with the proposed project, related projects will participate in regional source reduction and recycling programs, significantly reducing the number of tons deposited in area landfills. Although there is currently adequate capacity to accommodate the cumulative disposal needs of the proposed project and related projects, it should be noted that continued capacity beyond the existing service capacity of area landfills is an increasing regional concern. Solutions to resolve the regional solid waste disposal needs are continuously being investigated at the state, regional and local levels. Nevertheless, since there is currently adequate capacity to accommodate the cumulative disposal needs of the proposed project and related projects, cumulative impacts with respect to solid waste will be less than significant.

2. PROJECT DESIGN FEATURES

PDF L.1-1 LADWP staff recommended implementation of additional voluntary water conservation measures to maximize the potential water-use efficiency for the proposed project. Recommended voluntary conservation measures are in addition to those required by City's current codes and ordinances. Based on LADWP staff recommendations, the applicant has voluntarily committed to implement the following additional measures that are beyond those required by law:

- Showers with no more than one showerhead per stall at common residential units, hotel rooms, fitness centers, and commercial uses.
- High Efficiency Clothes Washers (Commercial and Residential) -water factor of 4.5 or less;
- Individual Metering and Billing for water use at separate commercial spaces;
- Cooling Tower Conductivity Controllers or Cooling Tower pH Conductivity Controllers;
- Water-Saving Pool Filter;
- Leak Detection System for swimming pools and Jacuzzi;
- Weather Based Irrigation Controller;
- Drought Tolerant Plants- 40 percent of total landscaping;
- California Native Plants - 30 percent of total landscaping;
- Drip/ Subsurface Irrigation (Micro-Irrigation);
- Rotating Sprinkler Nozzles for Landscape Irrigation- 0.5 gallons per minute for lawn areas only;
- Micro-Spray;
- Proper Hydro-zoning (groups plants with similar water requirements together);
- Zoned Irrigation for a planting area of approximately 46,000 square feet with a plant factor of 0.45;
- Landscaping Contouring to minimize precipitation runoff;
- Less than 5 percent of total open space area to be turf;
- Separate metering or sub-metering for exterior landscaping water use; and
- Building Commissioning to ensure that systems are operating as designed.

PDF L.3-1: The proposed project is designed to incorporate sustainable and responsible building design features to promote further resource conservation including, waste reduction and conservation of electricity and water. Building design and construction will promote efficient use of materials and energy.

PDF L.3-2: The project is designed to meet, at a minimum, a certification level of Leadership in Energy and Environmental Design (LEED) Silver standards or its equivalent. In addition to the project's sustainable feature as an infill development lot, sustainable design features may include: roof- or building-mounted photovoltaic panels; building-integrated photovoltaic cells; day-lighting

of work areas; operable windows and fresh air circulation; dual piping to enable the use of recycled water; water efficient fixtures; and recycling during demolition and construction.

3. FINDINGS

Impacts upon water supplies will therefore be less than significant. No mitigation measures are required. Wastewater impacts will be less than significant. No mitigation measures are required. The project's electricity impacts will be less than significant. No mitigation measures are required. SCG has adequate capacity to serve the project site and impacts upon natural gas will be less than significant. No mitigation measures are required. The project's impacts to solid waste will be less than significant. No mitigation measures are required. Cumulative impacts related to public utilities will be less than significant. No mitigation measures are required. The Project Design Features will result in additional conservation beyond code requirements.

4. RATIONALE FOR FINDINGS

The proposed project is estimated to increase the total water demand within the site by 452 acre-feet (AF) annually based on review of information submitted by the Planning Department. LADWP's WSA finds adequate water supplies will be available to meet the total additional water demand of 452 AF annually for proposed project. LADWP anticipates the projected water demand from proposed project can be met during normal, single-dry, and multiple-dry water years, in addition to the existing and planned future demands on LADWP. Impacts upon water supplies will therefore be less than significant. Additional voluntary conservation measures recommended by LADWP and committed to by the applicant as project design features has yielded savings of approximately 19 AFY (See PDF L.1-1 in Section IV.L Public Utilities of the Recirculated Draft EIR). With implementation of the regulatory compliance measures and project design features identifies below, the project's impact upon regional water supplies will be less than significant.

The proposed project is anticipated to generate approximately 299,021 gallons per day (gpd) of wastewater, or 109 million gallons per year. Sewage generated by the proposed project will be conveyed and treated at the Hyperion Treatment Plant, which has adequate capacity to accommodate the increased wastewater flows. Thus, RWQCB treatment standards area will be maintained and impacts will be less than significant. Water conservation measures required by City ordinance (e.g., installation of low flow toilets and plumbing fixtures that prevent water loss, limitations on hose washing of driveways and parking areas, etc.) will be implemented as part of the proposed project and will help reduce the amount of wastewater generated by the proposed project. These measures will further reduce project impacts with respect to the wastewater treatment capacity.

The energy demands during construction will be typical of construction projects for projects of this size and will not necessitate additional energy facilities or distribution infrastructure. Accordingly, energy demands during construction will be less than significant. Operation of the proposed project will result in a less than significant impact upon energy resources.

The estimated net increase in electricity consumption by the proposed project will be approximately 18,806,744 kilowatts per year. The projected increase in electrical demand due to the proposed project will not have an adverse impact on its electrical system. Based on correspondence from the City of Los Angeles DWP, the DWP will be able to accommodate the proposed project's demand for electricity with the existing electricity supplies. Energy supplies are adequate to serve the project and the installation of needed new infrastructure will not be expected to result in any significant secondary environmental effects. Therefore, impacts will be less than significant. As stated in Section II.C., project Objectives, of the Recirculated Draft EIR one of the goals of the project is to provide a high-performance and environmentally efficient mixed-use

project with the intent to achieve the equivalent of LEED™ certification at the Silver Level pursuant to the City's Green Building Program. While impacts upon regional energy resources are expected to be less than significant, the Department of City Planning imposes standard mitigation measures for all new projects to further reduce project impacts and promote conservation efforts. Implementation of mitigation measures IV.L-1 through IV.L-21 will exceed Title 24 energy efficiency requirements and further reduce demand for electricity.

The proposed project's net natural gas demands are estimated to be approximately 6,028,805 cubic feet (cf) per month, or approximately 72,345,660 cf/year. It is anticipated that the SCG will be able to meet the natural gas demands of the proposed project; however, a natural gas survey of equipment will have to be completed before knowing if the current infrastructure will sustain the demand for the project. Further, since natural gas supplies vary with time, the Southern California Gas Company's ability to accommodate project's demand for natural gas supplies can only be evaluated when the project is approved. However, impacts associated with utility upgrades or additional connections will be temporary in nature and thus result in less than significant impacts upon the environment. Therefore, impacts associated with natural gas consumption will be less than significant.

With regard to impacts associated with demolition and construction debris, the proposed project will generate approximately 3,490 tons of construction and demolition debris over the 20 year anticipated buildout of the proposed project. The amount of solid waste generated during construction will fall well within the available permitted daily intake capacity of area landfills and recycling centers. Therefore, impacts associated with demolition and construction debris will be less than significant. Implementation of regulatory compliance measures CM L.4-1, CM L.4-2 and CM L.4-3 in Section IV.L, Public Utilities of the Recirculated Draft EIR, will effectively achieve a 50 percent reduction in the project's solid waste disposal needs upon area landfills. The project's construction related solid waste impact upon regional landfill capacity will therefore be less than significant. During operation, the proposed project will generate approximately 9,259 pounds (4.63 tons) of solid waste per day, or approximately 1,690 tons per year his estimate is conservative as is does not factor in the diversion of the project's waste stream as a result of implementing an on-site recycling areas. LAMC Section 12.21.19 requires all non-residential and high-rise residential projects provide areas for collecting and loading recyclable materials. (See CM L.4-4 in Section IV.L, Public Utilities of the Recirculated Draft EIR) Operation of the proposed project will result in a less than significant impact upon solid waste disposal resources.

With regard to cumulative impacts on water resources, implementation of the proposed project in conjunction with cumulative development within the City of Los Angeles will further increase cumulative demands for water supplies in the LADWP service area. In terms of the City's overall water supply condition, the water demands for projects that are consistent with the City's General Plan have been taken into account in the planned growth of the Water System. Because the LADWP has determined that the project's anticipated water demands are within the growth projections of the 2010 UWMP, the project's cumulative contribution to impacts upon the City's water resources will be less than significant.

Regarding cumulative impacts on wastewater services, implementation of the proposed project in conjunction with the related projects will further increase demands for sewer service. The total sewage generation by the related projects and the proposed project will be approximately 9,643,470 gpd, or about 9.6 mgd. Sewage generated by the proposed project will contribute approximately 3 percent of the total cumulative sewage generation created by the related projects. Furthermore, the cumulative sewage generation for the proposed project and the related projects will represent approximately 9 percent of HTP's current excess capacity (110 mgd). This increase will be well within the excess treatment capacity currently available and projected to be available at HTP. Therefore, the proposed project in combination with the related projects will not require

the construction of new wastewater treatment facilities or the expansion of existing wastewater treatment facilities. Similar to the proposed project, each related project will be evaluated on a case-by-case basis and will be required to consult with the Bureau of Sanitation and comply with all applicable city and state water conservation programs and sewer allocation ordinances. Therefore, cumulative impacts on wastewater services will be less than significant.

The cumulative effect of the proposed project and related projects demand on electricity service will require near term and/or future additions to the distribution system capacity. Any required near term and/or future additions to the distribution system will be carried out by LADWP and each addition will be completed subject to LADWP review and approval. In accordance with current building codes and construction standards, each of the related projects will be required to comply with the energy conservation standards established in Title 24 of the California Administrative Code. Compliance with Title 24 energy conservation standards and other energy conservation programs on the local level will further reduce cumulative energy demands. Cumulative impacts to electricity service will therefore be less than significant.

Implementation of the proposed project in conjunction with the related projects will further increase regional demands for natural gas resources. The total natural gas consumption by the Proposed and related projects will be 261,283,536 cubic feet per month (see Table IV.L-14, project Cumulative Natural Gas Consumption). As a public utility provider, the SCG continuously analyzes increases in natural gas demands resulting from projected population and employment growth in its service area and it is anticipated that it will be able to meet the needs of future development within the region. Additionally, compliance with energy conservation standards pursuant to Title 24 of the California Administrative Code will reduce cumulative demands for natural gas resources. Each of the related projects will be reviewed on a case-by-case basis to determine the Gas Company's ability to serve each project. As such, it is anticipated the related projects in the vicinity will likely also be accommodated by SCG. Cumulative impacts upon natural gas resources and infrastructure will therefore be less than significant.

With regard to cumulative impacts with respect to solid waste, the proposed project will contribute approximately 0.36 tons of solid waste per day to the Sunshine Canyon landfill, which represents well under one percent of the current excess remaining capacity. Thus, the project's contribution to cumulative impacts will be considered less than significant. The total solid waste generation by the proposed project and the related projects will be approximately 285,173 pounds per day or approximately 143 tons per day. The amount of solid waste to be generated by the proposed project in conjunction with the related projects equates to approximately 0.85 percent of the combined daily capacity at the Sunshine Canyon and Chiquita Canyon landfill's daily excess permitted intake capacity. As with the proposed project, related projects will participate in regional source reduction and recycling programs, significantly reducing the number of tons deposited in area landfills. Since there is currently adequate capacity to accommodate the cumulative disposal needs of the proposed project and related projects, cumulative impacts with respect to solid waste will be less than significant.

5. REFERENCE

For a complete discussion of public utilities impacts please see the following: (1) Section IV.L, Public Utilities of the Recirculated Draft EIR and (2) Section II, Additions and Corrections to the Recirculated Draft EIR of the Final EIR.

N. HAZARDOUS MATERIALS / RISK OF UPSET

1. DESCRIPTION OF EFFECTS

a) CONSTRUCTION IMPACTS

During the construction phase, the proposed project is anticipated to require the routine transport, use and disposal of cleaning solvents, fuels, paints and paint-related products, waste oil, spent solvents, oily rags and other hazardous materials commonly associated with construction projects. Compliance with all applicable local, State, and federal regulations will reduce potentially significant impacts with the routine transport, use and disposal of hazardous materials during construction to less-than-significant levels.

b) OPERATIONAL IMPACTS

Under the proposed project, potentially hazardous materials may be stored or used on the project site as a part of the planned mixed-use development. For example, cleaning solvents will be used in association with janitorial cleaning and general maintenance typical of residential, retail and restaurant land uses. Hazardous materials that will be used will be handled, transported and disposed in accordance with all applicable local, State and federal regulations. Therefore, impacts related to routine transport, use and disposal of hazardous materials during operation will be less than significant.

The project site is not located on or near a City-designated selected disaster route. Therefore, operation of the proposed project will not cause any permanent alternations to evacuation routes and patterns, or impede emergency access or travel upon rights-of way. Emergency vehicle access to the project site will continue to be provided from local public roadways. Thus, the proposed project will have less than significant impact upon emergency response or evacuation plans.

With respect to hazardous materials and potential risk for upset, the exchange of one land use for another will not affect the analytical assumptions pertaining to hazards or the potential risk of upset. The exchange of one permitted land use for another permitted land use will be accomplished within the same FAR limitation at the proposed project, and will involve only those land use that are permitted within the scope of the proposed project. Land use exchanges permitted under the Land Use Equivalency Program will also be subject to the same Regulatory Compliance Measures as the project and will be subject to the Site Plan Review Process pursuant to LAMC Section 16.05. Thus, impacts to hazardous materials and the potential for risk of upset will be less than significant under the Land Use Equivalency Program and the same as the proposed project.

c) CUMULATIVE IMPACTS

Development of the proposed project in combination with the related projects has the potential to increase the risk for accidental release of hazardous materials. Each of the related projects will require evaluation for potential threats to public safety, including those associated with the accidental release of hazardous materials into the environment during construction and operation, emergency response, transport/use/disposal of hazardous materials, and hazards to sensitive receptors (including schools). Because hazardous materials and risk of upset conditions are largely site-specific, this will occur on a case-by-case basis for each individual project affected, in conjunction with development proposals on these properties. Implementation of the recommended regulatory compliance measures will reduce the proposed project's potential impacts associated with the accidental release of hazardous materials during construction and operation as well as emergency response to less-than-significant levels, such that the proposed project will not combine with any of the related projects to cause a cumulatively significant impact. Further, each related project will be required to follow local, State and federal laws regarding hazardous materials and other hazards. Therefore, with compliance with local, State and federal

laws pertaining to hazards and hazardous materials, cumulative impacts will be less than significant.

2. PROJECT DESIGN FEATURES

No specific design features are proposed that pertain to the hazards and hazardous materials impact analysis.

3. FINDINGS

Compliance with all applicable local, State, and federal regulations will reduce potentially significant impacts with the routine transport, use and disposal of hazardous materials during construction to less-than-significant levels. No mitigation measures are required. The proposed project will have less than significant impact upon emergency response or evacuation plans. No mitigation measures are required. With compliance with local, State and federal laws pertaining to hazards and hazardous materials, cumulative impacts will be less than significant. No mitigation measures are required.

4. RATIONALE FOR FINDINGS

During the construction phase, all hazardous materials used during demolition and construction activities will be handled in accordance with all applicable local, State, and federal regulations, which include requirements for disposal of hazardous materials at a facility licensed to accept such waste based on its waste classification and the waste acceptance criteria of the permitted disposal facilities. As compliance with existing regulations is mandatory for all development projects, adherence to all applicable rules and regulations will reduce potentially significant impacts with respect to routine transport, use and disposal of hazardous materials during construction to less-than-significant levels. In addition, it is probable that testing for hydrocarbon gases emanating from underground sources will be required prior to new construction. If such gases are detected in concentration over 100 parts per million by volume, measures will be needed to mitigate the hazard of fire or other damage.

Under the proposed project, potentially hazardous materials may be stored or used on the project site as a part of the planned mixed-use development. The proposed project may include medical office and institutional/educational land uses, which could utilize, transport, or disposal of small quantities of potentially hazardous materials in conjunction with routine day-to-day operations of the proposed project. However, hazardous materials that will be used will be handled, transported and disposed in accordance with all applicable local, State and federal regulations. Therefore, impacts related to routine transport, use and disposal of hazardous materials during operation will be less than significant.

With respect to cumulative hazards and hazardous materials impacts, development of the proposed project in combination with the related projects has the potential to increase the risk for accidental release of hazardous materials. Each of the related projects will require evaluation for potential threats to public safety, including those associated with the accidental release of hazardous materials into the environment during construction and operation, emergency response, transport/use/disposal of hazardous materials, and hazards to sensitive receptors (including schools). Because hazardous materials and risk of upset conditions are largely site-specific, this will occur on a case-by-case basis for each individual project affected, in conjunction with development proposals on these properties. Implementation of the recommended regulatory compliance measures will reduce the proposed project's potential impacts associated with the accidental release of hazardous materials during construction and operation as well as emergency response to less-than-significant levels, such that the proposed project will not

combine with any of the related projects to cause a cumulatively significant impact. Further, each related project will be required to follow local, State and federal laws regarding hazardous materials and other hazards. Therefore, with compliance with local, State and federal laws pertaining to hazards and hazardous materials, cumulative impacts will be less than significant.

5. REFERENCE

For a complete discussion of hazards and hazardous materials please see the following: (1) Section IV.M, Hazardous Materials/Risk of Upset of the Recirculated Draft EIR and (2) Section II, Additions and Corrections to the Recirculated Draft EIR of the Final EIR.

VII. IMPACTS THE EIR FOUND TO BE LESS THAN SIGNIFICANT AFTER MITIGATION

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

A. AESTHETICS – CONSTRUCTION VISUAL CHARACTER

1. DESCRIPTION OF EFFECTS

The proposed project's construction activities could create debris and soils stockpiles, staged building materials and supplies, and construction equipment, all of which could occupy the field of view of passing motorists, pedestrians, and neighboring properties. The existing visual character of the project site will temporarily change from vacant surface parking lots to construction-related activities, and will be potentially significant on an interim basis during active periods of construction.

2. PROJECT DESIGN FEATURES

There are no Project Design Features for this environmental issue.

3. MITIGATION MEASURES

MM A.1-1: Construction equipment, debris, and stockpiled equipment shall be enclosed within a fenced or visually screened area to effectively block the line of sight from the ground level of neighboring properties. Such barricades or enclosures shall be maintained in appearance (i.e. free of trash, graffiti, peeling postings and of uniform paint color or graphic treatment) throughout the construction period. Graffiti shall be removed immediately upon discovery.

4. FINDINGS

Changes or alterations and mitigation measures have been required in, or incorporated into, the proposed project which avoid or substantially lessen the potentially significant impacts associated with visual character during construction, as identified in the EIR, to less than significant levels.

5. RATIONALE FOR FINDINGS

Construction of the project will be temporary and will not substantially degrade the existing visual character or quality of the project site and its surroundings. The visual character of the project site

is dominated by underutilized pavement, demolition sites and older commercial buildings and canopy structures that are characteristic of a site in transition. During the project's construction period, the project site will undergo considerable changes with respect to the aesthetic character of the project site and surrounding area. Construction activities will require grading, excavation, and building construction. These construction activities could create debris and soils stockpiles, staged building materials and supplies, and construction equipment, all of which could occupy the field of view of passing motorists, pedestrians, and neighboring properties. Thus, the existing visual character of the project site will temporarily change from vacant surface parking lots to construction-related activities, and will be potentially significant. The potentially significant impact with respect to visual character during construction will be reduced to a less than significant level through the implementation of Mitigation Measure MM A.1-1. With the implementation of this mitigation measure, no significant impacts associated with visual character during construction are anticipated.

6. REFERENCE

For a complete discussion of aesthetics impacts please see the following: (1) Section IV.A.1, Views / Light and Glare of the Recirculated Draft EIR; (2) Section II, Additions and Corrections to the Recirculated Draft EIR of the Final EIR.

B. AESTHETICS – NIGHTTIME LIGHTING

1. DESCRIPTION OF EFFECTS

The proposed project is expected to contribute to lighting within Downtown Los Angeles. The proposed project will adhere to regulatory compliance measures to avoid light spillover to adjacent properties and light and glare impacts will be less than significant prior to mitigation. Implementation of mitigation measures MM.A.1-2 and MM.A.1-3 will further reduce light and glare impacts to less than significant levels.

2. PROJECT DESIGN FEATURES

There are no Project Design Features for this environmental issue.

3. MITIGATION MEASURES

MM A.1-2: The applicant shall ensure the project's façades and windows be constructed of non-reflective materials (e.g., minimize the use of glass with mirror coatings) such that glare impacts on surrounding properties and roadways are minimized. Consistent with applicable energy and building code requirements, including Section 140.3 of the California Energy Code as may be amended, glass with coatings required to meet the Energy Code requirements shall be permitted.

MM A.1-3: Outdoor lighting shall be designed and installed with shielding, such that the light source cannot be seen from adjacent residential properties, the public right- of-way, nor from above.

4. FINDINGS

Through MM A.1-2 and MM A.1-3, changes or alterations and mitigation measures have been required in, or incorporated into, the proposed project which avoid or substantially lessen the potentially significant impacts associated with lighting and glare, as identified in the EIR, to less than significant levels.

5. RATIONALE FOR FINDINGS

Ambient nighttime lighting on the project site and in the project vicinity is generated by sources that include streetlights, automobile headlights, and indoor/outdoor building lighting. The project will introduce lighting to the project area due primarily to building illumination emanating through the windows of the proposed ground-floor commercial storefronts, upper-floor residences, security and pedestrian safety lighting fixtures, signage and LED lighting, and light from vehicles entering and leaving the parking garage.

A detailed lighting plan has not yet been developed by the applicant, however, lighting associated with the proposed ground-floor commercial uses and the parking garage driveways is not anticipated to substantially impact any surrounding sensitive uses as there are no light-sensitive uses located directly across from any of the proposed ground-floor levels of the project. Nevertheless, regulatory compliance measure CM A.1-4 (see Regulatory Compliance Measures on Page IV.A.1-30 of the Recirculated Draft EIR) will reduce any impacts that may occur with respect to nighttime lighting and illumination. Light emanating from the proposed upper- stories will be a relatively low-level indirect source of light and will not adversely impact other properties in the immediate area. Most, if not all of the occupied structures in the project vicinity are retail and wholesale commercial uses and are not in operation after 6:00 p.m. Overall, the project will be expected to slightly increase ambient lighting in the downtown area; however, the downtown area already provides substantial nighttime lighting, which can be considered part of the visual character. Impacts related to nighttime lighting will therefore be less than significant.

6. REFERENCE

For a complete discussion of nighttime lighting impacts please see the following: (1) Section IV.A.1, Views / Light and Glare of the Recirculated Draft EIR; (2) Section II, Additions and Corrections to the Recirculated Draft EIR of the Final EIR.

C. AESTHETICS – SIGNAGE ILLUMINATION

1. DESCRIPTION OF EFFECTS

The project is proposing up to 78,517 square feet of signage display area distributed throughout the project site with signage types consisting of digital displays, high rise signs, projecting signs, roof signs, supergraphic signs, and wall signs. The proposed Signage Program will introduce increased daytime glare and nighttime lighting and illumination that currently does not exist on site or in the surrounding area. The signage program will be regulated through a supplemental use district ordinance for signage, which will provide strict regulations for signage placement, total areas, types of illumination, and light intensity. Nevertheless, the proposed project's lighting impacts and impacts to the aesthetic character of the area will be potentially significant prior to mitigation.

2. PROJECT DESIGN FEATURES

The defining project design features of the Proposed Signage Program are identified as follows.

- Sign Sub-District A contains only static signs with no animation.
- Sign Sub-District B permits animation and Digital Display Signs.
- Any Digital Display Signs will permit only changeable displays at a constant 8 second interval. 50% of the total area of all Digital Signs may be full motion displays.
- Only Signs that are affixed to an occupied building or structure shall be permitted.

- A maximum area of 40% of any given facade may be occupied by Digital Display or Supergraphic Signs, with the exception of Parking Structures whose facades may be occupied up to a maximum area of 80%.
- Roof Signs shall allow LED graphics.
- Roof Signs shall be limited to the display of "onsite" tenant graphics and icons only.
- High Rise Signs shall be permitted for onsite tenant messaging only and shall be static.
- LED lighting shall be permitted for icon and graphics illumination.
- The installation of graphic and text based banners will be allowed on a temporary basis as permitted by Los Angeles Sign Ordinance.
- Digital Displays shall be limited in their hours of operation, and may only be illuminated between the hours of 7 A.M. and 12 A.M.

3. MITIGATION MEASURES

MM A.1-4 Prior to the issuance of a building permit for any new Supergraphic Sign on a parcel within the City Market project area, the applicant shall show evidence, to the satisfaction of the Planning Director, that all existing billboards, mural signs and other prohibited signs have been removed from such parcel.

4. FINDINGS

Through MM A.1-4, changes or alterations and mitigation measures have been required in, or incorporated into, the proposed project which avoid or substantially lessen the potentially significant impacts associated with signage illumination, as identified in the EIR, to less than significant levels.

5. RATIONALE FOR FINDINGS

Signs and graphics will play a large role in creating and reinforcing the desired neighborhood feel of the various public spaces surrounding the educational, hotel, and retail entertainment uses. The proposed signage program includes a comprehensive set of development standards and design guidelines related to signage and illumination as it relates to the unified development program. In total, the project proposes to include up to 78,517 square feet of signage display area distributed throughout the project site with signage types consisting of digital displays, high rise signs, projecting signs, roof signs, supergraphic signs, and wall signs. Way-finding and identity signage is also a major factor in creating and preserving the identity and design character of the project. With respect to the Proposed Signage Program, the project will include up to 78,517 square feet of signage display area distributed throughout the project site with signage types consisting of digital displays, high rise signs, projecting signs, roof signs, supergraphic signs, and wall signs. The Proposed Signage Program will introduce increased daytime glare and nighttime lighting and illumination that currently does not exist on site or in the surrounding area. The signage program will be regulated through a supplemental use district ordinance for signage, which will provide strict regulations for signage placement, total areas, types of illumination, and light intensity. Nevertheless, the proposed project's lighting impacts and impacts to the aesthetic character of the area will be potentially significant prior to mitigation. The potentially significant impact with respect to signage illumination will be reduced to a less than significant level through the implementation of Mitigation Measure MM A.1-4. With the implementation of this mitigation measure, no significant impacts associated with signage illumination are anticipated.

6. REFERENCE

For a complete discussion of signage illumination impacts please see the following: (1) Section IV.A.1, Views / Light and Glare of the Recirculated Draft EIR; (2) Section II, Additions and Corrections to the Recirculated Draft EIR of the Final EIR.

D. GREENHOUSE GAS EMISSIONS – PROJECT CONSISTENCY WITH PLANS, POLICIES AND REGULATIONS

1. DESCRIPTION OF EFFECTS

The proposed project will further the L.A. Green Plan's goals of improving energy conservation and efficiency. The project will comply with the L.A. Green Building Code that incorporates applicable provisions of the CALGreen Code, and in some cases, outlines more strict GHG reduction measures. The proposed project is therefore consistent with statewide goals and policies in place for the reduction of greenhouse gas emissions, including AB 32 and the corresponding Scoping Plan.

Additionally, The proposed project is an infill development project located in downtown Los Angeles near mass transit and a broad mix of land uses. As noted in the project Traffic Study, the project's mix of residential, commercial office, educational, and retail/entertainment land uses, proximity to transit, and location near a broad mix of existing land uses results in a reduction in daily project trips of approximately 8,371, or an approximate 32% reduction compared to a project without these characteristics. Based on these factors, the proposed project will be consistent with the intent of both AB 32 and SB 375 with respect to reducing mobile source emissions associated with the project's trip generation.

2. PROJECT DESIGN FEATURES

There are no Project Design Features for this environmental issue.

3. MITIGATION MEASURES

MM E-1 The project will encourage carpooling and the use of electric vehicles by providing that at least 20 percent of the total code-required parking spaces provided for all types of parking facilities, but in no case less than one location, shall be capable of supporting future electric vehicle supply equipment (EVSE). Plans shall indicate the proposed type and location(s) of EVSE and also include raceway method(s), wiring schematics and electrical calculations to verify that the electrical system has sufficient capacity to simultaneously charge all electric vehicles at all designated EV charging locations at their full rated amperage. Plan design shall be based upon Level 2 or greater EVSE at its maximum operating capacity. Only raceways and related components are required to be installed at the time of construction. When the application of the 20 percent results in a fractional space, round up to the next whole number. A label stating "EV CAPABLE" shall be posted in a conspicuous place at the service panel or subpanel and next to the raceway termination point.

At least 5 percent of the total code-required parking spaces shall be equipped with EV charging stations. Plans shall indicate the proposed type and location(s) of charging stations. Plan design shall be based on Level 2 or greater EVSE at its maximum operating capacity. When the application of the 5 percent requirement results in a fractional space, round up to the next whole number.

4. FINDINGS

Changes or alterations and mitigation measures have been required in, or incorporated into, the proposed project which avoid or substantially lessen the potentially significant impacts associated with consistency with plans, policies and regulations, as identified in the EIR, to less than significant levels.

5. RATIONALE FOR FINDINGS

There is substantial evidence to support that the proposed project is consistent with statewide goals and policies in place for the reduction of greenhouse gas emissions, including AB 32 and the corresponding Scoping Plan (see Table IV.E-6 on Page IV.E-17 of the Recirculated Draft EIR). The City adopted the L.A. Green Plan to provide a citywide plan for achieving the City's GHG emissions targets, for both existing and future generation of greenhouse gas emissions. In order to further implement the L.A. Green Plan's goal of improving energy conservation and efficiency, the Los Angeles City Council has adopted multiple ordinances and updates to establish the current L.A. Green Building Code (Ordinance No. 181480), which is applicable to all new development projects. Among many requirements, the L.A. Green Building Code requires projects to achieve a 20 percent reduction in potable water use and wastewater generation, meet and exceed Title 24 Standards adopted by the California Energy Commission on December 17, 2008, and meet 50 percent construction waste recycling levels. Compliance with these measures alone will further demonstrate the project's consistency with the State's GHG emission goals identified in AB 32 and the 2011 Scoping Plan. The Scoping Plan encourages communities to adopt building codes that go beyond the state code. Accordingly, as the L.A. Green Building Code meets and exceeds applicable provisions of the CALGreen Code, a new development project that can demonstrate it complies with the L.A. Green Building Code can also considered consistent with statewide GHG-reduction goals and policies, including AB 32.

Motor vehicle related GHG emissions are regulated at the Federal, State and local levels. As discussed in the CARB Scoping Plan, the transportation sector – largely the cars and trucks that move goods and people – is the largest contributor with 38 percent of the State's total GHG emissions. As noted in the Scoping Plan, SB 375 establishes mechanisms for the development of regional targets for reducing passenger vehicle GHG emissions. Through the SB 375 process, regions will work to integrate development patterns and the transportation network in a way that achieves the reduction of GHG emissions while meeting housing needs and other regional planning objectives. SB 375 reflects the importance of achieving significant additional reductions of greenhouse gas emissions from changed land use patterns and improved transportation to help achieve the goals of AB 32. The proposed project is an infill development project located in downtown Los Angeles near mass transit and a broad mix of land uses. As noted in the project Traffic Study (see Appendix K to the Recirculated Draft EIR), the project's mix of residential, commercial office, educational, and retail/entertainment land uses, proximity to transit, and location near a broad mix of existing land uses results in a reduction in daily project trips of approximately 8,371, or an approximate 32% reduction compared to a project without these characteristics. Based on these factors, the proposed project will be consistent with the intent of both AB 32 and SB 375 with respect to reducing mobile source emissions associated with the project's trip generation.

6. REFERENCE

For a complete discussion of consistency with plans, policies and regulations impacts please see the following: (1) Section IV.E, Greenhouse Gas Emissions of the Recirculated Draft EIR; (2) Section II, Additions and Corrections to the Recirculated Draft EIR of the Final EIR.

E. NOISE – CONSTRUCTION-RELATED NOISE AND VIBRATIONS

1. DESCRIPTION OF EFFECTS

There are no known noise-sensitive land uses within 500 feet of the project site. Thus, the project will not have the potential to increase ambient exterior noise levels by 10 dBA or more at a noise-sensitive use, or increase ambient exterior noise levels by 5 dBA or more at a noise sensitive use lasting more than 10 days in a three-month period. Thus, construction related noise impacts will be considered less than significant. In addition, construction activities associated with the project will comply with the noise regulations established in Sections 41.40 and 112.05 of the LAMC. Thus, the project will be in compliance with the LAMC with respect to construction and will not violate the noise standards established in the LAMC. Nevertheless, the proposed project will implement Mitigation Measure MM H.1 – MM H.6, which will ensure that construction impacts are less than significant.

There are no known historical buildings or buildings that are extremely susceptible to vibration damage within 25 feet of the project site, there is no potential for the project to generate ground-borne vibration levels that exceed the threshold of 0.12 inches per second at a historical building. Thus, impacts with respect to building damage will be less than significant. In terms of human annoyance, there are no known vibration sensitive land uses in the vicinity of the project site. Thus, because the project will not have the potential to exceed the FTA's threshold of significance at any sensitive receptors, vibration impacts with respect to human annoyance will be less than significant.

2. PROJECT DESIGN FEATURES

There are no Project Design Features for this environmental issue.

3. MITIGATION MEASURES

MM H-1 Noise and groundborne vibration construction activities whose specific location on the project site may be flexible (e.g., operation of compressors and generators, cement mixing, general truck idling) shall be conducted as far as possible from adjacent noise sensitive land uses to comply with LAMC noise requirements, including those set forth in Chapter XI, Article 2 of the Los Angeles Municipal Code. In accordance with the L.A. CEQA Thresholds Guide, noise sensitive uses include residences, transient lodgings, schools, libraries, churches, hospitals, nursing homes, auditoriums, concert halls, amphitheaters, playgrounds and parks. At plan check, building plans shall include documentation prepared by a noise consultant verifying compliance with this measure.

MM H-2 When possible, construction activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.

MM H-3 Flexible sound control curtains shall be placed around all drilling apparatuses, drill rigs, and jackhammers when in use.

MM H-4 The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices (consistent with manufacturers' standards) and shall include the use of plug-in electrical or solar-powered generators. All equipment shall be properly maintained. Construction contractor shall keep documentation on-site demonstrating that the equipment has been maintained in accordance with the manufacturer's specifications.

MM H-5 Barriers such as plywood structures or flexible sound control curtains shall be erected around the project site boundary to minimize the amount of noise on the surrounding land uses to the maximum extent feasible during construction.

MM H-6 All new construction work shall be performed so as not to adversely impact or cause loss of support to any adjacent off-site building or structure. Pre-construction surveys shall be performed to document conditions of the neighboring buildings prior to initiating construction activities within 25 feet of any adjacent off-site building. The documentation shall consist of video or photographic documentation of accessible and visible areas on the exterior and available interior facades of the buildings immediately bordering the project site. A registered civil engineer or certified engineering geologist shall develop recommendations for the adjacent structure monitoring program that will include, but not be limited to, vibration monitoring, elevation and lateral monitoring points, crack monitors and other instrumentation deemed necessary to protect adjacent building and structure from construction-related damage. The monitoring program shall include vertical and horizontal movement, as well as vibration thresholds. If the thresholds are met or exceeded, work shall stop in the area of the affected building until measures have been taken to stabilize the affected building to prevent construction related damage to adjacent structures. The survey documentation shall be submitted to the Department of Building and Safety once prior to construction and resubmitted at the conclusion of the construction process.

4. FINDINGS

Through MM H-1 – MM H-6, changes or alterations and mitigation measures have been required in, or incorporated into, the proposed project which avoid or substantially lessen the potentially significant impacts associated with construction related noise and vibrations, as identified in the EIR, to less than significant levels.

5. RATIONALE FOR FINDINGS

Due to the use of construction equipment, surrounding land uses will be exposed to increased noise levels during project construction. The land uses surrounding the project site are predominately commercial wholesale, retail and light industrial. There are no known off-site sensitive receptors (i.e., schools, libraries, residences, day-care centers, etc.) located within 500 feet of the project site. However, outdoor noise levels at land uses 50 feet from the noise source could range from 77 dBA to 86 dBA Leq with the use of noise-attenuating devices on construction equipment (see Table IV.H-8 on Page IV.H-16 of the Recirculated Draft EIR). These noise levels will represent short-term, but substantial, noise level increases compared to the existing noise level range of 67.7 to 72.8 dBA Leq illustrated in Table IV.H-5 on Page IV.H-11 of the Recirculated Draft EIR. The increase in noise levels at the off-site locations during construction will be temporary in nature and will only occur periodically, not continuously throughout the construction day. Additionally, while the estimated construction noise levels at the off-site locations will be loudest while construction activities are occurring at areas within the project site closest to the off-site location, the majority of the time noise levels at off-site locations will be reduced as construction activities conclude or move to other distant areas within the project site. Thus, the highest noise levels that will be experienced by the off-site receptors will occur only for a limited duration during construction of the proposed project. As construction progresses, noise levels will be reduced at the ground level as construction activities move to interior spaces that will break the line-of-sight noise transmission from the project site to the immediately adjacent land uses.

Based on criteria set forth in the *L.A. CEQA Thresholds Guide*, construction activities lasting more than one day that will increase ambient exterior noise levels by 10 dBA or more at a noise-sensitive use will normally result in a significant impact. In addition, the *L.A. CEQA Thresholds Guide* states that construction activities lasting more than 10 days in a three-month period, which

will increase ambient exterior noise levels by 5 dBA or more at a noise sensitive use, will normally result in a significant impact. As noted above, there are no known noise-sensitive land uses within 500 feet of the project site. Thus, the project will not have the potential to increase ambient exterior noise levels by 10 dBA or more at a noise-sensitive use, or increase ambient exterior noise levels by 5 dBA or more at a noise sensitive use lasting more than 10 days in a three-month period. Thus, construction related noise impacts will be considered less than significant. In addition, construction activities associated with the project will comply with the noise regulations established in Sections 41.40 and 112.05 of the LAMC. Thus, the project will be in compliance with the LAMC with respect to construction and will not violate the noise standards established in the LAMC.

Construction activities that will occur within the project site will have the potential to generate low levels of groundborne vibration. The project site is not located in close proximity to any known historical building or building that is extremely susceptible to vibration damage. As discussed previously, vibration thresholds relative to historic and potentially historic buildings are more restrictive than the threshold for non-engineered timber and masonry buildings. Specifically, project construction activities could result in significant impacts if a PPV ground-borne vibration level was to exceed 0.12 inches per second at any historical building or building that is extremely susceptible to vibration damage. As there are no known historical buildings or buildings that are extremely susceptible to vibration damage within 25 feet of the project site, there is no potential for the project to generate ground-borne vibration levels that exceed the threshold of 0.12 inches per second at a historical building. Thus, impacts with respect to building damage will be less than significant.

In terms of human annoyance, there are no known vibration sensitive land uses in the vicinity of the project site. Thus, because the project will not have the potential to exceed the FTA's threshold of significance at any sensitive receptors, vibration impacts with respect to human annoyance will be less than significant.

6. REFERENCE

For a complete discussion of the construction-related noise and vibrations impacts, please see the following: (1) Section IV.H, Noise of the Recirculated Draft EIR; (2) Section II, Additions and Corrections to the Recirculated Draft EIR of the Final EIR.

F. PUBLIC SERVICES – POLICE PROTECTION SERVICES

1. DESCRIPTION OF EFFECTS

The project has the potential to adversely affect police services during the construction period due to an increased potential for theft and vandalism. Construction sites can be sources of nuisances, providing hazards and inviting theft and vandalism. Therefore, when not properly secured, construction sites can attract criminal activity and become a distraction for local law enforcement. The construction activities will therefore present a potentially significant impact on police protection services.

2. PROJECT DESIGN FEATURES

There are no Project Design Features for this environmental issue.

3. MITIGATION MEASURES

MM J.2-1 The applicant shall erect temporary fencing (e.g., chain link fencing), low-level security lighting, and locked-entry (e.g., padlock gates or guard-restricted access) to limit access by the general public suitable to prevent trespassers from entering the project site during construction activities to secure the project site and discourage trespassers. Regular security patrols during non-constructions hours shall also be provided. During construction activities, the contractor shall document the security measures and the documentation shall be made available to the Construction Monitor.

4. FINDINGS

Through MM J.2-1, changes or alterations and mitigation measures have been required in, or incorporated into, the proposed project which avoid or substantially lessen the potentially significant impacts associated with police protection services, as identified in the EIR, to less than significant levels.

5. RATIONALE FOR FINDINGS

The project has the potential to adversely affect police services during the construction period due to an increased potential for theft and vandalism. Construction sites can be sources of nuisances, providing hazards and inviting theft and vandalism. Therefore, when not properly secured, construction sites can attract criminal activity and become a distraction for local law enforcement. The construction of the project will therefore present a potentially significant impact on police protection services.

The project could have the potential to adversely affect police services during the construction period due to construction-related traffic congestion and temporary (or partial) roadway or sidewalk closures. Construction activities could require temporary land closures on streets adjacent to the project site, which will have the potential to reduce emergency response times in the surrounding area. Such closures may be necessary for utility relocations, for delivery of materials, or for certain construction procedures. Traffic lane closures are not expected for any extended periods for construction, as it is expected that construction will be able to take place within project limits, or by using protected pedestrian passages on street sidewalks. It is not expected that complete closures of any streets will be required during construction. However, in order to mitigate the potential temporary traffic impacts of any necessary lane and/or sidewalk closures during the construction period, a Construction Traffic Control/Management Plan will be developed to minimize the effects of construction on vehicular and pedestrian circulation and assist in the orderly flow of vehicular and pedestrian circulation in the area of the project. The proposed project's potential construction traffic impacts will therefore be reduced to a less-than-significant level through compliance with this measure.

6. REFERENCE

For a complete discussion of the police protection services impacts, please see the following: (1) Section IV.J, Public Services of the Recirculated Draft EIR; (2) Section II, Additions and Corrections to the Recirculated Draft EIR of the Final EIR.

G. PUBLIC SERVICES – SCHOOLS

1. DESCRIPTION OF EFFECTS

The project site is located approximately 1,500 feet (0.28 miles) west of 9th Street Elementary School. Therefore, it is likely that students pass by the project site on their way to and from school. Construction activities could result in potentially significant impacts by exposing students walking to school to temporary noise and air quality impacts and other safety hazards that are inherently associated with the construction process.

The project is estimated to generate approximately 210 elementary students, 101 middle school students, and 102 high school students for a total of 413 students. While it is likely that some of the students generated by the project will already reside in areas served by LAUSD and will already be enrolled in LAUSD schools, for a conservative analysis, it is assumed that all students generated by the project will be new to the LAUSD. Impacts upon school capacity will be reduced to less than significant levels with the payment of mandatory school developer fees levied by the LAUSD. The project's operational impacts upon school services will therefore be less than significant.

2. PROJECT DESIGN FEATURES

There are no Project Design Features for this environmental issue.

3. MITIGATION MEASURES

MM J.3-1: The developer and contractors shall maintain ongoing contact with administrator of 9th Street Elementary School. The administrative offices shall be contacted when demolition, grading and construction activity begin on the project site so that students and their parents will know when such activities are to occur. The developer shall obtain school walk and bus routes to the schools from either the administrators or from the LAUSD's Transportation Branch (323) 342-1400 and guarantee that safe and convenient pedestrian and bus routes to the school be maintained.

- The developer shall install appropriate traffic signs around the site to ensure pedestrian and vehicle safety.
- There shall be no staging or parking of construction vehicles, including vehicles to transport workers on any of the streets adjacent to any public schools.
- Due to noise impacts on the schools, no construction vehicles or haul trucks shall be staged or idled on these streets during school hours.

4. FINDINGS

Through MM J.3-1, changes or alterations and mitigation measures have been required in, or incorporated into, the proposed project which avoid or substantially lessen the potentially significant impacts associated with schools, as identified in the EIR, to less than significant levels.

5. RATIONALE FOR FINDINGS

The project site is located approximately 1,500 feet (0.28 miles) west of 9th Street Elementary School. Therefore, it is likely that students pass by the project site on their way to and from school. Construction activities could result in potentially significant impacts by exposing students walking to school to temporary noise and air quality impacts and other safety hazards that are inherently associated with the construction process. The potentially significant impact with respect to schools

will be reduced to a less than significant level through the implementation of Mitigation Measure MM J.3-1. With the implementation of this mitigation measure, no significant impacts associated with schools are anticipated.

6. REFERENCE

For a complete discussion of the impacts, please see the following: (1) Section IV.J, Public Services of the Recirculated Draft EIR; (2) Section II, Additions and Corrections to the Recirculated Draft EIR of the Final EIR.

H. TRANSPORTATION / TRAFFIC – CONSTRUCTION IMPACTS, TEMPORARY STREET OR ROADWAY LANE CLOSURES

1. DESCRIPTION OF EFFECTS

It is not expected that complete closure of any streets will be required during construction of the project. Construction activities could, however, result in partial lane closures on streets adjacent to the project site on a temporary and/or intermittent basis for utility relocations/hook-ups, delivery of materials, and other construction activities, as may be required. Any traffic lane or sidewalk closures will need to be coordinated with and approved by the LADOT prior to being implemented. Because partial lane closures will be temporary in nature, and will not require long-term complete closures of any adjacent roadway, such impacts will be considered less than significant. Nevertheless, the proposed project will implement PDF K.1-4 and Mitigation Measure MM K.1-7, which will ensure that construction and operational impacts are less than significant.

2. PROJECT DESIGN FEATURES

PDF K.1-4 The existing LACMTA bus stops must be maintained as part of the final project. During construction, the stops must be maintained or relocated consistent with the needs of LACMTA Bus Operations. The applicant shall contact LACMTA Bus Operations Control Special Events Coordinator at 213-922-4632 regarding construction activities that may impact LACMTA bus lines at least 30 days in advance of initiating construction activities. For closures that last more than six months, LACMTA's Stops and Zones Department will also need to be notified at 213-922-5188, 30 days in advance of initiating construction activities. Other municipal bus operators may also be impacted and should be included in construction outreach efforts.

The final design of the bus stops and surrounding sidewalk area must be compliant with the Americans with Disabilities Act (ADA) and allow passengers with disabilities a clear path of travel to the bus stop from the proposed development.

Driveways accessing parking and loading at the project site should be located away from transit stops, and be designed and configured to avoid potential conflicts with on-street transit services and pedestrian traffic to the greatest degree possible. Vehicular driveways should not be located in or directly adjacent to areas that are likely to be used as waiting areas for transit.

3. MITIGATION MEASURES

MM K.1-7 Pedestrian Safety. The applicant shall plan construction and construction staging as to maintain pedestrian access on adjacent sidewalks throughout all construction phases. This requires the applicant to maintain adequate and safe pedestrian protection, including physical separation (including utilization of barriers such as K-Rails or scaffolding, etc.) from work space and vehicular traffic and overhead protection, due to sidewalk closure or blockage, at all times.

Temporary pedestrian facilities shall be adjacent to the project site and provide safe, accessible routes that replicate as nearly as practical the most desirable characteristics of the existing facility.

Covered walkways shall be provided where pedestrians are exposed to potential injury from falling objects.

The applicant shall keep the sidewalks open during construction until only when it is absolutely required to close or block sidewalk for construction staging. Sidewalks shall be reopened as soon as reasonably feasible taking construction and construction staging into account.

4. FINDINGS

Through MM K.1-7, changes or alterations and mitigation measures have been required in, or incorporated into, the proposed project which avoid or substantially lessen the potentially significant impacts associated with temporary street or roadway lane closures, as identified in the EIR, to less than significant levels.

5. RATIONALE FOR FINDINGS

It is not expected that complete closure of any streets will be required during construction of the project. Construction activities could, however, result in partial lane closures on streets adjacent to the project site on a temporary and/or intermittent basis for utility relocations/hook-ups, delivery of materials, and other construction activities, as may be required. While site deliveries and the staging of all equipment and materials will be organized in the most efficient manner possible and on-site where possible to avoid an impact to the neighborhood and surrounding traffic, it is expected that, at most, one traffic or parking land adjacent to the curb may need to be closed at certain locations for certain periods of time. Any traffic lane or sidewalk closures will need to be coordinated with and approved by the LADOT prior to being implemented. Because partial lane closures will be temporary in nature, and will not require long-term complete closures of any adjacent roadway, such impacts will be considered less than significant. Nevertheless, the proposed project will implement Project Design Feature PDF K.1-4 and Mitigation Measure MM K.1-7, which will ensure that construction impacts are less than significant.

6. REFERENCE

For a complete discussion of the temporary street or roadway lane closures impacts, please see the following: (1) Section IV.K.1, Traffic / Transportation of the Recirculated Draft EIR; (2) Section II, Additions and Corrections to the Recirculated Draft EIR of the Final EIR.

I. TRANSPORTATION / TRAFFIC – CONSTRUCTION IMPACTS, HAULING IMPACTS

1. DESCRIPTION OF EFFECTS

Temporary impacts to the surrounding neighborhood could be anticipated during the hauling phases as a result of trucks staging, idling excessively and traveling on area roadways. The proposed project's construction activities, including hauling will be subject to the City of Los Angeles haul route approval standard conditions to mitigate any adverse impacts upon the neighborhood. Temporary impacts from hauling activities will be considered less than significant with adherence to the haul route conditions identified on the Department of City Planning's General Form CP-6770 (as listed on page IV.K.1-64 of the Recirculated Draft EIR). Nevertheless, the proposed project will implement Mitigation Measure MM K.1-8, which will ensure that hauling impacts are less than significant.

2. PROJECT DESIGN FEATURES

There are no Project Design Features for this environmental issue.

3. MITIGATION MEASURES

MM K.1-8 Construction related heavy-duty truck trips should be scheduled during off-peak commuting periods, when possible.

4. FINDINGS

Through MM K.1-8, changes or alterations and mitigation measures have been required in, or incorporated into, the proposed project which avoid or substantially lessen the potentially significant impacts associated with hauling, as identified in the EIR, to less than significant levels.

5. RATIONALE FOR FINDINGS

All construction and demolition debris will be recycled to the maximum extent feasible. Demolition debris and soil materials from the site that cannot be recycled or diverted will be hauled to the Sunshine or Chiquita Canyon landfills, which accept construction and demolition debris and inert waste from areas within the City of Los Angeles. The Sunshine Canyon Landfill is approximately 30 miles north of the project site (approx. 60 miles round trip). The Chiquita Canyon landfill is approximately 43 miles to the north of the project site (approx. 86 miles round trip). For recycling efforts, the Central L.A. Recycling Center and Transfer Station (Browning Ferris Industries) accepts construction waste for recycling and is located approximately 2.3 miles from the project site (approx. 4.6 miles round trip).

For purposes of analyzing the construction-related impacts, it is anticipated that the excavation and soil export will involve 18-wheel bottom-dump trucks with an average of 12 cubic yard hauling capacity (i.e., 30 tons maximum gross weight). All truck staging will either occur on-site or at designated off- site locations and radioed into the site to be filled. The local haul route to and from the 10 Freeway south of the project site will utilize S. San Pedro Street as a direct route or possibly 9th Street to Central Avenue to access the 10 Freeway. Approval of a Haul Route will be requested prior to construction. The haul route specified above may be modified in compliance with City policies, provided DOT and/or Street Services approves any such modification. Hauling activities for demolition and excavation will occur from 9:00 A.M. to 4:00 P.M. Monday through Saturday. Temporary impacts to the surrounding neighborhood could be anticipated during the hauling phases as a result of trucks staging, idling excessively and traveling on area roadways. The proposed project's construction activities, including hauling will be subject to the City of Los Angeles standard conditions to mitigate any adverse impacts upon the neighborhood. With implementation of regulatory compliance measures CM K.1-1 and CM K.1- 2 temporary impacts from hauling activities will be considered less than significant. Nevertheless, the proposed project will implement Mitigation Measure MM K.1-8, which will ensure that hauling impacts are less than significant.

6. REFERENCE

For a complete discussion of the hauling impacts, please see the following: (1) Section IV.K.1, Traffic / Transportation of the Recirculated Draft EIR; (2) Section II, Additions and Corrections to the Recirculated Draft EIR of the Final EIR.

J. TRANSPORTATION / TRAFFIC – OPERATIONAL IMPACTS, PROJECT DRIVEWAYS

1. DESCRIPTION OF EFFECTS

The project traffic forecasts presented in Section IV.K.1 Traffic / Transportation of the Recirculated Draft EIR were utilized to estimate traffic turning volumes at project driveways in the A.M. and P.M. peak hours for the Future With project condition. The project driveways will not create any significant traffic impacts except at the north outbound driveway on San Pedro Street. As such, the proposed project will incorporate Mitigation Measure MM K.1-6. With the incorporation of MM K.1-6, the proposed project will result in a less than significant impact with regards to project driveways.

2. PROJECT DESIGN FEATURES

There are no Project Design Features for this environmental issue.

3. MITIGATION MEASURES

MM K.1-6: Project Driveways. The impact analysis identified that a significant impact will occur at the northern project driveway (Block 1) and San Pedro Street.

This is proposed to be mitigated by installing a traffic signal at this driveway, which is located opposite East 10th Street, so this will be a four leg signalized intersection. An analysis indicated that a new traffic signal will be warranted at this location (see Appendix E to the Traffic Study). The new traffic signal and revised roadway configuration on San Pedro Street will reflect the roadway widening and property dedication that will be required to meet City Street Standards for an Avenue II (Secondary Highway).

4. FINDINGS

Through MM K.1-6, changes or alterations and mitigation measures have been required in, or incorporated into, the proposed project which avoid or substantially lessen the potentially significant impacts associated with project driveways, as identified in the EIR, to less than significant levels.

5. RATIONALE FOR FINDINGS

The project traffic forecasts presented in Section IV.K.1 Traffic / Transportation of the Recirculated Draft EIR were utilized to estimate traffic turning volumes at project driveways in the A.M. and P.M. peak hours for the Future With project condition. All project driveway intersections will be unsignalized. The level of service for each driveway intersection is shown in Table IV.K-12, Future With project Conditions- Driveway Intersection Analysis, of the Traffic Study in Appendix K of the Recirculated Draft EIR. As can be seen in Table IV.K-12, the project driveway intersection approaches will operate at LOS D or better, with the vast majority operating at LOS A or B except for the following driveway intersection:

- San Pedro Street- North Driveway Outbound LOS F (A.M./P.M.)

All of the driveways intersections will have good visibility for both drivers and pedestrians and all project driveways will be designed in accordance with LADOT standards and approvals. It is therefore concluded that the project driveways will not create any significant traffic impacts except at the north outbound driveway on San Pedro Street. Nevertheless, the proposed project will

implement Mitigation Measure MM K.1-6, which will ensure that project driveway impacts are less than significant.

6. REFERENCE

For a complete discussion of the project driveway impacts, please see the following: (1) Section IV.K.1, Traffic / Transportation of the Recirculated Draft EIR; (2) Section II, Additions and Corrections to the Recirculated Draft EIR of the Final EIR.

K. PARKING – CONSTRUCTION IMPACTS

1. DESCRIPTION OF EFFECTS

Due to the size of the project site and the configuration of existing buildings and vacant areas, it is anticipated that construction parking and staging of vehicles will be accommodated on site and will not impact adjacent properties or adversely affect the on-street parking supply on local street segments.

2. PROJECT DESIGN FEATURES

There are no Project Design Features for this environmental issue.

3. MITIGATION MEASURES

MM K.2-1 No sidewalk in the pedestrian route along a public right-of-way shall be closed for construction unless an alternative pedestrian route is provided that is no more than 500' greater in length than the closed route.

MM K.2-2 Prior to commencing construction on any one Block the project applicant shall develop a Construction Parking Plan identifying designated construction parking and equipment staging areas on-site. In the event a sufficient number of construction parking spaces cannot be accommodated on-site, the applicant shall procure off-site parking at an alternative location in the project vicinity to ensure an adequate supply of off-street parking spaces is available. Employees and subcontractors shall not be allowed to park on surrounding streets for the duration of all construction activities.

4. FINDINGS

Through MM K.2-1 and MM K.2-2, changes or alterations and mitigation measures have been required in, or incorporated into, the proposed project which avoid or substantially lessen the potentially significant impacts associated with parking during construction, as identified in the EIR, to less than significant levels.

5. RATIONALE FOR FINDINGS

Construction activities in urban areas have the potential to increase demands for off-street parking which could also adversely impact traffic and circulation patterns in local neighborhoods. Construction of the project is anticipated to be built out over a 25-year period and will involve the development of approximately 1,719,658 square feet over approximately 10-acres on four development blocks. Due to the size of the project site and the configuration of existing buildings and vacant areas, it is anticipated that construction parking and staging of vehicles will be accommodated on site and will not impact adjacent properties or adversely affect the on-street parking supply on local street segments. As the project is built out, and vacant or underutilized

areas are replaced by new development, the availability of on-site parking for construction workers will likely become more limited. As such, a project-specific Construction Parking Plan will need to be prepared and implemented by the applicant to coordinate designated parking areas for construction workers. The Construction Parking Plan will designate parking locations for construction workers within the project site or provide parking at alternative locations in the project vicinity. The implementation of a Construction Parking Plan will ensure construction workers will be able to park in a designated area and will not adversely affect the availability of on-street parking in the adjoining neighborhood. With mitigation, parking impacts during construction will be reduced to less-than-significant levels.

6. REFERENCE

For a complete discussion of the project driveway impacts, please see the following: (1) Section IV.K.2, Parking of the Recirculated Draft EIR; (2) Section II, Additions and Corrections to the Recirculated Draft EIR of the Final EIR.

VIII. IMPACTS THE EIR FOUND TO BE SIGNIFICANT AND UNAVOIDABLE AFTER MITIGATION

The following impact areas were concluded by the Draft EIR and the Recirculated Draft EIR to be significant and unavoidable with the implementation of the mitigation measures described in the Final EIR. Section 21081 of the California Public Resources Code and Section 15093(b) of the CEQA Guidelines provide that when the decision of a public agency allows the occurrence of unavoidable significant impacts, the agency must state in writing the reasons to support its action based on the EIR and/or other information in the record. Specifically, pursuant to CEQA Guidelines Section 15093(b), the decision maker must adopt a Statement of Overriding Considerations at the time of approval of a project if it finds that significant unavoidable adverse environmental effects will occur. As the proposed project will result in significant unavoidable impacts, a Statement of Overriding Considerations that addresses these impacts is presented in Section XII, Statement of Overriding Considerations, of these Findings.

A. AIR QUALITY – REGIONAL CONSTRUCTION AIR QUALITY IMPACTS

1. DESCRIPTION OF EFFECTS

a) REGIONAL CONSTRUCTION AIR QUALITY IMPACTS

The proposed project's regional construction air quality emissions were found to be below SCAQMD thresholds of significance for all criteria pollutants except for NOx and ROG emissions, which will exceed the regional construction thresholds of significance for all four phases of construction during the excavation and grading activities for NOx and during the building construction activities for ROG. Dust control measures will be implemented as part of the proposed project during each phase of development, as specified by SCAQMD Rule 403 (Fugitive Dust) (see regulatory compliance measure CM B-1). Nevertheless, regional air quality impacts associated with project-related construction emissions will be considered a significant.

With respect to construction impacts, implementation of the Land Use Equivalency Program will not exceed the construction emissions as disclosed in the EIR, as the change in one land use for another land use will not alter the gross building area assumptions for each phase of construction as identified above. The exchange of one land use for another will be limited to the maximum allowable floor area for the project as a whole, and similar to the assumptions employed for the project, will not exceed the volume of construction for each phase of development as identified

above. Thus, the construction-related air quality impacts under the Land Use Equivalency Program will be the same as the project.

b) CUMULATIVE IMPACTS

Construction emissions associated with the proposed project will exceed the SCAQMD's regional thresholds of significance for ROG and NOx. Therefore, the cumulative impact of the proposed project for construction emissions will be considered significant.

2. PROJECT DESIGN FEATURES

There are no Project Design Features for this environmental issue.

3. MITIGATION MEASURES

MM B-1 project contractors shall use 2010 and newer diesel haul trucks (e.g., material delivery trucks and soil import/export). In the event that 2010 model year or newer diesel trucks cannot be obtained, alternative trucks shall meet EPA 2007 model year NOx emissions requirements.

MM B-2 During plan check, the project representative shall make available to the lead agency and the South Coast Air Quality Management District a comprehensive inventory of all off road diesel-powered construction equipment greater than 50 hp. Off-road diesel powered construction equipment shall meet the Tier 4 emission standards, where available. In addition, all construction equipment shall be outfitted with BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations. A copy of each unit's certified tier specification, BACT documentation, and CARB or SCAQMD operating permit shall be provided at the time of mobilization of each applicable unit of equipment to allow the Construction Monitor to compare the on-site equipment with the inventory and certified Tier specification and operating permit.

MM B-3 The applicant shall encourage construction contractors to apply for SCAQMD "SOON" funds. Incentives could be provided for those construction contractors who apply for SCAQMD "SOON" funds. The "SOON" program provides funds to accelerate clean up of off-road diesel vehicles, such as heavy duty construction equipment. More information on this program can be found at the following website: http://www.aqmd.gov/home/programs/business/business-detail?title=off-road-diesel-engines.

MM B-4 To the extent feasible (i.e., depending on distance to electrical power sources such as power poles), contractors shall make use electricity from power poles, plug-in generators, and solar powered generators rather than temporary diesel or gasoline power generators. All equipment shall be properly maintained. Construction contractor shall keep documentation on-site demonstrating that the equipment has been maintained in accordance with the manufacturer's specifications.

MM B-5 The contractors shall provide temporary traffic controls such as a flag person, as necessary, during all phases of significant construction activity to maintain smooth traffic flow. Construction trucks shall be re-routed as necessary to avoid use of congested streets or sensitive receptor areas.

MM B-6 The applicant shall appoint a construction relations officer to act as a community liaison concerning on-site construction activity including resolution of issues related to PM_{10} generation.

MM B-7 Grading and soil disturbance shall be limited to the amount specified in the EIR (approximately 370,069 cubic yards (cy) total export, and a maximum of approximately 151,859 cy of export for any one phase).

MM B-8 The grading contractors shall water active sites at least three times daily or apply non-toxic soil stabilizers according to manufacturers' specifications to all inactive construction areas (previously graded areas inactive for ten days or more) and unpaved parking or staging areas.

MM B-9 Traffic speeds on all unpaved roads shall be reduced to 15 mph or less.

4. FINDINGS

Changes or alterations including project design features and mitigation measures have been required in, or incorporated into, the proposed project which reduce the proposed project's significant impacts with regard to regional construction emissions, as identified in the EIR. While such measures will reduce these impacts, the proposed project will result in project-specific and cumulative regional construction emissions that are above the relevant thresholds with adoption of the mitigation measures, and therefore, proposed project impacts with regard to regional emissions during construction will be significant and unavoidable.

Pursuant to Public Resources Code Section 21081(a)(3), specific economic, legal, social, technological, or other considerations, including considerations identified in Section XII of these Findings (Statement of Overriding Considerations), make infeasible the proposed project alternative (No project Alternative A) identified in the Final EIR that will avoid these impacts since that alternative will not satisfy any of the project objectives nor provide any of the project benefits, as explained in more detail below in Section IX of these Findings.

5. RATIONALE FOR FINDINGS

The analysis of regional daily construction emissions has been prepared utilizing the CalEEMod computer model recommended by the SCAQMD. Table IV.B-10 through IV.B-13 (Estimated Peak Daily Construction Emissions for each Phase) in Section IV.B, Air Quality of the Recirculated Draft EIR, identifies daily emissions that are estimated to occur on the peak construction day for each of the construction phases, although construction time frames and day-to-day construction activities may vary.

As required by Regulatory Compliance Measure B-1, these calculations assume that dust control measures will be implemented as part of the proposed project during each phase of development, as specified by SCAQMD Rule 403 (Fugitive Dust). As shown in Tables IV.B-10 through IV.B-13 of the Recirculated Draft EIR, the peak daily emissions generated during the four construction phases of the proposed project will exceed the regional emission thresholds recommended by the SCAQMD for NOx during the excavation/grading activities for all four phases, and ROG during the building construction activities for all four phases. The worst-case NOx emissions will occur under Phase 1 *(161.33 ppd)* and the worst-case ROG emissions will occur under Phase 3 (266.16 ppd). Therefore, regional air quality impacts associated with project-related construction emissions will be considered a significant impact.

According to the SCAQMD, individual construction projects that exceed the SCAQMD recommended daily thresholds for project- specific impacts will cause a cumulatively considerable increase in emissions for those pollutants for which the Basin is in non-attainment. Construction emissions associated with the proposed project will exceed the SCAQMD's regional thresholds of significance for ROG and NOx. Therefore, the cumulative impact of the proposed project for construction emissions will be considered significant.

6. REFERENCE

For a complete discussion of the regional construction air quality impacts please see the following: (1) Section IV.B, Air Quality of the Recirculated Draft EIR and (2) Section II, Additions and Corrections to the Recirculated Draft EIR of the Final EIR.

B. REGIONAL OPERATIONAL AIR QUALITY IMPACTS

1. DESCRIPTION OF EFFECTS

a) REGIONAL OPERATIONAL AIR QUALITY IMPACTS

The project's regional operational emissions will be generated by motor vehicles traveling to and from the project site, energy use, architectural coatings (paint re-application once every ten years) consumer products, hearth, and the operation of landscape maintenance equipment. The operational emissions associated with the project will exceed the established SCAQMD threshold levels during the summertime (smog season) and wintertime (non-smog season) for ROG and NOx. Therefore, impacts associated with regional operational emissions from the project will be potentially significant. Regulatory compliance measure CM E-1 will help reduce the project's regional operational air quality impacts, but the impact will remain significant and unavoidable.

In the context of operational air quality impacts, emissions associated with the operation of the project are predominantly based on the number of daily vehicle trips that will be generated by the proposed project. In accordance with the trip conversion factors presented in Table II-7, Land Use Equivalency Program Trip Equivalency Matrix, in Section II, project Description, the Land Use Equivalency Program allows for the exchange of one land use for another, as long as the total number of p.m. peak hour trips generated does not exceed the total identified in the project Traffic study. Implementation of the Land Use Equivalency Program will be subject to LAMC Section 16.05 (Site Plan Review), where the trip equivalency matrix will be verified to ensure that the number of daily and p.m. peak hour trips do not exceed the volume of trips that are assumed in the project Traffic Study. Thus, since the number of daily vehicle trips generated under the Analyzed project will not be exceeded, the mobile source air quality emissions will remain unchanged. With respect to operational emissions and area sources, the volume of developed floor area will not exceed the maximum allowable floor area as proposed under the proposed project. Thus, while certain land uses may be exchanged for other land uses, the energy demands for the project as a whole will be substantially similar under the Equivalency Program. Land use exchanges permitted under the Land Use Equivalency Program will be subject to the same Regulatory Compliance Measures as the project. Thus, the operational-related air quality impacts under the Land Use Equivalency Program will be the same as the proposed project.

b) CUMULATIVE IMPACTS

With respect to operational emissions, the SCAQMD has indicated that if an individual project results in air emissions of criteria pollutants (CO, ROG, NOx, SOx, PM10, and PM2.5) that exceed the SCAQMD recommended daily thresholds for project-specific impacts, then it will also result in a cumulatively considerable net increase of these criteria pollutants for which the proposed project region is in non-attainment under an applicable federal or state ambient air quality standard. The operational emissions associated with the project will exceed the established SCAQMD threshold levels during the summertime (smog season) and wintertime (non-smog season) for ROG and NOx. Therefore, the cumulative impact of the proposed project for operational emissions will be considered significant.

2. PROJECT DESIGN FEATURES

There are no Project Design Features for this environmental issue.

3. MITIGATION MEASURES

No feasible mitigation measures have been identified.

4. FINDINGS

No feasible changes or alterations including project design features and mitigation measures will reduce the proposed project's significant impacts with regard to regional operational emissions, as identified in the EIR. Thus, the proposed project will result in project-specific and cumulative regional operational emissions that are above the relevant thresholds, and therefore, proposed project impacts with regard to regional emissions during operation will be significant and unavoidable.

Pursuant to Public Resources Code Section 21081(a)(3), specific economic, legal, social, technological, or other considerations, including considerations identified in Section XII of these Findings (Statement of Overriding Considerations), make infeasible the proposed project alternative (No project Alternative A) identified in the Final EIR that will avoid these impacts since that alternative will not satisfy any of the project objectives nor provide any of the project benefits, as explained in more detail below in Section IX of these Findings.

5. RATIONALE FOR FINDINGS

Operational emissions generated by both stationary and mobile sources will result from normal day-to- day activities on the project site after occupancy. Emissions will be generated by motor vehicles traveling to and from the project site, energy use, architectural coatings (paint re-application once every ten years) consumer products, hearth, and the operation of landscape maintenance equipment. The analysis of daily operational emissions from the project has been prepared utilizing CalEEMod. The results of these calculations, and associated SCAQMD thresholds, are presented in Table IV.B-15, Estimated Daily Operational Emissions on Page IV.B-37 of the Recirculated Draft EIR). As shown in Table IV.B-15, the operational emissions associated with the project will exceed the established SCAQMD threshold levels during the summertime (smog season) and wintertime (non-smog season) for ROG and NOx. Therefore, impacts associated with regional operational emissions from the project will be potentially significant.

With respect to operational emissions, the SCAQMD has indicated that if an individual project results in air emissions of criteria pollutants (CO, ROG, NOx, SOx, PM10, and PM2.5) that exceed the SCAQMD recommended daily thresholds for project-specific impacts, then it will also result in a cumulatively considerable net increase of these criteria pollutants for which the proposed project region is in non-attainment under an applicable federal or state ambient air quality standard. The operational emissions associated with the project will exceed the established SCAQMD threshold levels during the summertime (smog season) and wintertime (non-smog season) for ROG and NOx. Therefore, the cumulative impact of the proposed project for operational emissions will be considered significant.

6. REFERENCE

For a complete discussion of the regional operational air quality impacts please see the following: (1) Section IV.B, Air Quality of the Recirculated Draft EIR and (2) Section II, Additions and Corrections to the Recirculated Draft EIR of the Final EIR.

C. NOISE – OPERATIONAL LAND USE/NOISE COMPATIBILITY IMPACTS

1. DESCRIPTION OF EFFECTS

The proposed project will place residences, hotels, and educational uses in an area where noise levels could reach up 71.5 dBA CNEL due to roadway noise, which is above acceptable levels for these land uses according to the City of Los Angeles General Plan Noise Element. Building technology and materials will be used to reduce the future interior noise levels for the proposed land uses. Yet, operational exterior and interior noise impacts for locations fronting San Pedro Street and 9th Street will be significant.

2. PROJECT DESIGN FEATURES

There are no Project Design Features for this environmental issue.

3. MITIGATION MEASURES

No feasible mitigation measures have been identified.

4. FINDINGS

No feasible changes or alterations including project design features and mitigation measures will reduce the proposed project's significant impacts with regard to operational land use/noise compatibility, as identified in the EIR. Thus, the proposed project will result in project-specific operational land use/noise compatibility impacts that are above the relevant thresholds, and therefore, proposed project impacts with regard to operational land use/noise compatibility will be significant and unavoidable.

Pursuant to Public Resources Code Section 21081(a)(3), specific economic, legal, social, technological, or other considerations, including considerations identified in Section XII of these Findings (Statement of Overriding Considerations), make infeasible the proposed project alternative (No Project Alternative A) identified in the Final EIR that will avoid these impacts since that alternative will not satisfy any of the project objectives nor provide any of the project benefits, as explained in more detail below in Section IX of these Findings.

5. RATIONALE FOR FINDINGS

With respect to potential residences, hotels, and educational uses associated with the proposed project, Table IV.H-10 on Page IV.H-20 of the Recirculated Draft EIR, indicates that future roadway noise levels at distances of 50 feet from the San Pedro Street centerline could reach up to 71.3 dBA CNEL and up to 71.5 dBA CNEL along 9th Street. Thus, proposed residential, hotel and educational uses along these corridors may be exposed to noise levels that somewhat exceed 70.0 dBA CNEL which falls within the City of Los Angeles Noise Element's normally unacceptable category for such uses. Thus, the proposed project will result in generally unacceptable exterior noise levels for the proposed residential, hotel and educational uses. As such, operational exterior noise impacts for the placement of proposed sensitive uses fronting San Pedro Street and 9th Street will be considered significant and unavoidable.

6. REFERENCE

For a complete discussion of the operational land use/noise compatibility impacts please see the following: (1) Section IV.H, Noise of the Recirculated Draft EIR and (2) Section II, Additions and Corrections to the Recirculated Draft EIR of the Final EIR.

D. TRANSPORTATION / TRAFFIC – OPERATIONAL IMPACTS, TRIP GENERATION AND STUDY INTERSECTIONS

1. DESCRIPTION OF EFFECTS

a) OPERATIONAL IMPACTS, TRIP GENERATION AND STUDY INTERSECTIONS

The proposed project will generate a net total of 1,127 vehicle trips in the A.M. peak hour, of which 690 will be inbound to the project, and 437 will be outbound trips. In the P.M. peak hour the proposed project will generate a total of about 1,589 vehicle trips, of which 678 will be inbound to the project site and 911 trips will be outbound from the project site.

For purposes of providing a conservative analysis, and for flexibility of future development, the subsequent traffic impact analysis was based on the project option with additional office space. This option is referred to as the "Analyzed project" in the Traffic Study. The Analyzed project will generate a net total of 1,271 vehicle trips in the A.M. peak hour, of which 837 will be inbound to the project, and 434 will be outbound trips. In the P.M. peak hour the Analyzed project will generate a total of about 1,589 vehicle trips, of which 632 will be inbound to the project site and 957 trips will be outbound from the project site.

The addition of project Traffic will result in a significant traffic impact at the following four intersections in the A.M. peak hour:

- #16 San Pedro Street & 9th Street (LOS C)
- #18 San Pedro Street & 12th Street (LOS C)
- #20 San Pedro Street & 16th Street (LOS C)
- #21 San Pedro Street & Washington Boulevard (LOS C)

All of the four impacted intersections will operate at LOS C, with the project.

The addition of project traffic will result in a significant traffic impact at the following eight intersections in the P.M. peak hour:

- # 19 San Pedro Street & Pico Boulevard (LOS C)
- # 18 San Pedro Street & 12th Street (LOS D)
- # 21 San Pedro Street & Washington Boulevard (LOS D)
- # 24 Central Avenue & Olympic Boulevard (LOS D)
- # 3 Main Street & Olympic Boulevard (LOS E)
- # 4 Main Street & Pico Boulevard (LOS E)
- # 20 San Pedro Street & 16th Street (LOS E)
- # 16 San Pedro Street & 9th Street (LOS F)

Three of the eight impacted intersections will operate at LOS D, with the project. Three of the impacted intersections will operate at LOS E with the project, one of which will also operate at

LOS E without the project (Main Street & Pico Boulevard). One intersection (San Pedro Street & 9th Street) will operate at LOS F with the project.

b) CUMULATIVE IMPACTS

Development of the proposed project in conjunction with the 139 related projects will increase the amount of traffic and parking demand in the Central City area of Downtown Los Angeles. The cumulative traffic impacts were addressed in the analysis presented in Section IV.K.1, Traffic/Transportation by comparing the Existing Condition as presented in the "Environmental Setting", to the Future With project scenario (which includes the proposed project plus ambient and related project growth), as presented in the "project Impacts" portion of the Recirculated Draft EIR. Under the Future With project for the A.M. peak hour, the addition of project traffic will result in a significant traffic impact at four intersections.

2. PROJECT DESIGN FEATURES

PDF K.1-1 The proposed project will include the following improvements to pedestrian facilities to provide a safe and walkable pedestrian environment, to increase the number of walking trips, and provide for on-site facilities to reduce the need to make vehicle trips off-site.

- Improve sidewalks adjacent to and within the project where needed and possible.
- Widen sidewalks fronting the site according to the Downtown Street Standards:
  - San Pedro Street between 9th and 12th Street.
  - 9th Street between San Julian to San Pedro Street.
  - 11th Street between San Julian to San Pedro Street (both sides).
  - 12th Street between San Julian and San Pedro.
- Add pedestrian amenities such as: shade, benches, pedestrian-scale lighting, etc.
- Provide mid-block paseos, pedestrian plazas/courtyards, and elevated terrace walkways.
- Provide one or two "Parklets" (probably on San Julian Street).
- Provide a variety (mixed-use) of land uses within project.
- Provide pedestrian-scale retail commercial uses along street frontages.
- Provide on-site facilities such as ATM machines, cafeterias, and convenience shopping.

PDF K.1-2 Project Roadway Improvements. San Julian Street currently operates as a one-way facility southbound between 9th Street and 11th Street. This directional orientation was implemented at the request of the project applicant many years ago to facilitate the original uses located on the project site. As a project design feature, the directional orientation of San Julian Street will be changed back to a two-way facility along the segment between 9th Street and 11th Street. This conversion will create a more consistent roadway network surrounding the project site and provide improved access to all land uses located along this roadway segment.

PDF K.1-3 Land Use Equivalency Program. The project includes a proposed Land Use Equivalency Program to provide for flexibility in the proposed long-term buildout of the overall development program. The purpose of the Equivalency Program is to allow the project the flexibility with respect to modifying the proposed land uses and floor area that is responsive to the future demands of the changing market and economy. The Equivalency Program defines a framework within which permitted land uses and square footages could be exchanged for other permitted land uses so long as the limitations of the Equivalency Program are satisfied and no additional environmental impacts occur. Under all resulting development scenarios and combinations of land uses, the total project net square footage of development will not exceed the proposed FAR of 4.1:1 or 1,719,658 square feet, total water demand will not exceed 452 acre feet per year, and the total wastewater will not exceed 299,021 gallons per day.

3. MITIGATION MEASURES

MM K.1-1 Vehicle Trip Reduction Measures. The following mitigation measures shall be implemented to encourage the use of non-auto modes and reduce vehicle trips:

- Improve pedestrian linkages to adjacent districts (e.g. improve sidewalks, widen crosswalks adjacent to the project).
- Provide sidewalk bike racks (including near bus stops).
- Coordinate with LADOT to provide the physical space (approximately 500 square feet in a strategic locations visible to the public) for a Mobility Hub/Bikeshare Station at the project site that could include space for:
  - Secure, long-term parking.
  - Maintenance and repair, and/or potential small Bicycle Store.
  - Area for bike share.
  - Provide a minimum of six on-site car-share spaces.
- Make a one-time financial contribution of $250,000 to the City of Los Angeles Department of Transportation, the monies to be used in the implementation of the Mobility Hub on the site of the proposed project.
- Make a one-time financial contribution of $250,000 to the City's Bicycle Trust Fund, the monies to be used to improve bicycle facilities in the area of the proposed project.
- Participate in a Car-Share Program, and provide a minimum of 10 (ten) off-street car share parking spaces in the proposed project's parking garage.
- Provide an on-site self-service bicycle repair facility for project employees and visitors at a location other than the Mobility Hub.
- Facilitate rideshare through an on-site transportation coordinator.
- Encourage and facilitate vanpool for project employees, students, etc.
- Priority locations for carpool and vanpool parking.
- Provide on-site facility with information on car-sharing, vanpools, taxis (e.g. kiosk, concierge, or transportation office).
- Provide emergency or late-night ride homes for transit users or carpoolers who unexpectedly leave work early or late and can't take bus/train/carpool.

Some of these measures will facilitate LADOT's First and Last Mile Program by providing people with more transportation choices and better connectivity to transit. Some of these measures will be included in a Transportation Demand Management Program for the project, to be designed to provide incentives for use of transit and rideshare and to reduce the number of vehicle trips.

MM K.1-2 Transit and Parking Measures. The following mitigation measures shall be implemented to encourage the use of transit and reduce parking demand:

- Provide transit information center/concierge/store/kiosks on-site (include sale of transit passes).
- Encourage implementation of bus shelters in area of project.
- Reroute Downtown DASH E from Pico Boulevard to 12th Street between San Pedro and Los Angeles Street to provide direct access to the site.
- Unbundle parking from housing cost.
  Implement parking cash-out programs for project land uses as appropriate.

MM K.1-3 The following Roadway Improvements shall be implemented per City Standards/Requirements:

- San Pedro Street is an Avenue II (Secondary Highway). Adjacent to the project, San Pedro Street currently has a 31-foot half roadway width and a 45-foot right of way with a 14-foot sidewalk. In order to meet City Street Standards for an Avenue II (Secondary Highway), the project will be required to dedicate 7 feet and widen the roadway by 9 feet along the entire frontage of the property on the west side of San Pedro Street between 9th Street and the south property limit just north of 12th Street. This will provide a 40-foot half roadway with a 52-foot half right of way with 15-foot sidewalk.
- 9th Street is an Avenue II street between Main Street and San Pedro Street. East of San Pedro Street it is classified as an Avenue I street. Adjacent to the project, 9th Street currently has a half roadway width of 28-30 feet in a half right of way of 40 feet, with a 10-12 foot sidewalk. The Mobility Plan 2035 and Downtown Street Standards require a 28-foot half roadway with a 43-foot half right of way with a 15-foot sidewalk. (Although with these requirements, in order to obtain a 15-foot sidewalk, the half roadway will have to be narrowed by 2 feet between midblock and San Pedro Street).
- San Julian Street is a local street. Adjacent to the project, San Julian Street has a 20 to 20.5-foot half roadway width in a 30 to 32.5-foot half right of way with a 10 to 12-foot sidewalk. The Mobility Plan 2035 and Street Standards for a Local Street require an 18-foot half roadway and a 30-foot half right of way with a 12-foot sidewalk. No dedication or street width adjustments will be necessary on San Julian Street as the existing street dimensions already meet City Standards.

MM K.1-4 San Pedro Street & 9th Street. The applicant shall restripe the eastbound approach of 9th Street to provide an exclusive right-turn lane, which will change the eastbound approach from one shared left/thru lane and one shared thru/right turn lane to one shared left/thru lane, one thru lane, and one exclusive right turn lane (see concept Plan in Appendix E to the Traffic Study). This could be achieved by slightly widening the street, and will improve the A.M. peak hour level of service to from LOS C (V/C of 0.722) to LOS B (V/C of 0.645) and improve the P.M. peak hour level of service from LOS F (V/C of 1.067) to LOS E (V /C of 0.953).

MM K.1-5 San Pedro & 16th Street. The applicant shall restripe the westbound approach of 16th Street to add a left-turn lane, which will change the westbound approach from one left lane, one thru lane, and one shared thru/right turn lane to two left lanes, one shared thru/right turn lane, and one exclusive right turn lane (see concept Plan in Appendix E to the Traffic Study). This could be done without any roadway widening. In A.M. peak hour, this measure will improve the level of service from LOS D (V/C of 0.725) to LOS C (V/C of 0.709). In the P.M. peak hour, this measure will improve the level of service from LOS E (V/C of 0.920) to LOS D (V/C of 0.851).

4. FINDINGS

Through MM K.1-1 – MM K.1-5, changes or alterations including project design features and mitigation measures have been required in, or incorporated into, the proposed project which reduce the proposed project's significant impacts with regard to the project's traffic impacts, as identified in the EIR. The vehicle trip reduction measures described in MM.K.1-1 and MM.K.1-2, above, will be beneficial to traffic flow, transit service, pedestrian circulation, and overall mobility in the area. In conjunction with LADOT it was conservatively estimated that the above combination of measures could reduce the overall number of vehicle trips generated by the project by about 13%. This estimate was based on a review of various sources including information on trip reduction programs in Vision Los Angeles, the Seattle Urban Mobility Plan, the Sacramento TDM Ordinance, and the recent Wilshire Grand Development project in downtown Los Angeles, as summarized in Appendix E to the Traffic Report. While these trip reduction measures, and the physical traffic improvement measures described in measures MM K.1-3 through MM.K.1-5, above, will reduce traffic impacts, the proposed project will result in significant and unavoidable traffic impacts will remain at the following locations:

- San Pedro Street & 12th Street (AM and PM Peak Hour),
- San Pedro Street & 16th Street (AM and PM Peak Hour),
- San Pedro Street & Washington Boulevard (AM and PM Peak Hour),
- Main Street & Olympic Boulevard (PM Peak Hour),
- Main Street & Pico Boulevard (PM Peak Hour), and
- San Pedro Street & Pico Boulevard (PM Peak Hour).

Pursuant to Public Resources Code Section 21081(a)(3), specific economic, legal, social, technological, or other considerations, including considerations identified in Section XII of these Findings (Statement of Overriding Considerations), make infeasible the proposed project alternative (No project Alternative A) identified in the Recirculated EIR that will avoid these impacts since that alternative will not satisfy any of the project objectives nor provide any of the project benefits, as explained in more detail below in Section IX of these Findings.

5. RATIONALE FOR FINDINGS

The analysis summarized in Table IV.K-11 on Page IV.K.1-55 of the Recirculated Draft EIR, indicates that for the A.M. Peak Hour, the addition of project Traffic will result in a significant traffic impact at four intersections in the A.M. peak hour. These intersections are as follows (with the resultant LOS in parentheses):

- #16 San Pedro Street & 9th Street (LOS C)
- #18 San Pedro Street & 12th Street (LOS C)
- #20 San Pedro Street & 16th Street (LOS C)
- #21 San Pedro Street & Washington Boulevard (LOS C)

All of the four impacted intersections will operate at LOS C, with the project.

The analysis summarized in Table IV.K-11 on Page IV.K.1-55 of the Recirculated Draft EIR, also indicates that for the P.M. peak hour, the addition of project traffic will result in a significant traffic impact at eight intersections in the P.M. peak hour. These intersections are as follows (with the resultant LOS in parentheses):

- # 19 San Pedro Street & Pico Boulevard (LOS C)
- # 18 San Pedro Street & 12th Street (LOS D)
- # 21 San Pedro Street & Washington Boulevard (LOS D)
- # 24 Central Avenue & Olympic Boulevard (LOS D)
- # 3 Main Street & Olympic Boulevard (LOS E)
- # 4 Main Street & Pico Boulevard (LOS E)
- # 20 San Pedro Street & 16th Street (LOS E)
- # 16 San Pedro Street & 9th Street (LOS F)

Three of the eight impacted intersections will operate at LOS D, with the project. Three of the impacted intersections will operate at LOS E with the project, one of which will also operate at LOS E without the project (Main Street & Pico Boulevard). One intersection (San Pedro Street & 9th Street) will operate at LOS F with the project.

6. REFERENCE

For a complete discussion of the trip generation and study intersection operational impacts please see the following: (1) Section IV.K.1, Traffic / Transportation of the Recirculated Draft EIR and (2) Section II, Additions and Corrections to the Recirculated Draft EIR of the Final EIR.

IX. ALTERNATIVES TO THE PROPOSED PROJECT

In addition to the proposed project, the Recirculated Draft EIR evaluated a reasonable range of seven alternatives. These alternatives included: (1) No project Alternative A – City Market South Buildout; (2) No project Alternative B - Existing Zoning and General Plan Buildout; (3) Reduced Density Alternative A (3:1 FAR); (4) Reduced Density Alternative B (4:1 FAR with No Residential, and 6:1 FAR on Hotel Block); 5) Reduced Density Alternative C (proposed project with 6:1 FAR on Hotel Block); (6) Reduced Density Alternative D (3:1 FAR with No Residential and 6:1 FAR on Hotel Block); and (7) Reduced Density Alternative E (No Residential West of San Julian Street). In accordance with CEQA requirements, the range of alternatives includes two "No project" alternatives (No project Alternative A – City Market South Buildout and No project Alternative B - Existing Zoning and General Plan Buildout) and alternatives capable of eliminating the significant adverse impacts of the proposed project. These alternatives and their impacts are summarized below.

A. SUMMARY OF FINDINGS

Based upon the following analysis, the City finds, pursuant to CEQA Guidelines Section 15096(g)(2), that no feasible alternative or mitigation measure within its powers will substantially lessen any significant effect of the proposed project, reduce the significant, unavoidable impacts of the proposed project to a level that is less than significant, or avoid any significant impact the proposed project will have on the environment.

B. PROJECT OBJECTIVES

An important consideration in the analysis of alternatives is the degree to which such alternatives will achieve the objectives of the proposed project. As described in the EIR, the objectives of the proposed project are as follows:

In the broadest sense, the primary overarching goal of the project is to develop the underutilized site of the “Ninth Street Market”: the City Market of Los Angeles, into a vibrant mixed-use development highlighting educational, commercial, creative office spaces, residential, hotel, and retail/entertainment land uses; to enhance the activity level and bring a lively destination option for the City of Los Angeles; to harmoniously interact with the Fashion District’s current economic mix and to provide catalyst for new market trends amongst the more than 100 square blocks of the Fashion District. Some specific ways in which this will be accomplished include the following:

1. To provide development for the City and return the project site to economic use which had been operated by the Owner as a produce market since the turn of the last century (1909);

2. To contribute to the revitalization of the Fashion District by providing an example of “smart-growth” infill development consisting of all the mixed uses defined above. To support the Fashion District in its own Specific Plan programming and growth opportunities;

3. To develop the entire project site, over time, with iconic and modern architecture features providing a sense of place with thoughtful recognition of the social, cultural and economic legacy of The City Market of Los Angeles; to aid in the proliferation of local public transit in every feasible way; and, to provide appropriate yet limited flexibility to meet the City's economic development demands and address the City's housing needs to ensure maximum economic development opportunities with the City;

4. To meet the anticipated demand for residential land uses in a job-rich subregion. This will create a better balance of housing and employment opportunities;

5. To integrate safe and secure spaces through project design, while also including public spaces, such as open space, pedestrian paseos and walkways to be open to the public;

6. To provide a state-of-the-art sustainability program to be incorporated into all stages of the project buildout and operation;

7. To promote a safe pedestrian-oriented environment through enhanced pedestrian connections and bicycle pathways in a mixed-use project, which integrates housing with on-site educational and employment opportunities;

8. To enhance the visual appearance and appeal of the neighborhood in a meaningful way, by providing perimeter and interior landscaping to help cultivate an aesthetically pleasing experience for all visitors to the Fashion District, and that will, by example, also encourage others to do likewise;

9. To promote local and regional land use and mobility objectives and reduce vehicular trips by integrating a mix of land uses and jobs in close proximity to the City's historic core, Art and Entertainment District, South Park, and Industrial Eastside Districts;

10. To provide open and green space, walkways, plazas and other gathering spaces and connections necessary to promote pedestrian linkages between the project;

11. To establish uniform development standards and criteria for the mix of land uses, bulk/height, parking and loading, architectural features, landscape treatment, signage, lighting, and sustainability, that promote the long-term development of the project site within the larger neighborhood context;

12. To incorporate sustainable and responsible building design features to promote further resource conservation including, waste reduction and conservation of electricity and water. Building design and construction will promote efficient use of materials and energy;

13. To provide high rise towers that may act as a beacon and anchor for the Fashion District;

14. To provide a high-density urbanizing development capable of having a catalytic effect on the surrounding community; and

15. To provide place-making signage to create a sense of place and excitement to render the project financially feasible.

16. To design and implement a land use equivalency program that will support continued long- term buildout and revitalization of the project site while ensuring the project has the necessary flexibility to respond to the City's economic development needs and the housing shortage within the Downtown Core, including the Fashion District.

The City finds that with the various stated objectives for this project, there are certain basic objectives of importance to the applicant, future residents, employers and businesses and visitors that the proposed project will attract as well as to the City its and the public. These include: (i) housing consisting of affordable and market rate residential units to address the critical housing shortage in the City (Housing), (ii) economic development and return for the applicant and the City (Economic); (iii) enhancement of the quality of life for residents, employers and businesses and visitors as well as for the City (Quality of Life); and (iv) good urban planning (Good Planning).

C. PROJECT ALTERNATIVES ANALYZED AND REJECTED

1. ALTERNATIVE 1: NO PROJECT ALTERNATIVE A – CITY MARKET SOUTH BUILDOUT

a) DESCRIPTION OF ALTERNATIVE

The No Project Alternative A is the circumstance under which the proposed project does not proceed. In February 2013, at the time the NOP was published for the proposed project, the project site was developed with approximately 115,249 square feet of developed floor area, of which only 59,000 square feet was occupied with active commercial wholesale and office land uses. Because such a large portion of the project site is vacant and underutilized the applicant has been actively seeking interim uses to keep the site active and viable. In March of 2014 the applicant submitted a conditional use permit (CUP) application for the "South Market Court" to re-purpose some of the existing buildings on portions of Block 2 with restaurant uses (City of Los Angeles Case No. ZA-2014-1980-MCUP-CUX-ZV and ENV-2014-1981-MND). The Master CUP for Case ZA- 2014-1980-MCUP-CUX-ZV was approved on December 18, 1014. The improvements associated with these interim uses require limited interior renovations and will not involve any demolition or new construction beyond the interior walls of structures that are already located on the project site. The proposed restaurant land uses are a conditionally allowed use in the M2-2D (Manufacturing) Zone.

Under the No Project Alternative A, the land uses on the project site will include 94,600 square feet of active land uses consisting of 24,000 square feet of wholesale retail space and 44,600 square feet of restaurant space. All of the uses will be contained within existing used or vacant building spaces and will involve interior remodeling and tenant improvements. No buildings will be demolished and no new buildings will be constructed. The net increase above the existing active land uses that were operational at the time the NOP was published will be 35,600 square feet of floor area. Approximately 20,649 square feet of developed floor area on Block 2 will remain unoccupied or vacant and no foreseeable changes to Blocks 1, 3 or 4 will occur.

The existing wholesale retail land uses will decrease by 2,000 square feet (from 26,000 square feet to 24,000 square feet) and 44,600 square feet of new restaurant floor area will be created by converting vacant or underutilized storage space to restaurant areas. It is anticipated that the CMLA studio space will likely be closed if the proposed project does not proceed and the space will be reutilized as wholesale retail uses.

The new interim restaurant land uses that will occur under the No Project Alternative A will be South Market Court CUP. The proposed South Market Court CUP is independent of the proposed project and is intended to achieve the highest and best interim use of the project site by re-purposing existing and underutilized floor area with active restaurant uses. Buildout of the CUP will result in the interior renovation of existing structures to create approximately 44,600 square feet of restaurant space including six restaurants, a bar and a Gourmet Wine Shop and Market. This South Market Court CUP will involve the conversion of 9,000 square feet of existing occupied floor area that is currently being utilized as warehouse storage and studio spaces and the re-activation of approximately 35,600 square feet of vacant building space to restaurant and bar area. Building A, located at 1113-1127 S. San Pedro Street will be demised into three restaurant spaces totaling 19,500 square feet of floor area. Building B, located at 1122-1132 S. San Julian Street will be improved with three restaurants and a gourmet wine shop and market totaling 16,200 square feet of floor area. Building C, located at 612-624 E. 11th Street will be improved for use as a 9,000 square foot bar with a full line of alcoholic beverages.

b) IMPACT SUMMARY OF ALTERNATIVE

Compared to the proposed project, with regard to impacts associated with hydrology and water quality, although no new impacts will occur under the No project Alternative A, this alternative will result in a greater amount of peak surface water discharge during storm events and will have poorer water quality than as compared to the proposed project. This Alternative will result in impacts with regard to cultural resources and geology and soils that will be the same as or similar to the proposed project. Under the No project Alternative A, impacts will be substantially reduced but similarly less than significant compared to the proposed project associated with aesthetics (construction: visibility of debris, equipment, and material stockpiles; scenic views; obstruction of views; and light and glare); greenhouse gas emissions; hydrology and water quality (construction); land use and planning; population, housing and employment; public services; public utilities; and hazardous materials. The No project Alternative A, when compared to the proposed project will have comparatively less impacts associated with aesthetics (shade and shadow and signage impacts related to illumination); air quality (construction); air quality (operation); noise (construction and operational noise – land use compatibility); and traffic.

In summary, the No Project Alternative A will reduce impacts across many environmental issues; including reducing the proposed project's significant and unavoidable impacts to construction and operational air quality, operational noise – land use compatibility, and operational traffic to a less than significant level.

c) FINDINGS

With this Alternative, the new environmental impacts projected to occur from development of the proposed project will be avoided or reduced. Therefore, this Alternative will be an environmentally superior alternative to the proposed project. However, this Alternative will accomplish none of the objectives of the proposed project. Pursuant to Public Resources Code Section 21081(a)(3), 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 A described in the EIR.

d) RATIONALE FOR FINDINGS

The No Project Alternative A will include 94,600 square feet of active land uses consisting of 24,000 square feet of wholesale retail space and 44,600 square feet of restaurant space. All of the uses will be contained within existing used or vacant building spaces and will involve interior remodeling and tenant improvements. No buildings will be demolished and no new buildings will be constructed. The net increase above the existing active land uses that were operational at the time the NOP was published will be 35,600 square feet of floor area. Approximately 20,649 square feet of developed floor area on Block 2 will remain unoccupied or vacant and no foreseeable changes to Blocks 1, 3 or 4 will occur. This Alternative will not meet any of the project objectives listed above under Subsection B, project Objectives. The No project Alternative A additionally will not provide certain environmental benefits that the proposed project offers, such as the provision of commercial activity, housing, employment growth, and common open space areas on the project site. The No Project Alternative A will avoid the proposed project's significant and unavoidable impacts to construction and operational air quality, operational noise – land use compatibility, and operational traffic. Overall, the No Project Alternative A will be inferior to the proposed project as it does not achieve any of the project objectives. Therefore, this Alternative is infeasible and less desirable than the proposed project and is rejected for the reasons stated above.

e) REFERENCE

For a complete discussion of impacts associated with the No Project Alternative A, please see Section V, project Alternatives, of the Recirculated Draft EIR.

2. ALTERNATIVE 2: NO PROJECT ALTERNATIVE B – EXISTING ZONING AND GENERAL PLAN BUILDOUT

a) DESCRIPTION OF ALTERNATIVE

The No Project Alternative B - Existing Zoning and General Plan Buildout Alternative will consist of the redevelopment of the project site in a manner that is consistent with a by-right alternative that is allowable under the LAMC. The proposed land uses, floor area, height and parking regulations will be compliant with the uses and densities allowed by the LAMC and General Plan without any special requests or variances.

The Proposed Development Under the No Project Alternative B will result in a development of approximately 1,210,239 square feet of development, slightly below the allowable 3:1 FAR. As compared to the proposed project, this alternative will reduce the overall development by 509,419 square feet (an approximate 30% reduction in development) and will eliminate the proposed residential and hotel land uses altogether. The resulting alternative development will include approximately 188,500 square feet of retail space, 48,700 square feet of restaurant space, 312,201 square feet of education/institution space, and 660,838 square feet of office space.

For purposes of the analysis in the Recirculated Draft EIR, Block 1 will consist of an approximate 720,201 square-foot mixed-use project anchored by an educational institutional land use with office and retail land uses. The land uses will consist of approximately 312,201 square feet of an educational/institutional trade or technical use, with approximately 120,000 square feet of wholesale/retail uses on the ground floor and 288,000 square feet of office space above the ground level. Based on the amount of land uses proposed, and a parking rate of 2 spaces per 1,000 square feet, approximately 1,440 parking spaces will be provided on Block 1. All of the parking will be provided in a two-level subterranean parking structure.

Block 2 includes a total of approximately 135,683 square feet of lot area, which yields a total development potential of 407,049 square feet of buildable floor area. However, for purposes of this analysis, future development on Block 2 will be limited to approximately 355,623 square feet of office and retail uses. This is because, similar to the proposed project, the two story building located at 1122 San Julian (Building 16 on site 5) will be renovated in conformance with the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings. This structure, which includes 16,200 square feet of floor area, will be converted into restaurant uses and no additional floor area will be added on this lot. Thus, site 5 will be developed to an FAR of 0.72:1. The 15,993 square foot corner lot at the northeast corner of 12th Street and San Julian Street (i.e., Block 2, site 6), will be developed at a 3:1 FAR with an approximate 46,683 square foot office building. The remainder of Block 2 will be built out at a 3:1 FAR with approximately 292,740 square feet of floor area consisting of 48,000 square feet of ground floor retail and 307,423 square feet of office space. In total, approximately 370,306 square feet of office land uses and 48,000 square feet of retail land uses will be developed on Block 2. With a parking requirement of 2 spaces per 1,000 square feet, this alternative development will require 711 parking spaces. Parking will be provided partially below grade and above grade in a multi-story parking garage.

Block 3 is a 22,885 square foot lot and will support approximately 68,655 square feet of office at a 3:1 FAR. The parking requirements for this office development will total 138 parking spaces, which will be provided partially at grade and below grade in one level of subterranean parking.

Block 4 is an approximate 16,600 square foot lot and will support approximately 49,800 square feet of office space at a 3:1 FAR. The parking requirements for this office development will total 138 parking spaces, which will be provided partially at grade and below grade in one level of subterranean parking.

b) IMPACT SUMMARY OF ALTERNATIVE

This Alternative will result in impacts with regard to cultural resources; geology and soils; hydrology and water quality; and noise (construction) that will be the same as or similar to the proposed project. Similar to the proposed project, development of the No project Alternative B will still exceed the SCAQMD's thresholds of significance for construction related ROG emissions. NOX emissions for the excavation and grading phase will be reduced to less than significant levels. As a result this alternative will be beneficial in reducing construction related air quality emissions but not to the extent necessary to avoid significant and unavoidable air quality impacts with respect to ROG emissions. With regard to operational air quality emissions, the air quality emissions that will occur under this Alternative can be expected to be 5% lower than the emissions generated by the proposed project. However, the reduction in emissions under the No project Alternative B will still exceed the SCAQMD Thresholds of significance for ROG and NOX. Therefore, while this Alternative will result in a slight reduction in operational emissions, this alternative not avoid or eliminate the significant and unavoidable impacts anticipated to be generated by proposed project.

Under the No Project Alternative B, the proposed land uses will generate 1,244 A.M. peak hour trips and 1,467 P.M. peak hour trips, respectively, resulting in 229 additional A.M. peak hour trips, and 122 fewer P.M. peak hour trips as compared to the proposed project. Overall traffic impacts under the No Project Alternative B will be very similar to the proposed project, which will result in significant and unavoidable impacts.

As compared to the proposed project's less than significant impacts for shade/shadow, it is possible that the No Project Alternative B will have similar building heights as to what is being proposed under the project as there is no height limit established for the underlying zone. Thus,

the building height, scale, or massing of the existing structures to be renovated and rehabilitated will be similar with respect to the outer envelope for any one building, but smaller in scale overall. As such, shade or shadow impacts will be the same, or slightly reduced, under this alternative.

Under the No Project Alternative B, impacts will be substantially reduced but similarly less than significant compared to the proposed project associated with aesthetics (construction: visibility of debris, equipment, and material stockpiles; scenic views; obstruction of views; and light and glare); greenhouse gas emissions; land use and planning; population, housing and employment; public services; public utilities; and hazardous materials.

The No Project Alternative B, when compared to the proposed project will have comparatively less impacts associated with aesthetics (signage impacts related to illumination) and noise (operational noise – land use compatibility).

In summary, the No Project Alternative B will reduce impacts across many environmental issues; including reducing the proposed project's significant and unavoidable impact to operational noise – land use compatibility to a less than significant level. However, similar to the proposed project, the No project Alternative B will result in the same significant and unavoidable impacts related to air quality (construction and operation) and operational traffic.

c) FINDINGS

With this Alternative, the new environmental impacts projected to occur from development will be generally similar to those projected to occur under the proposed project, although some will be reduced, including the proposed project's significant and unavoidable impact to operational noise – land use compatibility. However, similar to the proposed project, the No Project Alternative B will result in the same significant and unavoidable impacts related to air quality (construction and operation) and operational traffic. Additionally, this Alternative does not meet the basic and fundamental project objectives to the same extent as the proposed project, in particular, because it provides a reduction in floor area, elimination of the residential and hotel uses, and no proposed signage. Because the No Project Alternative B will be inferior to the proposed project with respect to achieving the majority of the basic project objectives and will furthermore not reduce the air quality (construction and operation) and operational traffic significant impacts to a level of insignificance, this Alternative is infeasible and is less desirable than the proposed project. Pursuant to Public Resources Code Section 21081(a)(3), 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 B described in the EIR.

d) RATIONALE FOR FINDINGS

The No Project Alternative B principally differs from the proposed project in that the No Project Alternative B will consist of the redevelopment of the project site in a manner that is consistent with a by-right alternative that is allowable under the LAMC. The Proposed Development Under the No Project Alternative B will result in a development of approximately 1,210,239 square feet of development, slightly below the allowable 3:1 FAR. As compared to the proposed project, this alternative will reduce the overall development by 509,419 square feet (an approximate 30% reduction in development) and will eliminate the proposed residential and hotel land uses altogether. The resulting alternative development will include approximately 188,500 square feet of retail space, 48,700 square feet of restaurant space, 312,201 square feet of education/institution space, and 660,838 square feet of office space.

Due to the similarities to the proposed project, the No Project Alternative B will achieve some of the project objectives to a similar extent as the proposed project, however, it will not meet or will meet to a lesser extent, basic and fundamental project objectives, including, the No Project Alternative B's ability to meet the anticipated demand for residential uses in a job-rich subregion; to provide high rise towers that may act as a beacon and anchor for the Fashion District; to provide high-density urbanizing development capable of having a catalytic effect on the surrounding community; to provide place-making signage to create a sense of place and excitement to render the project financially feasible; and to design and implement a land use equivalency program that will support continued long- term buildout and revitalization of the project site while ensuring the project has the necessary flexibility to respond to the City's economic development needs and the housing shortage within the Downtown Core, including the Fashion District. The No Project Alternative B will achieve all design objectives, but some will be achieved to a lesser extent than the proposed project. While the No Project Alternative B will be consistent with the project site's existing zoning, No Project Alternative B will not introduce residential and hotel uses and, therefore, will provide less density adjacent to existing and forthcoming major transit lines. Similarly, due to the reduction in density, the long-term jobs generated by the No Project Alternative B will be reduced in comparison to those of the proposed project. Overall, the No Project Alternative B will be inferior to the proposed project with respect to achieving all of the basic and important project objectives. It furthermore will not reduce the proposed project's significant and unavoidable impacts related to air quality (construction and operation) and operation traffic to a level of insignificance. Therefore, this Alternative is infeasible and less desirable than the proposed project and is rejected for the reasons stated above.

e) REFERENCE

For a complete discussion of impacts associated with the No Project Alternative B, please see Section V, Project Alternatives, of the Recirculated Draft EIR.

3. ALTERNATIVE 3: REDUCED DENSITY ALTERNATIVE A (3:1 FAR)

a) DESCRIPTION OF ALTERNATIVE

The Reduced Density Alternative A consists of a mixed-use project, similar to the proposed project with respect to the proposed land uses but with a total floor area ratio (FAR) of approximately 3:1 averaged across the project site. This Alternative will result in the construction of 1,241,791 square feet of developed floor area, representing a reduction of 475,567 square feet of floor area as compared to the proposed project. The Reduced Density Alternative A will consist of the following land uses:

- 312,112 square feet of educational/institutional land uses (500 students);
- 775 residential dwelling units (approximately 619,764 square feet of development);
- 210 hotel rooms (approximately 111,715 square feet of development);
- 123,200 square feet of retail and entertainment space; and
- 75,000 square feet of office space.

Compared to the proposed project this Alternative will have the same amount of floor area for educational/institutional land uses and hotel rooms. The amount of residential uses will decrease by 170 dwelling units. The amount of retail space will decrease by approximately 101,662 square feet, representing a reduction of approximately 45 percent of the proposed project. The amount of office space will decrease by approximately 219,641 square feet, representing a reduction of approximately 75 percent of the proposed project.

The distribution of land uses included within Blocks 1-4 will largely mirror that as proposed under the proposed project. Building heights are expected to be lower under this alternative, but individual buildings may reach the same height as the proposed project on a block-by-block basis. The site plan will largely resemble the proposed project's site plan, with the exception of the massing on Block 1 and Block 2. The massing on Block 1 will yield an FAR of 3.6:1 as compared to 4.35:1 as proposed under the project. The massing on Block 2 will yield an FAR of 1.35:1 as compared to 3.4:1 as proposed under the project. Bicycle and vehicle parking will be provided in accordance with the LAMC. The amount of open space will be reduced under this alternative as a result of fewer residential units.

This alternative will include all of the requested discretionary actions as identified under the proposed project, except that this alternative will not seek an amendment of the "D" condition in order to eliminate the 3:1 FAR limitation that currently exists and the request for FAR averaging across the project site will be adjusted. The anticipated discretionary requests under this Alternative will include approval of a General Plan Amendment to the Central City Community Plan to change the land use designation from Light Manufacturing ("LM") to Regional Commercial ("RC") and apply the existing General Plan footnote No. 4 to the project site which will create consistency with the project scope and the proposed Zone Change to C2; a zone change from M2-2D to [Q]C2-2 to permit the construction of the project, including provisions for the application of the Land Use Equivalency Program, approval of a Supplemental Use District for signage; a CUP approval for FAR averaging in a unified development not to exceed 3.1:1 FAR over the entire site. However, a maximum FAR of 3.62:1 will be permitted on Block 1, 1.35:1 FAR on Block 2, 2.52:1 2.42:1 FAR on Block 3 and 7.14:1 on Block 4, approval of a Master CUP for the off- and on-site sales of alcoholic beverages in retail establishments, bars and restaurants, approval of a Vesting Airspace Tentative Tract Map to permit the merger and re-subdivision of the land and the creation of ground lots and air space lots necessary to facilitate the development of the project, the applicant is also requesting the vacation of the alley located within Block 2 of the site which is surrounded by San Pedro, San Julian, 12th and 11th Streets. The entitlement requests will also seek a reduction from Advisory Agency's Parking Policy to allow parking to be calculated based on LAMC. This alternative will also require that Site Plan Review findings be made a part of the discretionary approvals.

b) IMPACT SUMMARY OF ALTERNATIVE

Compared to the proposed project, which will promote a healthy jobs-housing balance with an estimated population to employment ratio of 1.8:1, the jobs to housing ratio under the Reduced Density Alternative A will decrease to 1.63:1. Impacts to population, housing and employment under this alternative will be less than significant, but slightly increased as compared to the proposed project.

This Alternative will also result in impacts with regard to aesthetics (signage and light and glare); cultural resources; geology and soils; hydrology and water quality; land use and planning; and noise during construction that will be the same or similar as the proposed project.

With regard to air quality during construction, under the Reduced Density Alternative A, construction air quality impacts will be reduced by approximately 25 percent as compared to the proposed project. Assuming an approximate 25% reduction in emissions (correlating to a direct reduction in building mass), development of the Reduced Density Alternative A will still exceed the SCAQMD's thresholds of significance for construction related ROG and NOX emissions. As a result the Reduced Density Alternative A will be beneficial in reducing construction related air quality emissions but not to the extent necessary to avoid significant and unavoidable air quality impacts.

The proposed project's impacts to regional air quality emissions during operation will be significant and unavoidable for ROG and NOX emissions. Under the Reduced Density Alternative, the Reduced Density Alternative's mobile source emissions will be reduced by approximately 34 percent. The Reduced Density Alternative will reduce the project's air quality emissions, but the emissions will still exceed the SCAQMD's operational thresholds of significant for ROG and NOX. Therefore, this alternative will not be effective in reducing the project's significant and unavoidable operational air quality emissions.

Under the proposed project, the proposed residential, hotel and educational uses may be exposed to noise levels that exceed 70.0 dBA CNEL which falls within the City of Los Angeles Noise Element's normally unacceptable category for such uses, resulting in a significant and unavoidable operational noise – land use compatibility impact. Under the Reduced Density Alternative A, the proposed new land uses will still include residential and hotel land uses. Thus, this Alternative will not be effective in avoiding a significant operational noise – land use compatibility impact.

With regard to operational traffic, after mitigation the project will result in significant and unavoidable impacts at three intersections in the A.M. peak hour, and seven intersections in the P.M. peak hour. The Reduced Density Alternative A will generate 860 A.M. peak hour trips (534 Inbound and 326 outbound) and 1,053 P.M. peak hour trips (452 inbound and 601 outbound) as compared to the existing conditions. As compared to the proposed project this alternative will result in fewer trips in both peak hours for both inbound and outbound directions. Fewer impacts overall will be expected.

Under the Reduced Density Alternative A, impacts will be reduced but similarly less than significant compared to the proposed project associated with aesthetics (construction: visibility of debris, equipment, and material stockpiles; scenic views; obstruction of views; light and glare; and shade and shadow); greenhouse gas emissions; public services; public utilities; and hazardous materials.

In summary, the Reduced Density Alternative A will reduce the proposed project's impacts across some environmental issues but will not reduce the proposed project's significant and unavoidable impacts to construction and operational air quality and operational noise – land use compatibility to less than significant levels. Thus, Reduced Density Alternative A will result in significant impacts for the same issues, with the exception of operational traffic as the proposed project. Additionally, with the decrease of the jobs to housing ratio from 1.8:1 under the proposed project to 1.63:1 under the Reduced Density Alternative A, impacts to population, housing and employment under this alternative will be less than significant, but slightly increased as compared to the proposed project.

c) FINDINGS

With this Alternative, the new environmental impacts projected to occur from development will be generally similar to those projected to occur under the proposed project, although some will be reduced. However, this Alternative does not meet the basic and fundamental project objectives to the same extent as the proposed project, in particular, because it provides for reduced levels of employment. In addition, this Alternative will not meet basic and fundamental project objectives to the same extent as the project and will only meet all of the project objectives to a lesser extent due to the reduced density. Because the Reduced Density Alternative A will be inferior to the proposed project with respect to achieving all project objectives and will furthermore not reduce the construction and operational air quality and operational noise – land use compatibility significant impacts to a level of insignificance, this Alternative is infeasible and is less desirable than the proposed project. Pursuant to Public

Resources Code Section 21081(a)(3), specific economic, legal, social, technological, or other considerations, including considerations identified in Section XII of these Findings (Statement of Overriding Considerations), make infeasible the Reduced Density Alternative A described in the EIR.

d) RATIONALE FOR FINDINGS

The Reduced Density Alternative A consists of a mixed-use project, similar to the proposed project with respect to the proposed land uses but with a total floor area ratio (FAR) of approximately 3:1 averaged across the project site. This Alternative will result in the construction of 1,241,791 square feet of developed floor area, representing a reduction of 475,567 square feet of floor area as compared to the proposed project. The Reduced Density Alternative A will consist of: 312,112 square feet of educational/institutional land uses (500 students); 775 residential dwelling units (approximately 619,764 square feet of development); 210 hotel rooms (approximately 111,715 square feet of development); 123,200 square feet of retail and entertainment space; and 75,000 square feet of office space.

Compared to the proposed project this Alternative will have the same amount of floor area for educational/institutional land uses and hotel rooms. The amount of residential uses will decrease by 170 dwelling units. The amount of retail space will decrease by approximately 101,662 square feet, representing a reduction of approximately 45 percent of the proposed project. The amount of office space will decrease by approximately 219,641 square feet, representing a reduction of approximately 75 percent of the proposed project.

Due to the similarities to the proposed project, the Reduced Density Alternative A will achieve all of the project objectives to a similar extent as the proposed project, with two exceptions: the Reduced Density Alternative A's ability to provide high rise towers that may act as a beacon and anchor for the Fashion District, and the Reduced Density Alternative A's reduced amount of retail/restaurant, and commercial office space will result in fewer employees on the project site. Similarly, due to the reduction in density, the long-term jobs generated by the Reduced Density Alternative A will be reduced in comparison to the proposed project. Overall, this Alternative will be inferior to the proposed project with respect to achieving all of the important project objectives. It furthermore will not reduce the proposed project's construction and operational air quality and operational noise – land use compatibility significant and unavoidable impacts to a level of insignificance. Therefore, this Alternative is infeasible and less desirable than the proposed project and is rejected for the reasons stated above.

e) REFERENCE

For a complete discussion of impacts associated with the Reduced Density Alternative A, please see Section V, Project Alternatives, of the Recirculated Draft EIR.

4. ALTERNATIVE 4: REDUCED DENSITY ALTERNATIVE B (4:1 FAR WITH NO RESIDENTIAL AND 6:1 FAR HOTEL)

a) DESCRIPTION OF ALTERNATIVE

The Reduced Density Alternative B consists of a mixed-use project, similar to the proposed project but with a total FAR of approximately 3.96:1 averaged across the entire development. This alternative differs from the proposed project in that it will include no residential land uses and will develop Block 4 with a hotel use with a floor area ratio (FAR) of 6:1. This Alternative will result in the total development of 1,662,597 square feet of developed floor area consisting of 312,112

square feet of educational/institutional land uses (500 students), 210 hotel rooms (approximately 92,249 square feet of floor area), 224,862 square feet of retail and entertainment space, and 1,033,374 square feet of office space. As compared to the proposed project this Alternative will have the same amount of floor area for educational/institutional land uses. The residential component that is proposed under the proposed project will be eliminated. The amount of retail space will be the same as the proposed project, while the amount of office space will increase by approximately 738,733 square feet. Overall, the size of the development will be approximately 57,061 square feet smaller than the proposed project, a reduction of approximately 3%. Bicycle and vehicle parking will be provided in accordance with the LAMC.

The Reduced Density Alternative B will include nearly all of the requested discretionary actions as identified under the proposed project, except for the requests associated with the residential component (which will be eliminated) and for FAR averaging across the project site will be adjusted. The anticipated discretionary requests under this Alternative will include approval of a General Plan Amendment to the Central City Community Plan to change the land use designation from Light Manufacturing ("LM") to Regional Commercial ("RC") and apply the existing General Plan footnote No. 4 to the project site which will create consistency with the project scope and the proposed Zone Change to C2; a zone change from M2-2D to [Q]C2-2, a Height District change from -2D to -2 to permit the construction of the project, including provisions for the application of the Land Use Equivalency Program, an amendment of the "D" condition to apply a new 'D' limitation to modify the allowable FAR from 3:1 to 4.1:1, approval of a Supplemental Use District for signage; a CUP approval for FAR averaging in a unified development not to exceed 3.96.1:1 FAR over the entire site. However, a maximum FAR of 4.27:1 will be permitted on Block 1, 3.40:1 FAR on Block 2, 2.53:1 2.42:1 FAR on Block 3 and 6:1 on Block 4, approval of a Master CUP for the off- and on-site sales of alcoholic beverages in retail establishments, bars and restaurants, approval of a Vesting Airspace Tentative Tract Map to permit the merger and re-subdivision of the land and the creation of ground lots and air space lots necessary to facilitate the development of the project, the applicant is also requesting the vacation of the alley located within Block 2 of the site which is surrounded by San Pedro, San Julian, 12th and 11th Streets. This alternative will also require that Site Plan Review findings be made a part of the discretionary approvals.

The site plan will largely resemble the proposed project's site plan, with the exception of the massing on Block 6, where the floor area will be reduced to 98,094 square feet of floor area (i.e., 6.1 FAR) in contrast to the proposed 117,560 square feet of floor area (i.e., 7.19 FAR) under the proposed project.

b) IMPACT SUMMARY OF ALTERNATIVE

Compared to the proposed project, with regard to greenhouse gas emissions, this alternative will require generally the same level of construction equipment as anticipated for the proposed project, though this alternative will generate approximately 57,061 square feet less building mass. The total volume of construction emissions will be slightly decreased overall, by roughly three percent. Comparatively, the overall operational GHG emissions generated by the proposed project will be increased by approximately 10,265 CO2e or approximately 31 percent under this alternative. This increase is primarily due to an increase in mobile source emissions and increased energy demands. The generation of GHG emissions will be less than significant under both the proposed project and this alternative, but impacts will be increased under this alternative.

Additionally, compared to the proposed project, which included the construction of 945 dwelling units and the generation of 1,446 new residents and approximately 1,705 permanent jobs, the Reduced Density Alternative will provide no dwelling units and the amount of non-

residential floor area will be increased, generating approximately 4,123 additional employees. Thus, impacts to population, housing and employment under this alternative will be less than significant, but slightly increased as compared to the proposed project as no housing will be provided. Furthermore, as a result of the elimination of the resident population and increase in daytime employment population, impacts to public services under this alternative will be slightly higher but similarly less than significant as compared to the proposed project.

This Alternative will also result in impacts with regard to aesthetics (signage and light and glare); cultural resources; geology and soils; hydrology and water quality; land use and planning; and noise during construction that will be the same or similar as the proposed project.

The proposed project's impacts to local air quality resulting from construction activities during grading and excavation will be significant and unavoidable for ROG and NOX emissions. Under the Reduced Density Alternative B, construction air quality impacts will be roughly the same, if not slightly lower than the proposed project, as the total developed floor area under this alternative will be reduced by approximately 57,061 square feet. A three percent decline in construction emissions will not measurably alter the construction impacts as the thresholds of significance are based on maximum daily emissions, not total construction emissions. The daily activities and intensity of construction on a daily basis will be substantially the same under this alternative.

The proposed project's impacts to regional air quality emissions during operation will be significant and unavoidable for ROG and NOX emissions. Under the Reduced Density Alternative B, the Reduced Density Alternative B's mobile source emissions will be increased by approximately 25 percent. The Reduced Density Alternative B will increase the project's air quality emissions for all five criteria pollutants. Because of the increase of vehicle trips, this alternative will exceed the SCAQMD's operational thresholds of significant for ROG, NOX, and CO. Therefore, this alternative will not be effective in reducing the project's significant and unavoidable operational air quality emissions and will be more impactful than the proposed project.

Under the proposed project, the proposed residential, hotel and educational uses may be exposed to noise levels that exceed 70.0 dBA CNEL which falls within the City of Los Angeles Noise Element's normally unacceptable category for such uses, resulting in a significant and unavoidable operational noise – land use compatibility impact. Under the Reduced Density Alternative B, the proposed land uses will not include any residential land uses. Thus, this Alternative will effectively avoid the project's significant land use – noise compatibility impact. Impacts associated with land use noise compatibility will be reduced to less than significant levels under this alternative.

With regard to operational traffic, after mitigation the project will result in significant and unavoidable impacts at three intersections in the A.M. peak hour, and seven intersections in the P.M. peak hour. As compared to the proposed project this alternative will result in 398 more trips in the A.M. peak hour and 344 additional trips during the P.M. peak hour. Overall, this alternative will be more impactful than the proposed project to roadway intersections.

Under the Reduced Density Alternative A, impacts will be reduced but similarly less than significant compared to the proposed project associated with aesthetics (construction: visibility of debris, equipment, and material stockpiles; scenic views; obstruction of views; light and glare; and shade and shadow); public utilities; and hazardous materials.

In summary, the Reduced Density Alternative B will reduce the proposed project's impacts across some environmental issues; but will not reduce the proposed project's significant and unavoidable impacts to construction and operational air quality and operational traffic to a less than significant level. Thus, the Reduced Density Alternative B will result in significant impacts for two of the same issues as the proposed project.

c) FINDINGS

With this Alternative, the new environmental impacts projected to occur from development will be generally similar to those projected to occur under the proposed project, although some will be reduced. However, this Alternative does not meet basic and fundamental project objectives to the same extent as the proposed project, in particular, because it eliminates the residential land uses and develops Block 4 with a hotel use with an FAR of 6:1. Because the Reduced Density Alternative B will be inferior to the proposed project with respect to achieving all project objectives and will furthermore not reduce the construction and operational air quality and operational traffic significant impacts to a level of insignificance any significant impacts to a level of insignificance, this Alternative is infeasible and is less desirable than the proposed project. Pursuant to Public Resources Code Section 21081(a)(3), specific economic, legal, social, technological, or other considerations, including considerations identified in Section XII of these Findings (Statement of Overriding Considerations), make infeasible the Reduced Density Alternative B described in the EIR.

d) RATIONALE FOR FINDINGS

The Reduced Density Alternative B consists of a mixed-use project, similar to the proposed project but with a total FAR of approximately 3.96:1 averaged across the entire development. This alternative differs from the proposed project in that it will include no residential land uses and will develop Block 4 with a hotel use with a floor area ratio (FAR) of 6:1. This Alternative will result in the total development of 1,662,597 square feet of developed floor area consisting of 312,112 square feet of educational/institutional land uses (500 students), 210 hotel rooms (approximately 92,249 square feet of floor area), 224,862 square feet of retail and entertainment space, and 1,033,374 square feet of office space. As compared to the proposed project this Alternative will have the same amount of floor area for educational/institutional land uses. The residential component that is proposed under the proposed project will be eliminated. The amount of retail space will be the same as the proposed project, while the amount of office space will increase by approximately 738,733 square feet. Overall, the size of the development will be approximately 57,061 square feet smaller than the proposed project, a reduction of approximately 3%. Bicycle and vehicle parking will be provided in accordance with the LAMC. Due to the similarities to the proposed project, the Reduced Density Alternative B will achieve some of the project objectives to a similar extent as the proposed project. However, with the elimination of the residential uses, the Reduced Density Alternative B will not meet the following objectives: meet the anticipated demand for residential land uses in a job-rich subregion and design and implement a land use equivalency program that will support continued long- term buildout and revitalization of the project site while ensuring the project has the necessary flexibility to respond to the City's economic development needs and the housing shortage within the Downtown Core, including the Fashion District. Overall, the Reduced Density Alternative B will be inferior to the proposed project with respect to achieving all of the important project objectives. It furthermore will not reduce the proposed project's significant and unavoidable impacts related to construction and operational air quality and operational traffic to less than significant. Therefore, this Alternative is infeasible and less desirable than the proposed project and is rejected for the reasons stated above.

e) REFERENCE

For a complete discussion of impacts associated with the Reduced Density Alternative B, please see Section V, Project Alternatives, of the Recirculated Draft EIR.

5. ALTERNATIVE 5: REDUCED DENSITY ALTERNATIVE C (PROPOSED PROJECT WITH 6:1 FAR ON HOTEL BLOCK)

a) DESCRIPTION OF ALTERNATIVE

The Reduced Density Alternative C consists of a mixed-use project, similar to the proposed project but with a total FAR of approximately 4.0:1 averaged across the entire site, with a 6:1 FAR on the Hotel Block. This Alternative will essentially be the same size as the proposed project, but approximately 19,466 square feet of hotel floor area from Block 4 will be eliminated. The same number of hotel rooms will be provided (i.e., 210 room), and the approximate 17 percent reduction to the size of the hotel will be accommodated by smaller room sizes and a reduction in the hotel circulation and ancillary support spaces. A summary of the proposed land uses under the Reduced Density Alternative C is presented in Table V.F-1, below.

The requested land use entitlements will be the same under this alternative as proposed for the proposed project, with the exception of the specified FAR for Block 4, which will be reduced from 7.16:1 (as currently proposed) to 6:1 FAR.

b) IMPACT SUMMARY OF ALTERNATIVE

This Alternative will result in impacts with regard to aesthetics (signage and light and glare); cultural resources; geology and soils; greenhouse gas emissions; hydrology and water quality; land use and planning; noise during construction; population, housing and employment; and public services that will be the same or similar as the proposed project.

The proposed project's impacts to local air quality resulting from construction activities during grading and excavation will be significant and unavoidable for ROG and NOX emissions. Under the Reduced Density Alternative C, construction air quality impacts will be roughly the same, if not slightly lower than the proposed project, as the total developed floor area under this alternative will be reduced by approximately 19,466 square feet.

The proposed project's impacts to regional air quality emissions during operation will be significant and unavoidable for ROG and NOX emissions. Under the Reduced Density Alternative C, the Reduced Density Alternative C's mobile source emissions will be increased by approximately 1.8 percent. The resulting air quality emissions will be substantially the same. Therefore, this alternative will not be effective in reducing the project's significant and unavoidable operational air quality emissions.

Under the proposed project, the proposed residential, hotel and educational uses may be exposed to noise levels that exceed 70.0 dBA CNEL which falls within the City of Los Angeles Noise Element's normally unacceptable category for such uses, resulting in a significant and unavoidable operational noise – land use compatibility impact. Under the Reduced Density Alternative C, the proposed land uses will still include the same number of residential and hotel land uses. Thus, this Alternative will not be capable of reducing or eliminating the project's significant noise – land use compatibility impact. Impacts associated with operational noise – land use compatibility will be significant and unavoidable and the same as the proposed project.

With regard to operational traffic, after mitigation the project will result in significant and unavoidable impacts at three intersections in the A.M. peak hour, and seven intersections in the P.M. peak hour. As compared to the proposed project this alternative will result in 25 more trips in the A.M. peak hour and 27 additional trips during the P.M. peak hour. Overall, this alternative will be expected to result in the same impacts as identified for the proposed project.

However, under the Reduced Density Alternative C, impacts will be reduced but similarly less than significant compared to the proposed project associated with aesthetics (construction: visibility of debris, equipment, and material stockpiles; scenic views; obstruction of views; light and glare; and shade and shadow); public utilities; and hazardous materials.

In summary, the Reduced Density Alternative C will have impacts that are generally similar to those of the proposed project. While impacts under the Reduced Density Alternative C will be reduced for some environmental issues, the Reduced Density Alternative C will not reduce the proposed project's significant and unavoidable impacts to construction and operational air quality, operational noise – land use compatibility, and operational traffic to a less than significant level. Thus, the Reduced Density Alternative C will result in significant impacts for the same issues as the proposed project.

c) FINDINGS

With this Alternative, the new environmental impacts projected to occur from development will be generally similar to those projected to occur under the proposed project, although some will be reduced. In addition, this Alternative does not meet the basic and fundamental project objectives to the same extent as the proposed project due to the reduced density, in particular, because it will eliminate approximately 19,466 square feet of hotel floor area from Block 4, which will result in an approximate 17 percent reduction to the size of the hotel will be accommodated by smaller room sizes and a reduction in the hotel circulation and ancillary support spaces. Because the Reduced Density Alternative C will be inferior to the proposed project with respect to fully achieving all project objectives and will furthermore not reduce any significant impacts to a level of insignificance, this Alternative is infeasible and is less desirable than the proposed project. Pursuant to Public Resources Code Section 21081(a)(3), specific economic, legal, social, technological, or other considerations, including considerations identified in Section XII of these Findings (Statement of Overriding Considerations), make infeasible the Reduced Density Alternative C described in the EIR.

d) RATIONALE FOR FINDINGS

The Reduced Density Alternative C consists of a mixed-use project, similar to the proposed project but with a total FAR of approximately 4.0:1 averaged across the entire site, with a 6:1 FAR on the Hotel Block. This Alternative will essentially be the same size as the proposed project, but approximately 19,466 square feet of hotel floor area from Block 4 will be eliminated. The same number of hotel rooms will be provided (i.e., 210 room), and the approximate 17 percent reduction to the size of the hotel will be accommodated by smaller room sizes and a reduction in the hotel circulation and ancillary support spaces. The requested land use entitlements will be the same under this alternative as proposed for the proposed project, with the exception of the specified FAR for Block 4, which will be reduced from 7.16:1 (as currently proposed) to 6:1 FAR. Due to the substantial similarities to the proposed project, the Reduced Density Alternative C will achieve the majority of the project objectives, but some will be achieved to a lesser extent than the proposed project. It furthermore will not reduce any of the proposed project's significant and unavoidable impacts

to a level of insignificance. Therefore, this Alternative is infeasible and less desirable than the proposed project and is rejected for the reasons stated above.

e) REFERENCE

For a complete discussion of impacts associated with the Reduced Density Alternative C, please see Section V, Project Alternatives, of the Recirculated Draft EIR.

6. ALTERNATIVE 6: REDUCED DENSITY ALTERNATIVE D (3:1 FAR WITH NO RESIDENTIAL, 6:1 FAR ON HOTEL BLOCK)

a) DESCRIPTION OF ALTERNATIVE

The Reduced Density Alternative D consists of a mixed-use project, similar to the proposed project but with a total FAR of approximately 3:1 averaged across the project site with no residential development and a 6:1 FAR limit on the Hotel Block (Block 4). This Alternative will result in the total construction of 1,244,091 square feet of developed floor area consisting of 312,112 square feet of educational/institutional land uses (500 students), 210 hotel rooms (approximately 94,600 square feet of development), 140,200 square feet of retail and entertainment space, and 697,179 square feet of office space. As compared to the proposed project this Alternative will have the same amount of floor area for educational/institutional land uses and hotel rooms. The amount of retail space will decrease by approximately 84,662 square feet, representing a reduction of approximately 37 percent of the proposed project. The amount of office space will increase by approximately 402,538 square feet, representing an increase of approximately 136 percent of the proposed project. Bicycle and vehicle parking will be provided in accordance with the LAMC. The amount of open space will be reduced under this alternative as commercial uses do not require common open space.

With respect to the requested discretionary actions, this alternative will reduce the overall entitlement requests, specifically as it relates to the elimination of the proposed residential uses in what is currently an M3 Zone and the proposed floor area, which will conform to the existing limitations. The anticipated discretionary requests under this Alternative will include approval of a General Plan Amendment to the Central City Community Plan to change the land use designation from Light Manufacturing ("LM") to Regional Commercial ("RC") and apply the existing General Plan footnote No. 4 to the project site which will create consistency with the project scope and the proposed Zone Change to C2; a zone change from M2-2D to [Q]C2-2 to permit the construction of the project, including provisions for the application of the Land Use Equivalency Program, a Height District change from -2D to -2, approval of a Supplemental Use District for signage; a CUP approval for FAR averaging in a unified development not to exceed 3.0:1 FAR over the entire site; however, a maximum FAR of 3.61:1 will be permitted on Block 1, 1.49:1 FAR on Block 2, 2.42:1 FAR on Block 3 and 6.0:1 on Block 4, approval of a Master CUP for the off- and on-site sales of alcoholic beverages in retail establishments, bars and restaurants, approval of an Airspace Tentative Tract Map to permit the merger and re-subdivision of the land and the creation of ground lots and air space lots necessary to facilitate the development of the project, the applicant is also requesting the vacation of the alley located within Block 2 of the site which is surrounded by San Pedro, San Julian, 12th and 11th Streets. This alternative will also require that Site Plan Review findings be made a part of the discretionary approvals.

b) IMPACT SUMMARY OF ALTERNATIVE

Compared to the proposed project, which will include 945 dwelling units and the generation of 1,446 new residents and approximately 1,705 permanent jobs, no dwelling units will be provided

under the Reduced Density Alternative D and the commercial land uses will generate approximately 2,781 new jobs. Thus, impacts to population, housing and employment under this alternative will be less than significant, but slightly increased as compared to the proposed project as no new housing will be created.

This Alternative will result in impacts with regard to aesthetics (signage and light and glare); cultural resources; geology and soils; hydrology and water quality; land use and planning; and noise during construction that will be the same or similar as the proposed project.

The proposed project's impacts to local air quality resulting from construction activities during grading and excavation will be significant and unavoidable for ROG and NOX emissions. Under the Reduced Density Alternative D, construction air quality impacts will be reduced by approximately 25 percent as compared to the proposed project. Nevertheless, development of the Reduced Density Alternative D will still exceed the SCAQMD's thresholds of significance for construction related ROG and NOX emissions. As a result the Reduced Density Alternative D will be beneficial in reducing construction related air quality emissions but not to the extent necessary to avoid significant and unavoidable air quality impacts.

The proposed project's impacts to regional air quality emissions during operation will be significant and unavoidable for ROG and NOX emissions. Under the Reduced Density Alternative, the Reduced Density Alternative's mobile source emissions will be reduced by approximately 34 percent. Nevertheless, the emissions will still exceed the SCAQMD's operational thresholds of significant for ROG and NOX. Therefore, this alternative will not be effective in reducing the project's significant and unavoidable operational air quality emissions.

Under the proposed project, the proposed residential, hotel and educational uses may be exposed to noise levels that exceed 70.0 dBA CNEL which falls within the City of Los Angeles Noise Element's normally unacceptable category for such uses, resulting in a significant and unavoidable land use –noise compatibility impact. Under the Reduced Density Alternative D, the proposed new land uses will not include any residential land uses. Thus, this Alternative will be effective in avoiding a significant land use – noise compatibility impact. Land use – noise compatibility impacts will therefore be reduced to less than significant levels under Reduced Density Alternative D.

With regard to operational traffic, after mitigation the project will result in significant and unavoidable impacts at three intersections in the A.M. peak hour, and seven intersections in the P.M. peak hour. As compared to the proposed project this alternative will result in slightly more A.M. peak hour trips and slightly fewer PM peak hour trips. Slightly more impacts will potentially be expected in the A.M. peak hour and very similar impacts or slightly fewer impacts in P.M. peak hour.

Under the Reduced Density Alternative A, impacts will be reduced but similarly less than significant compared to the proposed project associated with aesthetics (construction: visibility of debris, equipment, and material stockpiles; scenic views; obstruction of views; light and glare; and shade and shadow); greenhouse gas emissions; public services; public utilities; and hazardous materials.

In summary, the Reduced Density Alternative D will have impacts that are generally similar to those of the proposed project. While impacts under the Reduced Density Alternative D will be reduced for some environmental issues, the Reduced Density Alternative D will not reduce the proposed project's significant and unavoidable impacts to construction and operational air quality and operational traffic to a less than significant level. Thus, the Reduced Density Alternative D

will result in significant impacts for the same construction and operational air quality and operational traffic issues as the proposed project.

c) FINDINGS

With this Alternative, the new environmental impacts projected to occur from development will be generally similar to those projected to occur under the proposed project, although some will be reduced. In addition, this Alternative does not meet the basic and fundamental project objectives to the same extent as the project and will not meet the Project Objectives to the same extent as the proposed project due to the reduced density, in particular, because it will eliminate the residential uses and reduce the amount of open space. Because the Reduced Density Alternative D will be inferior to the proposed project with respect to achieving all project objectives and will furthermore not reduce the construction and operational air quality and operational traffic significant impacts to a level of insignificance, this Alternative is infeasible and is less desirable than the proposed project. Pursuant to Public Resources Code Section 21081(a)(3), specific economic, legal, social, technological, or other considerations, including considerations identified in Section XII of these Findings (Statement of Overriding Considerations), make infeasible the Reduced Density Alternative D described in the EIR.

d) RATIONALE FOR FINDINGS

The Reduced Density Alternative D consists of a mixed-use project, similar to the proposed project but with a total FAR of approximately 3:1 averaged across the project site with no residential development and a 6:1 FAR limit on the Hotel Block (Block 4). This Alternative will result in the total construction of 1,244,091 square feet of developed floor area consisting of 312,112 square feet of educational/institutional land uses (500 students), 210 hotel rooms (approximately 94,600 square feet of development), 140,200 square feet of retail and entertainment space, and 697,179 square feet of office space. As compared to the proposed project this Alternative will have the same amount of floor area for educational/institutional land uses and hotel rooms. The amount of retail space will decrease by approximately 84,662 square feet, representing a reduction of approximately 37 percent of the proposed project. The amount of office space will increase by approximately 402,538 square feet, representing an increase of approximately 136 percent of the proposed project. Bicycle and vehicle parking will be provided in accordance with the LAMC. The amount of open space will be reduced under this alternative as commercial uses do not require common open space. Due to the substantial similarities to the proposed project, Reduced Density Alternative D will achieve the majority of the project objectives, but some will be achieved to a lesser extent than the proposed project. However, with the elimination of the residential uses, the Reduced Density Alternative B will not meet the following objectives: meet the anticipated demand for residential land uses in a job-rich subregion and design and implement a land use equivalency program that will support continued long- term buildout and revitalization of the project site while ensuring the project has the necessary flexibility to respond to the City's economic development needs and the housing shortage within the Downtown Core, including the Fashion District. It furthermore will not reduce the proposed project's construction and operational air quality and operational traffic significant and unavoidable impacts to a level of insignificance. Therefore, this Alternative is infeasible and less desirable than the proposed project and is rejected for the reasons stated above.

e) REFERENCE

For a complete discussion of impacts associated with the Reduced Density Alternative D, please see Section V, project Alternatives, of the Recirculated Draft EIR.

7. ALTERNATIVE 7: NO RESIDENTIAL WEST OF SAN JULIAN STREET

a) DESCRIPTION OF ALTERNATIVE

The following alternative includes the proposed project but with no residential land uses west of San Julian Street. Under this alternative all of the residential land uses will be concentrated on Blocks 1 and 2. The requested land use entitlements will be the same under this alternative as proposed for the proposed project, with the exception that Blocks 3 and 4 will not be included in the Zone Change and General Plan Amendment request.

b) IMPACT SUMMARY OF ALTERNATIVE

This Alternative will result in impacts with regard to aesthetics (signage and light and glare); cultural resources; geology and soils; greenhouse gas emissions; hydrology and water quality; land use and planning;[1] noise during construction; population, housing and employment; public services; public utilities; and hazardous materials that will be the same or similar as the proposed project.

The proposed project's impacts to local air quality resulting from construction activities during grading and excavation will be significant and unavoidable for ROG and NOX emissions. Under the No Residential West of San Julian Street Alternative, construction air quality impacts will similar to the proposed project, as the total developed floor area under this alternative will be nearly identical. The shifting of the residential land uses to the east side of San Julian will not alter the construction emissions as reported for the proposed project analysis. This Alternative's localized emissions will be under the localized thresholds of significance and thus will be considered less than significant.

The proposed project's impacts to regional air quality emissions during operation will be significant and unavoidable for ROG and NOX emissions. Under the No Residential West of San Julian Street Alternative, the project's operational emissions will be the same as proposed under the project as the project's proposed land uses will be largely unchanged. Therefore, this alternative will not be effective in reducing the project's significant and unavoidable operational air quality emissions.

Under the proposed project, the proposed residential, hotel and educational uses may be exposed to noise levels that exceed 70.0 dBA CNEL which falls within the City of Los Angeles Noise Element's normally unacceptable category for such uses, resulting in a significant and unavoidable operational noise – land use compatibility impact. Under the No Residential West of San Julian Street Alternative, the proposed land uses will still include the same number of residential and hotel land uses. Thus, this Alternative will not be capable of reducing or eliminating the project's significant operational noise – land use compatibility impact. Impacts associated with land use noise compatibility will be significant and unavoidable and the same as the proposed project.

With regard to operational traffic, after mitigation the project will result in significant and unavoidable impacts at three intersections in the A.M. peak hour, and seven intersections in the P.M. peak hour. As compared to the proposed project, the No Residential West of San Julian

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[1] Land use and zoning impacts would be less than significant under both the Proposed Project and this Alternative, however, this alternative would preserve the Industrial Zone and Industrial land use designation for the non-contiguous portion of the Project site west of San Julian Street.

Street Alternative will not alter the trips generated by the proposed project as the same amount of land uses are being proposed. The concentration of residential uses to the east side of San Julian and the relocation of office space from Block 2 to Block 3 will not have any effect on the local traffic impacts.

Under the No Residential West of San Julian Street Alternative, impacts will be reduced but similarly less than significant compared to the proposed project associated with aesthetics (construction: visibility of debris, equipment, and material stockpiles; scenic views; obstruction of views; light and glare; and shade and shadow).

c) FINDINGS

With this Alternative, the new environmental impacts projected to occur from development will be generally similar to those projected to occur under the proposed project, although some will be reduced. In addition, this Alternative does not meet the basic and fundamental objectives to the same extent as the proposed project, in particular, because all the residential uses will be concentrated on Blocks 1 and 2. Because the No Residential West of San Julian Street Alternative will be inferior to the proposed project with respect to achieving all project objectives and will furthermore not reduce the operational air quality and operational noise – land use compatibility impacts to a level of insignificance, this Alternative is infeasible and is less desirable than the proposed project. Pursuant to Public Resources Code Section 21081(a)(3), 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 Residential West of San Julian Street Alternative described in the EIR.

d) RATIONALE FOR FINDINGS

The No Residential West of San Julian Street Alternative consists of a mixed-use project, similar to the proposed project but with no residential land uses west of San Julian Street. This Alternative will essentially be the same size as the proposed project, but the residential land uses will be concentrated on Blocks 1 and 2. The requested land use entitlements will be the same under this alternative as proposed for the proposed project, with the exception that Blocks 3 and 4 will not be included in the Zone Change and General Plan Amendment request. Due to the substantial similarities to the proposed project, No Residential West of San Julian Street Alternative will achieve the majority of the project objectives, but some will be achieved to a lesser extent than the proposed project. It furthermore will not reduce the proposed project's operational air quality and operational noise – land use compatibility significant and unavoidable impacts to a level of insignificance. Therefore, this Alternative is infeasible and less desirable than the proposed project and is rejected for the reasons stated above.

e) REFERENCE

For a complete discussion of impacts associated with the No Residential West of San Julian Street Alternative, please see Section V, Project Alternatives, of the Recirculated Draft EIR.

8. ENVIRONMENTALLY SUPERIOR ALTERNATIVE

Section 15126.6(e)(2) of the State CEQA Guidelines indicates that an analysis of alternatives to a project shall identify an environmentally superior alternative among the alternatives evaluated in an EIR and that if the "no project" alternative is the environmentally superior alternative, the EIR shall identify another environmentally superior alternative among the remaining alternatives. With respect to identifying an Environmentally Superior Alternative

among those analyzed in the Draft EIR and the Recirculated Draft EIR, the range of feasible Alternatives includes the following: (1) No Project Alternative A – City Market South Buildout; (2) No Project Alternative B - Existing Zoning and General Plan Buildout; (3) Reduced Density Alternative A (3:1 FAR); (4) Reduced Density Alternative B (4:1 FAR with No Residential, and 6:1 FAR on Hotel Block); 5) Reduced Density Alternative C (proposed project with 6:1 FAR on Hotel Block); (6) Reduced Density Alternative D (3:1 FAR with No Residential and 6:1 FAR on Hotel Block); and (7) Reduced Density Alternative E (No Residential West of San Julian Street).

The No Project Alternative A will be the environmentally superior alternative, as this Alternative will eliminate all of the project's potentially adverse effects upon the environment as it will maintain the status-quo. CEQA requires that when the No project Alternative is the environmentally superior alternative, another alternative needs to be selected as environmentally superior. In accordance with this procedure, the Reduced Density Alternative D (3:1 FAR with No Residential and 6:1 FAR on the Hotel Block) is selected as the environmentally superior alternative as it will eliminate the proposed project's significant and unavoidable noise compatibility impact and will further reduce the project's less than significant land use compatibility impacts. Although the Reduced Density Alternative D will result in significant and unavoidable construction and operational air quality impacts (same conclusion as the proposed project), the proposed project's air quality emissions will be reduced under this alternative. As noted above, Reduced Density Alternative D will not meet the basic and fundamental project objectives to the same extent as the project.

D. ALTERNATIVE REJECTED AS BEING INFEASIBLE

In accordance with State CEQA Guidelines,[2] the Lead Agency initially considered, but ultimately rejected, the feasibility of evaluating an Alternative Site Alternative. Under this alternative, the proposed project will be constructed on an alternate site within the area. While development of the proposed project on an alternative site was considered, this alternative was rejected because of the applicant's long-term ownership of the property. Further analysis of an alternative project site was rejected from consideration because primary objective of the proposed project is to redevelop an existing site that has been under the same ownership for over 100 years, which has become underutilized due to the economic downturn of the industrial market in downtown Los Angeles. Much of the project site is vacant and of the 115,249 square feet of developed land uses that remain on the property, only 59,000 square feet of floor area is currently operational. As such, the applicant is seeking ways to make the underutilized site viable with a new land use development plan that will provide for the coordinated buildout of the property over the next 25 years. The applicant is a long-term landowner and is not a merchant developer. Thus, the applicant has no intention of selling the current property and has expressed no interest in developing other properties that are not a part of the current City Market Los Angeles complex.

As such, the Alternative site Alternative was rejected from further consideration and was not examined in detail in this EIR.

X. FINDINGS REGARDING GENERAL IMPACT CATEGORIES

A. GROWTH-INDUCING IMPACTS

Section 15126.2(d) of the CEQA Guidelines requires a discussion of the ways in which a project could induce growth. This includes ways in which a project will foster economic or

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[2] State CEQA Guidelines Section 15126.6(f)(2).

population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment. Section 15126.2(d) of the CEQA Guidelines states:

> Discuss the ways in which the proposed project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment. Included in this are projects which will remove obstacles to population growth (a major expansion of a waste water treatment plant might, for example, allow for more construction in service areas). Increases in the population may tax existing community service facilities, requiring construction of new facilities that could cause significant environmental effects. Also discuss the characteristic of some projects which may encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively. It must not be assumed that growth in any area is necessarily beneficial, detrimental, or of little significance to the environment.

The project is anticipated to generate approximately 945 multi-family housing units and 1,446 new residents within the Central City planning area over a 30-year period. The project's population growth represents approximately 0.4 percent of the total population growth anticipated to occur within the City of Los Angeles between 2020 and 2035. On a regional scale, the project represents only 0.06 percent of the growth that is expected to occur in the SCAG region between 2020 and 2035. The 1,446 new residents anticipated to be generated by the project will result in a negligible increase in the City's population growth forecast, and is within SCAG's regional population growth projection. The proposed Land Use Equivalency will allow for the potential increase or reduction of residential dwelling units in an effort to respond to the market demands, up to but not exceeding 1,418 dwelling units. Under the maximum residential scenario, the project's estimated resident population will increase from 1,446 persons to 2,170 persons. Citywide, the increase in dwelling units and population under the Land Use Equivalency Program will represent approximately 0.85 percent of the housing growth and 0.66 percent of the population growth that is anticipated to occur citywide between 2020 and 2035. On a regional scale, the maximum resident population under the Land Use Equivalency Program will represent only 0.66 percent of the population growth that is expected to occur in the SCAG region between 2020 and 2035. With respect to housing, the maximum number of dwelling units allowed under the Land Use Equivalency Program will represent only 0.17 percent of the housing growth that is expected to occur in the SCAG region between 2020 and 2035. Therefore, the project's population growth is accounted for in the citywide and regional population projections.

The project site is located in an infill property and is adequately supported by existing roadways and is already served by existing infrastructure associated with sewer systems, potable water delivery systems, electricity, and natural gas. Additionally the project site is adequately served by public services including fire, police, schools and parks and will not generate the need for additional services or service provider infrastructure to serve the project site. Based on the environmental findings presented in Sections IV.J. Public Services and Section IV.L, Public Utilities of the Recirculated Draft EIR, the project will result in a less than significant impact with respect to growth inducing impacts.

B. SIGNIFICANT IRREVERSIBLE IMPACTS

CEQA Guidelines Section 15126.2(c) provides that:

> Uses 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 will necessarily consume limited, slowly renewable and non-renewable resources. This consumption will occur during construction of the project and will continue throughout its operational lifetime. The development of the project will require a commitment of resources that will include: (1) building materials; (2) fuel and operational materials/resources; and (3) the transportation of goods and people to and from the project site.

Construction of the project will require consumption of resources that are not replenishable or which may renew so slowly as to be considered non-renewable. These resources will include certain types of lumber and other forest products, aggregate materials used in concrete and asphalt (e.g., sand, gravel and stone), metals (e.g., steel, copper and lead), petrochemical construction materials (e.g., plastics), and water. Fossil fuels, such as diesel, gasoline and oil, will also be consumed in the use of construction vehicles and equipment.

The commitment of resources required for the type and level of proposed development will limit the availability of these resources for future generations for other uses during the operation of the project. However, the consumption of natural resources associated with the project will be of a relatively small scale and will be consistent with regional and local growth forecasts in the City of Los Angeles and the Southern California region as a whole.

Construction and operation of the proposed project will result in the irretrievable commitment of limited, slowly renewable, and non-renewable resources, which will limit the availability of these resources in the future. However, as discussed in Section IV, Environmental Impact Analysis, of the Recirculated Draft EIR, while the commitment of such resources could potentially result in both primary and secondary impacts, the proposed project's use of nonrenewable resources will be on a relatively small scale and consistent with regional and local growth forecasts and development goals for the area. The loss of such resources will not be highly accelerated when compared to existing conditions. Therefore, although irreversible environmental changes will result from the project, such changes will be considered less than significant.

XI. OTHER CEQA CONSIDERATIONS

1. The City, acting through the Department of City Planning, is the "Lead Agency" for the project evaluated in the EIR. The City finds that the EIR was prepared in compliance with CEQA and the CEQA Guidelines. The City finds that it has independently reviewed and analyzed the EIR for the proposed project, that the Draft EIR and the Recirculated Draft EIR which were 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 proposed project and cumulative environmental impacts: Aesthetics (Visual Character, Views, Light, Glare, and Shading); Air Quality; Cultural Resources (Historic Resources and Archaeological and Paleontological Resources); Geology and Soils; Greenhouse Gas Emissions; Hydrology and Water Quality; Land Use and Planning; Noise; Population, Housing, and Employment; Public Services (Fire Protection, Police Protection, Schools, and Recreation and Parks); Traffic and Transportation; Public Utilities (Water Supply, Wastewater, Energy Conservation, and Solid Waste); and Hazardous Materials and Risk of Upset. Additionally, the EIR considered, in separate sections, Significant Irreversible Environmental Changes, and the Growth Inducing Impacts of the proposed project. The significant environmental impacts of the proposed project and the alternatives were identified in the EIR.

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

4. 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 the significant environmental issues raised. The Final EIR provides adequate, good faith and reasoned responses 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. Similarly, the Department of City Planning reviewed the comments received on the Recirculated Draft EIR and responses thereto and has determined that neither the comments received nor the responses to such comments add significant new information regarding environmental impacts. The Lead Agency has based its actions on a 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.

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

    - The Responses to Comments contained in the Final EIR fully considered and responded to comments claiming that the proposed project will have significant impacts or more severe impacts not disclosed in the Draft EIR or the Recirculated Draft EIR and include substantial evidence that none of these comments provided substantial evidence that the proposed project will 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 and the Recirculated EIR.

- The City has thoroughly reviewed the public comments received regarding the proposed project and the Final EIR as they relate to the proposed project to determine whether under the requirements of CEQA, any of the public comments provide substantial evidence that will require recirculation of the EIR prior to its adoption, and has determined that recirculation of the EIR is not required.

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

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

7. CEQA requires the Lead Agency approving a project to adopt a Mitigation Monitoring Program ("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 and revised in the MMP as adopted by the City serve 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 proposed project and has been designed to ensure compliance with such measures during implementation of the proposed 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.

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

9. The custodian of the documents or other material which constitute the record of proceedings upon which the City decision is based is the City of Los Angeles, Department of City Planning.

10. 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.

11. 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 proposed project.

12. The EIR is a Project EIR for purposes of environmental analysis of the proposed 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 proposed project by the City and the other regulatory jurisdictions.

XII. STATEMENT OF OVERRIDING CONSIDERATIONS

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

The following impacts are not mitigated to a less than significant level for the project, as identified in the EIR: Regional Air Quality (during construction and operations and under cumulative conditions), Noise (operational noise – land use compatibility), and Traffic and Transportation (during operations and under cumulative conditions). It is not feasible to mitigate these impacts to a less than significant level.

Accordingly, the City adopts the following Statement of Overriding Considerations. The City recognizes that significant and unavoidable impacts will result from implementation of the proposed project. Having (i) adopted all feasible mitigation measures, (ii) rejected alternatives to the proposed project, (iii) recognized all significant, unavoidable impacts, and (iv) balanced the benefits of the proposed project against the proposed project's significant and unavoidable impacts, the City hereby finds that the benefits outweigh and override the significant unavoidable impacts for the reasons stated below.

The below stated reasons summarize the benefits, goals and objectives of the proposed project, and provide the detailed rationale for the benefits of the proposed project. These overriding considerations of economic, social, aesthetic, and environmental benefits for the proposed project justify adoption of the proposed project and certification of the completed EIR. Each of the following overriding considerations separately and independently (i) outweighs the adverse environmental impacts of the proposed project, and (ii) justifies adoption of the proposed project and certification of the completed EIR. In particular, achieving the underlying purpose for the proposed project will be sufficient to override the significant environmental impacts of the proposed project.

1. Implementation of the proposed project will develop an integrated community with a sense of identity that will make a major contribution to economic development through generation of approximately 7,012 construction jobs. The proposed project will create approximately

4,392 permanent jobs in close proximity to transit within an urban infill setting that encourages the reduction of automobile dependence and promotes sustainability.

2. Implementation of the proposed project will develop a new mixed-use community of mutually supportive uses including employment, housing, retail, recreation and entertainment uses, so as to decrease vehicle dependency, encourage pedestrian activity and use of alternative transportation modes, make efficient use of land and infrastructure, reduce energy consumption, and foster a strong sense of community.

3. Implementation of the proposed project will bring infill development to an urbanized area, concentrating new development, housing, and jobs within approximately one-half mile from the San Pedro Street Blue Line Station. This station serves the Metro Blue Line, which runs from Downtown Los Angeles to Long Beach, and connects to the Expo, Red, and Purple Lines in Downtown LA, and to the Green Line in Willowbrook, with a collective ridership of 324,237 riders per day. The proposed project will encourage residents and employees to use transit as well as visitors to the site. Proximity to transit will reinforce the public's very substantial investment in regional transit.

4. Implementation of the proposed project will redevelop the project site and redevelop the project site with a mixed-use project with a maximum of approximately 1,719,658 square feet of total developed floor area that is estimated to increase annual City sales tax revenue by up to $1 million and annual City property tax revenue by up to $1.6 million. Furthermore, the project will have the potential to provide substantial transient occupancy tax revenue to the City initially and which amount will grow over time.

5. Implementation of the proposed project will introduce approximately 945 multiple residential dwelling units to help meet market demand for housing and contributing a notable amount of new housing to meet the projected housing growth demand in the community.

6. Implementation of the proposed project's sustainability features to promote further resource conservation including, waste reduction and conservation of electricity and water. Building design and construction will promote efficient use of materials and energy.

7. Implementation of the proposed project will take place in an established urban area with no environmentally sensitive habitat, and that is served by existing infrastructure, minimizing the need for the development of new infrastructure and making a more efficient use of and improving existing facilities.

8. Implementation of the proposed project will, over time, develop the entire project site with iconic and modern architectural features providing a sense of place with thoughtful recognition of the social, cultural and economic legacy of The City Market of Los Angeles. Implementation of the proposed project will include modern architectural features and high rise towers that may act as a beacon and anchor for the Fashion District.

9. Implementation of the proposed project will retain the historic building located at 1122 San Julian Street (identified as Building 5 in the Historic Resources Report) and revitalizes the remaining underutilized project site to become a mixed-use commercial, office, hotel, entertainment and residential project with pedestrian amenities including enhanced pedestrian circulation, paths, landscaping, street trees, pedestrian lights, modern storefronts with a consistent theme which creates a sense of place and generates increased activity on-site, attracting new customers and visitors, and promotes the economic vitality and minimizes the spread of blight and deterioration.