

FRANK T. MARTINEZ  
City Clerk

KAREN E. KALFAYAN  
Executive Officer

When making inquiries  
relative to this matter  
refer to File No.

07-2306

CD 9

October 5, 2007

Office of the Mayor  
Councilmember Perry  
City Planning Department  
Attn: Mark Lopez (w/copy of Ordinance)  
cc: Director of Planning  
cc: Office of Zoning Administration  
cc: Advisory Agency  
cc: Geographic Information Section  
Attn: Fae Tsukamoto  
Information Technology Agency  
Fire Department

CITY OF LOS ANGELES  
CALIFORNIA



ANTONIO R. VILLARAIGOSA  
MAYOR

Los Angeles County Assessor  
Kenneth Hahn Hall of Administration  
500 W. Temple Street, Room #225  
Los Angeles, CA 90012

See attached list for additional notifications

Bureau of Engineering,  
Land Development Group  
Department of Transportation,  
Traffic /Planning Sections  
Department of Building & Safety  
c/o Zoning Coordinator  
cc: Residential Inspection Unit  
Bureau of Street Lighting,  
"B" Permit Section  
Department of Water and Power

Office of the  
CITY CLERK  
Council and Public Services  
Room 395, City Hall  
Los Angeles, CA 90012  
Council File Information - (213) 978-1043  
General Information - (213) 978-1133  
Fax: (213) 978-1040

CLAUDIA M. DUNN  
Chief, Council and Public Services Division  
[www.cityclerk.lacity.org](http://www.cityclerk.lacity.org)

RE: ZONE CHANGE AND DEVELOPMENT AGREEMENT, AND APPEALS OF CONDITIONAL USES, ZONE VARIANCES, AND TENTATIVE TRACT NOS. 67490, 67491 AND 67492 FOR A PROPOSED DEVELOPMENT AT 100, 221, 225, AND 237 SOUTH GRAND AVENUE; 121, 129 AND 135 SOUTH HILL STREET; 220 AND 236 SOUTH HOPE STREET; 111, 121, 130, 134, 138, 141, 145, 151, AND 161 SOUTH OLIVE STREET; 400 AND 440 WEST 1ST STREET; 411, 417, 419, 421, 425, 427, 429, AND 431 WEST 2ND STREET; AND 630 AND 635 WEST GENERAL THADDEUS KOSCIUSZKO WAY, ALSO KNOWN AS GRAND AVENUE PROJECT

At the meeting of the Council held September 19, 2007, the following action was taken:

Attached report adopted .....	X
Ordinances adopted.....	X
Ordinance numbers .....	179226 & 179227
Posted date .....	10-04-07
Effective date .....	11-13-07
Mayor approved .....	10-03-07
Findings adopted .....	X

City Clerk  
cr



Christopher Sutton  
35 East Union Street #C  
Pasadena, CA 91103-3945

Beatrice Hsu  
The Related Companies  
333 S. Grand Ave., Ste. 4050  
Los Angeles, CA 90071

Jennifer Yakabik  
Psomas  
11444 W. Olympic Blvd., Ste. 750  
Los Angeles, CA 90064

John Chiappe, P.L.S.  
Psomas  
11444 W. Olympic Blvd., Ste. 750  
Los Angeles, CA 90064

Bill Witte  
333 S. Grand Avenue, Suite 4050  
Los Angeles, CA 90071

John Whitaker  
550 S. Hope Street, #2300  
Los Angeles, CA 90017

Today's IV, Inc.  
dba Westin Bonaventure Hotel  
Attn: Peter Zen  
404 S. Figueroa St., Ste. 516  
Los Angeles, CA 90071-1710

DLA Piper US, LLP  
Attn: John Whitaker  
550 S. Hope Street, #2300  
Los Angeles, CA 90017

L.A. Grand Avenue Authority  
c/o The Grand Avenue Committee, Inc.  
445 South Figueroa St., Ste. 3400  
Los Angeles, CA 90071

David Janssen  
County of Los Angeles  
500 W. Temple St., Rm. 713  
Los Angeles, CA 90012

The Related Companies of California, Inc.  
Attn: William A. Witte  
18201 Von Karman Ave., Ste. 900  
Irvine, CA 92612

#12  
TO THE COUNCIL OF THE  
CITY OF LOS ANGELES

FILE NO. 07-2306

Your

PLANNING AND LAND USE MANAGEMENT

Committee

reports as follows:

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT and ORDINANCES relative to a Zone Change and Development Agreement, and appeals of Conditional Uses, Zone Variances, and Tentative Tract Nos. 67490, 67491 and 67492 for a proposed development at 100, 221, 225, and 237 South Grand Avenue; 121, 129, and 135 South Hill Street; 220 and 236 South Hope Street; 111, 121, 130, 134, 138, 141, 145, 151, and 161 South Olive Street; 400 and 440 West 1st Street; 411, 417, 419, 421, 425, 427, 429, and 431 West 2nd Street; and 630 and 635 West General Thaddeus Kosciuszko Way, also known as Grand Avenue Project.

Recommendations for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:

1. ADOPT the FINDINGS of the City Planning Commission (CPC), as modified by the Planning and Land Use Management Committee and attached to the Committee report, as the Findings of the Council.
2. ADOPT the FINDINGS of the Grand Avenue Authority's (Authority) Final Environmental Impact Report (FEIR) (State Clearing House No. 2005091041), as certified by the Authority in November 2006, as the Findings of the City Council. The Authority was established through a Joint Exercise of Power Agreement between the Community Redevelopment Agency of the City of Los Angeles (CRA) and the County of Los Angeles.
3. ADOPT the subsequent California Environmental Quality Act (CEQA) FINDINGS, as modified by the Planning and Land Use Management Committee, which reflect the independent judgement and analysis of the City as a Responsible Party under CEQA, that the project's environmental effects have been adequately examined and addressed.
4. RESOLVE TO DENY APPEAL filed by Christopher Sutton on behalf of Today's IV, Inc., dba Westin Bonaventure Hotel, from the decision of the CPC, and THEREBY APPROVE for property located at 100, 221, 225, and 237 South Grand Avenue; 121, 129, and 135 South Hill Street; 220 and 236 South Hope Street; 111, 121, 130, 134, 138, 141, 145, 151, and 161 South Olive Street; 400 and 440 West 1st Street; 411, 417, 419, 421, 425, 427, 429, and 431 West 2nd Street; and 630 and 635 West General Thaddeus Kosciuszko Way (also known as Grand Avenue Project), the following, subject to Conditions of Approval, as modified by the Planning and Land Use Management Committee, and attached to the Committee report:
  - a. Conditional Uses to: (1) permit a mixed-use development with a floor area ratio of 9.9:1 throughout the entire site in lieu of the maximum allowed ratio of 6:1 under the existing "D" limitation of Ordinance No. 164,307; (2) permit a residential density of one unit per 136 square feet of net lot area throughout the entire site in lieu of the minimum allowed one unit per 200 square feet of net lot area; (3) permit the sale and dispensing of alcoholic beverages for 35 establishments that will offer on-site sale and consumption, or off-site sales, including 28 establishments that will offer on-site alcoholic beverage service, five establishments that will sell alcoholic beverages for off-site consumption, and two establishments with a combination of on-site and off-site consumption in the

C2 zone incident to the zone change on Parcels Q, L/M-2, and W-1/W-2; (4) permit live entertainment with incidental public dancing at up to eight establishments in the C2 zone incident to the zone change on Parcels Q, L/M-2, and W-1/W-2.

- b. Zone Variances to: (1) permit 47,758 square feet of open space for 500 dwelling units on Parcel Q in lieu of the required 73,000 square feet of open space; (2) permit 33,000 square feet of open space for 850 dwelling units on Parcels L/M-2 in lieu of the required 123,650 square feet of open space; (3) permit 62,100 square feet of open space for 1,310 dwelling units on Parcels W-1/W-2 in lieu of the required 190,650 square feet of open space for the Additional Residential Development Option, or to permit 41,000 square feet of open space for 710 dwelling units on Parcels W-1/W-2 in lieu of the required 103,300 square feet of open space for the County Office Building Option; where the common residential open space for all five parcels will include the square footage of adjacent public plazas, and that the landscaped portion of that common open space be less than the 25 percent minimum that is required; (4) permit tandem parking spaces with a valet in lieu of providing a minimum of one individually and easily accessible parking space at all times for each dwelling unit or guest room for residents and hotel guests.
5. RESOLVE TO DENY APPEAL filed by Christopher Sutton on behalf of Today's IV, Inc., dba Westin Bonaventure Hotel, from the decision of the CPC, in part, and THEREBY APPROVE for property located at 100, 221, 225, and 237 South Grand Avenue; 121, 129, and 135 South Hill Street; 220 and 236 South Hope Street; 111, 121, 130, 134, 138, 141, 145, 151, and 161 South Olive Street; 400 and 440 West 1st Street; 411, 417, 419, 421, 425, 427, 429, and 431 West 2nd Street; and 630 and 635 West General Thaddeus Kosciuszko Way (also known as Grand Avenue Project), the following, subject to Conditions of Approval, as modified, and as shown in attachments to the Committee report.
- a. Tentative Tract No. 67490 (Parcel Q) to permit a two-master lot subdivision and 19 airspace lots for the construction of a new 400-unit residential condominium, 100 affordable apartment units with 35 percent at extremely low and 65 percent at very low income levels, 284,000 square feet of commercial/retail, and a 275-room hotel or 275 hotel condominium units, with a total of 1,510 parking spaces on a 3.02 net acre site in the C2-4D and R5-4D zones.
  - b. Tentative Tract No. 67491 (Parcels W-1 and W-2) for the merger and re-subdivision of two lots to permit a two-master lot subdivision and 27 airspace lots for construction of either: (1) a new 568-unit residential condominium, 142 affordable apartment units with 50 percent at very low and 50 percent at low income levels, 64,000 square feet of commercial/retail, and 681,000 square feet of commercial office with a total of 1,955 parking spaces; or (2) a new 1,048-unit residential condominium, 262 affordable apartment units with 50 percent at very low and 50 percent at low income levels, 64,000 square feet of commercial/retail with a total of 2,175 parking spaces on a 3.14 net acre site in the C2-4D and R5-4D zones.
  - c. Tentative Tract No. 67492 (Parcels L and M-2) for the merger and re-subdivision of one lot and one portion of a lot to permit a two-master lot subdivision and 13 airspace lots for a new 680-unit residential condominium, 170 affordable apartment units with 50 percent at very low and 50 percent at low income levels, and 101,000 square feet of commercial/retail with 1,570 total parking spaces on a 2.20 net acre site in the R5-4D zone.
6. PRESENT and ADOPT accompanying ORDINANCE, authorizing the execution of a Development Agreement by and between the City of Los Angeles and Grand Avenue L.A., LLC, a Delaware limited liability company relating to real property in the Central City Community Plan and Bunker Hill Redevelopment Area, and pursuant to Section 65864 of the State Government Code and the City Implementing procedures

with a term of 20 years for Parcels Q, L/M -2 and W-1/W-2 for property at 100, 221, 225, and 237 South Grand Avenue; 121, 129, and 135 South Hill Street; 220 and 236 South Hope Street; 111, 121,130, 134, 138, 141, 145, 151, and 161 South Olive Street; 400 and 440 West 1st Street; 411, 417, 419, 421, 425, 427, 429, and 431 West 2nd Street; and 630 and 635 West General Thaddeus Kosciuszko Way, which is hereby incorporated by reference.

7. PRESENT and ADOPT the accompanying NEW ORDINANCE approved by the Director of Planning, effecting a Zone Change from R5-4D to [T][Q] C2-4D, for property at 100, 221, 225, and 237 South Grand Avenue; 121, 129, and 135 South Hill Street; 220 and 236 South Hope Street; 111, 121,130, 134, 138, 141, 145, 151, and 161 South Olive Street; 400 and 440 West 1st Street; 411, 417, 419, 421, 425, 427, 429, and 431 West 2nd Street; and 630 and 635 West General Thaddeus Kosciuszko Way, subject to Conditions of Approval, as modified by the Planning and Land Use Management Committee, and attached to the Committee report.

Said rezoning shall be subject to the [Q] Qualified classification zone limitations as shown on the attached sheets.

8. REMOVE [T] Tentative classification as described in detail on the sheet(s) attached to the Committee report.
9. ADVISE the applicant of [Q] Qualified classification time limit as described in the Committee report.
10. ADVISE the applicant that, pursuant to California State Public Resources Code Section 21081.6, the City shall monitor or require evidence that mitigation conditions are implemented and maintained throughout the life of the project and the City may require any necessary fees to cover the cost of such monitoring.
11. ADVISE the applicant that, pursuant to State Fish and Game Code Section 711.4, a Fish and Game Fee and/or Certificate of Fee Exemption is now required to be submitted to the County Clerk prior to or concurrent with the Environmental Notice of Determination filing.
12. NOT PRESENT and ORDER FILED the Zone Change Ordinance dated June 14, 2007.

Applicant: The Related Companies, LLC

CPC 2006-9702-ZC-CU-CUB-CUX-ZV-DA  
TT Nos. 67490, 67491 and 67492

Fiscal Impact Statement: The CPC reports that there is no General Fund impact, as administrative costs are recovered through fees.

**TIME LIMIT FILE - SEPTEMBER 28, 2007**

**(LAST DAY FOR COUNCIL ACTION - SEPTEMBER 28, 2007)**

Summary:

At its meeting held September 11, 2007, the Planning and Land Use Management (PLUM) Committee considered a report from the CPC and appeals relative to a proposed development at 100, 221, 225, and 237 South Grand Avenue; 121, 129, and 135 South Hill Street; 220 and 236 South Hope Street; 111, 121,130, 134, 138, 141, 145, 151, and 161 South Olive Street; 400 and 440 West 1st Street; 411, 417, 419, 421, 425, 427, 429, and 431 West 2nd Street; and 630 and 635 West General Thaddeus Kosciuszko Way, as known as Grand Avenue Project.

According to the Department of City Planning, the project consists of three major components: (1) the creation of the 16-acre Civic Park that builds upon and expands the Civic Mall, and when completed, will connect the Los Angeles City Hall to Grand Avenue; (2) streetscape improvements along Grand Avenue from Fifth Street to Cesar E. Chavez Avenue; and (3) the development of five parcels which are referred to as Parcels Q, W-1, W-2, Land M-2. Parcels Q and W-2 are currently owned by the County, Parcels Land M-2 are currently owned by the CRA, and Parcel W-1 is owned by a private third party. The Parcels are identified by these letters in the Redevelopment Plan for the Bunker Hill Redevelopment Project Area. The Project currently consists of two development options, referred to in the Conditions of Approval, Findings and the FEIR, as the "Project with County Office Building Option," and the "Project with Additional Residential Development Option."

Under the Project with County Office Building Option, development of the five parcels will consist of up to 2,060 residential units, 20 percent of which (up to 412 units) would be provided as affordable housing; up to 275 hotel rooms, up to 449,000 square feet of commercial/retail space and up to 681,000 square feet of County office space. Under the Project with Additional Residential Development Option, the 681,000 square feet of County office space would be replaced with up to 600 additional residential units, 20 percent of which (up to 120 units) would be provided as affordable housing. All other components of the Project would be the same under this option, and would include 275 hotel rooms, and 449,000 square feet of commercial/retail space.

The proposed County office space under the Project with County Office Building Option would be constructed in the third phase of the Project when Parcels W-1 and W-2 are developed. Under that certain Disposition and Development Agreement between the Authority and Related (the "DDA") approved in February/March 2007, the County's option for development of a public office building during the third phase of development expires on a specific date in the future. If the County does not exercise this option, the developer may develop the Project consistent with the Additional Residential Development Option.

Parking for the Project would be provided in podium and subterranean parking structures. Five Thousand, thirty-five (5,035), parking spaces would be provided under the County Office Building Option, and five thousand, two hundred, fifty-five (5,255), parking spaces would be provided under the Additional Residential Development Option. In addition to the development of the five parcels, the Project will revitalize and expand the existing Civic Center Mall through a new design. The main purpose of this new design is to facilitate a program of ongoing and special civic events and activities to take place in the new Civic Park. The current conceptual plan for the Civic Park maintains the existing organization of space in the Park, with the intent that specified areas would accommodate particular programmed uses and also work in unison for larger events. Under this plan, different sections of the Park would be developed for cultural and entertainment uses, a garden space for smaller scale uses, and civic and community activities.

The Project will also entail streetscape improvements along Grand Avenue from Fifth Street to Cesar E. Chavez Avenue. Streetscape improvements are anticipated to include widened shaded sidewalks where feasible, landscaping, as well as a range of street furnishings, including benches and chairs. In order to fully respond to the future needs and demands of the Southern California economy, the proposed Project includes an Equivalency Program that would allow the composition of onsite development to be modified to respond to future needs in a manner that would not increase the Project's impacts on the environment. The Equivalency Program would provide flexibility for modifications to land uses and square footages within the five development parcels. Within this framework, land uses can be exchanged for certain other permitted land uses so long as the limitations of the Equivalency Program are adhered to, which limitations were designed so no additional significant environmental impacts would occur. Thus, all permitted Project land use increases can be exchanged for corresponding decreases of other land uses under the proposed Equivalency Program without any further CEQA review.

Several speakers attended the September 11, 2007 PLUM Committee hearing in support of the project, including staff from Mayor's Office, Council District Nine, Central City Association, and the President of the Downtown Los Angeles Neighborhood Council, also serving as the Executive Director of the Historic Downtown Business Improvement District.

Staff from the Planning Department (staff) described the project, appeals, and submitted the applicant's requested amendments. In addition, staff reported that the appellant claims that the approval of the Grand Avenue tract maps will potentially prohibit the Westin Bonaventure (Bonaventure), from obtaining building permits for their previously approved Vesting Tentative Tract Map (VTT-65986-CC). While the tract map for the Bonaventure has been approved by the Deputy Advisory Agency, the project has not been approved by the Community Redevelopment Agency or the CPC as required by the Bunker Hill Redevelopment Plan. Because the Bonaventure Hotel is located in a Commercial area of the Plan, the 219 units proposed by Bonaventure should not be subject to the 3,900 residential unit-limit for residential areas. The appellant did not provide testimony at the hearing. There was no testimony in opposition to the project during this hearing.

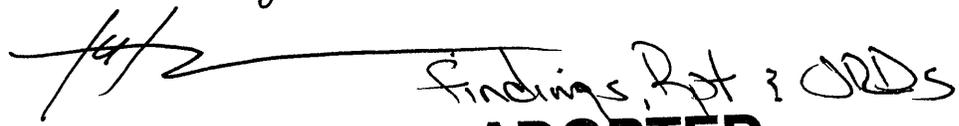
After careful consideration of the documents on file, and of the testimony provided, the PLUM Committee denied the appeals, and approved the project, subject to Conditions of Approval, as modified, and approved the related Ordinances and the proposed Development Agreement.

As indicated in Recommendation No. 9, and pursuant to Section 12.32-G 3 of the Los Angeles Municipal Code (LAMC), the applicant is hereby advised that:

". . . the Council may decide to impose a permanent "Q" Condition . . . identified on the zone change map by the symbol Q in brackets . . . There shall be no time limit on removal of the brackets around the [Q] Qualified designation nor on removal of the [T] Tentative designation. After the conditions of the permanent [Q] Qualified classification have been fulfilled, the brackets surrounding the Q symbol shall be removed."

Respectfully submitted,

PLANNING AND LAND USE MANAGEMENT COMMITTEE



<u>MEMBER</u>	<u>VOTE</u>
REYES:	YES
HUIZAR:	YES
WEISS:	ABSENT

**ADOPTED**

SEP 19 2007

**LOS ANGELES CITY COUNCIL**

BG:bg  
9-12-07  
CD 9

Attachments: Ordinances and Conditions of Approval, as modified  
Findings, as modified

#072306

**CONDITIONS OF APPROVAL AS MODIFIED BY PLANNING AND LAND USE  
MANAGEMENT COMMITTEE ON 9-11-07  
CONDITIONAL USE, CONDITIONAL USE ALCOHOLIC BEVERAGE AND DANCING,  
ZONE VARIANCE, DEVELOPMENT AGREEMENT CONDITIONS OF APPROVAL**

**A. Entitlement Conditions**

1. Permit a floor area ratio of 9.9:1 throughout the entire site.
2. Permit approximately a residential density of one unit per 136 square feet of net lot area for the entire project site area.
3. Permit the sale and dispensing of alcohol for a maximum 35 establishments that will offer off-site and on-site sale and consumption, off-site sales, including 28 establishments that will offer on-site alcoholic beverage service, five establishments that will sell alcoholic beverages for off-site consumption, and two establishments with a combination of on- and off-site consumption in the C2 zone subject to plan approvals. The applicant shall maintain a list of all establishments approved under this condition and submit this information along with a detailed floor plan for each corresponding plan approval.
4. Permit live entertainment with incidental public dancing at up to eight establishments in the C2-4D Zone subject to plan approvals.
5. Permit approximately 47,758 square feet of open space for 500 units on Parcel Q, approximately 33,000 square feet of open space for 850 units on Parcels L and M2, and approximately 62,100 square feet of open space for 1,310 dwelling units on Parcels W-1 and W-2.
6. Permit tandem parking spaces at all times for each dwelling unit or guest room for residents and hotel guests.
7. **Equivalency Program.** In accordance with the Equivalency Program contained in the Final Environmental Impact Report (State Clearinghouse No. 2005091041) for the Project, land uses can be exchanged for certain other permitted land uses within and between the development parcels/phases so long as the limitations of the Equivalency Program are satisfied and no additional environmental impacts occur. All permitted land use increases can also be exchanged for corresponding decreases of other land uses. The Department of City Planning shall be the implementing agency for this Program.
8. **Revocable Permit.** That the Bureau of Engineering be authorized to issue a revocable permit(s) to allow work in the public rights-of-way to commence prior to the recordation of the final maps for Tentative Tract Map Nos. 64790, 67491, and 67492. In conjunction with such revocable permit(s), the applicant shall guaranty, and post a bond in sufficient amounts to be determined by the City Engineer, to return and reconstruct the rights-of-way back to their present condition in the event that the applicant does not complete the proposed development project and/or does not record the final tract maps.

9. Prior to the issuance of any building permits for any development parcels/phase, the applicant shall submit detailed development plans, including a landscape plan, for those development parcels/phase to the Department of City Planning for review and approval, and verification of substantial conformance with the conditions herein, and with the Design Guidelines outlined in the Scope of Development of the Grand Avenue Disposition and Development Agreement. Such review shall address Phases II and III with the intent of meeting the urban design and architectural qualities of Phase I, including through-block pedestrian circulation, street-level plazas or other spaces intended to link the three phases as a recognizable urban neighborhood with consistent connections and public spaces. Such review shall be conducted by the Department of City Planning concurrently with, and in collaboration with, CRA's design review.
10. The applicant shall work with the Department of Transportation to facilitate a minimum of two dedicated on-street parking spaces adjacent to the project for use by a share-car program.
11. The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the Zoning Administrator to impose additional corrective Conditions, if, in the Administrator's opinion, such Conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.
12. All graffiti on the site shall be removed or painted over to match the color of the surface to which it is applied within 24 hours of its occurrence.
13. A copy of the first page of this grant and all Conditions and/or any subsequent appeal of this grant and its resultant Conditions and/or letters of clarification shall be printed on the building plans submitted to the Zoning Administrator and the Department of Building and Safety for purposes of having a building permit issued.
14. **Plan Approval.** The applicant or individual operator shall file a plan approval with the Department of City Planning prior to the utilization of any grant made herein pursuant to the sale of alcoholic beverages, and/or dance hall use. The plan approval(s) shall be accompanied by the payment of appropriate fees, pursuant to Section 19.01,C of the Municipal Code, and must be accepted as complete by the Department of City Planning. Mailing labels shall be provided by the applicant for all abutting property owners. In reviewing the plan approval(s) for alcohol sales, and dance hall use the Zoning Administrator may consider conditions volunteered by the applicant or suggested by the Police Department (Community Problems Unit, 251 E. 6th Street, Room 332, Los Angeles, CA 90014), but not limited to establishing conditions, as applicable, on the following: time period of the grant (i.e. five years); hours and days of operation; primary use(s); security plans; maximum seating capacity; maximum floor area; maximum occupancy; valet parking; noise; mode, character and nature of the operation; food service and age limits. Also, the plan approval review application is for the purpose of evaluating the effectiveness of all conditions, associated with alcoholic beverages and dance hall use of this granted action, as to whether additional conditions are necessary or whether conditions may be deleted.

15. Alcohol sales and dispensing only for on-site consumption shall only be served by employees of the dance hall, bar/nightclub, or restaurant. The sale of alcoholic beverages for consumption off the premises of the bar/nightclub is prohibited. The conditional use authority to sell alcohol applies only to the subject facilities approved under the respective "plan approval" and not to any other facility within the subject ownership.
16. A kitchen shall be maintained in the restaurant(s) in accordance with the definition of such in the Los Angeles Municipal Code. Full food service shall be available at all times that the restaurant is open for business.
17. At least one on-duty manager with authority over the activities within the facility shall be on the premises at all times that the facility is open for business.
18. Only customers who are 21 years of age or older are allowed to enter the bar area of the dance halls and nightclubs. Signs shall be prominently posted stating this age restriction. All patrons appearing under the age of 35 years of age shall be required to present State approved bona fide identification at the time of entry into the dance hall area and prior to every sale/service of an alcoholic beverage. Signs shall be prominently posted in English and the predominant language(s) of the facility's clientele indicating that California State Law prohibits the sale of alcoholic beverages to persons who are under 21 years of age.
19. An electronic age verification device and black light device shall be maintained at all entry points to the ground floor of the dance hall(s) as a means to assist in identification verification.
20. The premises shall not be operated as adult entertainment of any type as defined and regulated by the Los Angeles Municipal Code, nor any wet-shirt contests, leg contest, mud or oil wrestling, lap dancing or similar adult-type entertainment shall be permitted.
21. All areas within the dance hall(s) shall be easily accessible at all times for monitoring by security staff and/or law enforcement personnel.
22. Sale of beverages at discounted prices, which are less than standard prices, shall not be permitted.
23. There shall be no advertising of any kind or type, including advertising directed to the exterior from within, promoting or indicating the availability of alcoholic beverages.
24. There shall be no public telephones located on the exterior of the premises.
25. The property, including any associated parking facilities, shall be maintained in an attractive condition and shall be kept free of trash and debris during the hours of operation.
26. The operator of any dance halls, bars and night clubs shall provide a written schedule of daytime special events on a quarterly basis to the Zoning Administrator and Police Department Central Division. For purposes of this condition, events held in the planned Event Facility or in the hotel banquet facilities shall not be considered special events. The operator shall comply with the following requirements for each daytime special event:

- a. In accordance with State Law, no alcohol shall be provided on a complimentary basis; alcohol shall only be available for sale.
  - b. Alcohol shall only be made available in conjunction with food that is normally offered in restaurant(s) for a luncheon or brunch. The food provided shall not be limited to snacks.
27. A valet parking plan for special events, with designated drop-off and pick up areas, shall be submitted for review and approval by the Los Angeles Department of Transportation.
  28. Parking for the dance hall and restaurant uses shall be provided pursuant to the provisions of the Los Angeles Municipal Code.
  29. The applicant shall secure a City permit decal denoting approval of alcoholic beverage sales from a Planning Department public counter subsequent to the Zoning Administrator's signature on the Planning Department sign-off form and mount it on either the inside of the window of the subject site facing the street or on the outside of the building (if inside mounting is not possible). The decal shall be visible at all times and mounted before the privileges granted herein are utilized.
  30. Within 60 days of the opening of the dance hall(s) and restaurant(s), all employees of the business shall receive "Server Awareness Alcohol Training" (STAR) and LEAD programs regarding alcohol sales, as respectively sponsored by the Los Angeles Police Department and State of California Alcoholic Beverage Control Department at least two times per year or to the satisfaction of the Los Angeles Police Department. The applicant shall transmit a copy of the completion of such training to the Zoning Administrator for inclusion in the file.
  31. The applicant shall provide adequate security both inside and outside the nightclub/dance hall during the hours of club activity. A sufficient number of security personnel, as determined by the Zoning Administrator (with a minimum of one security officer for each plan approval), under the control of the respective property owners or operators of the establishment, shall be provided. The Zoning Administrator, or his/her designee, shall consult with LAPD for recommendations regarding security measures for adequate protection to visitors and employees of the site, and impose those conditions which he or she deems to be necessary and feasible. The guard shall substantially comply with the requirements of the California Business and Profession Code Section 7582.26(f). Any security service shall only be provided by State licensed professionals. A copy of any security shall be placed in the case file.
  32. Multiple temporary signs in the windows and along the building walls are not permitted.
  33. A 24-hour "hotline" phone number for the receipt of complaints from the community regarding the subject dance hall shall be posted at the entry. The number shall be made known via a posting on the entry/exit doors to the facility and shall be distributed by mail to all tenants and owners within 500 feet of the premises every six months. A log of all calls and resolutions shall be maintained and as necessary responded to within 48 hours of the call.

34. A clearly legible and easily readable copy of these Conditions shall be posted in an obvious location in the entry area where it can be readily viewed by customers and employees.
35. The project applicant shall contact LAPD'S Crime Prevention Unit (CPU) to incorporate appropriate crime prevention features into the project design. Example crime prevention design features include.
  - a. Housing units can be designed so as to allow neighbors to "self-patrol" their environments.
  - b. Lighting and landscaping may be enhanced in parking lots to improve visibility.
  - c. Fences around housing developments can be designed in ways that avoid creating hiding places for criminals.
  - d. Signs can be removed from storefront windows to allow clear views in and out of the store.
  - e. Vines or planted coverings may be placed on walls to deter graffiti.
36. This approval is tied to Tentative Tract Map Nos. 67490, 67491, and 67492 (SCH No. 2005091041), which was heard at a concurrent hearing on March 29, 2007. The applicant shall comply with all mitigation measures and conditions of approval identified in that case.
37. Prior to issuance of the certificate of occupancy, the applicant shall submit copies of the plot plan(s) for review and approval to the Fire Department. The Fire Department's approval shall be shown via a stamp on all plans submitted to the Zoning Administrator for sign-off.
38. The applicant shall designate a community liaison that shall be available to meet with representatives of the Neighborhood Council, community groups, or neighborhood associates to resolve any community concerns regarding the operation of the dance hall(s) or restaurant(s).

**B. Administrative Conditions**

39. **Approval, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, review or approval, plans, etc., as may be required by the subject conditions, shall be provided to the Department of City Planning for placement in the subject file.
40. **Code Compliance.** Area, height and use regulations of the zone classification of the subject property shall be complied with, except where herein conditions may vary.
41. **Covenant.** Prior to the issuance of any permits relative to this matter, an agreement concerning all the information contained in these conditions shall be recorded in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent property owners, heirs or assigns. The agreement shall be submitted to the Department of City Planning for approval before being recorded. After recordation, a copy bearing the Recorder's number and date shall be provided to the Department of City Planning for attachment to the file.

42. **Definition.** Any agencies, public officials or legislation referenced in these conditions shall mean those agencies, public offices, legislation or their successors, designees or amendment to any legislation.
43. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning and any designated agency, or the agency's successor and in accordance with any stated laws or regulations, or any amendments thereto.
44. **Building Plans.** Page 1 of the grant and all the conditions of approval shall be printed on the building plans submitted to the Department of City Planning and the Department of Building and Safety.
45. **Corrective Conditions.** The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the City Planning Commission, or the Director of Planning, pursuant to Section 12.27.1 of the Municipal Code, to impose additional corrective conditions, if in the decision makers opinion, such actions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.
46. **Multiple Entitlements.** The subject conditional use permits, variances, and development agreement require the completion of all applicable conditions of approval herein to the satisfaction of the Planning Department and the effective date of these grants shall coincide with that of the associated zone change on the property involved.

**FINDINGS AS MODIFIED BY PLANNING AND  
LAND USE MANAGEMENT COMMITTEE ON 9-11-07**

1. **General Plan Land Use Designation.** The subject property is located within the area covered by the Central City Community Plan, which was adopted by the City Council on May 2, 1974, (pursuant to Council File 72-1723). The Plan map designates the subject property for Regional Center Commercial land use with corresponding zones of CR, C1.5, C2, C4, C5, R3, R4, R5, RAS3, and RAS4.
2. **General Plan Text.** The Central City Community Plan text includes the following relevant land use objectives, policies and programs:

Objective 1: *To develop Central City as a major Center of the Los Angeles metropolitan region, within the context of the Los Angeles General Plan as envisioned by the Concept and Citywide Plan portions thereof.*

Objective 2: *To create a climate that will prepare Central City to accept that share of anticipated regional growth which is economically and functionally attracted to it.*

Objective 4: *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 and housing.*

Objective 5: *To create a symbol of pride and identity which gives the Central City a strong image as a major Center of the Los Angeles region.*

Objective 9: *To provide a full range of employment opportunities for persons of all income levels.*

Objective 10: *To provide high and medium density housing close to employment and available to all ethnic and social groups, and to make an appropriate share of the City's moderate and less than moderate income housing available to residents of the area.*

Under the County Office Building Option, the Project will provide up to 2,060 residential units, with up to 412 affordable apartment units; up to 275 hotel rooms; up to 449,000 square feet of retail space; and up to 681,000 square feet of County office space with up to 5,035 parking spaces. Under the Additional Residential Development Option, the Project will provide up to 2,660 residential units, with up to 532 affordable units; up to 275 hotel rooms; and up to 449,000 square feet of retail space with 5,255 parking spaces. The Project will provide much-needed market-rate and affordable housing units in the Central City Community Plan Area, as well as provide a neighborhood-serving commercial uses. The proposed project will create a high quality residential development that not only offers much-needed housing to the area, promotes economic development, better utilizes the project site by improving the land use and character of the existing neighborhood, provides a 24-hour livelihood for the area, ultimately, reinvigorating the area with pedestrian activity, improve urban life, promotes safety by allowing for residents to keep their eyes on the area, and create strong interaction and vitality to the downtown neighborhood.

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

The project site is currently developed with surface parking lots and a parking structure. It is one of the few under-improved properties in the vicinity. Development of this site is an infill of an otherwise commercial neighborhood comprised of civic, cultural, retail and residential uses. By enabling the construction of a supply of housing and jobs in close proximity to jobs and services, including public transit, the proposed Zone Change would be consistent with several goals and policies of the Framework Element.

The Land Use chapter of the Framework Element identifies objectives and supporting policies relevant to the project site. Those objectives and policies seek, in part, to provide for the stability and enhancement of multi-family residential neighborhoods and to encourage the development of commercial uses and structures that integrate housing units with commercial uses.

The Project would meet many housing objectives and policies contained in the Housing Element of the Los Angeles General Plan as follows:

Objective 1.1: *Encourage production and preservation of an adequate supply of rental and ownership housing to meet the identified needs of persons of all income levels and special needs.*

Under the County Office Building Option, up to 2,060 residential units, including 412 affordable apartment units; would be constructed. Under the Additional Residential Development Option, up to 2,660 residential units, including 532 affordable units would be constructed. Furthermore, up to 412 apartment units will be set aside for affordable housing. Of this total, 35 units would be set aside as extremely low income affordable units, up to 221 units would be set aside as very low income affordable units, and up to 156 units would be set aside as low income affordable units. The Project would accommodate various income levels, bringing in much-needed affordable housing to the community and the City, while providing a mix of studio, one-bedroom, and two-bedroom units to accommodate different household sizes.

Policy 2.1.3: *Encourage mixed use development which provides for activity and natural surveillance after commercial business hours.*

Policy 2.1.4 *Enhance livability of neighborhoods by upgrading the quality of development and improving the quality of the public realm, including streets, streetscape, and landscaping to provide shade and scale.*

Objective 2.3: *Encourage the location of housing, jobs, and services in mutual proximity. Accommodate a diversity of uses that support the needs of the City's existing and future residents.*

The Project will create a high-quality residential development that offers much-needed housing to the neighborhood, promotes safety by deterring crime through architectural features, better utilizes the project site by improving the land use and character of the existing neighborhood, provides a 24-hour livelihood for the area, ultimately, reinvigorating the area with pedestrian activity, improving urban life, and creating strong interaction and vitality to the existing neighborhood. Common areas and public plazas, landscaping and streetscape improvements will enhance livability and welcome the public.

The Project will reduce the gap between jobs and housing. The Project site includes the Civic Center Metro Red Line/Purple Line Station and near several major bus lines that will help connect residents to their jobs throughout downtown and the southern California region. The Project itself will create approximately 29,000 full-time jobs both on- and off-site. Also, as part of the CRA/LA's approved Local Hiring requirements for projects in the Central City Redevelopment Project Area, Local Hiring requirements (one for construction and one for permanent jobs) were drafted for inclusion in the Grand Avenue Project Disposition and Development Agreement. These Local Hiring requirements include a 30 percent local hiring goal, of which one-third (1/3) of this requirement (or 10percent) is an at-risk hiring goal, for construction employers and a 30percent local low-income hiring goal for permanent employers, both of which assign one-third (1/3) of the 30percent requirement as the at-risk hiring goal (10 percent of total workforce).

*Policy 2.3.1: Encourage and plan for high intensity residential and commercial development in centers, districts and along transit Corridors, as designated in the Community Plans and the Transportation Element of the General Plan, and provide for the spatial distribution of development that promotes an improved quality of life by facilitating a reduction of vehicular trips, vehicle miles traveled in order to mitigate traffic congestion, air pollution, and urban sprawl.*

*Policy 2.3.3: Encourage the development of new projects that are accessible to public transportation and services consistent with the community plans. Provide for the development of land use patterns that emphasize pedestrian/bicycle access and use in appropriate locations.*

This Project's proximity to the Civic Center Red Line/Purple Line Station and major bus lines create opportunities for residents and employees to take advantage of transit opportunities while reducing congestion in the area. This will alleviate congestion, and bring a balance of jobs and housing in the area.

3. The **Transportation Element** of the General Plan will be affected by the recommended action herein. However, any necessary dedication and/or improvement of Grand Avenue to Plan designated Major Highway standards, First Street to Plan designated Major Highway standards, Second Street to Plan designated Secondary Highway standards, Olive Street to Plan designated Secondary Highway standards, Hill Street to Plan designated Secondary Highway standards, and General Thaddeus Kosciuszko Way to Plan designated Local Street standards will assure compliance with this Element of the General Plan and with the City's street improvement standards pursuant to Municipal Code Section 17.05.

4. The **Sewerage Facilities Element** of the General Plan will be affected by the recommended action. However, requirements for construction of sewer facilities to serve the subject project and complete the City sewer system for the health and safety of City inhabitants will assure compliance with the goals of this General Plan Element.
5. **Street Lights.** Any City required installation or upgrading of street lights is necessary to complete the City street improvement system so as to increase night safety along the streets which adjoin the subject property.
6. **Zone Change Findings.**
  - a. Pursuant to Section 12.32.C.7 of the Municipal Code, and based on these findings, the recommended action is deemed consistent with public necessity, convenience, general welfare and good zoning practice.

The Central City Community Plan designates the entire project site as having a Regional Center Commercial land use designation with corresponding zones of CR, C1.5, C2, C4, C5, R3, R4, R5, RAS3, and RAS4. The requested zone change to from R5-4D to C2-4D is consistent with the designated land use category and compatible with surrounding properties also designated for Regional Center Commercial land use. These zones allow for commercial uses, parking, and high-density multi-family residential use. Per Section 12.22-A.18 of the L.A.M.C., residential uses are permitted in the CR, C1.5, C2, C4 or C5 Zones and uses permitted in the CR, C1, C1.5, C2, C4, or C5 Zones on any lot in the R5 Zone since the project site is located within the Central City Community Plan area. Thus, the proposed uses of the Project would be permitted.

The requested zone change would encourage and allow mixed-use development, and standardize the other zoning regulations which apply to the site. Currently, three of the properties have a mix of commercial and residential zoning, neither of which provides the same development standards. The proposed zone change to C2-4D is needed to simplify and standardize zoning across the site and to eliminate the need for additional entitlements that would be required on the portion of the project in the R5 Zone. Public parking for commercial uses, commercial circulation through a residential zone, a hotel, supplemental signage, and the sale of alcohol would not be allowed on the R5 portion of the site without the granting of separate entitlement approvals from the City.

The uses adjacent to the subject property along First Street and Grand Avenue are characterized by a myriad of commercial uses that includes office, residential, governmental and institutional uses. Land immediately north and east of the site is developed with public facilities (Department of Water and Power, County Hall of Administration and County Courts) and cultural institutions (Dorothy Chandler Pavilion, Disney Concert Hall). Land to the south and east is developed primarily with commercial and office uses that are zoned C2-4D. There is also residentially zoned land to the south and east. The Project would be compatible and complementary with the adjacent uses. The proposed mixed use project would create regional center commercial uses along major arterials, and provide much needed housing without tenant relocation.

Public necessity and convenience is served by rezoning the parcels to facilitate a mixed-use project consisting of commercial and residential uses on properties that are currently developed with parking facilities. The Project would contribute to the expected growth and continued vitality of this neighborhood by providing up to 2,660 residential units, affordable units, to address the housing shortage the City presently faces. The Project will also provide much needed neighborhood-serving retail services.

In general, the proposed Project would revitalize the Bunker Hill core linking the Civic Center to the financial centers along Grand Avenue and Figueroa Street. Redevelopment of the property fulfills the intent behind the Redevelopment Plan, by replacing the existing underutilized uses with a mixed-use development that will bring economic revenues to the City and County, will attract residents, shoppers, and tourists to the area, while strengthening downtown Los Angeles' identity as a regional and international point of destination.

While providing new residential housing units needed to meet the City's growing population, the Applicant's proposed project fulfills a myriad of goals important to the City, to wit:

- i) The Framework Element of the General Plan further encourages the proposed type of development to: “[r]einforce existing and establish new neighborhood districts which accommodate a broad range of uses that serve the needs of adjacent residents, and are developed as desirable places to work and visit.”
- ii) The Framework Element also states: “Currently, the City of Los Angeles has insufficient vacant properties to accommodate the cumulative amount of population growth which has been forecasted. The supply of land zoned for residential development is the most constrained in the context of population growth forecasts. Thus, should growth and new development in the City occur, most likely it will require the recycling and/or intensification of existing developed properties or conversion of certain uses...”

While the project would rezone residential land to a commercial designation, the Project would utilize land largely for residential purposes. Consequently, while the Project would reduce the amount of residentially zoned land, it is consistent with the Framework Element goals of intensifying the residential use of existing commercial land.

There is no detriment to the general welfare of the City, the surrounding community or the future residents of the property because the project density and scope as designed are appropriate for the site in relationship to the surrounding properties. The general welfare is served by eliminating underutilized properties such as the County parking structure on Parcel Q and existing surface parking lots on Parcels W-1/W-2, and L/M-2. The Project will replace current uses with a high quality, aesthetically appealing development that promotes pedestrian activity, ground floor commercial uses, and attractive public spaces. The proposed Project will provide an increased tax base in terms of both property and sales tax to the City that in turn will assist in the support of the necessary City services that are required for this development. The revenues from the Project

will also contribute to the funding of the redevelopment of the County Mall into a revitalized Civic Center park. The proposal will serve the general welfare of the City by contributing up to 2,660 new residential dwelling units to the City's housing stock and up to 532 affordable housing units. Furthermore, the Project will not displace any residents since there are presently no residential structures on the site.

The Project conforms with good planning practices because it will be developed in a manner consistent with the surrounding neighborhood, and it will further the goals of the Community Plan and Redevelopment Plan 1) to increase the range of housing choices available (Objective 1-2), 2) to promote land uses that address the needs for visitors to downtown (Objective 2-3), and 3) to encourage a mix of 24-hour uses (Objective 2-4). The requested zone change will not increase the allowable density or floor area permitted on the project site. The maximum density permitted in the R5-4D and C2-4D will be one unit per 200 square feet of buildable area. The maximum floor area ratio (FAR) permitted due to the "D" limitation will remain 6.0:1. Good planning practice dictates to simplify the zoning so individual parcels will not have multiple zoning designations. The proposed zone change accomplishes this by rezoning all of the project area to C2-4D and maintaining the current "D" Limitation.

The Project provides a mix of uses, residential (including affordable housing) along with commercial uses, in an area of the City designated Regional Center Commercial which immediately abuts office, residential, governmental and institutional uses. The Project will promote a synergy between institutional uses to the north and east and the office and residential uses to the south and west of the property.

Section H.2 of The Bunker Hill Redevelopment Plan states allowable uses for parcels within the plan area. By granting approval of the requested zone change, the City Planning Commission permits both commercial and residential uses within the Project site and approves the residential uses proposed on Parcels Q and W-1 / W-2 pursuant to Section 803(2) of the Bunker Hill Redevelopment Plan. This enables the Project to fulfill the goals of the Redevelopment Plan by providing neighborhood-serving retail, such as restaurants, a grocery store, and retail space, within an FAR comparable to office developments that dominate Bunker Hill. Not only will this revitalize the community by creating a more vibrant and active mixed use residential and commercial development, but it will be compatible with the adjacent office, residential, governmental, and institutional uses in the area. Its proximity to these uses will reduce commute times and better utilize surface streets as principal access points. As such, the granting of the requested zone change will be deemed consistent with public necessity, convenience, general welfare and good zoning practice.

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

7. **Variance Findings (for individually accessible parking and open space).** Pursuant to Section 12.27-D of the Municipal Code: the proposed project is a mixed-use project comprised of five development parcels with two development options. The project will be comprised of a mix of ground level retail, residential units, hotel, and/or a County building. Section 12.21-A,5(h)(2) of the L.A.M.C. requires one individually accessible parking space per dwelling unit or guest room. Section 12.21-G,2 of the L.A.M.C. requires that open space be provided for new residential developments. One hundred square feet of open space is required per unit with less than three habitable rooms, 125 square feet of open space is required per unit with three habitable rooms, and 175 square feet of open space is required per unit of more than three habitable rooms. At least half of this open space must be devoted to common open space and a minimum of 25 percent of this common open space must be landscaped, among other requirements.
- a. *That the strict application of the provisions of the zoning ordinance would result in practical difficulties or unnecessary hardships inconsistent with the general purposes and intent of the zoning regulations.*

#### Parking

Providing the required number of accessible residential parking spaces for dwelling units and hotel guest rooms in a dense urban residential project in the downtown area would result in practical difficulties due to the amount of space required for parking and the available land to accommodate the parking in subterranean parking. The Zoning Code requirement for one accessible parking space per unit is based on the premise that residents would self-park and that tandem parking shared by residents of more than one dwelling unit would create practical difficulties and limit convenient and efficient self-parking. However, since this development proposes to use valet parking for residential units, the necessity for one directly accessible space per unit is eliminated. The current market demand for self-parking in dense residential projects has evolved over time to the point where tenants and property owners of high-end residential developments often prefer valet parking instead of using assigned parking for each unit. Valet parking is an amenity the applicant can provide residential tenants and property owners to ensure high levels of service and amenities. Since it is more convenient for residents to utilize valet parking than drive down multiple floors through underground parking garages to reach assigned parking, the industry trend is to provide less self-parking and more valet parking. The condominium developments along Wilshire Boulevard between Century City and Westwood typically provide valet parking for residents. This extensive use of valet and/or attended parking eliminates the necessity for directly accessible parking spaces for each unit.

Similarly, it is standard for hotels in dense urban environments to provide valet parking for their guests. A valet drop-off is proposed along Upper Grand Avenue, specifically to serve the proposed hotel on Parcel Q. With the use of valet operations, which is both convenient and expected, there is no need for one individually and easily accessible parking space per guest room.

### Open Space

Providing required open space for a dense urban residential project in the downtown area would result in practical difficulties due to the amount of open space required and the available land to accommodate the required open space. After dedications, the net lot area of the project site is 364,128 square feet (8.4 acres). Based on the number of units and habitable rooms, the open space required (387,300 square feet or 8.89 acres) is actually greater than the amount of land in the project area. In such limited confines of an urban setting, it is impractical to provide even half of the required open space (193,650 square feet) while retaining sufficient land to construct the buildings that make up the project.

In drafting proposed residential standards to alter the formula for open space requirements in downtown (CPC-2005-0361), City Planning Department staff acknowledged the impracticality of providing large amounts of open space in a downtown setting. In its March 31, 2005, City Planning Commission staff report, staff indicated that "these tight constraints make it difficult, if not impossible (without seeking relief from these requirements) to build residential buildings in the downtown." With the amenities available downtown, as well as the amenities that will be enabled by this project (16-acre Civic Park and Grand Avenue streetscape improvements), the burden of providing on-site open space in conformance with the Municipal Code is an unnecessary hardship.

The architectural design of the proposed residential buildings precludes the most common way of providing private open space, which is to include balconies off of individual units. Providing balconies on the residential towers to help meet the overall open space requirements would conflict with the neighboring Walt Disney Concert Hall. The design of the structures of the Phase I development parcel was intended to complement the Disney Concert Hall since both were designed by the same architect. The Walt Disney Concert Hall's unique shape and material is complemented by Tower 1's sleek and curvy form, while having a metallic appearance. Balconies would disrupt this design, and conflict with the intent to bring a distinguished, architectural design that meets the level of quality of neighboring buildings. For aesthetics and safety, it would be impractical to achieve any additional private open space through the design of the buildings.

All five development parcels (Parcels Q, W-1/W-2 and L/M-2) will provide common open space areas and both indoor and outdoor recreation areas, such as pools, terraces, lounges and recreation rooms. However, with the limited land and building roof tops available for this purpose, the project will not be able to provide the required amount of open space within the residential towers. Instead, a large majority of the common open space will be provided by the public plaza spaces on each parcel. It is worth noting that some of these areas have overhanging structures and do not technically meet the Zoning Code definition of common open space even though they provide common open space in all other aspects and functions. These areas have not been included as part of the open space calculations above.

Finally, due to the nature of the public plaza spaces in a mixed-use setting in a dense urban environment, it is not practical to provide the required amount of landscaping in the common open spaces areas. Although landscaping and green spaces are proposed as part of multiple public plaza levels, these areas

are intended to emphasize walking and sitting and consequently include more hardscape than softscape. The public plaza spaces will be integrated into the streetscape improvements on the surrounding streets, creating pedestrian connections and promoting pedestrian activity. Similarly, the common open space areas associated specifically with the residential towers will also include landscaping, but are more tailored toward lounge areas, gathering places, swimming pools, and other recreational amenities.

- b. *That there are special circumstances applicable to the subject property such as size, shape, topography, location or surroundings that do not apply generally to other property in the same zone and vicinity.*

#### Parking

There are special circumstances applicable to the project that warrants the granting of a variance for parking space accessibility. On Parcel Q, the site has street frontage on four streets which are all at different elevations. This necessitates the need for several different access ramps for the commercial and residential parking areas. This ramp system in turn requires a large amount of land, which limits the ability to provide many rows of parking with single accessible parking spaces. A large amount of tandem parking is required to maximize the number of parking spaces on each level. On Parcels W-1/W-2 and L/M-2, similar street topography exists which will complicate the ability to provide efficient parking layouts in the underground garages, unless a majority of the spaces can be provided in tandem with full-time valet operations.

#### Open Space

There are special circumstances applicable to the project that warrants the granting of a variance for open space. An integral component of the proposed project is the creation of a 16-acre Civic Park that builds and expands upon the existing Civic Center Mall connecting Los Angeles City Hall to Grand Avenue. The current conceptual plan for the Civic Park includes a Great Lawn and Grand Terrace, garden areas, and plaza spaces for public enjoyment. The intent of the park is to revitalize the area with improved facilities, provide a setting for festivals and civic event programming, and to serve as a public gathering place for the entire region. Another project component includes streetscape and ambience improvements along Grand Avenue between Fifth Street and Cesar Chavez Avenue to foster a pedestrian-friendly environment and create a positive setting for sidewalks, cafés and special events. These components will expand and improve public open space for the benefit of residents of the project and the entire community. The lease of County and City lands for the residential and commercial development on Parcels Q, W-1/W-2, and L/M-2 will generate revenues that will be designated for the construction of the open space improvements mentioned above. In order to generate the needed revenue, the project must be of a certain size, which limits the amount of open space that can be provided on-site. Furthermore, without the proposed project, these significant open spaces could not be realized.

- c. *That the variance is necessary for the preservation and enjoyment of a substantial property right or use generally possessed by other property in the same zone and vicinity but which, because of the special circumstances and practical difficulties or unnecessary hardships, is denied to the property in questions.*

Parking and Open Space

As previously mentioned, the Zoning Code requires more directly accessible residential parking spaces than there is available land, given the constraints and the topography of the parcels. The Zoning Code requirement for one accessible parking space per unit is based on the premise that residents would self-park and that tandem parking shared by residents of more than one dwelling unit would create practical difficulties and limit convenient and efficient self-parking. However, since this development proposes to use valet parking for residential units, as well as hotel guests, the necessity for one directly accessible space per unit and guest room is eliminated. The valet attendants will manage the movement of vehicles, and residents and guests will not have to shuffle cars in tandem parking spaces. Strict adherence to this directly accessible zoning requirement creates an unnecessary hardship on the property and fails to preserve a substantial property right. Relief from this requirement is necessary to facilitate the development of a project aimed at activating downtown Los Angeles, creating gathering places, enhancing pedestrian connections, and achieving redevelopment goals for the Bunker Hill area.

The Zoning Code requires more open space on the site than there is land area. The strict adherence to this requirement creates an unnecessary hardship on the property and fails to preserve a substantial property right. Relief from this requirement is necessary to preserve the right to develop a project aimed at activating downtown Los Angeles, creating gathering places, enhancing pedestrian connections, and achieving redevelopment goals for the Bunker Hill area.

- d. *That the granting of the variance will not be materially detrimental to the public welfare, or injurious to the property or improvements in the same zone or vicinity in which the property is located.*

Parking and Open Space

The proposed project will not be materially detrimental to the public welfare or injurious to the property or improvements in the same zone or vicinity. The applicant's intent is to create an architecturally distinguished project which meets the level of quality of neighboring buildings that brings many benefits to the neighborhood. In terms of parking, the project will provide commercial and residential parking in excess of Zoning Code standards on all five development parcels. The accessibility of the parking spaces, given the applicant's intent to provide valet parking at all times, should have no affect on neighboring properties. In terms of open space, the project provides an appropriate amount of common open space given its dense urban nature consistent with the office and residential developments in the area, as well as the contribution the project will make toward the creation of the Civic Park and improved streetscapes.

The Project will provide safe and attractive new housing, including a twenty percent affordable housing component. The Project will provide much needed neighborhood-serving retail. The addition of the newly-designed buildings on Parcel Q along with the other new buildings on Parcels W-1/W-2 and L/M-2 would, therefore, enhance property values of the surrounding neighborhood. Furthermore, the project will impact future development by setting new standards for mixed-use projects in the downtown area, thereby, adding value to surrounding properties and improvements in the vicinity. Granting the variance would significantly enhance the surrounding region and provide notable tangible benefits to the community (e.g., increased shopping, dining and entertainment opportunities, Civic Park, and enhanced streetscapes).

- e. *That the granting of the variance will not adversely affect any element of the General Plan.*

#### Parking

The proposed project is consistent with the Central City Community Plan. The Community Plan does not contain specific objectives or policies addressing residential parking. It does, however, contain policies promoting reduced commercial and office parking in order to encourage public transit use and limit traffic growth in the Central City area. The proposed variance would allow for a more efficient parking plan which is consistent with the general intent of the Community Plan to not overbuild parking in the Downtown area.

The purpose of the General Plan, in part, is to “promote an arrangement of land use, circulation and services which will encourage and contribute to the economic, social and physical health, safety, welfare, and convenience of the Community, within the larger framework of the City; guide the development, betterment, and change of the Community to meet existing and anticipated needs and conditions...reflect economic potentials and limits, land development and other trends; and protect investment to the extent reasonable and feasible.” The reduction in the required number of directly accessible residential and hotel guest parking spaces will not adversely affect the project’s ability to meet this purpose of the General Plan. In fact, circulation will be enhanced as residents and patrons will be able to get into and out of the development.

#### Open Space

The proposed project is consistent with the Central City Community Plan. The Community Plan designates the project site as “Regional Center Commercial”, which corresponds to the C2 Zone and permits residential uses allowed in the R5 Zone. The project meets the intent of Central City Community Plan Objectives 4-2 and 4-3 by enhancing the visual and physical linkage between the City’s public and private open spaces, and increasing the use of the Civic Park through the expansion of activities and areas specifically for programmed events.

The purpose of the General Plan, in part, is to “promote an arrangement of land use, circulation and services which will encourage and contribute to the economic, social and physical health, safety, welfare, and convenience of the Community, within the larger framework of the City; guide the development, betterment, and change of the Community to meet existing and anticipated

needs and conditions...reflect economic potentials and limits, land development and other trends; and protect investment to the extent reasonable and feasible." The reduction in the required open space will not adversely affect the General Plan, particularly since, in addition to the open space provided in each of the three project sites, development of the Project will enable the creation of a new Civic Park as well as pedestrian-oriented improvements along Grand Avenue.

**8. Conditional Use Findings (Sales of Alcoholic Beverages and Dance Hall Use).**

Conditional Use Findings, pursuant to LAMC 12.24-W,1 and 12.24-W,18(a), to allow for on-site sales of alcoholic beverages at each of the development phases and to permit dancing and live entertainment use.

- a. *Describe briefly how the proposed project will be proper in relation to adjacent uses or the development in the community.*

The proposed mixed-use project is located within an area designated as Regional Center Commercial land use and is adjacent to other commercial uses, including restaurants and retail shops in office buildings south of the project site along Grand Avenue. The project is also located within the Bunker Hill Redevelopment Project Area, which is an established mixed-use community that provides a full range of residential and commercial options for businesses and households within walking distance of the Civic Center office towers on Bunker Hill. Other prominent land uses within the area include MOCA, the Walt Disney Concert Hall, California Plaza, the Music Center and other high-rise office building developments. Land uses within the Project's immediate vicinity include residential, entertainment, office, government, parking structures and surface parking lots. The sale of alcoholic beverages would likely be a suitable component within this environment. The development provides a setting wherein many patrons are likely to fulfill shopping, dining and entertainment needs in one visit. A review of other similar mixed-use projects indicates that the sale of alcohol is an integral part of such mixed-use settings.

As noted above, the applicant is requesting a total of 35 alcohol-selling establishments. This number may never be reached, but granting this request assures that a maximum cap is established. In order to allow for safeguards to be established on a case-by-case basis, the applicant will be required to submit a plan approval of each establishment requiring an alcohol license prior to the issuance of a tenant improvement building permit for such establishment.

- b. *Why does the Applicant believe the location of the project will be desirable to the public convenience and welfare?*

The project will provide up to 2,660 housing units in the downtown urban core where it is both appropriate and desirable. The project site will be conveniently located for downtown professionals who currently commute from neighboring communities and counties. Furthermore, the project has been carefully planned to create a unified development on the three sites, which will be linked by distinguished architecture and a unified and enhanced streetscape. Such improvements will add to the aesthetic appeal and functionality of the area. Many of the proposed restaurants will accommodate outdoor patio/terrace spaces, which will create an extension of the open space areas where people can relax and congregate in a safe, attractive, and enjoyable environment. The

enhanced streetscape will seamlessly connect the sites that compose the project to enable pedestrian-friendly use. The new buildings will present modern architectural features, and will complement the newly-designed Walt Disney Concert Hall. In addition to the residential uses, the project will include approximately 275 hotel rooms and 449,000 square feet of retail floor area on the three sites. These commercial and retail opportunities will enhance the livability of the area for the project's residents in particular, and welcome residents as well as visitors throughout the region. Furthermore, the project will generate approximately 1,200 new jobs within the Bunker Hill Redevelopment Project Area.

Since alcoholic beverage service is an expected amenity with a meal service, an approval of alcohol sales and dispensing will be convenient and enjoyable for patrons of these establishments. It is reasonable to expect a fully integrated mixed-use development to include restaurants that offer alcohol service incidental to the sale and service of food. Similarly, it is reasonable to expect that uses such as a grocery store will sell a full line of alcoholic beverages for off-site consumption.

- c. *Describe how the proposed project will not be detrimental to the character of development in the immediate neighborhood and will be in harmony with the various elements and objectives of the General Plan.*

The project will enhance the character of development in the surrounding neighborhood by providing up to 2,660 new units of much needed, high-quality housing. The construction of new high-rise residential and commercial buildings by a world-renowned architect will add to the cultural and architectural cache of Bunker Hill. Given the Bunker Hill Redevelopment Plan's intent is to bring a full range of residential and commercial options, the Project will further the mixed-use character of development in the immediate neighborhood. Furthermore, the Redevelopment Plan for Bunker Hill states that any area rehabilitation should aid in fostering visitors and a 24-hour environment. The proposed project unites cutting edge architecture and mixed-use in one unified development. The applicant is thereby in a unique position to significantly aid the City in its goal of restoring the prominence of the urban core, and more specifically, the Bunker Hill and Civic Center area. To ensure that the Project will not create any detrimental impacts on the surrounding area, the specific details of each establishment will be reviewed pursuant to the plan approval process. This process will allow for a very comprehensive review of each request with input from each prospective tenant, the Police Department, the Council office, and other interested parties. Security plans, floor plans, seating limitations, and other recommended conditions, as well as the mode and character of the operation, can be addressed and assured through the imposition of site-specific conditions.

The Central City Community Plan designates the property as Regional Center Commercial land use. The proposed uses of the property are consistent with this designation. The proposed restaurants and retail activities are also permitted by-right under the proposed C2 zone. Conditional use authorization for the sale of alcoholic beverages is only allowed subject to certain findings which have been made herein. The General Plan states that Regional Centers should become "mixed use centers that provide jobs, entertainment, culture, and serve the region." The project furthers this goal by providing residential, commercial, and

retail uses within the same sites. The new development will provide a cultural focal point for the Civic Center and Bunker Hill.

The proposed project is also consistent with the Housing Element of the General Plan. One Housing Element Objective is to "promote housing strategies which enhance neighborhood safety and sustainability and provide for adequate population, development, and infrastructure and service capacity within the City and each community plan area, or other pertinent service area." The project achieves this goal by providing up to 2,660 units of new, high-quality housing in close proximity to new commercial and retail offerings. The project will enhance neighborhood safety by increasing pedestrian traffic in the area and instilling vibrant commercial uses in the area.

The project also effectuates key goals of the Central City Community Plan. One key Objective of the Central City Community Plan is that new housing options should be provided in a setting that will encourage the creation of "an active, 24-hour downtown environment for current residents." The project's mixed-use nature, including the venues which propose to sell alcoholic beverages, is aimed at providing project residents, as well as non-resident community members, with dining, retail and other entertainment options.

- d. *Will the approval of the Conditional Use at this location adversely affect the economic welfare of the community? Why?*

The revitalization efforts proposed by the applicant are anticipated to serve as a catalyst for continued investment in the subject property and surrounding neighborhoods. The proposed conditional use supports the project's goal of serving as a focus for the neighborhood's revitalization efforts. The establishments within which the on- and off-site sales of alcoholic beverages will occur will not adversely affect the economic welfare of the community, but rather will contribute to the success of the development. The project will positively affect the economic welfare of the community by expanding retail uses available in the Bunker Hill and Civic Center areas, further integrating new residents in close proximity to the retail and entertainment options which will be available at the project, and enhancing the attractiveness of the Bunker Hill neighborhood as a center for commercial investment. It will also positively benefit the City through generation of additional sales tax revenue and business license and other fees, and by providing additional short-term and long-term employment opportunities to area residents.

- e. *Will the approval of the Conditional Use result in or contribute to an undue concentration of premises for the sale or dispensing of alcoholic beverages, including beer and wine, giving consideration to applicable State laws and the California Department of Alcoholic Beverage Control's guidelines for undue concentration and the number and proximity of such establishments within a one thousand foot radius of the site and area crime rate?*

According to the local California Department of Alcoholic Beverage Control (ABC) office, based on their licensing criteria, four on-site and three off-site licenses are allocated to Census Tract No. 2075 within which the project is located. There are currently 21 on-site and three off-site licenses in this census tract. These figures indicate that there is an over-concentration of on-site

licenses, but not of off-site licenses. The proposed conditional use permit, if approved and implemented, will result in a number of licenses which exceeds the allocation for the census tract area. Nonetheless, the project's objectives of enhancing the livability of the area and fostering a 24-hour environment in the City's the urban core require a development with a diversity of uses, including restaurants, stores, and other venues that serve and/or sell alcoholic beverages.

The requested conditional use will provide a limited number of establishments that serve and/or sell alcoholic beverages on each of the parcels. The restaurant establishments will offer a range of dining choices, including differing cuisines and atmospheres. The sale of alcoholic beverages is of critical to the successful operation of these facilities to attract and cater to a sophisticated clientele. Since the establishments will be part of a carefully controlled, first-class project, the service of alcoholic beverages will enhance the quality of the project site and the Bunker Hill neighborhood. The project also includes a grocery store and possible convenience store and wine shop, which will offer alcohol for off-site consumption. A grocery store is a much-needed land use in the area and the sale of alcohol at a grocery store will not unduly add to the concentration of alcohol sales outlets in the area. The project will also include a full service hotel which may offer alcohol sales for guests in a restaurant and lobby and/or poolside bar, as well as through room service and in-room mini bars. It is important to note that the vast majority of activities within the project will not involve the sale of alcoholic beverages and, for most of the establishments that will sell alcoholic beverages, the sale will generally be incidental to their primary operations. Accordingly, approval of the CUP will not result in an unreasonable concentration of such establishments, but will provide numerous public benefits including public convenience, entertainment opportunities, and aesthetic and economic improvements.

- f. *Will the approval of the Conditional Use detrimentally affect nearby residentially zoned properties? Why?*

The area surrounding the project currently includes a wide variety of office, commercial and residential uses, and the proposed project will provide a focal point for retail and dining options for the community. Alcoholic beverages will be served by responsible operators in a controlled environment. Accordingly, the inclusion of alcohol as an incidental use within the project's food service establishments, hotel, and at a grocery store, among other establishments, will not result in detrimental impacts to nearby residentially zoned properties.

- g. *The proposed use will not detrimentally effect nearby residentially zoned communities in the area of the City involved, after giving concentration 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 wine and beer.*

As stated previously, the area surrounding the project currently includes a wide variety of office, commercial, and residential uses. To ensure that the Project will not create any detrimental impacts on the surrounding area, the specific details of each establishment will be reviewed pursuant to the plan approval process. Furthermore, alcoholic beverages will be served by responsible operators in a

controlled environment. Finally, the preparer of the radius map has submitted a 600 Foot Uses List for the subject site. According to this list, there are no sensitive uses such as hospitals and playgrounds that would be affected by the proposed use.

**9. Conditional Use Findings (Density).**

Conditional Use Findings, pursuant to LAMC 12.24-U,26 to permit a density of one unit per 136 square feet of net lot area throughout the entire site.

- a. *The proposed project will be desirable to the public convenience or welfare.*

The project site is in the heart of downtown on Bunker Hill where there is history and precedent for housing as well as strong demand for housing to improve the jobs/housing balance in the city. Downtown Los Angeles has a jobs/housing ratio of approximately 16.4 jobs for every household (based on 1997 SCAG data). The proposed project will provide a jobs/housing ratio of approximately 0.45 jobs for every household, since the number of households created (up to 2,660) is greater than the number of jobs that will be created (1,206 under the Additional Residential Development Option). The Project will improve the jobs/housing balance in the City and the downtown area thereby reducing the negative traffic and environmental impacts on downtown caused by the large number of workers who have to commute to jobs downtown due to the lack of housing in the downtown area. The Project will further the public goal of developing a vibrant, new, mixed-use environment in downtown. Other mixed-use projects have been approved (i.e., LA Live, Metropolis) in the area that signal a resurgence in both residential development as envisioned in the Community Plan and neighborhood serving retail and entertainment uses as permitted by the C2 Zone. The density of the proposed project optimizes the use of the site for the betterment of the community.

In drafting proposed amendments to the Municipal Code, City Planning staff has acknowledged (City Planning Commission Staff Report dated March 31, 2005, case no. CPC-2005-0361-CA, PLUM recommendation date March 6, 2007) high density residential development is suitable for downtown and that the density limitations in the Municipal Code are not effective in incentivizing housing production in the Central City area. It is for this reason that City Planning staff has proposed eliminating density requirements for residential projects downtown and instead relying on floor area ratio to control building size. The proposed project is consistent with the proposals put forth by City Planning staff.

- b. *The proposed location is proper in relation to adjacent uses or the development of the community.*

The proposed project is located in the Bunker Hill and Civic Center areas of the Central City Community Plan. Objectives of the Central City Community Plan include increasing the range of housing choices downtown (Objective 1-2), fostering residential development which can accommodate a full range of incomes (Objective 1-3), and encouraging a mix of uses that creates a 24-hour downtown environment for current residents (Objective 2-4). Each of these objectives is met by the project. The project provides a mix of studio to three-bedroom market rate and affordable units for a range of housing choices (Objective 1-2 and 1-3) and provides retail, restaurants, and a hotel which will contribute to the 24-hour environment (Objective 1-3).

The project's location and scale provide a unique opportunity to further the objectives of the Community Plan and to serve as a mixed-use linkage between the high density financial district to the south and the slightly lower scale governmental and cultural uses in the Civic Center area. The location will also allow people to live closer to work and make fewer vehicle trips to retail destinations. Accordingly, the central location of the project makes it uniquely suited for an increase in the residential units permitted.

The project proposes residential, hotel, and commercial uses, all within an area connected by an enhanced streetscape. Public plazas will be provided for communal open space. The project will also enhance the Grand Avenue streetscape from Cesar Chavez Boulevard to Fifth Street and enable the development of the Civic Park adjacent to the site, providing an improved public right-of-way for the Bunker Hill community.

The project is also in a unique position to extend the architectural statement of the Disney Concert Hall. Parcel Q, in particular, will include new buildings of significant scale. The massing and building locations within the Parcel Q have been deliberately designed to complement the Disney Concert Hall and maintain appropriate viewsheds. The additional dwelling units requested can be accommodated in the proposed residential towers in a design that will enhance the architectural character of Bunker Hill and the Civic Center areas of the Central City Community Plan area.

The architecture proposed on Parcels W-1/W-2 and L and M-2 will also exhibit the same superior quality proposed on Parcel Q. The scale and massing of buildings and the public plazas will be similar to that of Parcel Q and result in an architecturally unified development.

While the project density exceeds the Zoning Code standard on Parcels W-1/W-2 and L/M-2 by a relatively significant amount, the project is also entitled to a 35 percent density bonus by virtue of inclusion of a 20 percent affordable housing component. Additionally, Parcel Q is proposed to include 500 units on a site that permits 658 units. Consequently the overall density of the project is 42 percent above Municipal Code standards, but only 5 percent above the 2,530 total units permitted with the 35 percent density bonus.

- c. *The proposed location will not be materially detrimental to the character of development in the immediate neighborhood.*

The proposed project is not materially detrimental to the public welfare or injurious to the property or improvements in the same zone or vicinity. The project will exhibit outstanding design qualities and features, such as landscaped plazas, numerous seating areas and pedestrian-oriented spaces, which will make it desirable and beneficial to the neighborhood. In terms of density, the building fits in with the surrounding building massing, and the transitions are sensitive to the surrounding uses. There are much taller office buildings adjacent to the south of the project site. The proposed high-rise and mid-rise residential towers, interspersed with low-rise buildings containing retail, restaurants and entertainment uses, will provide an effective transition between the high density office towers to the south on Grand Avenue and the less dense government buildings and cultural venues to the north and east. Outdoor and indoor spaces will be blended to take advantage of the Southern California climate.

The project will contribute to the public welfare by providing safe and attractive new housing, as well as desirable retail and enhanced streetscape with each phase. These improvements will enhance the property values of the surrounding neighborhood. The project will also set a new standard for mixed-use projects in the downtown area, thereby, adding value to surrounding properties and improvements in the vicinity.

The project seeks to facilitate an improvement in the housing shortage in the City of Los Angeles. The goal of the proposed project is to provide an appropriate number of dwelling units for the site and area. The granting of the conditional use permit is not detrimental to the public welfare or injurious to the property owners or improvements in the area. To the contrary, in granting the conditional use permit, the City would significantly enhance the surrounding region and provide notable tangible benefits to the community. Furthermore, residential growth in the Central City has the advantage of being well separated from single-family and other low density residential development, so as not to adversely impact existing communities.

As noted above, the applicant is proposing to redevelop the properties to provide between 2,060 and 2,660 residential units, including up to 532 affordable units. When the project is viewed as a whole, the maximum density permitted on the properties would be 1,874 by the Municipal Code and 2,530 with the permitted 35 percent density bonus for the provision of 20 percent affordable housing. The applicant is proposing to develop a total of between 2,060 and 2,660 across these properties depending on whether or not a County office building on Parcel W-1/W-2 is included in the project. This is a relatively minor increase over the permitted density.

- d. *The proposed location will be in harmony with the various elements and objectives of the General Plan.*

The proposed project is consistent with the land use designations in the Central City Community Plan. The Community Plan designates the project site as "Regional Center Commercial", which corresponds to the C2 Zone which permits residential uses allowed in the R5 Zone. Granting a density variance will not adversely affect the General Plan.

The purpose of the General Plan, in part, is to "promote an arrangement of land use, circulation and services which will encourage and contribute to the economic, social and physical health, safety, welfare, and convenience of the Community, within the larger framework of the City; guide the development, betterment, and change of the Community to meet existing and anticipated needs and conditions...reflect economic potentials and limits, land development and other trends; and protect investment to the extent reasonable and feasible."

The Framework Element of the General Plan further encourages the proposed type of development to: "[r]einforce existing and establish new neighborhood districts which accommodate a broad range of uses that serve the needs of adjacent residents, and are developed as desirable places to work and visit." It goes on in the Housing chapter to specify: that "Currently, the City of Los Angeles has insufficient vacant properties to accommodate the cumulative amount of population growth which has been forecasted. The supply of land

zoned for residential development is the most constrained in the context of population growth forecasts. This accentuates the need for additional density on commercial property in the downtown area. Thus, should growth and new development in the City occur, most likely it will require the recycling and/or intensification of existing developed properties or conversion of certain uses..." The proposed project addresses the need for residential housing and the necessity to intensify an existing use in order to accommodate the population growth in downtown, and greater Los Angeles area.

The project directly responds to §65041.1 of the Government Code of the State of California. It states that the planning priorities shall include the promotion of "infill development and equity by rehabilitating, maintaining, and improving existing infrastructure that supports infill development and appropriate reuse and redevelopment of previously developed, underutilized land that is presently served by transit, streets, water, sewer, and other essential services, particularly in underserved areas, and to preserving cultural and historic resources."

The project meets General Plan Land Use Objective 3.1 by providing a diversity of uses including residential uses available to a range of incomes, a variety of retail, entertainment, and hotel uses, commercial offices and expanded recreational uses in the Civic Park. The range of residential use types is made possible by the density provided in the project. The project consists of studio to three-bedroom market rate condominium and affordable apartment unit types. The project would contribute to meeting the housing goals of the City (Housing Element Objective 4.1) by providing up to a substantial number of residential units which will help accommodate the expected population growth in the Central City Community Plan area. The project's location also supports Housing Element Objective 4.2 by providing residential uses in close proximity to transit stations and the existing freeway infrastructure. The Central City area is the hub of the public transportation system in Southern California with the Red Line, Blue Line, Gold Line, and Metrolink serving the area. More specifically, there is a Metro Station on Parcel W-2, the 101 and 110 Freeway are conveniently located adjacent to the project site, and several bus lines also serve the project.

The granting of this variance will not adversely affect the General Plan as shown by the excerpts above. In fact, the project itself advances several goals of the General Plan as outlined by the Central City Community Plan and the Bunker Hill Redevelopment Plan by introducing high-density housing and adding an active pedestrian and residential element to downtown Los Angeles.

- e. *The development project is consistent with the Housing Element of the General Plan, which includes objectives to encourage affordable housing.*

The Housing Element of the General Plan, in regards to zoning capacity, states that, "it is necessary to remember that Los Angeles is a substantially built-out city. The only major areas remaining where new construction can take place tend to be in the Santa Monica and Santa Susana Mountains where land and construction costs preclude even moderate income housing. Because of that, nearly all housing development in the city is expected to be infill development involving the recycling of land."

Also, the zoning capacity of the Housing Element “analyzes the availability of parcels in the City of Los Angeles suitably zoned for the construction of single- and multiple- family dwellings, taking into consideration the effects on zoning capacity of certain regulatory constraints.” The project proposes high density housing in a part of the City with the infrastructure capacity to best support it and supports the goal of development downtown into a vibrant mixed-use environment.

Regarding the “Housing Potential on Commercially-Zoned Parcels”, the Housing Element states, “Current City Planning and Zoning Code regulations permit, and General Plan housing policies encourage, housing in commercially zoned parcels. The adopted General Plan Framework also encourages the development of mixed-use projects which would provide residents with the opportunity to walk between their home, job and/or neighborhood services.” The proposed project supports this goal.

The framework goes on to read: “Living in proximity to transit and within mixed-use developments can reduce the number of trips people take in their cars, providing some people with the opportunity to walk between their home, job, and or neighborhood services. Framework Element policies encourage future development in centers and in nodes along corridors that are served by transit and are already in physical or activity centers for surrounding neighborhoods, the community or the region.” The proposed project is in close proximity to transit and located along the Grand Avenue corridor, which is a growing activity center for the surrounding neighborhood, community and the region.

- f. *The development project contains the requisite number of affordable and/or senior units as set forth in California Government Code Section 65915(b).*

The project will provide 20 percent of the proposed units as very-low and low-income housing units. If the full 2,660 units are built, 532 affordable units will be provided. This 20 percent affordable unit component meets the set aside requirements of Government Code Section 65815(b) and City Municipal Code requirements to receive a 35 percent density bonus. The Grand Avenue Authority, which is an independent public agency established through a joint powers agreement between the Community Redevelopment Agency of the City of Los Angeles and the County of Los Angeles will require the implementation of the affordable housing component of the project.

- g. *The development project addresses the policies and standards contained in the Affordable Housing Incentives Guidelines approved by the City Planning Commission.*

Both the market rate units and affordable units will consist of a variety of studio, one-, two- and three-bedroom unit floor plans. Currently all of the market rate units are planned to be sold as condominiums and the affordable units retained as rental housing. The final mix of residential unit ownership types, however, may include some market rate apartments and some affordable condominiums, depending on demand. All units will have access to the public plaza spaces. All residents will have access to some common open space areas, as well as amenities, within their individual buildings. For instance, both market rate and affordable units in Tower No. 2 on Parcel Q share terrace and lounge areas.

**10. Conditional Use Findings (Floor Area Ratio).**

Conditional use findings, pursuant to LAMC 12.24-V,2 to permit a floor area ratio of 9.9:1 throughout the entire site.

- a. *That the proposed development is consistent with the purposes and intent of the Housing Element of the General Plan and will provide needed lower income housing units in keeping with the goals of the plan.*

The project encourages and supports public and private programs to increase the availability of affordable rental housing (Housing Element Policy 1.1.8) by providing up to 532 affordable rental units in a program to be required by the Grand Avenue Authority. The project encourages a broad range of services to residents in publicly assisted housing units (Housing Element Policy 1.1.9) by creating affordable units in the downtown area with nearby access to an extensive range of goods and services as well as public serving facilities in close proximity to cultural institutions, such as the Museum of Contemporary Art and the Music Center. The project's neighborhood-serving retail and Civic Park components would serve on-site and off-site populations that are residing in affordable units.

The project will also increase the range of housing choices available to downtown employees and residents (Central City Community Plan Objective 1-2) by adding up to 2,660 dwelling units to the existing supply of downtown housing. The project will provide both condominiums and rental units, and there will be a variety of unit sizes and price levels.

- b. *That the proposed development will further the City's goal of achieving an improved jobs-housing relationship which is needed to improve air quality in the city.*

The project would provide between 2,060 and 2,660 housing units inclusive of up to 532 affordable units in the downtown area. Downtown is a jobs rich/housing poor subregion. The Central City Community Plan area has an employment to housing ratio of 16.4:1, compared to the overall current SCAG region ratio of 1.35:1. Since the proposed project will achieve a jobs/housing ratio of approximately 0.45:1 with the Additional Residential Development option, it will improve the overall jobs/housing balance in the Community Plan area. It would add a substantial number of units in a jobs rich area, and enhance the connectivity between housing and employment opportunities within the Central City Community Plan area, thus serving the SCAG region and City of Los Angeles sub-region. SCAG policies encourage such opportunities as a means of reducing vehicle miles traveled and the air quality and noise impacts that result from vehicular traffic. The project will also offer employment opportunities to current residents of downtown, both short-term (construction) and long-term (hotel and commercial uses). Therefore, the project furthers the goal of improving the jobs-housing relationship in the City.

- c. *That approval of the development will be in substantial conformity with public necessity, convenience, general welfare and good zoning practice.*

The project will enhance the character of development in the surrounding neighborhood and contribute to the revitalization and resurgence of downtown.

The project will provide up to 2,660 new units of much-needed housing in the region, as well as almost 450,000 square feet of superior commercial space near the Civic Center. The housing will be provided on the same sites as the commercial uses, and each site will have a united appearance as a consolidated site through the use of an integrated streetscape, including colors, materials, and landscaping. The architecture of Parcel Q will complement the architecture of the Walt Disney Concert Hall on its west side. The development of the project sites will enable entire the development to be a significant gateway to Bunker Hill from the north and will further serve as a catalyst for desirable development in the neighborhood.

The Project will also positively impact the economic welfare of the community by providing a hotel and high quality commercial uses near the Civic Center. According to the Economic and Revenue Impact Study prepared by the Los Angeles Economic Development Corporation on May 20, 2005, the proposed project will contribute ongoing annual rents and revenue of approximately \$222,000,000 upon build out (includes retail and restaurant sales, hotel receipts, residential and commercial rents) and \$95,200,000 in annual incremental federal, state, county and local government tax revenue.

- d. *That the developer has agreed, pursuant to Government Code Section 65915, to construct the development with 20 percent or more of the residential units reserved for occupancy by lower income households, as defined by Health and Safety Code Section 50079.5, including elderly persons and families, as defined by Health and Safety code Section 50067, who meet the criteria for lower income households.*

The proposed project will provide 20 percent of all housing units as affordable housing units for very-low and low-income families under either of the two development options analyzed in the Draft EIR. Units for very low income households will comprise of 10 percent of the total of housing units, while units for low income households will comprise of the other 10 percent of the total number of housing units. Under the County Office Building Option, 412 units of the 2,060 total units will be affordable units. Under the Additional Residential Development Option, 532 of the 2,660 units will be affordable units.

- e. *That the developer has further agreed to ensure the continued affordability of all reserved lower income units for a minimum of 30 years.*

Conditions of approval will ensure the applicant preserves the affordable housing component of the project in accordance with SB 1818. Additionally, through a Disposition and Development Agreement between the Grand Avenue Authority and the applicant, the affordable units will be required to be reserved as such for a minimum 55 years. Monitoring and enforcement will be conducted by the appropriate governmental agency.

- f. *That the developer has also agreed to ensure that the construction and amenities provided for any dwelling unit reserved pursuant to this subdivision shall be comparable to other dwelling units in the development including the average number of bedrooms and bathrooms per dwelling unit.*

The construction and amenities provided for any affordable units will be comparable to other dwelling units in the development including the average number of bedrooms and bathrooms per dwelling unit. Both the market rate units and affordable units will consist of a variety of one-, two- and three-bedroom units. Currently all of the market rate units are planned to be sold as condominiums and the affordable units retained as rental housing. All units will have access to the public plaza spaces. Although the amenities may vary by building, all residents will have access to some common open space areas. For instance, both market rate and affordable units in Tower No. 2 on Parcel Q share terrace and lounge areas.

- g. *That approval of the development, pursuant to this section, constitutes the additional incentive required by Government Code 65915.*

The applicant acknowledges that approval of additional floor area requested through this conditional use permit, pursuant to §12.24.V.2 of the LAMC, constitutes an additional development incentive offered in exchange for the provision of affordable housing, but the floor area concession associated with the number of units over that which would be authorized by SB 1818 is only an additional 5 percent increase in project floor area.

- h. *That the approval of a mixed use development on this site will reduce the cost per unit of the housing development.*

Additional floor area is required to offset the high cost of land and materials to construct modern high-rise residential projects in a dense urban setting. In the current economic climate, this offset is imperative to encourage development. Granting of the conditional use permit will reduce the cost per unit of housing development by allowing the construction costs to be spread out among more units, while at the same time allowing an adequate balance of floor area devoted to commercial uses that serve the project's residents and surrounding community, as well as provide valuable jobs.

**Development Agreement Findings:** Pursuant to Section 65867.5 of the Government Code, the City Planning Commission of the City of Los Angeles hereby recommends approval of that certain Development Agreement by and between Grand Avenue, L.A., LLC and the City of Los Angeles and makes the following findings with regard to the Development Agreement and its approval by the City.

- a. That State Government Code Section 65864 through 65869.5 authorizes municipalities to enter into binding development agreements with the persons having legal or equitable interest in real property for the development of such property.
- b. A development agreement is a legislative act that shall be approved by ordinance and is subject to referendum.
- c. The City of Los Angeles has adopted rules and regulations establishing procedures and requirements for consideration of development agreements under Citywide Development Agreement Procedures (CF 85-2313-S3).

- d. The Development Agreement between the City of Los Angeles and Grand Avenue L.A., LLC was entered into on \_\_\_\_\_, 2007 and recorded on \_\_\_\_\_, 2007 in the Official Records of Los Angeles County, California as Instrument No. -----.
- e. The Development Agreement complies with all applicable City and State regulations governing development agreements.
- f. Pursuant to Section 65867.5 of the Government Code, the Development Agreement is consistent with the objectives, policies and programs specified in the City of Los Angeles General Plan, including the Central City Community Plan.

#### Central City Community Plan

The proposed project is consistent with the land use designation in the Central City Community Plan. The Community Plan designates the site as "Regional Center Commercial," which corresponds to the existing R5-4D/C2-4D Zones and the proposed C2-4D Zone. These zones allow both commercial and residential uses.

The Community Plan states, a "primary objective of the Central City Plan is to facilitate the expansion of housing choices in order to attract new and economically and ethnically diverse households." The Project will increase the range of housing choices available to downtown employees and residents by adding up to 2,660 dwelling units to the existing supply of downtown housing, as well as provide for ownership and rental units that offer a variety of unit sizes and price levels.

The Project is also consistent with the commercial objectives, specifically, to promote land uses that serve downtown businesses, create a vibrant 24-hour downtown environment for residents, and foster increased tourism. The Project's entertainment, restaurant, and hotel uses will provide accommodation and destination activities for visitors. The Project's residential component will increase general activity during evenings and weekends, creating a safer environment and, in turn, fostering even greater activity.

The improved provision of public plazas within the development parcels, and improved landscaping, street furniture and retail/restaurant activities accessible from the sidewalk all further the Plan's objectives that are focused on improving open space and linkages. Proposed streetscape improvements and pedestrian activity will promote Grand Avenue as a "cultural corridor" that will enhance public focus on the Walt Disney Concert Hall, the Dorothy Chandler Pavilion, MOCA, and other notable cultural facilities in the downtown.

#### General Plan Housing Element

The Development Agreement will vest the development rights of a project that is also consistent with the purposes and intent of the Housing Element of the General Plan. The Project encourages and supports public and private programs to increase the availability of affordable rental housing (Housing Element Policy 1.1.8) by providing up to 532 affordable rental units in a program required by the Grand Avenue Authority. It also encourages a broad range of services to

residents in publicly assisted housing units (Housing Element Policy 1.1.9) by creating affordable units in the downtown area with nearby access to an extensive range of goods and services and in close proximity to cultural institutions. The project's neighborhood-serving retail and Civic Park components will serve on-site and off-site populations that are residing in affordable units.

The public benefits outlined in the Development Agreement further support the Housing Element by specifying affordable housing and affordable unit production requirements. These include the provision of 20 percent of the units on-site set aside as affordable for 99 years, half to Low Income (80 percent AMI) and half to Very Low Income (50 percent AMI) households. In Phase I, the applicant will exceed this requirement by providing 35 percent of affordable units for Extremely Low Income (35 percent AMI) households and the balance for Very Low income (50 percent AMI) households. Preference will also be given to those displaced from other CRA/LA projects and an affirmative marketing plan will be used. Pursuant to LAMC Sections 17.12 and 12.33, the Project is required to dedicate land for park and recreational purposes or pay a fee in lieu thereof. Section 17.12-F,9 of the LAMC, however, allows for a deferral of the dedication of land or the payment of a fee in-lieu thereof, for projects that meet three specified criteria. The Grand Avenue Project meets the intent of these criteria as follows: (a) the Project includes rental housing units and twenty percent (20%) of the total residential units will be restricted to low or moderate income households as defined in Section 12.03 of the LAMC. In fact, many of the affordable units will be restricted to extremely low and very low income households, which will result in rents even lower than those described in Section 12.03 of the LAMC; (b) a covenant and agreement will be entered into with the CRA/LA to ensure that the affordable units remain affordable for a minimum of 99 years from issuance of a certificate of occupancy; and (c) the Project is financed in part by bonds issued by the CRA/LA, including tax exempt bonds for the parking garage and public plazas as well as the Bunker Hill Housing Trust Fund for the affordable housing units. Therefore, the Project is hereby found to satisfy the requirements of Section 17.12-F,9 of the LAMC and is entitled to a deferral of Quimby Fees in connection with the construction or development of all affordable residential units within the Project.

#### General Plan Framework

The Project meets Land Use of the General Plan Framework by providing not only residential uses, but a variety of retail, entertainment, and hotel uses, commercial offices, and expanded recreational uses in the Civic Park. The General Plan Framework objectives encourage mixed-use development in centers and in nodes along corridors that are served by transit and which can provide an opportunity to reduce vehicle trips. The proposed project is in close proximity to transit and is located along the Grand Avenue corridor, which is a growing activity center for the surrounding neighborhood, community, and region.

The Development Agreement includes, as a public benefit, the enhancement of sidewalks, streetscapes, and pedestrian connections along the project frontages of all development phases (Grand Avenue, Olive, 1st, 2nd, and Hill, and Hope Streets). The Project will incorporate streetscape amenities that enhance pedestrian activity, consistent with Land Use Objective 3.16, as well as integrate

street-front retail uses and plazas into the streetscape, provide adequate sidewalk space, and provide an extensive pedestrian network, consistent with Urban Form and Neighborhood Design Objectives.

The Project will support the City's open space goals (Open Space Policy 6.2) through the renovation and expansion of the Civic Center Mall into the Civic Park to provide for greater public use and improved linkages to other points of interest in downtown Los Angeles. The Civic Park will also contribute positively to the stability and identity of the neighborhood by accommodating programs and activities reflective of diverse cultures of the surrounding community (Open Space Policy 6.4).

#### Bunker Hill Redevelopment Plan

The proposed project is substantially consistent with the overall intent of the Bunker Hill Redevelopment Plan to benefit the people of the City through the provision of convenient and efficient living accommodations for downtown employees, and to revitalize existing underutilized land adjacent to the Civic Center. Similar to other General Plan policies and objectives discussed above, the policies of the Redevelopment Plan encourage a mix of uses, pedestrian linkages, and enhanced pedestrian activity, all of which are components of the project. The Bunker Hill Redevelopment Plan permits residential uses in commercial buildings in commercial areas with the approval of the City Planning Commission and the CRA/LA. Therefore, the Planning Commission's approval of the requested actions for the residential uses in the Project will constitute compliance pursuant to Section 803(2) of the Bunker Redevelopment Plan.

#### Other Regulations

The proposed Development Agreement also complies in form and substance with all applicable City and State regulations governing development agreements, including the following guidelines adopted by the City:

- 1) When to use. As a project with multiple phases to be constructed over a period of several years, the project could be exposed to substantial hardship if its implementation was to be governed by changing and different rules, ordinances, and policies.
  - 2) Term. The recommended 20-year term provides a reasonable time frame to permit the development of the project and accommodate potential changes in the construction schedule caused by market conditions.
  - 3) Processing. The proposed Development Agreement is being processed concurrently with other land use entitlement applications which will regulate the property.
  - 4) Public Benefits. The proposed Development Agreement sets forth public benefits to be provided.
- g. The Development Agreement will not be detrimental to the public health, safety and general welfare. The proposed Development Agreement will not be detrimental to the public health, safety, or general welfare. The Development Agreement will provide public benefits not otherwise obtainable under the project's environmental clearance that will benefit the Bunker Hill Redevelopment Area, the Downtown-Central City Area, and the City of Los Angeles as a whole.

Approval of the Development Agreement will promote the general welfare by increasing the amount of available housing (up to 2,660 new residential dwelling units and up to 532 affordable housing units), providing neighborhood-serving retail uses, and advancing the goal of locating such uses in proximity to existing employment centers and mass-transit opportunities. The Project will exhibit architectural design qualities and features, such as landscaped plazas, numerous seating areas, and pedestrian-oriented spaces, which will make it highly beneficial to the neighborhood.

The Project also promotes the general welfare by providing new job opportunities. The public benefits outlined in the Development Agreement include job creation, both construction jobs and permanent jobs. Specifically, LAEDC estimates that Phase I of the project will create approximately 1,950 full time equivalent jobs and a peak workforce of about 650 construction workers. Phases II and III will create an additional 4,700 full time equivalent jobs. LAEDC also estimates the creation of 2,500 permanent jobs in Phase I and 2,800 additional jobs in Phases II and III.

The Development Agreement includes provisions which specifically permit the City's application of rules and regulations as necessary to protect public health and safety. In the Development Agreement, the City is granted sufficient "reserved powers" during the term of the Agreement in order to ensure that the City remains responsive and accountable to its residents while pursuing the benefits of the Agreement.

Lastly, the Development Agreement will not be detrimental to the future residents or tenants of the project site, the surrounding community, or the City in general since it encourages the construction of a project which is desirable and appropriately designed for the site in relationship to surrounding uses and the City's vision for downtown. The proposed project will provide an increased tax base in terms of both property and sales taxes that, in turn, will assist in the support of the necessary City services that are required for the development. The revenues from the project will also fund the creation of the 16-acre Civic Park which builds and expands upon the existing Civic Center Mall connecting Grand Avenue to City Hall. As a public benefit, the applicant will manage the revitalization and deliver the park at-cost, with no profit or developer's fee.

- h. The Development Agreement will promote the orderly development of the subject property in accordance with good land use practice. The Development Agreement will be in conformance with the General Plan. The proposed Development Agreement will ensure orderly development of the project in accordance with good land use practice. The Development Agreement vests the applicant's rights to develop the project as described in the Environmental Impact Report and in the discretionary approvals requested concurrently herewith. It provides assurances that the project will proceed in accordance with all existing applicable rules, regulations, and official policies, as well as any conditions of approval imposed on the project as a result of discretionary approvals. It also strengthens the public planning process by encouraging a comprehensive development plan and reducing the economic costs of development to the applicant and the public.

As discussed above, the project is consistent with the General Plan, including the Central City Community Plan. In addition, the project is consistent with the Community Redevelopment Agency's plan for the Bunker Hill Redevelopment Project Area. After giving effect to the requested discretionary approvals, the project will also comply with all applicable provisions of the Zoning Code. Thus, the proposed Development Agreement is consistent with good land use practice.

The Development Agreement also follows good land use practices in that will facilitate a project that will provide a range of housing choices, draw visitors to downtown, and encourage a mix of 24-hour uses, all in a manner that will enhance the character of development in the surrounding neighborhood and contribute to the resurgence of downtown. The project will promote a synergy between institutional uses to the north and east and the office and residential uses to the south and west of the property. Residential development will be appropriately located in close proximity to significant employment centers such as the County Mall, City Civic Center, Bunker Hill, and other parts of downtown Los Angeles. This close proximity reduces commute times and allows use of surface streets as the principle access points, which in turn reduces air pollution. The project will provide neighborhood-oriented goods and services, such as restaurants, a grocery store, and retail spaces, which are within a floor area ratio comparable to the office developments that dominate Bunker Hill. Not only will the project promote community revitalization by creating a more vibrant and active mixed-use development, but it will be compatible with, and complementary to, the adjacent office, residential, governmental, and institutional uses in the area.

- i. The Development Agreement is necessary to strengthen the public planning process and to reduce the costs of development uncertainty. By further defining obligations of transferees and rights of lenders, the Development Agreement will provide greater certainty to protect developers and facilitate the transfer and financing of the properties subject to the Development Agreement, thereby spurring development.
  - j. A development agreement that includes a subdivision, as defined in section 66473.7, shall not be approved unless the agreement provides that any tentative map prepared for the subdivision will comply with the provisions of Section 66473.7. The Project's related tract maps include mitigation measures as conditions of approval that will comply with the provisions of Section 66473.7.
  - k. The Development Agreement is consistent with the concurrent requested approvals.
  - l. Based on the above findings, the Development Agreement is deemed consistent with public necessity, convenience, general welfare and good zoning practice.
- 18.** The approval of the requested zone change, zone variance, and conditional use has been made contingent upon compliance with the conditions of approval imposed herein. Such limitations are necessary to protect the best interests of and to assure a development more compatible with surrounding properties, to secure an appropriate development in harmony with the General Plan, and to prevent or mitigate the potential adverse environmental effects of the subject recommended action.

## 19. FINDINGS OF FACT (CEQA)

On November 20, 2006, the Los Angeles Grand Avenue Authority (Authority) adopted the Grand Avenue Final Environmental Impact Report (FEIR) (State Clearinghouse No. 2005091041), dated November 2006, and also adopted the necessary Resolutions that made the findings required under California Public Resources Code Section 21081 and State CEQA Guideline 15091 (the "Authority's CEQA Findings"), stating the FEIR was completed in compliance with the California Environmental Quality Act Public Resources Code Section 21000 et seq., the CEQA Guidelines, all applicable local guidelines concerning the application and implementation of that statute, and all applicable case law concerning that statute and the CEQA Guidelines (collectively, "CEQA"). The Authority, which is an independent public agency established through a Joint Exercise of Powers Agreement (The "JPA Agreement") between the Community Redevelopment Agency of the City of Los Angeles ("CRA/LA") and the County of Los Angeles ("County"), was responsible for the preparation of the FEIR. The County and the CRA/LA have served as "Responsible Agencies" for the Project as that term is defined under CEQA Guidelines 15096 and 15381. As Responsible Agencies, the County and CRA/LA have worked closely with the Authority in ensuring the FEIR has examined all potential environmental impacts. The City Planning Commission is a Responsible Agency, pursuant to State CEQA Guidelines Section 15096, and must make those findings with respect to the project required under Public Resources Code Section 21081 and State CEQA Guidelines Sections 15091. The recommended actions implement and further the purposes of CEQA. In making the decision to approve CPC 2006-9702-ZC-CU-CUB-CUX-ZV-DA, the City Planning Commission of the City of Los Angeles certifies that it has reviewed and considered the information contained in EIR No. SCH 2005091041. Further, the City Planning Commission hereby adopts the CEQA findings as set forth below, including making each Authority CEQA Finding that is repeated below in Sections 19.1 through 19.10.

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

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

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

### 19.1 GENERAL CEQA FINDINGS

The FEIR for the proposed Grand Avenue Project concluded that certain significant effects may occur as a result of the proposed Project, or may occur on a cumulative basis in conjunction

with the development of the Project and other past, present, or reasonably foreseeable future projects. In addition to reviewing the Project's potential environmental impacts for the five development parcels, these Findings also provide the Authority's analysis and conclusions regarding the applicability of possible alternatives and mitigation measures to reduce any significant environmental effects.

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

The Civic Park and Streetscape Program component of this project are under the jurisdiction of Joint Powers Authority. The entitlements pertaining to the five development parcels are under the jurisdiction of the City Planning Commission. The City Planning Commission does not have the authority to approve or carry out mitigation measures that are within the jurisdiction of another agency.

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

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

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

Land use and zoning impacts; traffic impacts during Project construction and operation; parking impacts due to inability to comply with certain City residential parking policies; view impacts; air quality impacts during Project construction and operation; noise impacts during Project construction; police services (cumulative basis only); shade and shadow impacts (cumulative basis only); library services (cumulative basis only); and impact on parks and recreational uses during Project construction. The first seven identified impacts and the last impact are significant and unavoidable on a project-specific and cumulative basis.

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

In accordance with CEQA Guideline 15063, the Authority prepared an Initial Study, which is included as Appendix A to the DEIR. The Initial Study determined which potentially significant effects may be caused by the Project and needed to be further examined in the DEIR, and which environmental effects would not be caused by the Project and, therefore, required no

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

A comment was raised during the public review process concerning the potential impact to biological resources associated with the removal of mature landscaping, including trees. More specifically, the comment notes that the removal of mature trees and landscaping from the existing Civic Center Mall during construction activities may cause this impact. Although the impact to biological resources is still determined to be less than significant, a regulatory measure was included in the FEIR to ensure a less than significant impact to biological resources pertaining to the Civic Park. Pursuant to Section 15091 of CEQA Guidelines, such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency. As such, mitigation measures pertaining solely to these components have not been included as part of these Findings. Also, the City Planning Commission does not have the authority to approve or carry out this measure since it is not applicable to the subject tract.

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

Second, the Project's sustainability, energy conservation, and efficiency are reflected throughout the EIR and in the DDA. For example, a number of the Project objectives emphasize the pedestrian and public transit opportunities that will be created by the Project, as well as its linkages between pedestrian, public transit and other public roadways. The Project will also promote energy efficiency through reduced reliance on the automobiles, an improvement of jobs/housing balance, and the encouragement of the use of public transportation to and from the downtown area.

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

Fourth, the incorporation of "Title 24" (the State's Energy Code) requirements into the Project is reflected in Regulatory Measure F-2 of the FEIR, which states: "all residential and non-residential buildings shall, at minimum, meet the California Title 24 Energy Efficiency Standards for water heating, space heating and cooling." Thus, the Project will comply with all requirements of Title 24 applicable to the residential and commercial components. California's

Title 24 is the most restrictive energy code in the nation, and imposes strict standards in order to achieve energy efficiency. With regard to comments suggesting the inclusion of Leadership in Energy and Environmental Design (LEED), as the Project's final building designs have not been developed as of this date, a commitment to specific LEED building design measures would be premature and, therefore, any further discussion of specific energy design features would be speculative.

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

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

## 19.2 PROJECT BACKGROUND AND THE ENVIRONMENTAL IMPACT REPORT PROCESS

Notice of Preparation (NOP): In accordance with the requirements of CEQA, the Authority circulated a Notice of Preparation (NOP) for the proposed project on September 6, 2005. The purpose of the NOP was to solicit comments on the proposed content of the Draft EIR. The NOP was circulated for a period of 35 days, until October 10, 2005. During the following 35-day comment period, 14 letters were received. An open house and public scoping meeting for the Draft EIR was held on Tuesday, September 20, 2005. All NOP responses relating to the EIR were reviewed and the issues raised in those comments were addressed in the Draft EIR. The NOP, letters received during the NOP comment period, and scoping meeting transcript are included in Appendix A of the Draft EIR.

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

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

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

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

Location of Records: In accordance with CEQA Guideline 15091(e), the documents and materials that constitute the record of the proceedings concerning the Authority’s decision to certify the FEIR and approve the Project and all associated agreements shall be kept and maintained by the Managing Director of the Grand Avenue Committee, whose offices are located at 445 South Figueroa Street, Suite 3400, Los Angeles, CA 90071, telephone number (213) 413-4130. The Authority has the discretion to transfer or locate these records at the office of the County CAO Asset Management Division, located at 500 West Temple Street, 7th Floor, Los Angeles, CA 90012, and/or CRA/LA, located at 354 South Spring Street, Los Angeles, CA 90013.

### 19.3 PROJECT FINDINGS INTRODUCTION

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

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

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

A narrative of supporting facts follows the appropriate Finding. For many of the impacts, one or more of the Findings above have been made. Whenever Finding iii above is made, the City Planning Commission has determined that there will be, even after mitigation, an unavoidable

significant level of impact due to the project and sufficient mitigation is not available to reduce the impact to a less than significant level. Such impacts are always specifically identified in the supporting discussions. The Statement of Overriding Considerations applies to all such unavoidable significant impacts, as required by Sections 15092 and 15093 of the CEQA Guidelines.

#### 19.4 DESCRIPTION OF PROPOSED PROJECT

The Project consists of three major components: (1) the creation of the 16-acre Civic Park that builds upon and expands the Civic Mall, and when completed, will connect the Los Angeles City Hall to Grand Avenue; (2) streetscape improvements along Grand Avenue from Fifth Street to Cesar E. Chavez Avenue; and (3) the development of five parcels which are referred to as Parcels Q, W-1, W-2, L and M-2. Parcels Q and W-2 are currently owned by the County, Parcels L and M-2 are currently owned by CRA/LA, and Parcel W-1 is owned by a private third party. (While the developer is pursuing the acquisition of Parcel W-1, the development of the other parcels and components of the Project may proceed even if the developer does not acquire Parcel W-1.) The Parcels are identified by these letters in the Redevelopment Plan for the Bunker Hill Redevelopment Project Area. The Project currently consists of two development options, referred to in the Findings and the FEIR, as the "Project with County Office Building Option," and the "Project with Additional Residential Development Option." Under the Project with County Office Building Option, development of the five parcels will consist of up to 2,060 residential units, 20 percent of which (up to 412 units) would be provided as affordable housing; up to 275 hotel rooms, up to 449,000 square feet of retail space and up to 681,000 square feet of County office space. Under the Project with Additional Residential Development Option, the 681,000 square feet of County office space would be replaced with up to 600 additional residential units, 20 percent (up to 120 units) would be provided as affordable housing. All other components of the Project would be the same under this option, and would include 275 hotel rooms, and 449,000 square feet of retail space. The proposed County office space under the Project with County Office Building Option would be constructed in the third phase of the Project when parcels W-1 and W-2 are developed. The proposed residential units under the Project with Additional Residential Development Option would be developed on parcel W-2 of the Project. Under that certain Disposition and Development Agreement between the Authority and Related (the "DDA"), recommended to be approved subsequent to consideration and certification of the FEIR, the County's option for development of a public office building during the third phase of development expires on a specific date in the future. If the County does not exercise this option, the developer may develop the Project consistent with the Additional Residential Development Option.

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

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

The Project will also entail streetscape improvements along Grand Avenue from Fifth Street to Cesar E. Chavez Avenue. Streetscape improvements are anticipated to include widened shaded sidewalks where feasible, landscaping, as well as a range of street furnishings, including benches and chairs.

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

This Equivalency Program was analyzed in the FEIR to confirm that exchange of Project uses set forth in the program can occur without the need for subsequent CEQA analysis. Proposed exchanges under the Equivalency Program would be implemented through the City of Los Angeles Planning Department procedures. While the above project description represents that described in the Final EIR, it should be noted that it is the five development parcels which are under the jurisdiction of the City (refer to the first paragraph at the top of page F-30).

#### 19.5 FINDINGS OF FACT CONCERNING ENVIRONMENTAL IMPACTS

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

##### Cumulative Impacts

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

#### 19.6 POTENTIAL ENVIRONMENTAL EFFECTS ANALYZED IN FEIR

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

- i. Potential Impacts – The Project may have a significant land use in the areas of consistency with land use plans and compatibility with surrounding uses impact if:

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

## B. Land Use (Zoning)

- i. Potential Impacts – The Project may have a significant zoning impact if:
  - a. The Project is not consistent with any land use or zoning law or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect.
- ii. Findings – The Project will cause a significant and unavoidable land use impact relative to the zoning regulations of the City of Los Angeles on a project-specific and cumulative basis. In connection with its prior action on the Project, the Authority made the following finding for this impact:
  - a. This impact can be mitigated to a level of less than significant if the City approves certain land use entitlements that have been applied for by the developer, which application is still pending as of the date of these Findings. Accordingly, the Authority finds that measures, such changes or

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

- b. For the reasons set forth in the Statement of Overriding Considerations adopted concurrently by the Authority, the Authority finds that the significant impact identified in this Section is acceptable in light of the Project's overall benefits.
- iii. Supportive Evidence and Rationale for the Authority's Findings: – The FEIR analyzed in detail the Project's land use impact relative to zoning in Section IV.A of the DEIR. The County Office Building Option and the Additional Residential Development Option would require zone changes and variances to permit the proposed development of five development parcels. With the granting of such zone changes and variances, which may be granted only after certification of the Final EIR by the Lead Agency and concurrently with action on the entitlements requested from the City by the developer, there would be no significant zoning impact. However, since the Project, under both Project Options, would be acted on by the Lead Agency (the Authority) prior to the City's decision on such zoning requests, the Project would not be in compliance with the current zoning provisions at the time of the Authority's approval of the Project. Therefore, it is conservatively concluded that, for purposes of CEQA, there would be a significant impact relative to zoning. No mitigation within the jurisdiction of the Authority exists to address non-compliance with the City's existing zoning regulations. The necessary change required in order to avoid this significant impact lies not with the Authority, but rather with the City of Los Angeles.
- iv. Cumulative Impact – Since the Project would create a significant impact with respect to the City's zoning and regulations, and related projects may require a variety of variances and zone changes, the Authority conservatively concluded that cumulative zoning impacts would be significant and unavoidable.
- v. City's Finding – While the City Planning Commission is approving many of the land use entitlements necessary to eliminate the significant land use impact found by the Authority, the zone change requested for the Project cannot be approved except by City Council action. Thus, absent such an approval by the Council, the City Planning Commission finds that the Project would have a significant land use impact.

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

- i. Potential Impacts – The construction of the Project would cause a significant traffic impact due to (1) hauling activities; (2) temporary lane closures; (3) pedestrian access; (4) bus stop relocation; and (5) construction worker parking if:
  - a. The Project construction causes substantial delays and disruption of existing traffic and pedestrian flow.
  - b. The Project causes temporary relocation of existing bus stops to more than one-quarter mile from their existing stops.

- ii. Findings – The Project will not cause a significant traffic impact with respect to pedestrian access, bus stop relocation and construction worker parking due to, among other reasons, the adoption of the measures identified in this Section XI-B(a) of the Findings. The construction of the Project will cause a significant and unavoidable traffic impact with respect to hauling activities, and temporary lane closures on a project-specific and cumulative basis. With respect to those significant and unavoidable impacts, the Authority makes the following findings:
- a. All feasible measures, changes and alterations have been required in, or incorporated into, the Project, which will lessen such significant environmental effects.
  - b. For the reasons set forth in the Statement of Overriding Considerations adopted concurrently by the Authority, the Authority finds that the significant impact identified in this Section XI-B(a) is acceptable in light of the Project's overall benefits.

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

**Mitigation Measure B-1:** The developer with regard to the five development parcels, shall prepare, prior to the start of each construction work phase, a Construction Traffic Control/Management Plan ("Plan") to be approved by the City of Los Angeles Department of Transportation ("LADOT") and implemented by the responsible party. The Plan shall include, but not be limited to, Project scheduling, the location and timing of any temporary land closures, traffic detours, haul routes, temporary roadway striping, and signage for traffic flow, as necessary, as well as the identification and signage of alternative pedestrian routes in the immediate vicinity of the Project, if necessary. The Plan should also provide for the coordination of construction areas, and for safe pedestrian movement throughout the Project Area such that adequate and safe pedestrian movement access is maintained to adjacent uses including the Walt Disney Concert Hall, the Music Center, the County Courthouse, and the Metro Red Line station portals (on Parcel W-2 and on the Court of Flags).

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

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

- iii. Supportive Evidence and Rationale – The EIR analyzed in detail the potential traffic impacts caused by Project construction in Section IV.B of the DEIR. No significant impacts on pedestrian circulation during construction would occur, and a less than significant impact will result to bus stop relocation. Although sidewalk closures may occur, one side of the street will continue to be available. Any potential increase in walking distance for pedestrians would not amount to a significant impact. Further, the temporary relocation of bus stops would be within two blocks of the Project site and within one-quarter mile of the original stop location, which is a distance that will not cause a significant impact. Also, with the implementation of Mitigation Measure B-3, no significant impact will result due to construction worker parking. The FEIR also evaluated the impact of construction trucks on A.M. peak hour traffic on roadways. During more than half of the Project's construction period, construction would generate approximately 40 trips a day, which would have minimal effect on peak hour roadway conditions. The highest number of daily truck trips would occur during the Project's peak excavation phases, and would range from approximately 130 to 300 haul trucks a day. As these trips would also be distributed throughout the day, the actual number of haul truck trips that would occur during the A.M. peak hour period would be relatively low. In addition, consistent with standard industry practice, the hauling of over-weight or over-size equipment during construction would largely occur prior to the A.M. peak hour period. With respect to the probably low number of truck trips that would occur during the A.M. peak period, the Project shall comply with the requirements of the City of Los Angeles with regard to haul truck trips attributable to the construction of the Project, as will be established in connection with LADOT's review and approval of the Project's Construction Traffic Control/Management Plan and/or conditions of approval by the City in the various land use entitlements applied for by the Developer. However, it is conservatively concluded that because a portion of the construction truck trips could occur during peak hauling periods, including during the A.M. peak hour, a potentially significant and unavoidable short-term traffic impact may occur. Finally, complete closures of any streets are not expected during construction. However, such closures could occur due to unforeseen circumstances, in which case, they would cause temporary significant impacts. It is expected that, at most, one traffic or parking lane adjacent to the curb may need to be closed at certain locations for periods of up to 4 to 6 months, or up to approximately 18 to 24 months, depending on the stage of construction. Although temporary in nature, such closures would cause significant traffic impacts during such periods of time.
- iv. Cumulative Impacts
- a. **Hauling.** The Project's highest periods of haul truck activity would be in the initial six to eight months of construction for each parcel, when trucks would carry excavated material from the site. During those periods a peak

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

- b. **Temporary Lane Closures.** Complete closures of any streets are not expected during construction. However, such lane closures could occur due to unforeseen circumstances, in which case they would cause temporary cumulatively significant impacts. The construction of any of the related projects has the potential to require temporary lane closures. Therefore, the impact of the Project and related projects, particularly the 15 related projects located on Grand Avenue, Olive Street, and Hill Street, would cumulatively contribute to congestion impacts resulting from temporary lane closures and such impacts are found to be cumulatively significant.
- c. **Construction Workers.** The 93 related projects would draw upon a construction workforce from all parts of the Los Angeles region. However, since the majority of construction workers are anticipated to arrive and depart the individual construction sites during off peak hours, cumulative traffic impacts due to construction workers trips are concluded to be less than significant.

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

- i. Impacts – Operation of the Project may cause a significant traffic impact relative to (1) intersection capacity; (2) the County-wide Congestion Management Plan for Regional Highways (“CMP”); (3) driveway access; and (4) transit capacity.
  - a. An intersection would be significantly impacted with an increase in V/C ratio equal to or greater than 0.04 for intersections operating at LOS C; an increase in V/C ratio equal to or greater than 0.02 for intersections operating at LOS D; and V/C ratio equal to or greater than 0.01 for intersections operating at LOS E or F, after the addition of related projects, ambient growth, and Project traffic.
  - b. A significant driveway access impact would occur if:
    - (1) Intersections at the primary site access locations would operate at LOS F during the A.M. or P.M. peak hours; and
    - (2) The design features or physical configurations of the Project would affect the visibility of pedestrians and bicyclists to drivers entering and exiting the site, and the visibility of cars to pedestrians and bicyclists so as to create a hazardous condition.
  - c. Under the CMP, a significant traffic impact would occur if a project increases the demand to capacity ratio (D/C) of a freeway segment of 2 percent or more (D/C ratio increase greater than or equal to 0.02), which causes or worsens LOS F conditions.

- d. A significant impact would occur if projected transit riders substantially exceed available transit capacity.
- ii. Findings – The Project will not cause a significant traffic impact relative to driveway access, transit capacity and certain intersections due to, among other reasons, the adoption of the measures identified in this Section XI-B(b) of the Findings. The Project will cause a significant and unavoidable traffic impact with respect to certain intersections and, under the County Office Building Option, the CMP, on a project – specific and cumulative basis. With respect to those significant and unavoidable impacts, the Authority makes the following findings for this impact:
    - a. All feasible measures, changes and alterations have been required in, or incorporated into, the Project, which will lessen such significant environmental effects.
    - b. For the reasons set forth in the Statement of Overriding Considerations adopted concurrently by the Authority, the Authority finds that the significant impact identified in this Section XI-B(b) is acceptable in light of the Project's overall benefits.

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

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

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

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

1. Provide enhanced walking connections along the Project street frontages to transit service (to bus stops and to the Red Line station portals at First Street and Hill Street). These could comprise pedestrian amenities along the Project's street frontages, including landscaped sidewalks, wider crosswalks where feasible at key intersections, improved lighting for pedestrian safety at nighttime, and pedestrian wayfinding signage, to facilitate walking in the Project area. The developer shall implement this measure with regard to the five development parcels prior to initial building occupancy for each development phase.
2. The developer, as determined by LADOT and prior to initial building occupancy for each development phase, shall provide enhanced bus stops on the street frontages of the five development parcels. These enhanced bus stops may include bus shelters with passenger amenities such as benches, shaded areas, and transit information that could be integrated into the overall urban design/landscaping of the Project.
3. Provide transit information kiosks at various strategic locations on the Project site. The developer shall implement this measure with regard to the five development parcels prior to initial building occupancy for each development phase.
4. The developer, with regard to the five development parcels, shall participate, to the extent feasible, in an on-going basis during Project operations, in a Share-Car program (e.g., Flexcar) that makes cars available to registered members. It is anticipated that up to three on-street parking spaces, subject to a determination of feasibility by LADOT, could be provided at key locations adjacent to the Project frontage for up to three Share-Cars. The Share-Cars could be available to both Project and non-Project users as long as they were members of the Share-Car program. The Project shall support a Share-Car organization's application to the City, and following any implementation of such application shall promote the Share-Car concept and encourage its usage with Project residents and tenants.
5. Provide improved vehicular directional signage on surface streets approaching and within the Project area to direct vehicles to specific destinations and parking locations, as appropriate, to minimize vehicles circulating in the Project area. Such signage should be approved to the satisfaction of LADOT. The developer shall implement this measure with regard to the five development parcels prior to initial building occupancy for each development phase.

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

- iii. Supportive Evidence and Rationale – The FEIR analyzed in detail the potential traffic impacts that may be caused by Project operation in Section IV.B of the DEIR. Specifically:
- a. Intersections: The Project with County Office Building Option would generate approximately 1,551 A.M. peak hour trips and 2,464 P.M. peak hour trips. This Option would result in significant traffic impacts at seven intersections in the A.M. peak hour and in significant traffic impacts at seventeen intersections in the P.M. peak hour. The Project with Additional Residential Development Option would generate approximately 1,019 trips in the A.M. peak hour and 2,003 trips in the P.M. peak hour. This Option would result in a significant traffic impact at six intersections in the A.M. peak hour and seventeen intersections in the P.M. peak hour. With the implementation of all the mitigation measures, including the ATCS and the intersection mitigation measures, one intersection in the A.M. peak hour and 12 intersections in the P.M. peak hour would be significantly and unavoidably impacted under the Project with County Office Building Option. With the implementation of all the mitigation measures, including ATCS and intersection mitigation measures, no intersections in the A.M. peak hour and 7 intersections in the P.M. peak hour would be significantly and unavoidably impacted under the Project with Additional Residential Development Option.
  - b. Access: No driveway intersection approach under either Project Option would exceed LOS D. Therefore, the Project would not cause any significant traffic impacts at proposed driveway locations.
  - c. Freeway/CMP Impacts. The Project with County Office Building Option would cause two significant traffic impacts on the freeway system, one of which would occur at a CMP monitoring location (US-101 Hollywood Freeway north of Vignes Street). However, the Project with Additional Residential Development Option would cause no significant freeway traffic impacts. The Project with County Office Building Option's significant impacts on the US-101 Hollywood Freeway between Grand Avenue and Hill Street, and on the US-101 Hollywood Freeway north of Vignes Street (a CMP location) would be reduced to a less than significant level through the implementation of the proposed mitigation measures. Freeway/CMP impacts under the Project with Additional Residential Development Option would be less than significant.

- d. Transit: Because Project transit trips would represent a very small proportion of the overall transit system capacity, it is concluded that the Project will result in a less than significant impact to the existing transit systems serving the Project area and downtown.

iv. Cumulative Impacts

- a. Intersections: The cumulative traffic impacts associated with the 93 related projects and ambient growth have been considered for the purpose of assessing the Project's traffic impacts. In conjunction with the significant Project impacts after mitigation, cumulative traffic impacts on certain intersections would be significant.
- b. Driveway Access: None of the 93 related projects share adjoining or adjacent access points. Therefore, no significant cumulative impacts relative to access would occur since none of the related projects could cause problems in accessing the Project site. Similarly, the Project would cause no problems in the accessibility of the related projects.
- c. Transit: The employees, visitors, and residents of the 93 related projects would use overlapping transit systems, as would be the case with the Project. Under the City of Los Angeles transportation and land use policies, this effect is positive (i.e., the concentration of new employment and housing projects in close proximity to transit services). Further, the increased usage of transit system by users at the related projects would not cause exceeding of the capacity of existing transit systems. Consequently, the cumulative impacts relative to transit systems are concluded to be less than significant.
- d. CMP: The Project with County Office Building Option would cause an incremental increase in the D/C ratio of 0.021 at the US-101 Hollywood Freeway between Grand Avenue and Hill Street, and an incremental increase of the D/C ratio of 0.020 at the US-101 Hollywood Freeway north of Vignes Street, both in the P.M. peak hour. Since that increase would be at or slightly above the threshold of significance, it is concluded that the Project with County Office Building Option would cause two significant traffic impacts on the freeway system, one of which would occur at a CMP monitoring location (US-101 Hollywood Freeway north of Vignes Street). Since related projects would also contribute to freeway traffic levels, the combination of the Project's traffic with the related projects' traffic is considered to be cumulatively significant. The Project with Additional Residential Development Option would not exceed D/C threshold ratios, and cumulative impacts are considered to be less than significant under this option.

E. Traffic, Circulation and Parking (Parking Impacts)

- i. Potential Impacts – The Project may create a significant parking impact if:
  - a. The Project would be inconsistent with adopted parking codes, parking plans, or policies.

- ii. Findings – The Project will not cause significant and unavoidable parking impacts, except for the one project-specific and cumulative impact discussed in subsection iii. and iv., below. With respect to that impact, the Authority makes the following findings:
- a. This impact can be mitigated to a level of less than significant if the City approves a certain land use entitlement that has been applied for by the developer, which application is still pending as of the date of these Findings. Accordingly, the Authority finds that the measures, such changes or alterations to the Project necessary to mitigate this impact are within the responsibility and jurisdiction of another public agency and not the Authority. The Authority further finds that such measures, changes or alterations should be adopted by such other agency.
  - b. For the reasons set forth in the Statement of Overriding Considerations adopted concurrently by the Authority, the Authority finds that the significant impact identified in this Section XI-B(c) is acceptable in light of the Project's overall benefits.
- iii. Supportive Evidence and Rationale – The FEIR analyzed in detail the Project's potential parking impacts in Section IV.B of the DEIR. Under both the Project with County Office Building Option and the Project with Additional Residential Development Option, commercial and residential parking would be consistent with the parking requirements of the LAMC. However, neither Option would meet the requirements of the Advisory Agency Residential Policy (AARP), which requires 2.5 parking spaces per dwelling unit. The developer proposes to deviate from the DAARP. The reasons for seeking a deviation from this policy are provided in Section IV.B, Traffic, Circulation and Parking, of the DEIR. If approved by the City, there would be no significant impact for this issue. However, using a worst-case perspective, a significant and unavoidable impact in regard to this policy is assumed. Should the deviation be permitted by the City, which would occur only after certification of the FEIR by the Lead Agency and concurrently with action on the entitlements requested from the City, there would be no significant residential parking impacts. However, until the exception is granted, it is conservatively concluded that, for purposes of CEQA, there would be a significant impact.

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

A minor change in the Project's parking arrangements for this first phase of development has been proposed by the developer since publication of the DEIR. This change would cause up to 227 parking spaces to be provided off-site up to two blocks from the Project site. However, there would be no significant parking impacts associated with this parking strategy. During evenings and weekends, there are sufficient spaces available in the Civic Center/Bunker Hill area as office buildings are closed. During the daytime, the most likely location sufficient spaces in the Walt Disney Hall Concert Hall

garage would be available, even with the relocation of existing spaces from Parcel Q and Parcel W-1/W-2 due to the Project. Further, because these spaces would be provided within one or two blocks of Parcel Q, and because they would represent only 4 percent of the total Project parking supply, it is not expected that the distribution patterns of Project traffic would be significantly different from the patterns analyzed in the FEIR. Accordingly, the Authority finds that this minor potential change in the Project will not cause a significant new environmental impact.

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

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

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

- i. Potential Impacts – The Project may cause a significant visual quality impact if:
  - a. The Project would substantially alter, degrade or eliminate the existing visual character of the area, including visually prominent existing features or other valued resources.
  - b. The Project features would substantially contrast with the visual character of the surrounding area and its aesthetic image.
  - c. The implementation of the Project would preclude the attainment of existing aesthetics regulations or applicable plans.
- ii. Findings - A potentially significant visual quality impact due to construction of the Project is identified in the EIR. However, with the implementation of a mitigation measure, a regulatory measure, and project design features, this potentially significant impact will be reduced to a less than significant impact.

**Mitigation Measure C-1:** During Project construction, the Developer, with regard to the five development parcels, shall ensure, through appropriate postings and daily visual inspections, that no unauthorized materials remain posted on any temporary construction barriers or temporary pedestrian walkways, and that any such temporary barriers and walkways are maintained in a visually attractive manner throughout the construction period. The City's Department of Building and Safety or other appropriate City agency or department, shall determine compliance with this measure with regard to construction associated with the five development parcels.

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

**Project Design Feature C-2:** Prior to the start of each construction work phase, the developer, with regard to the five development parcels, shall schedule and coordinate sidewalk construction with the development of the adjacent parcels to reduce the duration and visual impact of construction activities. Scheduling of construction activities for the five development parcels shall be reviewed and approved by the Authority and implemented by the responsible parties.

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

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

- i. Impacts – The Project may cause a significant visual quality impact if:
  - a. The Project would substantially alter, degrade or eliminate the existing visual character of the area, including visually prominent existing features or other valued resources.
  - b. The Project features would substantially contrast with the visual character of the surrounding area and its aesthetic image.
  - c. The implementation of the Project would preclude the attainment of existing aesthetics regulations or applicable plans.
- ii. Findings - A less than significant visual quality impact due to operation of the Project is identified in the FEIR. However, the following regulatory measures, and a project design feature are identified in the FEIR to ensure a less than significant impact.

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

**Regulatory Measure C-5:** Prior to the start of each construction work phase, the developer, with regard to the five development parcels, shall submit design plans that demonstrate that all utility lines and connections are constructed underground. Approved utility plans and connections with regard to the five development parcels shall be reviewed and approved by the Authority. Approved utility lines and connections shall be implemented by the responsible parties.

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

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

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

## H. Aesthetics and Visual Resources (Views)

- i. Impacts – The Project may cause a significant impact if:
  - a. Project development would substantially obstruct an existing view of a visually prominent resource as viewed from a public street, sidewalk, park, community cultural center, trail, public vantage point, or residential use.
- ii. Findings – The Project would cause significant and unavoidable view impacts (1) to the residents' views from the Grand Promenade Tower residential building; (2) the view from Olive Street; and (3) to the residents' view from the Museum Tower residential building. These three view impacts are identified in the FEIR, and the Authority makes the following findings for these impacts:
  - a. For the reasons set forth in the Statement of Overriding Considerations adopted concurrently by the Authority, the Authority finds that the significant impact identified in this Section XI-C(c) is acceptable in light of the Project's overall benefits.
  - b. No feasible mitigation measures exist to mitigate these significant view impacts. The issue of project alternatives that may mitigate those view impacts is addressed in Section XI-C(c) of these Findings.
- iii. Supportive Evidence and Rationale – The FEIR discusses the significant and unavoidable view impacts in Section IV.C. The Project would obstruct views of the Walt Disney Concert Hall and distant vistas to the north, possibly including the San Gabriel Mountains, from the Grand Promenade Tower, a 28-story residential building located immediately south of Parcel M-2. Development on Parcels W-1/W-2 would substantially block views of City Hall from Olive Street, a public street, under both Project Options. In addition, development on Parcel Q would block distant vistas to the north, possibly including the San Gabriel Mountains, from the upper stories of the Museum Tower residential building located south of Parcel Q and east of MOCA. Therefore, view impacts on the Grand Promenade Tower, Olive Street, and Museum Tower would be significant. There are no feasible mitigation measures to reduce the significant and unavoidable view impacts to the Promenade Tower, the view from Olive Street, and the view from the Museum Tower. As described in Section XII of these Findings, certain elements of Alternative No. 4 avoid the significant view impact to the residents' views from the Grand Promenade Tower.
- iv. Cumulative Impacts - Related project No. 88 will be located to the east of Angelus Plaza and would potentially block some easterly views from the existing Angelus Plaza residential use toward Los Angeles City Hall. The blockage of views of City Hall would be considered potentially significant, and since the development in parcels W-1 and W-2 would also block views of City Hall from Olive Street, cumulative impacts relative to the views of City Hall are found to be significant.

## I. Aesthetics and Visual Resources (Light and Glare)

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

- a. Lighting would alter the character of the off-site areas surrounding the Project; or
  - b. Lighting would substantially interfere with the performance of an off-site activity.
- ii. Findings – A potential significant glare impact from reflected light on building surfaces is identified in the EIR. However, this potential significant impact will be reduced to a level of less than significance with the implementation of two identified mitigation measures and one regulatory measure.

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

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

- iii. Supportive Evidence and Rationale – The FEIR analyzed in detail the potential glare impact from reflected light on building surfaces in Section IV.C of the DEIR. The Project would increase ambient light and artificial glare through the implementation street lighting, illuminated signs, architectural lighting, light spillage from the windows of high-rise buildings, special events lighting and security lighting. Since the Project's lighting would be similar to adjacent businesses (i.e., the nearby residential and office towers), it would not significantly impact the environment, which is currently characterized by high levels of ambient light. The increase in ambient light and artificial glare would not be great enough to interfere with activities at nearby residential, office and cultural uses. Natural sunlight reflected from building surfaces and windows have the potential to create glare. However, with the implementation of Mitigation Measures C-2 and C-3, the potential light and glare impacts associated with special events lighting and reflected sunlight would be reduced to less than significant levels.
- iv. Cumulative Impact – The Project and 93 related projects would increase ambient light in downtown Los Angeles. However, the context of the downtown environment, illuminated signage associated with street front retail uses and restaurants would not substantially alter the character of the surrounding area. The related projects Nos. 27 and 92, which are located in the same line-of-sight as the Project, as viewed from adjacent westbound and northbound streets, respectively, have the potential to contribute to glare impacts. With the implementation of the recommended mitigation measures, which require a technical glare analysis of, and, if necessary, modification to, the Project's building

materials, the Project's potentially significant glare impact would be reduced to a less than significant level. Since it is assumed that the related projects would be subject to the same measure concerning their potential glare impacts, cumulative impacts would be less than significant.

J. Aesthetics and Visual Resources (Shade and Shadow)

- i. Potential Impacts – The Project may cause a significant shade/shadow impact if:
  - a. The Project would shade currently unshaded off-site, shadow-sensitive uses more than three hours between the hours of 9:00 A.M. and 3:00 P.M. PST, between late October and early April, or more than four hours between the hours of 9:00 A.M. and 5:00 P.M. PDT between early April and late October.
- ii. Findings – A less than significant shade/shadow impact is identified in the FEIR. No mitigation measures are identified for this impact.
- iii. Supportive Evidence and Rationale – The Project's potential shade/shadow impact is analyzed in detail in Section IV.C of the DEIR. During certain seasons, the Project's towers have the potential to shade sensitive offsite uses, including the future Central Los Angeles Performing Arts Senior High School (currently under construction), the Bunker Hill Towers open space, and Angelus Plaza, depending on the season and hour of the day. However, shading would not exceed three hours between the hours of 9:00 A.M. and 3:00 P.M. during the winter solstice or spring equinox, or four hours between the hours of 8:00 A.M. and 5:00 P.M. during the summer solstice or fall equinox. Accordingly, the Project would have a less than significant shade/shadow impact.
- iv. Cumulative Impact - The combined morning shading from the Project and related project Nos. 9 and 27, with shading later in the day from related project No. 88, would create a potentially significant shade/shadow impact on the Angelus Plaza site, during the summer solstice only. No feasible mitigation measures exist for this cumulative impact due to the proposed location of these related projects. Although related project No. 92 would generate considerable shading of the Angelus Plaza site, substantially shading from related project No. 92 is not anticipated during the summer solstice. No other related projects would contribute to cumulative shading impacts.

K. Population, Housing and Employment

- i. Potential Impact – The Project may cause a significant impact with regard to population, housing and employment if:
  - a. The Project would cause population or housing growth in Southern California Association of Governments ("SCAG") City of Los Angeles subregion to exceed SCAG's 2015 projections.
  - b. The Project would cause growth that is not compatible with adopted population and housing policies, including jobs/housing balance, as set forth in the Central City Community Plan, the City's General Plan Housing Element, the General Plan Framework, and SCAG's Regional Comprehensive Plan and Guide (RCPG).

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

L. Air Quality (Project Construction)

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

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

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

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

**Mitigation Measure F-2:** During each construction phase, the developer, with regard to the five development parcels, shall utilize coatings and solvents that are consistent with applicable SCAQMD rules and regulations. The City's Department of Building and Safety, or other appropriate City agency or department, shall provide oversight with regard to compliance with this measure with regard to construction associated with the five development parcels. The SCAQMD retains jurisdiction to enforce this measure in the case of non-compliance.

**Mitigation Measure F-3:** During each construction phase, the developer, with regard to the five development parcels, shall comply with SCAQMD Rule 402 to reduce potential nuisance impacts due to odors from construction activities. The City's Department of Building and Safety, or other appropriate City agency or department, shall provide oversight with regard to compliance with this measure with regard to construction associated with the five development parcels. The SCAQMD retains jurisdiction to enforce this measure in the case of non-compliance.

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

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

**Mitigation Measure F-6:** During each construction phase, the developer, with regard to the five development parcels, shall ensure that all construction equipment shall be properly tuned and maintained in accordance with manufacturer's specifications. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to construction associated with the five development parcels.

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

**Mitigation Measure F-8:** During each construction phase, the developer, with regard to the five development parcels, shall ensure that electricity rather than temporary diesel- or gasoline-powered generators shall be used to the extent feasible. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to construction associated with the five development parcels.

**Mitigation Measure F-9:** During each construction phase, the developer, with regard to the five development parcels, shall ensure that all construction vehicles shall be prohibited from idling in excess of five minutes, both on- and off-site. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to construction associated with the five development parcels.

**Mitigation Measure F-10:** During each construction phase, the developer, with regard to the five development parcels, shall ensure that heavy-duty construction equipment shall use alternative clean fuels, such as low sulfur diesel or compressed natural gas with oxidation catalysts or particulate traps, to the extent

feasible. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels.

**Mitigation Measure F-11:** During each construction phase, the developer, with regard to the five development parcels shall ensure that shuttle service shall be provided to construction workers who are required to park in offsite parking lots if such lots are not within a walking distance of 1100 feet from the respective construction sites. CRA/LA shall determine compliance with this measure with regard to construction associated with the five development parcels.

**Mitigation Measure F-12:** During each construction phase, the developer, with regard to the five development parcels, shall equip major earth moving equipment, haul trucks, and excavation equipment with particulate filters and catalytic converters. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to construction associated with the five development parcels.

**Project Design Feature F-2:** During each construction phase, the developer with regard to the five development parcels, shall ensure that building materials, architectural coatings and cleaning solvents shall comply with all applicable SCAQMD rules and regulations. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to construction associated with the five development parcels. The SCAQMD shall be responsible for the enforcement of this measure for all Project components in the case of non-compliance.

**Regulatory Measure F-2:** Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall prepare and implement building plans and specifications that ensure that all residential and non-residential buildings shall, at a minimum, meet the California Title 24 Energy Efficiency standards for water heating, space heating and cooling. Approved building plans shall be implemented by the developer and the responsible parties. Building plans and specifications with regard to the five development parcels shall be reviewed and approved by the City's Department of Building and Safety, or other appropriate City agency or department.

**Regulatory Measure F-3:** During each construction phase, the Developer with regard to the five development parcels, shall ensure that building materials, architectural coatings and cleaning solvents shall comply with all applicable SCAQMD rules and regulations. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to construction associated with the five development parcels. The SCAQMD retains enforcement of this measure for all Project components in the case on non-compliance.

- iii. Supportive Evidence and Rationale – The FEIR discusses the Project's potentially significant air quality impacts in Section IV.F of the DEIR. With implementation of the above regulatory measures and mitigation measures, heavy-duty construction equipment emissions would be reduced by a minimum of 5 percent and fugitive dust emissions would be reduced by an additional 16 percent. However, regional construction activities would still exceed the SCAQMD daily emission thresholds

for regional NO<sub>x</sub>, CO and VOC after implementation of all feasible mitigation measures. Therefore, construction of the Project would have a significant and unavoidable impact on regional air quality. Construction activities would also still exceed the SCAQMD daily localized emission threshold for PM<sub>10</sub> and NO<sub>2</sub> after implementation of all feasible mitigation measures. Therefore, construction of the Project would also have a significant and unavoidable impact on localized emissions.

- iv. Cumulative Impact - Buildout of those related development projects identified in the FEIR that would be constructed within a similar time frame as the Project would increase short-term emissions for concurrent activities during the Project's construction period. Since emissions of criteria pollutants under peak construction activities are concluded to be significant, any additional construction activities as part of any related project occurring during this time and in the vicinity of the Project site would be adding additional air pollutant emissions to these significant levels. As a result, a significant and unavoidable cumulative impact with respect to construction emissions would occur.

M. Air Quality (Project Operation)

- i. Potential Impacts –Project operations may cause a significant air quality impact if:
- a. Operation emissions exceed any of the daily thresholds presented below:

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

- ii. Findings – A significant and unavoidable air quality impact caused by Project operations will occur on a project-specific and cumulative basis. The Authority makes the following findings for this impact:
- a. All feasible measures, changes and alterations have been required in, or incorporated into, the Project, which will lessen such significant environmental effects.
- b. For the reasons set forth in the Statement of Overriding Considerations adopted concurrently by the Authority, the Authority finds that the significant impact identified in this Section XI-F(b) is acceptable in light of the Project's overall benefits.

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

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

**Mitigation Measure F-14:** During Project operations, the developer, with regard to the five development parcels, shall coordinate with the MTA and the Los Angeles Department of Transportation to provide information to Project employees, residents and guests with regard to local bus and rail services. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to construction associated with the five development parcels.

**Mitigation Measure F-15:** The developer, with regard to the five development parcels, shall provide convenient pedestrian access throughout the Project site. The Developer shall implement this measure with regard to the five development parcels prior to initial building occupancy for each construction phase. Pedestrian access plans shall be submitted to the Authority, for review and approval. Approved pedestrian access plans shall be implemented by the responsible parties.

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

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

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

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

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

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

O. Noise (Construction)

- i. Impacts – The construction of the Project may cause a significant noise impact if:
  - a. Construction activities lasting more than 10 days in a three-month period would exceed existing ambient exterior noise levels by 5 dBA or more at a noise sensitive use.

- b. Construction activities would exceed the ambient noise level by 5 dBA at a noise sensitive use between the hours of 9:00 P.M. and 7:00 A.M. Monday through Friday, before 8:00 A.M. or after 6:00 P.M. on Saturday, or at anytime on Sunday.
- ii. Findings – The Project will cause a significant and unavoidable noise impact during construction of the Project on a project-specific and cumulative basis. The Authority makes the following findings for this impact:
- a. All feasible measures, changes and alterations have been required in, or incorporated into, the Project on a project-specific and cumulative basis, which will lessen such significant environmental effects.
  - b. For the reasons set forth in the Statement of Overriding Considerations adopted concurrently by the Authority, the Authority finds that the significant impact identified in this Section XI-G(a) is acceptable in light of the Project's overall benefits.

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

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

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

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

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

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

**Mitigation Measure G-6:** Prior to the issuance of grading permits for each construction phase, the developer, with regard to the five development parcels, shall prepare, and thereafter implement, plans and specifications that include a requirement to route pedestrians (to the maximum extent practicable) 50 feet away from the construction area when heavy equipment such as hydraulic excavators are in use. Such routing may include the posting of signs at adjacent intersections. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels.

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

- iii. Supportive Evidence and Rationale – The FEIR discusses the Project's potentially significant construction noise impacts in Section IV.G of the DEIR. The noise reduction measures prescribed in Mitigation Measure G-1 would achieve a minimum 5-dBA reduction along areas of sensitive receptors where the line-of-sight to ground-level construction activity that occurs on the Project site is broken. Regulatory Measure G-1 would preclude construction-period noise impacts from occurring during the noise-sensitive night time periods, or at any time on Sundays or holidays. In addition, the use of heavy construction equipment shall cease one hour earlier than otherwise allowed under City Code. Noise level reductions attributable to Mitigation Measures G-2 and G-3, and G-4, G-5, and G-6 (e.g., use of noise mufflers and on-site storage of construction equipment) are not easily quantifiable, but implementation of such measures would reduce the noise level impact associated with construction activities to the extent feasible. Further, construction noise from earthmoving equipment will be reduced since most of such equipment will sink below a surrounding soundwall as excavation proceeds during construction. Nevertheless, Project construction activities would intermittently increase the daytime noise levels at nearby sensitive land uses during construction activities by more than the 5-dBA significance threshold. As such, noise impacts during construction are concluded to be significant and unavoidable.
- iv. Cumulative Impact – Noise impacts during construction of the Project and each related development project (that has not already been built) would be limited to the duration of construction and would be localized. In addition, it is anticipated that each of the related projects would comply with the applicable provisions of the City's noise ordinance, as well as mitigation measures that may be prescribed by the City that require significant impacts be reduced to the extent feasible. However, since noise impacts due to construction of the proposed Project would be significant on its own, it is conservatively concluded that noise impacts due to construction of the Project in combination with any of the related projects would also be significant.

P. Noise (Operational)

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

**Mitigation Measure G-8:** The developer, with regard to the five development parcels, shall prepare and implement building plans that ensure prior to the start of each construction phase which includes residential development, that all exterior walls, floor-ceiling assemblies (unless within a unit), and windows having a line of sight (30 degrees measured from the horizontal plane) of Grand Avenue, Hill Street, Hope Street, First Street, and Second Street of such residential development shall be constructed with double-paned glass or an equivalent and in a manner to provide an airborne sound insulation system achieving a lab-tested Sound Transmission Class of 30, subject to field testing, as defined in UBC Standard No. 35-1, 1982 edition. Sign off by the City's Department of Building and Safety, or other appropriate City agency or department, shall be required prior to obtaining a building permit. The developer, as an alternative, may retain an engineer registered in the State of California with expertise in acoustical engineering, who shall submit a signed report for an alternative means of sound simulation satisfactory to the City's Department of Building and Safety, or other appropriate City agency or department. Examples of alternative means may include, but are not limited to, the following: (1) acoustical seals for doors and windows opening to the exterior; (2) consideration of the type, location, and size of windows; and (3) sealing or baffling of openings and vents. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure.

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

Q. Hazards and Hazardous Materials

- i. Potential Impacts – The Project may a significant impact with regard to hazards and hazardous materials if:
  - a. Project activities would involve the disturbance, removal, storage, or disposal of hazardous materials; or

- b. The Project would expose people or structures to substantial risk resulting from the release of a hazardous material, or from exposure to a health hazard, in excess of regulatory standards.
- ii. Findings – The Project will not cause a significant impact with regard to hazards and hazardous material. Notwithstanding, the following regulatory measures have been identified to ensure the Project's less than significant impact concerning this issue:

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

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

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

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

- iii. Supportive Evidence and Rationale – The Project's potential impacts attributable to hazards and hazardous materials were analyzed in detail in Section IV-H of the DEIR. According to the Phase I environmental assessments completed for the Project site, there are no potential recognized environmental conditions (RECs) within any of the five development parcels. In addition, there is no evidence at the Project site of asbestos, hazardous materials use, storage or waste, or hazardous air emissions. It is anticipated that hazardous materials, including fertilizers,

herbicides and pesticides, would be used to maintain the landscaping within the five development parcels. In addition, hazardous materials associated with maintenance activity within the five development parcels would be present at the Project site. However, since the transport, use and storage of these materials would be managed in accordance with applicable federal, state, and local regulations, these materials would not be expected to pose significant risks to the public or the environment. Consequently, construction and operation under both Project Options would not expose people to substantial risk resulting from the release of a hazardous material, or from exposure to a health hazard in excess of regulatory standards. Accordingly, construction and operation under both Project Options would not result in a significant hazard to the public or the environment through the transport, use or disposal of hazardous materials, and impacts would be less than significant. Further, impacts associated with the potential discovery of hazardous and non-hazardous materials on the Project site would be reduced to a less than significant level with compliance with the above regulatory measures.

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

#### R. Fire Protection and Related Services

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

**Regulatory Measure I.1-1:** During demolition activities occurring during each construction phase, the developer, with regard to the five development parcels, shall ensure sure that emergency access shall remain clear and unobstructed. The LAFD shall determine compliance with this measure with regard to the five development parcels.

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

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

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

**Regulatory Measure I.1-5:** During each construction phase, the developer, with regard to the five development parcels, shall ensure that sufficient fire hydrants shall remain accessible at all times during Project construction. The LAFD shall determine compliance with this measure with regard to the five development parcels.

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

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

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

**Regulatory Measure I.1-10:** Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall prepare, and thereafter implement, a plan that will assure that any required fire hydrants that are installed shall be fully operational and accepted by the Fire Department prior to any building construction. The LAFD shall determine compliance with this measure with regard to the five development parcels.

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

**Regulatory Measure I.1-12:** Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall prepare, and thereafter implement, engineering plans that show adequate fire flow and placement of adequate and required public and private fire hydrants. The LAFD shall determine compliance with this measure with regard to the five development parcels.

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

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

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

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

**Regulatory Measure I.1-17:** Prior to the start of each construction phase, the developer, with regard to the five development parcels shall prepare, and thereafter implement, a plan that designs fire lanes to be not less than 28 feet in width. When a fire lane must accommodate the operation of Fire Department aerial ladder apparatus or where fire hydrants are installed, those portions shall not be less than 28 feet in width. The LAFD shall determine compliance with this measure with regard to the five development parcels.

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

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

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

**Regulatory Measure I.1-21:** Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall not construct any building or portion of a building to be more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane. The LAFD shall determine compliance with this measure with regard to the five development parcels.

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

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

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

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

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

**Regulatory Measure I.1-27.** Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall prepare, and thereafter implement, a plan that would not construct any building or portion of a building more than 300 feet from an approved fire hydrant. Distance shall be computed along path of travel with the exception that dwelling unit travel distance shall be computed to the front door of the unit. The LAFD shall determine compliance with this measure with regard to the five development parcels.

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

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

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

- iii. Supportive Evidence and Rationale – The FEIR analyzed in detail the Project's potential impacts on fire protection and related services in Section IV-I(1) of the DEIR. Construction may result in temporary lane closures that would potentially affect emergency access. Temporary lane closures could increase the time for fire protection vehicles and emergency medical vehicles responding to elderly or disabled residents in the downtown areas. However, the average response times for Fire Stations 3, 4, 9, and 10, which would serve the Project and currently serve the surrounding area are 5.3 minutes, 4.6 minutes, 4.8 minutes, and 4.9 minutes, respectively. Those response times are below the Citywide average response times of 5.5 minutes for EMS and 5.4 minutes for fire incidents, which indicates these existing services will be adequate to handle incidents during Project construction. To ensure adequate response times for these services, the LAFD would be notified of the scheduling of all Project construction in order to plan appropriate alternative response routes, if necessary. Public detour routes would be established where required to divert traffic from the affected street segments. In addition, emergency vehicle access to adjoining and nearby properties would be required to be maintained at all times. Thus, due to the better than City-wide response times, the large number of fire stations in the Project area, the temporary and limited nature of the closures along roadways and the wide selection of alternative routes to and through the Project site, construction of the Project will not significantly impact the ability of the LAFD to respond to emergency incidents, as confirmed by the FEIR. With respect to Project operations, automatic fire sprinkler systems in all structures, fire hydrants installed to LAFD specifications, and supplemental fire protection devices would be incorporated into new Project structures, as required by the Fire Code. As the Project site is within the service area of four Task Force truck and engine companies, Project operations are anticipated to result in less than significant impacts to LAFD staff and equipment capabilities. In addition, the Project will comply with all fire safety regulations and the incorporation of regulatory measures. No significant impacts will occur with respect to fire protection and related services.
- iv. Cumulative Impact – The LAFD has determined that development of the Project, in conjunction with other approved and planned projects, may result in the need for the following: (1) increased staffing at existing facilities; (2) additional fire protection facilities; and (3) relocation of existing fire protection facilities. However, as related project applicants would be required to coordinate with the LAFD to ensure that related project construction and operations would not significantly impact LAFD services and facilities, no significant cumulative impacts are anticipated.

S. Police Protection Services

- i. Potential Impacts – The Project may cause a significant impact on police protection services provided by the LAPD if:

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

**Regulatory Measure I.2-1:** During each construction phase, the developer, with regard to the five development parcels, shall provide clear and unobstructed LAPD access to the construction site. The LAPD shall determine compliance with this measure with regard to the five development parcels.

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

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

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

**Regulatory Measure I.2-6:** During Project operations, the developer, with regard to the five development parcels shall install alarms and/or locked gates on doorways providing public access to commercial facilities. The LAPD shall determine compliance with this measure with regard to the five development parcels.

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

**Regulatory Measure I.2-8:** Additional lighting shall be installed where appropriate, including on the Project site and in parking garages, as determined in consultation with the LAPD with regard to the five development parcels. The developer shall implement this measure with regard to the five development parcels prior to initial building occupancy for each construction phase.

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

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

The following shall be included in the plan:

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

9. In addition, security procedures regarding initial response, investigation, detainment of crime suspects, LAPD notification, crowd and traffic control, and general public assistance shall be outlined in the Security Plan. The plan would be subject to review by the LAPD, and any provisions pertaining to access would be subject to approval by the Los Angeles Department of Transportation.

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

- iii. Supportive Evidence and Rationale – The FEIR analyzed in detail the Project's potential impacts on police protection and related services in Section IV-I(2) of the DEIR. The Project's impacts on police protection services or response times would continue to be less than significant. Project construction may result in temporary lane closures that would potentially affect emergency access. Given notification to the LAPD of all construction scheduling, the temporary nature of any closures, and the availability of alternative routes, the Project would not significantly affect emergency access or response times. Furthermore, during construction, traffic management personnel (flag persons) would be trained to assist in emergency response, and on-site security measures would reduce theft and other demands on police services. Therefore, construction activities are not expected to significantly affect the capacity of the LAPD to adequately serve the Project site. The Project's combined residential and employment population would reduce the officer per resident ratio and, assuming the same number of officers in the LAPD Central Area station as under existing conditions, the ratio of crimes that are handled by each officer would increase from approximately 20 to 23.4. This level of increased demand in the context of occurring over an entire year would not substantially exceed LAPD's capacity. Accordingly, the Project's impact to police services would be less than significant.
- iv. Cumulative Impact – Although the operation of Project would have a less-than-significant impact on police services, because the list of related projects is extensive and, if all related projects were built, the combined Project and related projects would have a significant cumulative impact with regard to police protection services. This level of increased demand would substantially exceed the LAPD's capacity to provide services from the Central Area station. For example, under the County Office Building Option, if the current 337 officers in the area were to remain constant at 337 officers, the ratio of population to officers would increase from 130 persons for each officer to 382 persons for each officer. If the per capita crime rate were to remain constant at 154 crimes per 1,000 population, there would be 19,849 additional crimes, and the crimes that would need to be handled by each officer would increase from 20 to 59. However, if the City added police resources in response to such growth, then the cumulative impact to police services would be less than significant. Yet, it is conservatively assumed that the City may not be able to add such resources commensurate with such population growth, and, therefore, the cumulative impact to police services is determined to be significant.

T. School Services

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

**Mitigation Measure I.3-1:** Prior to the issuance of each building permit, the developer, with regard to the five development parcels, shall pay school mitigation fees pursuant to the provisions of California Government Code Section 65995. The City’s Department of Building and Safety, or other appropriate City agency or department shall determine compliance with this measure.

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

U. Parks and Recreation (Project Construction)

- i. Potential Impacts – The construction of the Project may cause a significant impact on parks and recreational facilities if:

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

#### V. Parks and Recreation (Project Operation)

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

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

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

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

#### W. Library Services

- i. Potential Impacts – The Project may cause a significant impact on library services caused by the Project. A Project could have a significant impact on library services if:
  - a. The Project would generate a demand for library facilities or services that would cause an increase in the community population that would exceed Los Angeles Public Library ("LAPL") defined target service population.
- ii. Findings – The Project will not cause significant impacts on library services, and no mitigation measures are required.
- iii. Supportive Evidence and Rationale – The FEIR analyzed in detail the Project's potential impacts on libraries in Section IV-I(5) of the DEIR. The increase in residential population, employees and patrons associated under the Project would increase demand on LAPL facilities in this area, including the Central

Library, the Little Tokyo and Chinatown Branch Libraries. However, the Project is not expected to cause an increase in the community population that would exceed the LAPL-defined service target population. The LAPL has indicated in comments to the NOP for the EIR that the Project should pay a fee of \$200 per capita to offset the increase in library service demand. However, the detailed analysis provided in the EIR demonstrates that the Project would not cause a significant impact on library services, and the LAPL did not provide any data in its NOP response letter to the contrary. In addition, the LAPL did not provide any comments on the DEIR. Further, it should be noted that the LAPL has not taken the necessary legal steps to impose a mitigation fee on all new development projects in its jurisdiction.

- iv. Cumulative Impacts – Population increases created by the 93 related projects in combination with the Project would increase the demand for LAPL services within the Project area. If a large number of these related projects are eventually developed and such future development causes a demand on library services beyond the capacity of the then existing libraries, then the LAPL may take the necessary steps to adopt an impact fee program that would adequately mitigate that cumulative impact on library services. However, since the LAPL has not adopted such a fee program, the Authority conservatively determines that the cumulative impact on library services will be significant.

## X. Water Supply

- i. Potential Impacts – The Project may cause a significant impact on the water supply if:
  - a. The public water system's total projected water supplies available during normal, single dry and multiple dry water years during the current 20-year projection would not meet the projected water demand associated with the proposed Project, as well as all other future uses, including agricultural and manufacturing uses.
  - b. The estimated water demand for the Project would exceed the available capacity within the distribution infrastructure that would serve the Project site.
  - c. The construction of a new or upgraded water distribution infrastructure would result in substantial obstruction of vehicle and/or pedestrian access.
- ii. Findings – With the implementation of Mitigation Measure J.1-1, the Project's potentially significant impact on water supply will be reduced to a less than significant level. In addition, a series of regulatory measures are identified that would result in reducing the water demand attributable to the Project.

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

**Regulatory Measure J.1-1:** Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall call DIG-ALERT to identify and mark on the ground surface the locations of existing underground utilities. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels.

**Regulatory Measure J.1-2:** Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall perform potholing of existing water and gas mains to verify the depth of cover. If the depth of cover over the lines is shallow and the total street pavement section is thick (around 24 inches), then the temporary cover over the lines during construction may be reduced to 12 inches or less. Under these circumstances, protective measures shall be implemented to prevent damage or breakage of the lines during the pavement sub-grade preparation process, notices of service interruption, if necessary, shall be provided to customers in accordance with DWP-Water and ACG requirements. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels.

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

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

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

**Regulatory Measure J.1-6:** During Project operations, incorporate Los Angeles County water conservation policies into the County Office Building, if the Project proceeds with the County office building option. The County with regard to the County Office Building, if the Project proceeds with the County office building option, shall be responsible for implementing this measure. The implementation of this measure shall be subject to the review and approval of the County's CAO or its designee.

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

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

- iii. Supportive Evidence and Rationale – The Project's potentially significant impact on the water supply is analyzed in Section IV.J.1 of the DEIR. Based on a Water Supply Assessment certified by the Los Angeles Department of Water and Power ("LADWP"), the total estimated water demand for the Project at build-out is not expected to exceed available supplies during normal, single dry and multiple dry water years during the 20-year planning period projection. Further, the Project is not anticipated to exceed the available capacity within the distribution infrastructure that would serve the Project site. Other than connections from the Project site to the water mains and the installation of new water lines along Second Street, the construction of a new or upgraded distribution and conveyance infrastructure would not be required. With regulatory compliance and incorporation of the mitigation measures discussed above, impacts to water supply associated with the Project would be less than significant.
- iv. Cumulative Impact – Development of the 93 related projects would cumulatively contribute, in conjunction with the Project to the water demand in the Project area. Related projects are anticipated to be developed in compliance with all applicable water conservation regulations and within the build-out scenario of the Community Plans and the City of Los Angeles General Plan elements. Further, the LADWP Water Supply Assessment concluded that there are adequate water supplies to meet all existing and future water demands for the next 20 years. As such, impacts associated with cumulative water demand would be less than significant.

Y. Wastewater

- i. Potential Impacts – The Project may cause a significant impact on wastewater conveyance and treatment facilities if:

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

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

**Regulatory Measure J.2-2:** Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall prepare, and thereafter implement, building plan specifications for the installation of low-flow water fixtures and further encourage reduction of water consumption to minimize wastewater flow to the sewer system, in accordance with applicable water conservation requirements. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels.

- iii. Supportive Evidence and Rationale – The FEIR analyzed in detail the Project's potential impact on wastewater facilities in Section IV-J(2) of the DEIR. The operation of the Project under the County Office Building Option would generate 631,650 gallons per day (gpd) of wastewater and a peak flow of 1,073,805 gpd. The Project under the Additional Residential Development Option would generate 592,070 gpd on average and a peak flow of 1,006,519 gpd. By complying with the provisions of the City's Sewer Allocation Ordinance, wastewater generation resulting from operation of the Project would not substantially exceed the future scheduled capacity of the HTP. Nor, would the Project cause a measurable increase in wastewater flows at a point where, and a time when, a sewer's capacity is already constrained or would cause a sewer's capacity to become constrained. Therefore, implementation of the Project would result in a less than significant impact to wastewater facilities.

- iv. Cumulative Impact – Development of the 93 related projects, in conjunction with the Project would cumulatively contribute to wastewater generation in the Project area. The Project with Additional Residential Option would generate nearly seven percent less wastewater than that of the proposed Project with County Office Building Option. The wastewater anticipated to be discharged by the related projects along with the Project with County Office Building Option is 7.3 million gpd, which represents approximately 1.6 percent of the HTP's full capacity of 450 million gpd. Each of the individual related projects would be subject to the LADWP's determination of whether there is allotted sewer capacity available prior to the formal acceptance of plans and specifications by the Department of Building and Safety. Therefore, cumulative impacts to the local and regional sewer system for the Project, in conjunction with the related projects, would be less than significant.

Z. Solid Waste

- i. Potential Impacts – The Project may cause a significant impact concerning solid waste if:
  - a. The Project generates solid waste at a level that exceeds the available capacity of the existing and/or planned landfills.
  - b. The Project conflicts with diversion and recycling goals set forth in the City of Los Angeles Solid Waste Management Policy Plan (CiSWMPP) and Source Reduction and Recycling Element (SRRE).
- ii. Findings - The Project will not cause a less than significant impact with regard to solid waste services. Notwithstanding, the following regulatory measures have been identified to ensure the Project's less than significant impact concerning this matter.

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

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

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

**Regulatory Measure J.3-4:** During Project operations, the developer, with regard to the five development parcels, shall continuously maintain in good order for the convenience of businesses, patrons, employees and park visitors clearly marked, durable and separate bins on the same lot, or parcel to facilitate the commingled recyclables and deposit of recyclable or commingled waste metal, cardboard, paper, glass, and plastic therein; maintain accessibility to such bins at all times, for collection of such wastes for transport to on- or off-site recycling plants; and require waste haulers to utilize local or regional material recovery facilities as feasible and appropriate. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels.

**Regulatory Measure J.3-5:** During each construction phase, the developer, with regard to the five development parcels, shall implement a demolition and construction debris recycling plan, with the explicit intent of requiring recycling during all phases of site preparation and building construction. The City's Department of Building and Safety, or other appropriate City agency or department, shall review and approve the plan with regard to the five development parcels.

- iii. Supportive Evidence and Rationale – The FEIR analyzed in detail the Project's potential impact on solid waste facilities in Section IV-J(3) of the DEIR. The Project would not cause the available capacity of the existing and/or planned landfills to be exceeded, and impacts due to construction and operations would be less than significant. Nonetheless, regulatory mitigation measures have been identified concerning compliance with existing plans, programs and policies promoting recycling, waste reduction and waste diversion.
- iv. Cumulative Impact – Development of the 93 related projects would generate solid waste during their respective construction periods and on an on-going basis following the completion of construction. The total cumulative construction debris from the related projects and proposed Project would total 63,000 tons. This would comprise approximately 0.1 percent of the remaining inert landfill disposal capacity of 69.94 million tons and, as such, cumulative impacts on inert landfill capacity would be less than significant. During operation, the total cumulative solid waste generation is estimated to be 112,015 tons per year under the Project with County Office Building Option and 107,660 tons per year under the Project with Additional Residential Development Option. These levels of cumulative annual solid waste generation represent approximately 1.2 percent of the total solid waste generated in Los Angeles County in 2003. Based on these small percentages, and the County's forecast of 15 years of landfill availability, cumulative impacts on municipal landfill capacity are concluded to be less than significant.

## 19.7 FINDINGS REGARDING ALTERNATIVES TO THE PROPOSED PROJECT

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

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

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

### Alternatives Considered But Rejected

Two alternatives were identified but subsequently rejected from further analysis in the FEIR. The first such rejected alternative was the Alternative Location Alternative. With respect to alternative sites for any proposed project, CEQA Guideline 15126.6(f)(2)(A) provides that: "The key question and first step in analysis is whether any of the significant effects of the project would be avoided or substantially lessened by putting the project in another location. Only locations that would avoid or substantially lessen any of the significant effects of the project need be considered for inclusion in the EIR."

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

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

Finally, a commentator during the public review process suggested that the Project should be modified to include a higher percentage of affordable housing units. However, the developer has committed to 20 percent of the overall housing units in the Project being affordable units, and substantial evidence supports the conclusion that additional subsidies from the LA/CRA or others for an even greater number of affordable housing units in the Project are not available or feasible, and that key Project objectives would not be achieved if more financial resources of the Project are devoted to additional affordable housing units, including the use of funds to improve and extend the existing County Mall into a Civic Park that can serve as a public gathering place for the entire region. Accordingly, the Authority finds that such an alternative to the Project is not feasible within the meaning of CEQA.

#### The Five Alternatives Evaluated in the FEIR

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

- Alternative 1: No Project "A" – The Project site remains in its existing conditions.
- Alternative 2: No Project "B" – Development on Parcels Q and W-2 would occur per the provisions of the 1991 Owner Participation Agreement applicable to those parcels, while development on Parcels W-1, L, and M-2 would occur per current City zoning. Under the No Project "B" Alternative, the Grand Avenue streetscape program would be limited to only improvements along the frontage of Parcel Q, while no improvements to the existing Civic Center Mall would occur.
- Alternative 3: Reduced Density Alternative – Development on the five parcels would be reduced by 25 percent, as would proposed building heights. Improvements within the Civic Park as well as along the Grand Avenue streetscape program would be reduced commensurate with the reduced funding for Phase 1 that would be available from prepaid lease revenues.

- Alternative 4: Alternative Design Alternative – Two unrelated components of the Project would be changed under this Alternative – the Civic Park and the location of the towers on Parcels L and M-2. Under this Alternative, the existing Civic Center Mall’s four character-defining features would remain as they exist today and in their current locations, or they would be retained and reused within the Civic Park in accordance with the Secretary of the Interior’s Standards for the Rehabilitation of Historic Buildings. Also under this Alternative, the towers proposed for development on Parcels L and M-2 would be reversed, such that the tower proposed for the southeast corner of Parcels L and M-2 would be moved to the southwest corner, and the tower proposed for the northwest corner would be moved to the northeast corner.
- Alternative 5: Alternative Land Use Alternative – development on all five development parcels would be residential supported by a limited amount of retail development. The Civic Park and Grand Avenue streetscape program under this Alternative would be the same as the Project.

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

### **Alternative 1 - No Project “A”**

#### **a. Ability to Achieve Most of the Project Objectives**

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

#### **b. Ability to Reduce the Project’s Residual Significant Impacts**

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

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

c. Determination of Infeasibility

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

**Alternative 2 - No Project "B"**

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

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

Although the No Project "A" Alternative would meet the Project's priority objective to create a long-term stream of additional tax revenues for the City, the CRA/LA and the County, the magnitude of revenue generation would be substantially reduced under this Alternative as compared to the Project, since Parcels W-2/W-2, L and M-2 would not be developed to their full potential. Furthermore, this Alternative would meet the priority objective to ensure that 20 percent of all residential units are affordable, since it would contain only a fraction of the number of affordable units that would be generated by the proposed Project's residential units.

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

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

reconstruction of the ramps, occasional traffic congestion during evening and large-scale events in the Civic Park, possible removal of historically significant character-defining features in the existing Civic Center Mall, and short-term recreational impacts associated with the closure of the existing Civic Center Mall during the construction of the Civic Park.

c. Determination of Infeasibility

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

**Alternative 3 - Reduced Density Alternative**

a. Ability to Achieve Most of Project's Objectives

The reduced Density Alternative may not meet the ultimate goal of the Project to provide an economically viable development since, with the reduction in scale, the Reduced Density Alternative would not be as economically viable as the Project. In addition, the Reduce Density Alternative would not meet the majority of the Project's priority objectives to create a vibrant, 24-hour development that activates the Civic and Cultural Center to the same extent as the Project. Furthermore, since the Alternative has less development than the Project, it would not meet the priority objective to implement redevelopment plan objectives to permit a maximum density of development. The Reduced density Alternative also would not implement the Project's priority objective to generate at least \$50 million in funds from the Project itself, and at least \$45 million from Phase 1 by the lease of public land, and then to use these funds to improve and extend the existing Civic Center Mall into the proposed Civic Park. In addition, this Alternative would not implement the Grand Avenue Streetscape Program (except adjacent to Parcel Q), further reducing the ability of this Alternative to meet the objectives of the Project to create a civic gathering place and to enhance pedestrian connections.

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

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

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

The Reduced Density Alternative would reduce, but not completely avoid, the Project's significant and unavoidable impacts associated with zoning compliance construction hauling, lane closures, periodic closures of the Grand Avenue and Hill Street ramps to the garage

beneath the Civic Center Mall during their reconstruction, operation traffic, occasional traffic congestion during evening and large-scale events in the Civic Park, DAARP residential parking requirements, view obstruction, air quality (construction and operation), and noise (construction). Additionally, this Alternative may possibly reduce impacts associated with the possible removal of the historically significant character-defining features in the Civic Center Mall, and short-term recreational impacts associated with the closure of Civic Center Mall during the Civic Park's construction phase, if the scope of the development in the Civic Park were reduced.

c. **Determination of Infeasibility**

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

**Alternative 4 – Alternative Design Alternative**

a. **Ability to Achieve Most of Project Objectives**

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

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

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

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

c. Determination of Infeasibility

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

**Alternative 5 - Alternative Land Use Alternative**

a. Ability to Achieve Most of Project Objectives

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

b. Ability to Reduce the Project's Residual Impacts

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

c. Determination of Infeasibility

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

### **The Environmentally Superior Alternative**

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

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

### **19.8 STATEMENT OF OVERRIDING CONSIDERATIONS**

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

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

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

1. The Project will create a vibrant, 24-hour development that activates the Civic and Cultural Center by attracting both residents and visitors, day and night, through a mix of uses that are economically viable, that complement each other, and that add to those that already exist on Bunker Hill.

2. The Project will provide substantial economic benefits for the entire region, generating an estimated \$252 million annually in direct business revenues and over \$362 million in indirect (off-site) business revenues throughout the County, for a total of \$615 million in direct and indirect revenues generated by the Project each year.
3. The business activity generated by the Project is estimated to create up to 5,900 permanent jobs, both on-site and throughout the region. These workers will earn an estimated \$165 million in pre-tax wages and salaries. All jobs generated on the Project site will comply with the CRA/LA's Living Wage Policy.
4. The Project will also create a significant number of construction jobs. Over the life of the construction of the Project, approximately 29,000 direct and indirect construction jobs will be created. These workers will earn over \$1 billion in wages and salaries. All on-site construction jobs will comply with the Prevailing Wage law.
5. Significant tax revenues, an estimated \$105 million, will be generated annually by the Project. These tax revenues will be shared by all levels of government. Approximately \$74 million will go to the federal government, \$21 million to the State government, \$5.7 million to the County government, and approximately \$4.1 million to local governments, all on an on-going, annual basis.
6. The Project will generate at least \$50 million in funds from the earlier phases of the Project itself, and at least \$45 million from Phase 1 of the overall development, through the lease of public land. These funds will be used to improve and extend the existing Los Angeles County Mall into a Civic Park that can serve as a public gathering place for the entire region. The ground lease of the development parcels was structured in a manner to ensure completion of the new Civic Park by the time Phase 1 of the development is completed.
7. The Project will revitalize, expand upon and activate the existing Los Angeles County Mall by developing it into a Civic Park stretching from the Music Center to City Hall. The new Civic Park will be operated to serve as an active, welcoming setting for daily activity as well as a gathering place for community celebrations, cultural and ethnic celebrations, festivals, holiday events, political gatherings and the like. The new Civic Park will be designed to accommodate a variety of sizes of community events and to encourage use of the Metro Red Line, which passes underground through the park at Hill Street.
8. The Project will provide a substantial amount of affordable housing units for low-income and very low income residents. The number of affordable units will equal 20 percent of the total number of housing units developed in the Project, which could yield up to 532 affordable units under the Additional Residential Development Option at full build-out. Long-term affordability covenants to guarantee the availability of such units to such qualified residents will be imposed.
9. The Project will develop a substantial number of housing units in the downtown, up to a total number of 2,660 units under the Additional Residential Development Option. This mix of additional housing units will greatly expand the diversity of downtown living options.

10. The Project will encourage and accommodate pedestrian activity by improving the streetscape along Grand Avenue between Fifth Street and Cesar Chavez Avenue. Streetscape improvements will include the strategic use of landscaping, benches and lighting, improved paving, and wider sidewalks where feasible. Such improvements will create an urban street that will foster pedestrian activity without comprising the functional requirements of vehicular circulation.
11. The Project will create new public spaces on the development parcels that are open and accessible to the public, including plaza areas, outdoor terraces and other gathering places, all with seating areas and landscaping.
12. The Project will increase the value of the four publicly owned, underutilized development parcels, while minimizing public investment in the Project. The value of these uniquely located public parcels will be further increased by the synergistic combination of the parcels into a unified development.
13. The Project will maintain the potential for a new County office building within the later phases of the Project.
14. The Project will create a northern anchor for the downtown area, complementing the southern anchor at "LA Live" to create a more diverse and vibrant downtown core.
15. The Project will enhance the use of public transit by creating easy access to the Metro Red Line at its Civic Center station, and easy access to the many local and commuter bus lines that surround the Project site.
16. The Project will improve pedestrian access from transit stops to the many regional attractions on Grand Avenue, including the Music Center, the Walt Disney Concert Hall, the Colburn School, and the Museum of Contemporary Art. Public access through the Project site will be facilitated by escalators, elevators, and a bridge over Olive Street, all assisting the pedestrian in transitioning the steep slope of Bunker Hill from Hill Street (where the Metro Red Line/Purple station exists) to Grand Avenue.
17. The Project will improve the jobs/housing balance in downtown, an area considered to be a "jobs rich" environment. By increasing the amount of housing available in a jobs rich area, there is a greater likelihood that people will work and live in areas in close proximity, thereby reducing traffic congestion and improving air quality when compared to traditional commuting patterns where the residence and job locations are separated by great distances.
18. The Project will comply with the CRA/LA's public art policy, which will facilitate the placement and maintenance of more public art in the downtown area.
19. The Project will create a job outreach and training program that will provide opportunities for local and low-income residents to secure jobs generated by the construction and operation of the Project through, among other ways, hiring and apprentice goals, coordination with the applicable unions, and on-the-job training requirements for such resident workers.
20. The Project will implement and satisfy numerous objectives of the Bunker Hill Redevelopment Plan (as listed in greater detail in Section V of the Findings and hereby incorporated into this SOC), including, but not limited to, the development of a project with a maximum density commensurate with the highest standards of architecture and landscape design aimed at creating a pleasant living and working environment.

### 19.9 MITIGATION MONITORING AND REPORTING PROGRAM

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

### 19.10 GENERAL CONSIDERATIONS

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

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

**TT-67490-2A as amended by the PLUM Committee on September 11, 2007**

In accordance with provisions of Section 17.03 of the Los Angeles Municipal Code, the Advisory Agency approved Tentative Tract Map No. 67490 composed of one master lot and 19 airspace lots, located at 100 South Grand Avenue to contain a maximum of **400 residential condominium units, 100 residential apartment units, a 275 room hotel or 275 hotel condominium units, and 284,000 square feet of commercial/retail space** as shown on map stamp-dated November 20, 2006 in the Central City Community Plan. This unit density is based on the C2-4D Zone pursuant to CPC-2006-9702-ZC-CU-CUB-CUX-ZV-DA. An approved Equivalency Program described in the Grand Avenue Final Environmental Impact Report (State Clearinghouse No. 2005091041), allows for modifications to land uses and square footages within and between Tentative Tract Map Nos. 67490, 67491, and 67492. All permitted project land use increases can be exchanged for corresponding decreases of other land uses under the approved Equivalency Program. Any modifications to land uses and square footages shall be within the constraints and limitations of the Equivalency Program. Furthermore, pursuant to the Disposition and Development Agreement ("DDA") approved by the Grand Avenue Joint Powers Authority, twenty percent (20%) of all residential units in this tentative tract map (TT-67490) shall be affordable. The subdivider is hereby advised that the Municipal Code may not permit this maximum approved density. Therefore, verification should be obtained from the Department of Building and Safety for legal interpretation of the Zoning code as it applies to this particular property. For an appointment with the Subdivision Counter, please call (213) 978-1362. The Advisory Agency's approval is subject to the following conditions:

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

**BUREAU OF ENGINEERING - SPECIFIC CONDITIONS**

1. That a 7-foot wide strip of land be dedicated along 1<sup>st</sup> Street adjoining the subdivision to complete a 57-foot wide half right-of-way dedication in accordance with Major Highway Standards, including a 20-foot radius property line return at the intersections with both Grand Avenue and Olive Street all satisfactory to the City Engineer. Said dedication shall be a limited dedication excluding those portions within the elevations of a height of 14 feet above the finished sidewalk to 5 feet below the finished sidewalk elevations.
  - a) If a full dedication is provided along Grand Avenue prior to the recordation of the final map pursuant to VAC-E1400906, then that portion of Grand Avenue lying 5 feet inside of the ultimate curb location below 8 feet below the sidewalk elevation, and that portion lying further inside of the first 5 feet inside of the ultimate curb location above 14 feet above the sidewalk elevation and below 1 foot below the sidewalk elevation, shall be

permitted to be merged with the remainder of the subdivision pursuant to Section 66499.20-1/2 of the State Government Code.

2. That an approximate 21-foot wide and variable width strip of land be dedicated along Grand Avenue adjoining the subdivision to incorporate the existing sidewalk all satisfactory to the City Engineer.

Those portions of the street dedication lying within the first 5 feet inside of the ultimate curb location can be dedicated as a limited street dedication excluding those portions 8 feet below the sidewalk elevation.

Those portions of the street dedication lying further inside of the first 5 feet inside of the ultimate curb location can be dedicated as a limited street dedication excluding those portions above the elevations of a height of 14 feet above the sidewalk and the elevation of a depth of 1 foot below the sidewalk elevations. A survey of the actual sidewalk areas shall be submitted to establish the actual limit of the dedication.

3. That the existing subsurface street easements and limited street easement along 2<sup>nd</sup> Street adjoining the tract area be correctly shown on the final map.
4. Dedicate any limited street dedication along 2<sup>nd</sup> Street in addition to the existing limited street easement, if necessary, to serve this development.
5. That arrangement be made with the Los Angeles County Department of Public Works prior to recordation of the final map for any necessary permits with respect to discharge into their existing storm drain in the easement along the southerly subdivision boundary.
6. That a Covenant and Agreement be recorded advising all future owners and builders that prior to issuance of a building permit, a Notice of Acknowledgment of Easement must be recorded and an application to do work in any slope easements and to construct over the existing slope facilities must be submitted to the City Engineer for approval.
7. That a set of drawings be submitted to the City Engineer showing the following (for airspace subdivision only):
  - a. Plan view at different elevations.
  - b. Isometric views.
  - c. Elevation views.
  - d. Section cuts at all locations where air space lot boundaries change.

8. That the owners of the property record an agreement satisfactory to the City Engineer stating that they will grant the necessary easements for ingress and egress purposes to serve proposed airspace lots to use upon the sale of the respective lots and they will maintain the private easements free and clear of obstructions and in a safe condition for use at all times.
9. That a Covenant and Agreement be recorded satisfactory to the City Engineer binding the subdivider and all successors to the following:
  - a) That the owners shall be required to maintain all elements of the structure above and below the limited street rights-of-way of adjoining the subdivision in a safe and usable condition to the satisfaction of the City Engineer. The City shall be given reasonable access to the structure and adjacent to the limited street rights-of-way areas for any necessary inspection, upon request during normal business hours. The City may request the owners to repair or replace damaged, defective or unsafe structural elements or to correct unacceptable conditions at the owner's expense if owner elects not to do so. Owner shall grant reasonable access to City's contractor to make said repairs.
  - b) The owners shall be required to limit use and occupancy the structures below the limited street rights-of-way for parking use only. No combustible material shall be stored in the merger area.
  - c) The owners shall obtain a B-Permit from the City Engineer for any substantial structural modification below the street right-of-way area and for any structural modification areas and for any structural element outside said areas which provides lateral or vertical support to structures within the areas.
10. That the subdivider execute and record an agreement satisfactory to the City Engineer to waive any right to make or prosecute any claims or demands against the City for any damage that may occur to the structures underneath the limited easements of public street (2<sup>nd</sup> Street, 1<sup>st</sup> Street and Grand Avenue) in connection with the use and maintenance operations within said street easement. This waiver of damage shall also be shown on the final tract map.
11. That a revised map be submitted for information purposes satisfactory to the City Engineer and Advisory Agency showing the exact locations, including upper and lower elevations, of limited dedicated areas. This revised map will be used for the final map checking process and should show only one master lot.

#### **DEPARTMENT OF BUILDING AND SAFETY, GRADING DIVISION**

12. That prior to issuance of a grading or building permit, or prior to recordation of the final map, the subdivider shall make suitable arrangements to assure compliance, satisfactory to the Department of Building and Safety, Grading

Division, with all the requirements and conditions contained in Inter-Departmental Letter dated January 24, 2007, Log No. 56350 and attached to the case file for Tract No. 67490.

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

13. That prior to recordation of the final map, the Department of Building and Safety, Zoning Division shall certify that no Building or Zoning Code violations exist on the subject site. In addition, the following items shall be satisfied:
- a. Obtain permits for the demolition or removal of all existing structures on the site. Provide copies of the demolition permits and signed inspection cards to show completion of the demolition work.
  - b. Provide a copy of D condition(s). Show compliance with the above condition(s) as applicable or Department of City Planning approval is required.
  - c. Provide a copy of affidavit AFF-13434 and AFF-11961. Show compliance with all the conditions/requirements of the above affidavit(s) as applicable. Termination of above affidavit(s) may be required after map has been recorded. Obtain approval from the Department, on the termination form, prior to recording.
  - d. Show all street dedication(s) as required by Bureau of Engineering and provide net lot area after all dedication. "Area" requirements shall be re-checked as per net lot area after street dedication.
  - e. Submit a revised map that dimensions each air space lot with a finite width, length, and upper and lower elevations. The final map shall be based upon a site plan which accurately describes the location of such lots.
  - f. Record a Covenant and Agreement to treat the buildings and structures located in an air space subdivision as if they were within a single lot.

#### **DEPARTMENT OF TRANSPORTATION**

14. That prior to recordation of the final map, satisfactory arrangements shall be made with the Department of Transportation to assure:
- a. A minimum of 60-foot and 40-foot reservoir space(s) be provided between any ingress security gate(s) and the property line when driveway is serving more than 300 and 100 parking spaces respectively.

- b. Parking stalls shall be designed so that a vehicle is not required to back into or out of any public street or sidewalk.
- c. A parking area and driveway plan be submitted to the Citywide Planning Coordination Section of the Department of Transportation for approval prior to submittal of building permit plans for plan check by the Department of Building and Safety. Transportation approvals are conducted at 201 N. Figueroa Street Suite 400, Station 3.

## **FIRE DEPARTMENT**

15. That prior to the recordation of the final map, a suitable arrangement shall be made satisfactory to the Fire Department, binding the subdivider and all successors to the following:
- a. Submittal of plot plans for Fire Department review and approval prior to recordation of Tract Map Action.
  - b. No building or portion of a building shall be constructed more than 300 feet from an approved fire hydrant. Distance shall be computed along path of travel. Exception: Dwelling unit travel distance shall be computed to front door of unit.
  - c. Any required fire hydrants to be installed shall be fully operational and accepted by the Fire Department prior to any building construction.
  - d. No framing shall be allowed until the roadway is installed to the satisfaction of the Fire Department.
  - e. All parking restrictions for fire lanes shall be posted and/or painted prior to any Temporary Certificate of Occupancy being issued.
  - f. Where rescue window access is required, provide conditions and improvements necessary to meet accessibility standards as determined by the Los Angeles Fire Department.
  - g. No proposed development utilizing cluster, group, or condominium design of one or two family dwellings shall be more than 150 feet from the edge of the roadway of an improved street, access road, or designated fire lane.
  - h. All access roads, including fire lanes, shall be maintained in an unobstructed manner, removal of obstructions shall be at the owner's expense. The entrance to all required fire lanes or required private driveways shall be posted with a sign no less than three square feet in

area in accordance with Section 57.09.05 of the Los Angeles Municipal Code.

- i. Fire lane width shall not be less than 20 feet. When a fire lane must accommodate the operation of Fire Department aerial ladder apparatus or where fire hydrants are installed, those portions shall not be less than 28 feet in width.
- j. Where above ground floors are used for residential purposes, the access requirement shall be interpreted as being the horizontal travel distance from the street, driveway, alley, or designated fire lane to the main entrance of individual units.
- k. The entrance or exit of all ground dwelling units shall not be more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane.
- l. No building or portion of a building shall be constructed more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane.
- m. Where access for a given development requires accommodation of Fire Department apparatus, overhead clearance shall not be less than 14 feet.
- n. Access for Fire Department apparatus and personnel to and into all structures shall be required.
- p. The Fire Department may require additional vehicular access where buildings exceed 28 feet in height.

#### **LOS ANGELES UNIFIED SCHOOL DISTRICT (LAUSD)**

16. That prior to the issuance of any demolition or grading permit or any other permit allowing site preparation and/or construction activities on the site, satisfactory arrangements shall be made with the Los Angeles Unified School District, implementing measures for demolition and construction satisfactory to the Los Angeles Unified School District. The project site may be located on pedestrian and bus routes for students attending local LAUSD Schools. Therefore, the applicant shall make timely contact for coordination to safeguard pedestrians/motorists with the LAUSD Transportation Branch, phone no. 323.342.1400, and the principals or designees of the local LAUSD Schools. (This condition may be cleared by a written communication from the LAUSD Transportation Branch attesting to the required coordination and/or the principals of the above referenced schools and to the satisfaction of the Advisory Agency).

**DEPARTMENT OF WATER AND POWER**

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

**BUREAU OF SANITATION**

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

**INFORMATION TECHNOLOGY AGENCY**

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

**DEPARTMENT OF RECREATION AND PARKS**

20. That the Quimby fee be based on the R5 Zone.

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

21. Prior to the recordation of the final map, the subdivider shall prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770) in a manner satisfactory to the Planning Department, binding the subdivider and all successors to the following:
  - a. Limit the proposed development to a maximum of 400 condominium dwelling units; 100 residential apartment units (a grand total of 500 residential units), 284,000 square feet of commercial/retail space, and a 275 room hotel or 275 hotel condominium units. 20% of the total amount of residential units shall include affordable units as follows: 35% at extremely low and 65% at very low income levels. If the affordable units are provided as for-sale units, the affordability levels shall be consistent

the requirements of the Disposition and Development Agreement for the Grand Avenue Project.

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

Provide a minimum of 1 space for each two individual guest rooms or suites of rooms for the first 20; one additional parking space for each four guest rooms or suites of rooms in excess of 20 but not exceeding 40; and 1 additional parking space for each six guest rooms or suites of rooms in excess of 40 for hotel use, plus a minimum of 1 space per 100 square feet of hotel meeting space.

In addition, prior to issuance of a building permit, a parking plan showing off-street parking spaces, as required by the Advisory Agency, be submitted for review and approval by the Department of City Planning (200 No. Spring Street, Room 750).

- c. In accordance with the Equivalency Program contained in the Final EIR (State Clearinghouse No. 2005091041) for the project, land uses can be exchanged for certain other permitted land uses within and between Tentative Tract Maps 67490, 67491, 67492 so long as the limitations of the Equivalency Program are satisfied and no additional environmental impacts occur. All permitted land use increases can also be exchanged for corresponding decreases of other land uses. The Department of City Planning shall be the implementing agency for the Program.
- d. The applicant shall install an air filtration system(s) to reduce the effects of diminished air quality on occupants of the project.
- e. That a solar access report shall be submitted to the satisfaction of the Advisory Agency prior to obtaining a grading permit.
- f. That the subdivider considers the use of natural gas and/or solar energy and consults with the Department of Water and Power and Southern California Gas Company regarding feasible energy conservation measures.

- g. Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material.
  - h. The applicant shall install shielded lighting to reduce any potential illumination affecting adjacent properties.
  - i. Prior to the clearance of any tract map conditions, the applicant shall show proof that all fees have been paid to the Department of City Planning, Expedited Processing Section.
22. That prior to the issuance of the building permit or the recordation of the final map, a copy of the **CPC-2006-9702-ZC-CU-CUB-CUX-ZV-DA** shall be submitted to the satisfaction of the Advisory Agency. In the event that **CPC-2006-9702-ZC-CU-CUB-CUX-ZV-DA** is not approved, the subdivider shall submit a tract modification.
23. That the subdivider shall make suitable arrangements for clearance with the Community Redevelopment Agency for the Bunker Hill Redevelopment Project area.

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

24. That prior to recordation of the final map the subdivider shall prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770) in a manner satisfactory to the Planning Department requiring the subdivider to identify mitigation monitors who shall provide periodic status reports on the implementation of mitigation items required by Mitigation Condition No.'s 25 and 26 of the Tract's approval satisfactory to the Advisory Agency. The mitigation monitors shall be identified as to their areas of responsibility, and phase of intervention (pre-construction, construction, postconstruction/maintenance) to ensure continued implementation of the above mentioned mitigation items. Subject to review and approval by the Department of City Planning/Advisory Agency, the subdivider may satisfy this requirement by submitting the Mitigation Monitoring Program previously approved by the Joint Powers Authority, as further described in Section 1.9 of this Report.
25. Prior to the recordation of the final map, the subdivider will prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770) in a manner satisfactory to the Planning Department, binding the subdivider and all successors to the following:
- MM-1 During Project construction, the Developer, with regard to the five development parcels, shall ensure, through appropriate postings and daily visual inspections, that no unauthorized materials remain posted on any temporary construction barriers or temporary pedestrian walkways, and that any such temporary barriers and walkways are

maintained in a visually attractive manner throughout the construction period. The City's Department of Building and Safety or other appropriate City agency or department, shall determine compliance with this measure with regard to construction associated with the five development parcels.

- MM-2 Prior to the start of each construction work phase, the developer, with regard to the five development parcels, shall prepare and implement a tree replacement plan should mature trees along Grand Avenue be impacted by Project construction. Existing mature trees shall be replaced at a ratio of not less than 1:1, to the extent consistent with the final streetscape design. The City's Department of Building and Safety or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels.
- MM-3 Prior to the start of each construction work phase, the developer, with regard to the five development parcels, shall schedule and coordinate sidewalk construction with the development of the adjacent parcels to reduce the duration and visual impact of construction activities. Scheduling of construction activities for the five development parcels shall be reviewed and approved by the Authority and implemented by the responsible parties.
- MM-4 Prior to the start of each construction work phase, the developer, with regard to the five development parcels, shall submit a design plan and technical analysis prepared by the Project's architect as part of the building permit submission that demonstrates that the final selection of building materials for the five development parcels shall not create a significant glare impact on any offsite sensitive uses, including line-of-sight glare on any street or commercial, residential, or cultural use. The approved design plan shall be implemented by the developer with regard to the five development parcels. The design plan and technical study shall be reviewed and approved by the Authority.
- MM-5 Prior to each construction phase, the developer with regard to the five development parcels, shall prepare, and, thereafter, implement plans and specifications to ensure that architectural lighting is directed onto the building surfaces and have low reflectivity in accordance with Illuminating Engineers Society (IES) standards to minimize glare and limit light onto adjacent properties.
- MM-6 Prior to the start of each construction work phase, the developer, with regard to the five development parcels, shall submit to the

Authority or other appropriate agency, for review and approval, building plans and specifications that demonstrate that all ventilation, heating and air conditioning ducts, tubes, and other such mechanical equipment shall be screened from the line-of-sight from the street. Approved building plans and specifications shall be implemented by the responsible parties.

- MM-7 Prior to the start of each construction work phase, the developer, with regard to the five development parcels, shall submit design plans that demonstrate that all utility lines and connections are constructed underground. Approved utility plans and connections with regard to the five development parcels shall be reviewed and approved by the Authority. Approved utility lines and connections shall be implemented by the responsible parties.
- MM-8 Prior to construction, the developer, with regard to the five development parcels, shall submit design plans for trash collection areas to the Authority for review and approval. Trash collection areas shall be screened from line of sight from the street. Approved design plans shall be implemented by the developer.
- MM-9 Prior to the start of each construction work phase, the developer, with regard to the five development parcels shall prepare architectural plans that shall be reviewed and approved by the Authority such that all ground-level building fixtures, including, but not limited to, security gates, landscape light fixtures, pedestrian lights, air intake shafts, and other appurtenances are integrated into the architectural theme and/or design of the respective Project components. Approved architectural plans shall be implemented by the developer and the responsible parties.

#### Air Quality

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

within active operations, and will include at least the following specific best management practices (BMPs):

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

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

MM-12 During each construction phase, the developer, with regard to the five development parcels, shall comply with SCAQMD Rule 402 to reduce potential nuisance impacts due to odors from construction activities. The City's Department of Building and Safety, or other appropriate

City agency or department, shall provide oversight with regard to compliance with this measure with regard to construction associated with the five development parcels. The SCAQMD retains jurisdiction to enforce this measure in the case of non-compliance.

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

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

- MM-18 During each construction phase, the developer, with regard to the five development parcels, shall ensure that all construction vehicles shall be prohibited from idling in excess of five minutes, both on- and off-site. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to construction associated with the five developments.
- MM-19 During each construction phase, the developer, with regard to the five development parcels, shall ensure that heavy-duty construction equipment shall use alternative clean fuels, such as low sulfur diesel or compressed natural gas with oxidation catalysts or particulate traps, to the extent feasible. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels.
- MM-20 During each construction phase, the developer, with regard to the five development parcels shall ensure that shuttle service shall be provided to construction workers who are required to park in offsite parking lots if such lots are not within a walking distance of 1100 feet from the respective construction sites. CRA/LA shall determine compliance with this measure with regard to construction associated with the five development parcels.
- MM-21 During each construction phase, the developer, with regard to the five development parcels, shall equip major earth moving equipment, haul trucks, and excavation equipment with particulate filters and catalytic converters. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to construction associated with the five development parcels.
- MM-22 During each construction phase, the developer with regard to the five development parcels, shall ensure that building materials, architectural coatings and cleaning solvents shall comply with all applicable SCAQMD rules and regulations. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to construction

associated with the five development parcels. The SCAQMD shall be responsible for the enforcement of this measure for all Project components in the case of non-compliance.

- MM-23 During Project operations, the developer, with regard to the five development parcels, shall, to the extent feasible, ensure that deliveries are scheduled during off-peak traffic periods to encourage the reduction of trips during the most congested periods. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure, with regard to construction associated with the five development parcels.
- MM-24 During Project operations, the developer, with regard to the five development parcels, shall coordinate with the MTA and the Los Angeles Department of Transportation to provide information to Project employees, residents and guests with regard to local bus and rail services. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to construction associated with the five development parcels.
- MM-25 Provide the appropriate number of bicycle racks located at convenient locations in the Project site. The developer shall implement this measure with regard to the five development parcels prior to initial building occupancy for each construction phase. The City's Department of Safety shall review and approve the number and location of the bicycle racks with regard to the five development parcels.
- MM-26 The developer, with regard to the five development parcels, shall provide convenient pedestrian access throughout the Project site. The Developer shall implement this measure with regard to the five development parcels prior to initial building occupancy for each construction phase. Pedestrian access plans shall be submitted to the Authority, for review and approval. Approved pedestrian access plans shall be implemented by the responsible parties.
- MM-27 During on-going Project operations, the developer, with regard to the five development parcels, shall ensure that all fixtures used for lighting of exterior common areas shall be regulated by automatic devices to turn off lights when they are not needed, but a minimum level of lighting should be provided for safety. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this mitigation measure with regard to the five development parcels.

- MM-28 During Project operations, the developer, with regard to the five development parcels, shall ensure that all point source facilities shall obtain all required permits from the SCAQMD. The issuance of these permits by the SCAQMD shall require the operators of these facilities to implement Best Available Control Technology and other required measures that reduce emissions of criteria air pollutants. Proof of permit issuance by the SCAQMD shall be provided to the City's Department of Building and Safety, or other appropriate City agency or department, with regard to the five development parcels. Compliance with point source permits shall be enforced by the SCAQMD for all Project components.
- MM-29 During Project operations, the developer, with regard to the five development parcels, shall ensure that commercial businesses located within the Project site shall be limited to those that do not emit high levels of potentially toxic air contaminants or odors (e.g., dry cleaners with on-site processing plants that handle toxic chemicals). The City's Department of Building and Safety, or other appropriate City agency or department, shall be responsible for the enforcement of this measure with regard to the five development parcels.
- MM-30 Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall prepare and implement building plans and specifications that ensure that all residential and non-residential buildings shall, at a minimum, meet the California Title 24 Energy Efficiency standards for water heating, space heating and cooling. Approved building plans shall be implemented by the developer and the responsible parties. Building plans and specifications with regard to the five development parcels shall be reviewed and approved by the City's Department of Building and Safety, or other appropriate City agency or department.
- MM-31 During each construction phase, the Developer with regard to the five development parcels, shall ensure that building materials, architectural coatings and cleaning solvents shall comply with all applicable SCAQMD rules and regulations. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to construction associated with the five development parcels. The SCAQMD retains enforcement of this measure for all Project components in the case on non-compliance.

#### Fire Protection and Related Services

- MM-32 During demolition activities occurring during each construction phase, the developer, with regard to the five development parcels, shall ensure sure that emergency access shall remain clear and unobstructed. The LAFD shall determine compliance with this measure with regard to the five development parcels.
- MM-33 Prior to each construction phase, the developer, with regard to the five development parcels, shall prepare, and thereafter implement, plans and specifications to ensure that the construction contractor is apprised of the requirement to maintain access to sub-surface parking structures associated with the Civic Center Mall, the Music Center, and the Colburn School for Performing Arts. The LAFD shall determine compliance with this measure with regard to the five development parcels.
- MM-34 During each construction phase, the developer, with regard to the five development parcels, shall maintain access for emergency response personnel to the Kenneth Hahn Hall of Administration, the Paseo de los Pobladores de Los Angeles, the County Courthouse, the Colburn School for Performing Arts, and the Walt Disney Concert Hall. The LAFD shall determine compliance with this measure with regard to construction in the five development parcels.
- MM-35 Prior to each construction phase, the developer, with regard to the five development parcels, shall prepare, and thereafter implement, a plan to ensure that emergency evacuation from the northwest side of the County Mall and Colburn School for Performing Arts, the southeast side of the Music Center and the Walt Disney Concert Hall would not be impeded by construction of the individual Project elements. With respect to the plan for the Mall, it must be prepared to coordinate with emergency evacuation plans for the Courthouse and the Hall of Administration. The LAFD shall determine compliance with this measure with regard to the five development parcels.
- MM-36 During each construction phase, the developer, with regard to the five development parcels, shall ensure that sufficient fire hydrants shall remain accessible at all times during Project construction. The LAFD shall determine compliance with this measure with regard to the five development parcels.
- MM-37 Prior to the start of each construction phase and during Project operations, the developer, with regard to the five development parcels shall comply with all applicable State and local codes and ordinances, and the guidelines found in the Fire Protection and Fire Prevention Plan, and the Safety Plan, both of which are elements of

the General Plan of the City of Los Angeles (C.P.C. 19708). The City of Los Angeles Fire Department (LAFD) shall determine compliance with this measure with regard to the five development parcels.

- MM-38 During Project operations, the developer, with regard to the five development parcels shall maintain all access roads, including fire lanes, in an unobstructed manner, and removal of obstructions shall be at the owner's expense. The entrance to all required fire lanes or required private driveways shall be posted with a sign no less than three square feet in area in accordance with Section 57.09.05 of the Los Angeles Municipal Code. The LAFD shall determine compliance with this measure with regard to the five development parcels.
- MM-39 Prior to the start of each construction phase, the Developer, with regard to the five development parcels, shall prepare, and thereafter implement, plans and specifications in accordance with LAFD requirements, and requirements for necessary permits shall be satisfied prior to commencement of construction on any portion of the five development parcels. The LAFD shall determine compliance with this measure with regard to the five development parcels.
- MM-40 Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall prepare, and thereafter implement, a plan that will assure that any required fire hydrants that are installed shall be fully operational and accepted by the Fire Department prior to any building construction. The LAFD shall determine compliance with this measure with regard to the five development parcels.
- MM-41 Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall submit plot plans indicating access roads and turning areas to the LAFD for review and approval. The developer, with regard to the five development parcels shall implement the approved plot plans. The LAFD shall determine compliance with this measure.
- MM-42 Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall prepare, and thereafter implement, engineering plans that show adequate fire flow and placement of adequate and required public and private fire hydrants. The LAFD shall determine compliance with this measure with regard to the five development parcels.
- MM-43 During each construction phase, the developer, with regard to the five development parcels, shall provide emergency access for Fire

Department apparatus and personnel to and into all structures. The LAFD shall determine compliance with this measure with regard to the five development parcels.

- MM-44 Prior to the start of each construction phase, the developer, with regard to the five development parcels shall prepare, and thereafter implement, a plan that will provide that any private roadways for general access use and fire lanes shall not be less than 20 feet wide and clear to the sky. The LAFD shall determine compliance with this measure with regard to the five development parcels.
- MM-45 Prior to the start of each construction phase, the developer, with regard to the five development parcels shall prepare, and thereafter implement, a plan that will provide that any fire lanes and dead end streets shall terminate in a cul-de-sac or other approved turning area. No dead end street or fire lane shall be greater than 700 feet in length or secondary access shall be required. The LAFD shall determine compliance with this measure with regard to the five development parcels.
- MM-46 Prior to the start of each construction phase, the developer, with regard to the five development parcels shall prepare, and thereafter implement, a plan that designs any proposed development utilizing cluster, group, or condominium design not more than 150 feet from the edge of the roadway of an improved street, access road, or designated fire lane. The LAFD shall determine compliance with this measure with regard to the five development parcels.
- MM-47 Prior to the start of each construction phase, the developer, with regard to the five development parcels shall prepare, and thereafter implement, a plan that designs fire lanes to be not less than 28 feet in width. When a fire lane must accommodate the operation of Fire Department aerial ladder apparatus or where fire hydrants are installed, those portions shall not be less than 28 feet in width. The LAFD shall determine compliance with this measure with regard to the five development parcels.
- MM-48 Prior to the start of each construction phase, the developer, with regard to the five development parcels, where above ground floors are used for residential purposes, shall prepare, and thereafter implement, a plan that interprets the access requirement as being the horizontal travel distance from the street, driveway, alley, or designated fire lane to the main entrance of the residential units. The LAFD shall determine compliance with this measure.

- MM-49 Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall prepare, and thereafter implement, a plan that designs the entrance or exit of all ground level residential units to be no more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane. The LAFD shall determine compliance with this measure.
- MM-50 Prior to the start of each construction phase, the developer, with regard to the five development parcels shall prepare, and thereafter implement, a plan that provides access that requires the accommodation of Fire Department apparatus, shall design the minimum outside radius of the paved surface to be 35 feet. An additional six feet of clear space must be maintained beyond the outside radius to a vertical point 13 feet 6 inches above the paved surface of the roadway. The LAFD shall determine compliance with this measure with regard to the five development parcels.
- MM-51 Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall not construct any building or portion of a building to be more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane. The LAFD shall determine compliance with this measure with regard to the five development parcels.
- MM-52 Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall prepare, and thereafter implement, a plan that provides for access that requires accommodation of Fire Department apparatus, a design for overhead clearances to be not less than 14 feet. The LAFD shall determine compliance with this measure with regard to the five development parcels.
- MM-53 Prior to the start of each construction phase, the developer, with regard to the five development parcels shall prepare, and thereafter implement, a plan that provides for additional vehicular access required by the Fire Department, where buildings exceed 28 feet in height. The LAFD shall determine compliance with this measure with regard to the five development parcels.
- MM-54 Prior to the start of each construction phase, the developer, with regard to the five development parcels shall prepare, and thereafter implement, a plan that provides, where fire apparatus shall be driven onto the road level surface of the subterranean parking structure, for the structure to be engineered to withstand a bearing pressure of 8,600 pounds per square foot. The LAFD shall determine

compliance with this measure with regard to the five development parcels.

- MM-55 Prior to the start of each construction phase, the developer, with regard to the five development parcels shall record any private streets as Private Streets and Fire Lanes. All private street plans shall show the words "Private Street and Fire Lane" within the private street easement. The LAFD shall determine compliance with this measure with regard to the five development parcels.
- MM-56 During operation of the Project, the developer, with regard to the five development parcels, shall provide that all electric gates approved by the Fire Department shall be tested by the Fire Department prior to Building and Safety, or other appropriate City agency or department, granting a Certificate of Occupancy. The LAFD shall determine compliance with this measure.
- MM-57 Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall prepare, and thereafter implement, a plan that would not construct any building or portion of a building more than 300 feet from an approved fire hydrant. Distance shall be computed along path of travel with the exception that dwelling unit travel distance shall be computed to the front door of the unit. The LAFD shall determine compliance with this measure with regard to the five development parcels.
- MM-58 Prior to the start of each construction phase, the developer, with regard to the five development parcels shall submit plans to the Fire Department for review and approval. Where rescue window access is required, the developer, with regard to the five development parcels, shall incorporate conditions and improvements necessary to meet accessibility standards as determined by the LAFD. The LAFD shall determine compliance with this measure.
- MM-59 During operations of the Project, the developer, with regard to the five development parcels shall have the curbs of all public street and fire lane cul-de-sacs painted red and/or be posted "No Parking at Any Time" prior to the issuance of a Certificate of Occupancy or Temporary Certificate of Occupancy for any structures adjacent to the cul-de-sac. The LAFD shall determine compliance with this measure with regard to the five development parcels.
- MM-60 Prior to the start of each construction phase, the developer, with regard to the five development parcels shall submit building plans to the LAFD for review and approval that demonstrate that automatic fire

sprinklers shall be installed in all structures. The LAFD shall determine compliance with this measure.

Hazards and Hazardous Materials

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

Noise

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

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

- MM-72 The developer, with regard to the five development parcels, shall prepare and implement building plans that ensure prior to the start of each construction phase which includes residential development, that all exterior walls, floor-ceiling assemblies (unless within a unit), and windows having a line of sight (30 degrees measured from the horizontal plane) of Grand Avenue, Hill Street, Hope Street, First Street, and Second Street of such residential development shall be constructed with double-paned glass or an equivalent and in a manner to provide an airborne sound insulation system achieving a lab-tested Sound Transmission Class of 30, subject to field testing, as defined in UBC Standard No. 35-1, 1982 edition. Sign off by the City's Department of Building and Safety, or other appropriate City agency or department, shall be required prior to obtaining a building permit. The developer, as an alternative, may retain an engineer registered in the State of California with expertise in acoustical engineering, who shall submit a signed report for an alternative means of sound simulation satisfactory to the City's Department of Building and Safety, or other appropriate City agency or department. Examples of alternative means may include, but are not limited to, the following: (1) acoustical seals for doors and windows opening to the exterior; (2) consideration of the type, location, and size of windows; and (3) sealing or baffling of openings and vents. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure.

#### Parks and Recreation

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

#### Police Protection Services

- MM-74 During each construction phase, the developer, with regard to the five development parcels, shall provide clear and unobstructed LAPD access to the construction site. The LAPD shall determine compliance with this measure with regard to the five development parcels.

- MM-75 During ongoing construction, the developer, with regard to the five development parcels shall provide security features on the construction site(s), such as guards, fencing, and locked entrances. The LAPD shall determine compliance with this measure.
- MM-76 Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall submit plot plans for all proposed development to the Los Angeles Police Department's Crime Prevention Section for review and comment. Security features subsequently recommended by the LAPD shall be implemented by the developer to the extent feasible.
- MM-77 At the completion of each construction phase, the developer, with regard to the five development parcels shall file as-built building plans with the LAPD Central Area Commanding Officer. Plans shall include access routes, floor plans, and any additional information that might facilitate prompt and efficient police response. The LAPD shall determine compliance with this measure.
- MM-78 During Project operations, the developer, with regard to the five development parcels shall install alarms and/or locked gates on doorways providing public access to commercial facilities. The LAPD shall determine compliance with this measure with regard to the five development parcels.
- MM-79 During Project operations, the developer, with regard to the five development parcels shall not plant landscaping in a way that could provide cover for persons tampering with doors or windows of commercial facilities, or for persons lying in wait for pedestrians or parking garage users. The LAPD shall determine compliance with this measure with regard to the five development parcels.
- MM-80 Additional lighting shall be installed where appropriate, including on the Project site and in parking garages, as determined in consultation with the LAPD with regard to the five development parcels. The developer shall implement this measure with regard to the five development parcels prior to initial building occupancy for each construction phase.
- MM-81 Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall prepare, and thereafter implement, a plan that incorporates safety features into the Project's design to assure pedestrian safety, assist in controlling pedestrian traffic flows, and avoid pedestrian/vehicular conflicts on-site. Safety measures may include the provision of security

personnel; clearly designated, well-lighted pedestrian walkways on-site; special street and pedestrian-level lighting; physical barriers (e.g., low walls, landscaping), particularly around the perimeter of the parking garages, to direct pedestrians to specific exit locations that correspond to designated crosswalk locations on adjacent streets. The LAPD shall determine compliance with this measure with regard to the five development parcels.

- MM-82 Prior to the issuance of a certificate of occupancy for each construction phase and during Project operations, the developer, with regard to the five development parcels, shall develop, and thereafter implement, a new or modified Security Plan to minimize the potential for on-site crime and the need for LAPD services. The plan would outline the security services and features to be implemented, as determined in consultation with the LAPD. The LAPD shall determine compliance with this measure with regard to the five development parcels.

The following shall be included in the plan:

1. Provision of an on-site security force that would monitor and patrol the Project site. During operational hours, security officers shall perform pedestrian, vehicular, and/or bicycle patrols.
2. Implementation of a video camera surveillance system and/or a closed-circuit television system;
3. Additional security features shall be incorporated into the design of proposed parking facilities, including "spotters" for parking areas, and ensuring the availability of sufficient parking either on- or off-site for all building employees and anticipated patrons and visitors;
4. Security lighting incorporating good illumination and minimum dead space in the design of entryways, seating areas, lobbies, elevators, service areas, and parking areas to eliminate areas of concealment. Security lighting shall incorporate full cutoff fixtures which minimize glare from the light source and provide light downward and inward to structures to maximize visibility;
5. Provision of lockable doors at appropriate Project entryways, offices, retail stores, and restaurants;
6. Installation of alarms at appropriate Project entryways and ancillary commercial structures;

7. All businesses desiring to sell or allow consumption of alcoholic beverages are subject to the issuance of a Conditional Use Permit by the City;
8. Accessibility for emergency service personnel and vehicles into each structure, and detailed diagram(s) of the Project site, including access routes, unit numbers, and any information that would facilitate police response shall be provided to the Central Area Commanding Officer.
9. In addition, security procedures regarding initial response, investigation, detainment of crime suspects, LAPD notification, crowd and traffic control, and general public assistance shall be outlined in the Security Plan. The plan would be subject to review by the LAPD, and any provisions pertaining to access would be subject to approval by the Los Angeles Department of Transportation.

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

#### School Services

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

#### Solid Waste

MM-85 Prior to the issuance of a certificate of occupancy for each construction phase, and thereafter during Project operations, the developer, with regard to the five development parcels, shall comply with the provisions of City of Los Angeles Ordinance No. 171687 with regard to all new structures constructed as part of the five development parcels. The City's Department of Building and

Safety, or other appropriate City agency or department, shall determine compliance with this measure.

- MM-86 Prior to the issuance of each certificate of occupancy, the developer, with regard to the five development parcels, shall prepare, and thereafter implement, a plan that designs all structures constructed or uses established within any part of the proposed Project site to be permanently equipped with clearly marked, durable, source sorted recyclable bins at all times to facilitate the separation and deposit of recyclable materials. The City's Department of Public Works, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels.
- MM-87 Prior to the issuance of each certificate of occupancy, the developer, with regard to the five development parcels, shall prepare, and thereafter implement, a plan that designs primary collection bins to facilitate mechanized collection of such recyclable wastes for transport to on- or off-site recycling facilities. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels.
- MM-88 During Project operations, the developer, with regard to the five development parcels, shall continuously maintain in good order for the convenience of businesses, patrons, employees and park visitors clearly marked, durable and separate bins on the same lot, or parcel to facilitate the commingled recyclables and deposit of recyclable or commingled waste metal, cardboard, paper, glass, and plastic therein; maintain accessibility to such bins at all times, for collection of such wastes for transport to on- or off-site recycling plants; and require waste haulers to utilize local or regional material recovery facilities as feasible and appropriate. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels.
- MM-89 During each construction phase, the developer, with regard to the five development parcels, shall implement a demolition and construction debris recycling plan, with the explicit intent of requiring recycling during all phases of site preparation and building construction. The City's Department of Building and Safety, or other appropriate City agency or department, shall review and approve the plan with regard to the five development parcels.

Traffic, Circulation and Parking

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

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

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

MM-96 The Developer, with regard to the five development parcels, shall re-stripe the westbound approach of the Third Street and Hill Street intersection from the existing configuration of one left turn lane, one through lane, and one shared through/right-turn lane to a future configuration of one left turn lane, two through lanes, and one exclusive right-turn lane. This improvement would require a slight widening of Third Street west of Hill Street before the entrance to the tunnel within the public right-of-way. The final lane configuration

of this intersection shall be to the satisfaction of the City of Los Angeles Department of Transportation. In addition, any street widening and construction activities shall be coordinated with the City of Los Angeles Department of Public Works, Bureau of Engineering.

#### Wastewater

- MM-97 Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall comply with City ordinances limiting connections to the City sewer system, in accordance with City Bureau of Sanitation procedures. The City's Department of Public Works, Sanitation Bureau or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels.
- MM-98 Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall prepare, and thereafter implement, building plan specifications for the installation of low-flow water fixtures and further encourage reduction of water consumption to minimize wastewater flow to the sewer system, in accordance with applicable water conservation requirements. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels.

#### Water Supply

- MM-99 Prior to initial occupancy of the buildings within Parcels L and W-1/W-2, the developer shall install new water lines along Second Street, from Olive Street to Hill Street to serve Parcels W-1/W-2, and from Hope Street to Lower Grand Avenue to serve Parcel L. The City's Department of Public Works shall review and approve all plans related to these new water lines. The developer shall be responsible for the implementation of these improvements.
- MM-100 Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall call DIG-ALERT to identify and mark on the ground surface the locations of existing underground utilities. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels.
- MM-101 Prior to the start off each construction phase, the developer, with regard to the five development parcels, shall perform potholing of

existing water and gas mains to verify the depth of cover. If the depth of cover over the lines is shallow and the total street pavement section is thick (around 24 inches), then the temporary cover over the lines during construction may be reduced to 12 inches or less. Under these circumstances, protective measures shall be implemented to prevent damage or breakage of the lines during the pavement sub-grade preparation process, notices of service interruption, if necessary, shall be provided to customers in accordance with DWP-Water and ACG requirements. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels.

- MM-102 Prior to issuance of building permits for each construction phase, the developer, with regard to the five development parcels, shall pay the appropriate fees as may be imposed by the City's Department of Building and Safety, or other appropriate City agency or department. A percentage of building permit fees is contributed to the fire hydrant fund, which provides for citywide fire protection improvements. Compliance with this measure shall be determined by the City's Department of Building and Safety, or other appropriate City agency or department.
- MM-103 Prior the issuance of building permits for each construction phase, the developer, with regard to the five development parcels shall coordinate with the Los Angeles Department of Water and Power to conduct a flow test to confirm that the existing water system meets fire flow requirements imposed by the LAFD for the Project. The developer, with regard to the five development parcels shall undertake and complete required improvements as identified by the LADWP, based on the findings of the flow test. The City's Department of Public Works, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels.
- MM-104 During Project operations, the developer, with regard to the five development parcels, shall incorporate Phase I of the City of Los Angeles' Emergency Water Conservation Plan into all privately operated parcels. The Plan prohibits hose watering of driveways and associated walkways, mandates decorative fountains to use recycled water, mandates drinking water in restaurants to be served upon request only, and provides that water leaks are repaired in a timely manner. The City's Department of Public Works, or other appropriate City agency or department, shall determine compliance with this measure.

- MM-105 During Project operations, incorporate Los Angeles County water conservation policies into the County Office Building, if the Project proceeds with the County office building option. The County with regard to the County Office Building, if the Project proceeds with the County office building option, shall be responsible for implementing this measure. The implementation of this measure shall be subject to the review and approval of the County's CAO or its designee.
- MM-106 During Project operations, the developer, with regard to the five development parcels, and the County Office Building operator shall comply with any additional mandatory water use restrictions imposed as a result of drought conditions. The City's Department of Public Works, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels.
- MM-107 During Project operations, the developer, with regard to the five development parcels, shall install automatic sprinkler systems to irrigate landscaping during morning hours or during the evening to reduce water losses from evaporation, and sprinklers shall be reset to water less often in cooler months and during the rainfall season so that water is not wasted by excessive landscape irrigation. The City's Department of Public Works, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels.

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

- C-1. That approval of this tract constitutes approval of model home uses, including a sales office and off-street parking. Where the existing zoning is (T) or (Q) for multiple residential use, no construction or use of model homes shall be permitted until the final map has recorded or the proper zone has been effectuated. If models are constructed under this tract approval, the following conditions shall apply:
1. Prior to recordation of the final map, the subdivider shall submit a plot plan for approval by the Division of Land Section of the Department of City Planning showing the location of the model dwellings, sales office and off-street parking. The sales office must be within one of the model buildings.
  2. All other conditions applying to Model Dwellings under Section 12.22A, 10 and 11 and Section 17.05 O of the Code shall be fully complied with satisfactory to the Department of Building and Safety.

- C-2. Prior to the recordation of the final map, the subdivider shall pay or guarantee the payment of a park and recreation fee based on the latest fee rate schedule applicable. The amount of said fee to be established by the Advisory Agency in accordance with Section 17.12 of the Los Angeles Municipal Code and to be paid and deposited in the trust accounts of the Park and Recreation Fund.
- C-3. That a landscape plan, prepared by a licensed landscape architect, be submitted to and approved by the Advisory Agency in accordance with CP-6730 prior to obtaining any grading or building permits before the recordation of the final map.

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

- C-4. In order to expedite the development, the applicant may apply for a building permit for an apartment building. However, prior to issuance of a building permit for apartments, the registered civil engineer, architect or licensed land surveyor shall certify in a letter to the Advisory Agency that all applicable tract conditions affecting the physical design of the building and/or site, have been included into the building plans. Such letter is sufficient to clear this condition. In addition, all of the applicable tract conditions shall be stated in full on the building plans and a copy of the plans shall be reviewed and approved by the Advisory Agency prior to submittal to the Department of Building and Safety for a building permit.

OR

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

#### **BUREAU OF ENGINEERING - STANDARD CONDITIONS**

- S-1. (a) That the sewerage facilities charge be deposited prior to recordation of the final map over all of the tract in conformance with Section 64.11.2 of the Municipal Code.
- (b) That survey boundary monuments be established in the field in a manner satisfactory to the City Engineer and located within the California Coordinate System prior to recordation of the final map. Any alternative measure approved by the City Engineer would require prior submission of complete field notes in support of the boundary survey.

- (c) That satisfactory arrangements be made with both the Water System and the Power System of the Department of Water and Power with respect to water mains, fire hydrants, service connections and public utility easements.
- (d) That any necessary sewer, street, drainage and street lighting easements be dedicated. In the event it is necessary to obtain off-site easements by separate instruments, records of the Bureau of Right-of-Way and Land shall verify that such easements have been obtained. The above requirements do not apply to easements of off-site sewers to be provided by the City.
- (e) That drainage matters be taken care of satisfactory to the City Engineer.
- (f) That satisfactory street, sewer and drainage plans and profiles as required, together with a lot grading plan of the tract and any necessary topography of adjoining areas be submitted to the City Engineer.
- (g) That any required slope easements be dedicated by the final map.
- (h) That each lot in the tract complies with the width and area requirements of the Zoning Ordinance.
- (i) That 1-foot future streets and/or alleys be shown along the outside of incomplete public dedications and across the termini of all dedications abutting unsubdivided property. The 1-foot dedications on the map shall include a restriction against their use of access purposes until such time as they are accepted for public use.
- (j) That any 1-foot future street and/or alley adjoining the tract be dedicated for public use by the tract, or that a suitable resolution of acceptance be transmitted to the City Council with the final map.
- (k) That no public street grade exceeds 15%.
- (l) That any necessary additional street dedications be provided to comply with the Americans with Disabilities Act (ADA) of 1990.

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

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

- (b) Make satisfactory arrangements with the Department of Traffic with respect to street name, warning, regulatory and guide signs.
- (c) All grading done on private property outside the tract boundaries in connection with public improvements shall be performed within dedicated slope easements or by grants of satisfactory rights of entry by the affected property owners.
- (d) All improvements within public streets, private streets alleys and easements shall be constructed under permit in conformity with plans and specifications approved by the Bureau of Engineering.
- (e) Any required bonded sewer fees shall be paid prior to recordation of the final map.

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

- (a) Construct on-site sewers to serve the tract as determined by the City Engineer.
- (b) Construct any necessary drainage facilities.
- (c) Install street lighting facilities to serve the tract as required by the Bureau of Street Lighting.
  - 1. Install tunnel and/or wall lighting on Lower Grand Avenue to the satisfaction of the Bureau of Street Lighting.
  - 2. If street widening per S-3 (i) relocate and upgrade street lights; seven (7) on Grand Avenue (3) on 1<sup>st</sup>, and six (6) on Olive St.

Notes: The quantity of street lights identified may be modified slightly during the plan check process based on illumination calculations and equipment selection. Conditions set: 1) in compliance with a Specific Plan, 2) by LADOT, or 3) by other legal instrument excluding the Bureau of Engineering condition S-3 (i), requiring an improvement that will change the geometrics of the public roadway may require additional or the reconstruction of street lighting improvements as part of that condition.

- (d) Plant street trees and remove any existing trees within dedicated streets or proposed dedicated streets as required by the Street Tree Division of the Bureau of Street Maintenance. All street tree plantings shall be brought up to current standards. When the City has previously been paid

for tree planting, the subdivider or contractor shall notify the Street Tree Division ((213) 485-5675) upon completion of construction to expedite tree planting.

- (e) Repair or replace any off-grade or broken curb, gutter and sidewalk satisfactory to the City Engineer.
- (f) Construct access ramps for the handicapped as required by the City Engineer.
- (g) Close any unused driveways satisfactory to the City Engineer.
- (h) Construct any necessary additional street improvements to comply with the Americans with Disabilities Act (ADA) of 1990.
- (i) That the following improvements be either constructed prior to recordation of the final map or that the construction be suitably guaranteed:

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

1. Improve 1<sup>st</sup> Street being dedicated and adjoining the subdivision by the construction of:
  - (a) A concrete curb, a concrete gutter, and a 17-foot full-width concrete sidewalk with tree wells.
  - (b) Any necessary removal and reconstruction of existing improvements.
2. Improve upper 2<sup>nd</sup> Street adjoining the subdivision by the construction of the following:
  - (a) A concrete curb, a concrete gutter, and a minimum 10-foot full-width concrete sidewalk with tree wells.
  - (b) Suitable surfacing to join the existing pavement and to complete a minimum 40-foot roadway or as constructed by other entities.
  - (c) Any necessary removal and reconstruction of existing improvements.
  - (d) The necessary transitions to join the existing improvement.

- (e) The improvement requirements may be deleted if the improvements have been suitably guaranteed by others in a manner satisfactory to the City Engineer.

**NOTES:**

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

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

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

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

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

The subdivider should consult the Department of Water and Power to obtain energy saving design features which can be incorporated into the final building plans for the subject development. As part of the Total Energy Management Program of the Department of Water and Power, this no-cost consultation service will be provided to the subdivider upon his request.

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

**FINDINGS OF FACT (CEQA)**

On November 20, 2006, the Los Angeles Grand Avenue Authority (Authority) adopted the Grand Avenue Final Environmental Impact Report (FEIR) (State Clearinghouse No. 2005091041), dated November 2006, and also adopted the necessary Resolutions and

made findings required under California Public Resources Code Section 21081 and State CEQA Guideline 15091 (the "Authority's CEQZ Findings") stating the FEIR was completed in compliance with the California Environmental Quality Act Public Resources Code Section 21000 et seq., the CEQA Guidelines, all applicable local guidelines concerning the application and implementation of that statute, and all applicable case law concerning that statute and the CEQA Guidelines (collectively, "CEQA"). The Authority, which is an independent public agency established through a Joint Exercise of Powers Agreement (The "JPA Agreement") between the Community Redevelopment Agency of the City of Los Angeles ("CRA/LA") and the County of Los Angeles ("County"), was responsible for the preparation of the FEIR. The County and the CRA/LA have served as "Responsible Agencies" for the Project as that term is defined under CEQA Guidelines 15096 and 15381. As Responsible Agencies, the County and CRA/LA have worked closely with the Authority in ensuring the FEIR has examined all potential environmental impacts.

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

The Advisory Agency is a Responsible Agency, pursuant to State CEQA Guidelines Sections 15096, and must make those findings with respect to the project required under Public Resources Code Section 21081 and State CEQA Guidelines Sections 15091. The recommended actions implement and further the purposes of CEQA. In making the decision to approve Tentative Tract Map No. 67490, the Advisory Agency of the City of Los Angeles certifies that it has reviewed and considered the information contained in EIR No. SCH 2005091041. The Advisory Agency hereby adopts the Findings and certifies the EIR, consistent with the action of the Authority.

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

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

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

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

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

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

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

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

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

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

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

Second, the Project's sustainability, energy conservation, and efficiency is reflected throughout the EIR and in the DDA. For example, a number of the Project objectives emphasize the pedestrian and public transit opportunities that will be created by the Project, as well as its linkages between pedestrian, public transit and other public roadways. The Project will also promote energy efficiency through reduced reliance on the automobiles, an improvement of jobs/housing balance, and the encouragement of the use of public transportation to and from the downtown area.

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

Fourth, the incorporation of "Title 24" (the State's Energy Code) requirements into the Project is reflected in Regulatory Measure F-2, which states: "all residential and non-residential buildings shall, at minimum, meet the California Title 24 Energy Efficiency Standards for water heating, space heating and cooling." Thus, the Project will comply with all requirements of Title 24 applicable to the residential and commercial components. California's Title 24 is the most restrictive energy code in the nation, and

imposes strict standards in order to achieve energy efficiency. With regard to comments suggesting the inclusion of Leadership in Energy and Environmental Design (LEED), as the Project's final building designs have not been developed as of this date, a commitment to specific LEED building design measures would be premature and, therefore, any further discussion of specific energy design features would be speculative.

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

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

Notice of Preparation (NOP): In accordance with the requirements of CEQA, the Authority circulated a Notice of Preparation (NOP) for the proposed project on September 6, 2005. The purpose of the NOP was to solicit comments on the proposed content of the Draft EIR. The NOP was circulated for a period of 35 days, until October 10, 2005. The Parcels are identified by these letters in the Redevelopment Plan for the Bunker Hill Redevelopment Project Area.

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

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

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

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

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

Location of Records: In accordance with CEQA Guideline 15091(e), the documents and materials that constitute the record of the proceedings concerning the Authority's decision to certify the FEIR and approve the Project and all associated agreements shall be kept and maintained by the Managing Director of the Grand Avenue Committee, whose offices are located at 445 South Figueroa Street, Suite 3400, Los Angeles, CA 90071, telephone number (213) 413-4130. The Authority has the discretion to transfer or locate these records at the office of the County CAO Asset Management Division, located at 500 West Temple Street, 7th Floor, Los Angeles, CA 90012, and/or CRA/LA, located at 354 South Spring Street, Los Angeles, CA 90013 and/or, located at 200 North Spring Street, Room 750, Los Angeles, CA 90012.

## 1.2 PROJECT FINDINGS INTRODUCTION

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

CEQA and the CEQA Guidelines provide that no public agency shall approve or carry out a project for which an environmental impact report has been certified which

identifies one or more significant effects on the environment that would occur if the project is approved or carried out, unless, for each significant impact, the public agency makes one or more of the following findings, as appropriate in accordance with PRC Section 21081 and CEQA Guidelines Section 15091:

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

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

### 1.3 DESCRIPTION OF PROPOSED PROJECT

The Project consists of three major components: (1) the creation of the 16-acre Civic Park that builds upon and expands the Civic Mall, and when completed, will connect the Los Angeles City Hall to Grand Avenue; (2) streetscape improvements along Grand Avenue from Fifth Street to Cesar E. Chavez Avenue; and (3) the development of five parcels which are referred to as Parcels Q, W-1, W-2, L and M-2. Parcels Q and W-2 are currently owned by the County, Parcels L and M-2 are currently owned by CRA/LA, and Parcel W-1 is owned by a private third party. (While the developer is pursuing the acquisition of Parcel W-1, the development of the other parcels and components of the Project may proceed even if the developer does not acquire Parcel W-1.) The Parcels are identified by these letters in the Redevelopment Plan for the Bunker Hill Redevelopment Project Area. The Project currently consists of two development options, referred to in the Findings and the FEIR, as the "Project with County Office Building Option," and the "Project with Additional Residential Development Option." Under the Project with County Office Building Option, development of the five parcels will consist of up to 2,060 residential units, 20 percent of which (up to 412 units) would be provided as affordable housing; up to 275 hotel rooms, up to 449,000 square feet of retail space and up to 681,000 square feet of County office space. Under the Project

with Additional Residential Development Option, the 681,000 square feet of County office space would be replaced with up to 600 additional residential units, 20 percent (up to 120 units) would be provided as affordable housing. All other components of the Project would be the same under this option, and would include 275 hotel rooms, and 449,000 square feet of retail space. The proposed County office space under the Project with County Office Building Option would be constructed in the third phase of the Project when parcels W-1 and W-2 are developed. The proposed residential units under the Project with Additional Residential Development Option would be developed on parcel W-2 of the Project. Under that certain Disposition and Development Agreement between the Authority and Related (the "DDA"), recommended to be approved subsequent to consideration and certification of the FEIR, the County's option for development of a public office building during the third phase of development expires on a specific date in the future. If the County does not exercise this option, the developer may develop the Project consistent with the Additional Residential Development Option.

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

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

The Project will also entail streetscape improvements along Grand Avenue from Fifth Street to Cesar E. Chavez Avenue. Streetscape improvements are anticipated to include widened shaded sidewalks where feasible, landscaping, as well as a range of street furnishings, including benches and chairs.

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

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

#### 1.4 FINDINGS OF FACT

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

##### Cumulative Impacts

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

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

- i. Potential Impacts – The Project may have a significant land use in the areas of consistency with land use plans and compatibility with surrounding uses impact if:
  - a. The Project development would be incompatible with surrounding land uses or land use patterns in relation to scale, use, or intensity.
  - b. The Project would not be consistent with any applicable land use plan or policy of an agency with jurisdiction over the Project adopted for the purpose of avoiding or mitigating an environmental effect.
- ii. Findings – The Project will not have a significant impact concerning consistency with land use plans or compatibility with surrounding uses. Therefore, no mitigation measures are required or were identified in the FEIR.

- iii. Supportive Evidence and Rationale – The Project’s potential land use impacts concerning consistency with land use plans and compatibility with surrounding uses are analyzed in detail in Section IV.A. of the DEIR. The Project would be compatible with the adjacent and surrounding existing land uses and, as such, the Project would not create a division or disruption of an established community. Further, the Project’s scale and mix of uses complement, and will be consistent with, the surrounding commercial and residential uses in the downtown area. In addition, the Project would be consistent with adopted land use plans, including the City’s General Plan Framework, the Central City Community Plan, the Bunker Hill Redevelopment Plan, and the Southern California Association of Governments’ Regional Comprehensive Plan and Guide. Thus, the Project would result in less than significant impacts relative to land use compatibility and adopted land use plans.
- iv. Cumulative Impacts – The 93 related projects that are planned or are under construction in the Project area are anticipated to occur in accordance with adopted land use plans and regulations. It is reasonable to assume that the projects under consideration in the area surrounding the Project would implement and support important local and regional planning goals and policies. It is also anticipated that any new projects would be subject to an environmental review process and would incorporate any mitigation measures necessary to reduce potential land use impacts. Therefore, no significant impacts with regard to adopted land use plans would occur.

B. Land Use (Zoning)

- i. Potential Impacts – The Project may have a significant zoning impact if:
  - a. The Project is not consistent with any land use or zoning law or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect.
- ii. Findings – The Project will cause a significant and unavoidable land use impact relative to the zoning regulations of the City of Los Angeles on a project-specific and cumulative basis. The Authority makes the following finding for this impact:
  - a. This impact can be mitigated to a level of less than significant if the City approves certain land use entitlements that have been applied for by the developer, which application is still pending as of the date of these Findings. Accordingly, the Authority finds that measures, such changes or alterations to the Project necessary to mitigate this impact are within the responsibility and jurisdiction of another public

agency and not the Authority. The Authority further finds that such measures, changes or alterations should be adopted by such other agency.

- b. For the reasons set forth in the Statement of Overriding Considerations adopted concurrently by the Authority, the Authority finds that the significant impact identified in this Section is acceptable in light of the Project's overall benefits.
  - iii. Supportive Evidence and Rationale – The FEIR analyzed in detail the Project's land use impact relative to zoning in Section IV.A of the DEIR. The County Office Building Option and the Additional Residential Development Option would require zone changes and variances to permit the proposed development of five development parcels. With the granting of such zone changes and variances, which may be granted only after certification of the Final EIR by the Lead Agency and concurrently with action on the entitlements requested from the City by the developer, there would be no significant zoning impact. However, since the Project, under both Project Options, would be acted on by the Lead Agency (the Authority) prior to the City's decision on such zoning requests, the Project would not be in compliance with the current zoning provisions at the time of the Authority's approval of the Project. Therefore, it is conservatively concluded that, for purposes of CEQA, there would be a significant impact relative to zoning. No mitigation within the jurisdiction of the Authority exists to address non-compliance with the City's existing zoning regulations. The necessary change required in order to avoid this significant impact lies not with the Authority, but rather with the City of Los Angeles.
  - iv. Cumulative Impact – Since the Project would create a significant impact with respect to the City's zoning and regulations, and related projects may require a variety of variances and zone changes, it is conservatively concluded that cumulative zoning impacts would be significant and unavoidable.
- C. Traffic, Circulation and Parking (Traffic, Construction)
- i. Potential Impacts – The construction of the Project would cause a significant traffic impact due to (1) hauling activities; (2) temporary lane closures; (3) reconstruction of Civic Mall Ramps, (4) pedestrian access; (5) bus stop relocation; and (6) construction worker parking if:
    - a. The Project construction causes substantial delays and disruption of existing traffic and pedestrian flow.
    - b. The Project causes temporary relocation of existing bus stops to more than one-quarter mile from their existing stops.

- ii. Findings – The Project will not cause a significant traffic impact with respect to pedestrian access, bus stop relocation and construction worker parking due to, among other reasons, the adoption of the measures identified in this Section XI-B(a) of the Findings. The construction of the Project will cause a significant and unavoidable traffic impact with respect to hauling activities, temporary lane closures, and reconstruction of the Civic Mall's parking ramps on a project-specific and cumulative basis. With respect to those significant and unavoidable impacts, the Authority makes the following findings:
- a. All feasible measures, changes and alterations have been required in, or incorporated into, the Project, which will lessen such significant environmental effects.
  - b. For the reasons set forth in the Statement of Overriding Considerations adopted concurrently by the Authority, the Authority finds that the significant impact identified in this Section XI-B(a) is acceptable in light of the Project's overall benefits.

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

**Mitigation Measure B-1:** The developer with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements, shall prepare, prior to the start of each construction work phase, a Construction Traffic Control/Management Plan ("Plan") to be approved by the City of Los Angeles Department of Transportation ("LADOT") and implemented by the responsible party. The Plan shall include, but not be limited to, Project scheduling, the location and timing of any temporary land closures, traffic detours, haul routes, temporary roadway striping, and signage for traffic flow, as necessary, as well as the identification and signage of alternative pedestrian routes in the immediate vicinity of the Project, if necessary. The Plan should also provide for the coordination of construction areas, and for safe pedestrian movement throughout the Project Area such that adequate and safe pedestrian movement access is maintained to adjacent uses including the Walt Disney Concert Hall, the Music Center, the County Courthouse, and the Metro Red Line station portals (on Parcel W-2 and on the Court of Flags).

**Mitigation Measure B-2:** After approval of the Construction Traffic Control/Management Plan(s) required under Mitigation Measure B-1 and prior to the start of each construction work phase, the developer with

regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements, shall submit a copy of the Plan(s) to the Authority or other appropriate agency, the City Chief Administrative Officer or designee, and the County of Los Angeles Chief Administrative Officer ("County CAO"). Following receipt of the Plan(s), the County CAO shall distribute that information to all County properties on Grand Avenue, including the Hall of Administration, County Courthouse, the Walt Disney Concert Hall, and the Music Center, for further distribution of information to employees and visitors on construction schedules, alternative travel routes, and land and sidewalk closure information, as appropriate, and the Authority or other appropriate agency, or the City, shall distribute to the appropriate City departments for the same purpose.

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

- iii. Supportive Evidence and Rationale – The EIR analyzed in detail the potential traffic impacts caused by Project construction in Section IV.B of the DEIR. No significant impacts on pedestrian circulation during construction would occur, and a less than significant impact will result to bus stop relocation. Although sidewalk closures may occur, one side of the street will continue to be available. Any potential increase in walking distance for pedestrians would not amount to a significant impact. Further, the temporary relocation of bus stops would be within two blocks of the Project site and within one-quarter mile of the original stop location, which is a distance that will not cause a significant impact. Also, with the implementation of Mitigation Measure B-3, no significant impact will result due to construction worker parking. The FEIR also evaluated the impact of construction trucks on A.M. peak hour traffic on roadways. During more than half of the Project's construction period, construction would generate approximately 40 trips a day, which would have minimal effect on peak hour roadway conditions. The highest number of daily truck trips would occur during the Project's peak excavation phases, and would range from approximately 130 to 300 haul trucks a day. As these trips would also be distributed throughout the day, the actual number of haul truck trips that would occur during the A.M. peak hour period would be relatively low. In

addition, consistent with standard industry practice, the hauling of over-weight or over-size equipment during construction would largely occur prior to the A.M. peak hour period. With respect to the probably low number of truck trips that would occur during the A.M. peak period, the Project shall comply with the requirements of the City of Los Angeles with regard to haul truck trips attributable to the construction of the Project, as will be established in connection with LADOT's review and approval of the Project's Construction Traffic Control/Management Plan and/or conditions of approval by the City in the various land use entitlements applied for by the Developer. However, it is conservatively concluded that because a portion of the construction truck trips could occur during peak hauling periods, including during the A.M. peak hour, a potentially significant and unavoidable short-term traffic impact may occur. Also, during the reconstruction of the Grand Avenue and Hill Street ramps to the existing Civic Center Mall garage, the diversion of traffic to alternate garage entrances would affect streets in the immediate vicinity of the County Garage block and potentially create a short-term significant and unavoidable traffic impact. Finally, complete closures of any streets are not expected during construction. However, such closures could occur due to unforeseen circumstances, in which case, they would cause temporary significant impacts. It is expected that, at most, one traffic or parking lane adjacent to the curb may need to be closed at certain locations for periods of up to 4 to 6 months, or up to approximately 18 to 24 months, depending on the stage of construction. Although temporary in nature, such closures would cause significant traffic impacts during such periods of time.

iv. Cumulative Impacts

- a. **Hauling.** The Project's highest periods of haul truck activity would be in the initial six to eight months of construction for each parcel, when trucks would carry excavated material from the site. During those periods a peak of 300 trucks a day are estimated. Because some of these trips could occur in the A.M. peak hour, haul truck trip periods could cause short-term, significant cumulative traffic impacts. Hauling required for the construction of some of the 93 related projects would potentially overlap with the initial six to eight months of construction for each of the Project's development parcels. Therefore, haul truck impacts would be cumulatively significant.
- b. **Closure of Civic Mall Ramps.** In order to facilitate the development of the new Civic Park, the ramps to/from the County Mall parking garage on Grand Avenue will be reconfigured. Such work would require the ramps to be shut down for a period of time during the reconstruction. The diversion of traffic to alternate

garage entrances would only affect streets in the immediate vicinity of the County Garage block, but could potentially create temporary and short-term cumulatively significant traffic impacts. The temporary closure of access to related project sites would not impact the same streets adjacent to the County Garage block. However, other temporary access closures at any of the other sites, particularly the 15 related projects located on Grand Avenue, Olive Street, and Hill Street, would cumulatively contribute to congestion and, as such, would be cumulatively significant.

- c. **Temporary Lane Closures.** Complete closures of any streets are not expected during construction. However, such lane closures could occur due to unforeseen circumstances, in which case they would cause temporary cumulatively significant impacts. The construction of any of the related projects has the potential to require temporary lane closures. Therefore, the impact of the Project and related projects, particularly the 15 related projects located on Grand Avenue, Olive Street, and Hill Street, would cumulatively contribute to congestion impacts resulting from temporary lane closures and such impacts are found to be cumulatively significant.
- d. **Construction Workers.** The 93 related projects would draw upon a construction workforce from all parts of the Los Angeles region. However, since the majority of construction workers are anticipated to arrive and depart the individual construction sites during off peak hours, cumulative traffic impacts due to construction workers trips are concluded to be less than significant.

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

- i. Impacts – Operation of the Project may cause a significant traffic impact relative to (1) intersection capacity; (2) the County-wide Congestion Management Plan for Regional Highways (“CMP”); (3) driveway access; and (4) transit capacity.
  - a. An intersection would be significantly impacted with an increase in V/C ratio equal to or greater than 0.04 for intersections operating at LOS C; an increase in V/C ratio equal to or greater than 0.02 for intersections operating at LOS D; and V/C ration equal to or greater than 0.01 for intersections operating at LOS E or F, after the addition of related projects, ambient growth, and Project traffic.
  - b. A significant driveway access impact would occur if:

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

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

**Mitigation Measure B-4:** If the Project proceeds with the County office building option, the County, on an on-going basis following initial occupancy, shall fund and implement a Transportation Demand Management (TDM) program for the proposed County office use in Parcel W-1/W-2. The County's CAO shall ensure the County's review and approval of this TDM program. The TDM program could, for example,

include an onsite transportation coordinator, post information on transit, and provide logistical support for the formation of carpools and vanpools, and other incentives to use transit and rideshare.

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

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

1. Provide enhanced walking connections along the Project street frontages to transit service (to bus stops and to the Red Line station portals at First Street and Hill Street). These could comprise pedestrian amenities along the Project's street frontages, including landscaped sidewalks, wider crosswalks where feasible at key intersections, improved lighting for pedestrian safety at nighttime, and pedestrian wayfinding signage, to facilitate walking in the Project area. The developer shall implement this measure with regard to the five development parcels prior to initial building occupancy for each development phase; while, the responsible parties for the implementation of the Civic Park and Streetscape Program, under the applicable agreements, shall implement these measures prior to the completion of construction for each of these Project components.
2. The developer, as determined by LADOT and prior to initial building occupancy for each development phase, shall provide enhanced bus stops on the street frontages of the five development parcels.

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

**Mitigation Measure B-7:** The Developer, with regard to the five development parcels, shall re-stripe the westbound approach of the Third Street and Hill Street intersection from the existing configuration of one left turn lane, one through lane, and one shared through/right-turn lane to a future configuration of one left turn lane, two through lanes, and one exclusive right-turn lane. This improvement would require a slight widening of Third Street west of Hill Street before the entrance to the

tunnel within the public right-of-way. The final lane configuration of this intersection shall be to the satisfaction of the City of Los Angeles Department of Transportation. In addition, any street widening and construction activities shall be coordinated with the City of Los Angeles Department of Public Works, Bureau of Engineering.

- iii. Supportive Evidence and Rationale – The FEIR analyzed in detail the potential traffic impacts that may be caused by Project operation in Section IV.B of the DEIR. Specifically:
  - a. Intersections: The Project with County Office Building Option would generate approximately 1,551 A.M. peak hour trips and 2,464 P.M. peak hour trips. This Option would result in significant traffic impacts at seven intersections in the A.M. peak hour and in significant traffic impacts at seventeen intersections in the P.M. peak hour. The Project with Additional Residential Development Option would generate approximately 1,019 trips in the A.M. peak hour and 2,003 trips in the P.M. peak hour. This Option would result in a significant traffic impact at six intersections in the A.M. peak hour and seventeen intersections in the P.M. peak hour. With the implementation of all the mitigation measures, including the ATCS and the intersection mitigation measures, one intersection in the A.M. peak hour and 12 intersections in the P.M. peak hour would be significantly and unavoidably impacted under the Project with County Office Building Option. With the implementation of all the mitigation measures, including ATCS and intersection mitigation measures, no intersections in the A.M. peak hour and 7 intersections in the P.M. peak hour would be significantly and unavoidably impacted under the Project with Additional Residential Development Option.
  - b. Access: No driveway intersection approach under either Project Option would exceed LOS D. Therefore, the Project would not cause any significant traffic impacts at proposed driveway locations.
  - c. Freeway/CMP Impacts. The Project with County Office Building Option would cause two significant traffic impacts on the freeway system, one of which would occur at a CMP monitoring location (US-101 Hollywood Freeway north of Vignes Street). However, the Project with Additional Residential Development Option would cause no significant freeway traffic impacts. The Project with County Office Building Option's significant impacts on the US-101 Hollywood Freeway between Grand Avenue and Hill Street, and on the US-101 Hollywood Freeway north of Vignes Street (a CMP location) would be reduced to a less than significant level through

the implementation of the proposed mitigation measures. Freeway/CMP impacts under the Project with Additional Residential Development Option would be less than significant.

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

iv. Cumulative Impacts

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

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

D. Traffic, Circulation and Parking (Parking Impacts)

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

another public agency and not the Authority. The Authority further finds that such measures, changes or alterations should be adopted by such other agency.

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

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

A minor change in the Project's parking arrangements for this first phase of development has been proposed by the developer since publication of the DEIR. This change would cause up to 227 parking spaces to be provided off-site up to two blocks from the Project site. However, there would be no significant parking impacts associated with this parking strategy. During evenings and weekends, there are sufficient spaces available in the Civic Center/Bunker Hill area as office buildings are closed. During the daytime, the most likely location sufficient spaces in the Walt Disney Hall Concert Hall garage would be available, even with

the relocation of existing spaces from Parcel Q and Parcel W-1/W-2 due to the Project. Further, because these spaces would be provided within one or two blocks of Parcel Q, and because they would represent only 4% of the total Project parking supply, it is not expected that the distribution patterns of Project traffic would be significantly different from the patterns analyzed in the FEIR. Accordingly, the Authority finds that this minor potential change in the Project will not cause a significant new environmental impact.

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

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

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

- i. Potential Impacts – The Project may cause a significant visual quality impact if:
  - a. The Project would substantially alter, degrade or eliminate the existing visual character of the area, including visually prominent existing features or other valued resources.
  - b. The Project features would substantially contrast with the visual character of the surrounding area and its aesthetic image.
  - c. The implementation of the Project would preclude the attainment of existing aesthetics regulations or applicable plans.
- ii. Findings - A potentially significant visual quality impact due to construction of the Project is identified in the EIR. However, with the implementation of a mitigation measure, a regulatory measure, and project design features,

this potentially significant impact will be reduced to a less than significant impact.

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

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

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

**Project Design Feature C-2:** Prior to the start of each construction work phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements, shall schedule and coordinate sidewalk construction with the development of the adjacent parcels to reduce the duration and visual impact of construction activities. Scheduling of construction activities for the five development parcels, the

Civic Park and the Streetscape Program shall be reviewed and approved by the Authority and implemented by the responsible parties.

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

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

- i. Impacts – The Project may cause a significant visual quality impact if:
  - a. The Project would substantially alter, degrade or eliminate the existing visual character of the area, including visually prominent existing features or other valued resources.
  - b. The Project features would substantially contrast with the visual character of the surrounding area and its aesthetic image.
  - c. The implementation of the Project would preclude the attainment of existing aesthetics regulations or applicable plans.
- ii. Findings - A less than significant visual quality impact due to operation of the Project is identified in the FEIR. However, the following regulatory measures, and a project design feature are identified in the FEIR to ensure a less than significant impact.

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

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

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

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

- iii. Supportive Evidence and Rationale – The FEIR discusses the less than significant visual quality impact caused by Project operations in Section IV.C of the DEIR. The Grand Avenue streetscape program would improve the aesthetic quality and ambience of Grand Avenue and would create an appealing pedestrian environment. Existing visual and pedestrian access into the Civic Park would be improved and the extension of the Civic Park to Spring Street would enhance the aesthetic context of Los Angeles' City

Hall. The Project's towers would contribute to the visual continuity of the tall and varied structures comprising the City's skyline and would be consistent with the aesthetic components that represent downtown's aesthetic image. The Project is anticipated to be consistent with the urban design policies that call for the shaping of a skyline that parallels and accentuates the topography of Bunker Hill, the integration of street-front retail with the streetscape, and the addition of public art into the Grand Avenue right-of-way. As such, the Project's visual quality impacts would be less than significant.

- iv. Cumulative Impacts - The related development projects identified in the FEIR as Nos. 9, 27, 88, and 92 are located in close proximity to the Project site and, as such, have the potential to cumulatively contribute to the visual quality of the area. It is anticipated, however, that all of the related projects would be constructed with high-quality materials and architectural design and would be consistent in scale with the surrounding buildings. In addition, it is anticipated that the related projects would contribute to sidewalk and streetscape improvements and, therefore, would improve the visual quality of the downtown area. Therefore, cumulative impacts relative to the aesthetics and visual quality would be less than significant.

F. Aesthetics and Visual Resources (Views)

- i. Impacts – The Project may cause a significant impact if:
  - a. Project development would substantially obstruct an existing view of a visually prominent resource as viewed from a public street, sidewalk, park, community cultural center, trail, public vantage point, or residential use.
- ii. Findings – The Project would cause significant and unavoidable view impacts (1) to the residents' views from the Grand Promenade Tower residential building; (2) the view from Olive Street; and (3) to the residents' view from the Museum Tower residential building. These three view impacts are identified in the FEIR, and the Authority makes the following findings for these impacts:
  - a. For the reasons set forth in the Statement of Overriding Considerations adopted concurrently by the Authority, the Authority finds that the significant impact identified in this Section XI-C(c) is acceptable in light of the Project's overall benefits.
  - b. No feasible mitigation measures exist to mitigate these significant view impacts. The issue of project alternatives that may mitigate

those view impacts is addressed in Section XI-C(c) of these Findings.

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

G. Aesthetics and Visual Resources (Light and Glare)

- i. Potential Impacts – The Project may cause a significant impact if:
  - a. Lighting would alter the character of the off-site areas surrounding the Project; or
  - b. Lighting would substantially interfere with the performance of an off-site activity.
- ii. Findings – A potential significant glare impact from reflected light on building surfaces is identified in the EIR. However, this potential significant impact will be reduced to a level of less than significance with the implementation of two identified mitigation measures and one regulatory measure.

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

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

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

- iii. Supportive Evidence and Rationale – The FEIR analyzed in detail the potential glare impact from reflected light on building surfaces in Section IV.C of the DEIR. The Project would increase ambient light and artificial glare through the implementation street lighting, illuminated signs, architectural lighting, light spillage from the windows of high-rise buildings, special events lighting and security lighting. Since the Project's lighting would be similar to adjacent businesses (i.e., the nearby residential and office towers), it would not significantly impact the environment, which is currently characterized by high levels of ambient light. The increase in ambient light and artificial glare would not be great enough to interfere with activities at nearby residential, office and cultural uses. Natural sunlight reflected from building surfaces and windows have the potential to create glare. Further, special events lighting in the Civic Park has the potential to create a significant impact. However, with the implementation of Mitigation Measures C-2 and C-3, the potential light and glare impacts

associated with special events lighting and reflected sunlight would be reduced to less than significant levels.

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

#### H. Aesthetics and Visual Resources (Shade and Shadow)

- i. Potential Impacts – The Project may cause a significant shade/shadow impact if:
  - a. The Project would shade currently unshaded off-site, shadow-sensitive uses more than three hours between the hours of 9:00 A.M. and 3:00 P.M. PST, between late October and early April, or more than four hours between the hours of 9:00 A.M. and 5:00 P.M. PDT between early April and late October.
- ii. Findings – A less than significant shade/shadow impact is identified in the FEIR. No mitigation measures are identified for this impact.
- iii. Supportive Evidence and Rationale – The Project's potential shade/shadow impact is analyzed in detail in Section IV.C of the DEIR. During certain seasons, the Project's towers have the potential to shade sensitive offsite uses, including the future Central Los Angeles Performing Arts Senior High School (currently under construction), the Bunker Hill Towers open space, and Angelus Plaza, depending on the season and hour of the day. However, shading would not exceed three hours between the hours of 9:00 A.M. and 3:00 P.M. during the winter solstice or spring equinox, or four hours between the hours of 8:00 A.M. and 5:00 P.M. during the summer solstice or fall equinox. Accordingly, the Project would have a less than significant shade/shadow impact.
- iv. Cumulative Impact - The combined morning shading from the Project and related project Nos. 9 and 27, with shading later in the day from related

project No. 88, would create a potentially significant shade/shadow impact on the Angelus Plaza site, during the summer solstice only. No feasible mitigation measures exist for this cumulative impact due to the proposed location of these related projects. Although related project No. 92 would generate considerable shading of the Angelus Plaza site, substantially shading from related project No. 92 is not anticipated during the summer solstice. No other related projects would contribute to cumulative shading impacts.

I. Historical Resources

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

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

**Mitigation Measure D-1: Potential Los Angeles Civic Center Historic District.** Prior to the start of each construction phase, the responsible parties for implementation of the Streetscape Program under the applicable agreements shall submit plans to the Authority, for review and approval to ensure that impacts to the potential eligibility of the potential Los Angeles Civic Center Historic District are reduced to the maximum extent practicable through implementation of the following measures:

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

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

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

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

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

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

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

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

1. **Recordation.** Prior to the issuance of a demolition permit for the Civic Center Mall and its associated features, a Historic American Building Survey (HABS) Level II-like recordation document shall be prepared for the Civic Center Mall. A qualified architectural historian or historic preservation consultant who satisfies the

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

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

**Mitigation Measure D-6: Hall of Records.** No mitigation measures are required if the final design for the Civic Park is in substantial conformance to that set forth in the Project's Conceptual Plan, as determined by the Authority, since such Plan is consistent with the Secretary of Interior's Standards for Rehabilitation of Historic Buildings and the Guidelines for the Treatment of Cultural Landscapes (collectively referred to as the "Standards"). However, should the final design for the Civic Park not be implemented in substantial conformance with the Project's Conceptual Plan, prior to the start of each construction phase, the responsible parties

for implementation of the Civic Park under the applicable agreements shall submit plans to the Authority, for review and approval to ensure that impacts to the potential eligibility of the Hall of Records building as a contributing property to the potentially eligible Los Angeles Civic Center Historic District are reduced to the maximum extent practicable through implementation of the following mitigation measure:

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

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

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

**Mitigation Measure D-8: Clara Shortridge Foltz Criminal Justice Center.** No mitigation measures are required if the final design for the Civic Park is in substantial conformance to that set forth in the Project's Conceptual Plan, as determined by the Authority, since such Plan is

consistent with the Secretary of Interior's Standards for Rehabilitation of Historic Buildings and the Guidelines for the Treatment of Cultural Landscapes (collectively referred to as the "Standards"). However, should the final design for the Civic Park not be implemented in substantial conformance with the Project's Conceptual Plan, prior to the start of each construction phase, the responsible parties for implementation of the Civic Park under the applicable agreements shall submit plans to the Authority, for review and approval to ensure that impacts to the potential eligibility of the Clara Shortridge Foltz Criminal Justice Center as a contributing property to the potentially eligible Los Angeles Civic Center Historic District are reduced to the maximum extent practicable through implementation of the following mitigation measure:

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

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

1. Prior to implementation the final design plans for the Civic Park shall be reviewed by a qualified architectural historian or historic preservation consultant who satisfies the Secretary of the Interior's Professional Qualification Standards for History or Architectural History to assure that the proposed Civic Park design does not materially alter the historic significance of the Los Angeles City Hall.

This evaluation shall be conducted in accordance with the Secretary of the Interior's Standards.

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

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

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

maximum extent practicable through implementation of the following mitigation measure:

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

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

1. Prior to implementation, the final design plans for the Grand Avenue streetscape improvements shall be reviewed by a qualified architectural historian or historic preservation consultant who satisfies the Secretary of the Interior's Professional Qualification Standards for History or Architectural History to assure that the final design for the proposed streetscape improvements does not materially alter the Southern California Edison's (One Bunker Hill) Building's historic significance. This evaluation shall be conducted in accordance with Secretary of the Interior's Standards.
- iii. Supportive Evidence – The FEIR identifies a significant and unavoidable historical resources impact in Section IV.D of the DEIR. Under CEQA, implementation of the recommended mitigation measures would reduce all of the identified significant impacts to a less than significant level, with the

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

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

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

contributor to the potential Civic Center historic district, the Project and the related projects may also have the potential to cause a significant cumulative impact on historical resources.

J. Population, Housing and Employment

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

consistent with SCAG and Los Angeles policies for development of the downtown area as a dense activity center and, as such, would not cause a significant cumulative impact in this area.

K. Air Quality (Project Construction)

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

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

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

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

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

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

shall determine compliance with regard to the Civic Park. The SCAQMD retains jurisdiction to enforce this measure in the case of non-compliance.

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

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

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

**Mitigation Measure F-6:** During each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements shall ensure that all construction equipment shall

be properly tuned and maintained in accordance with manufacturer's specifications. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to construction associated with the five development parcels and the Streetscape Program. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.

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

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

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

**Mitigation Measure F-10:** During each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements shall ensure that heavy-duty construction equipment shall use alternative clean fuels, such as low sulfur diesel or compressed natural gas with oxidation catalysts or particulate traps, to the extent feasible. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels and the Streetscape Program. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.

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

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

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

Authority, for review and approval. Approved pedestrian access plans shall be implemented by the responsible parties

**Regulatory Measure F-2:** Prior to the start of each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park, under the applicable agreements, shall prepare and implement building plans and specifications that ensure that all residential and non-residential buildings shall, at a minimum, meet the California Title 24 Energy Efficiency standards for water heating, space heating and cooling. Approved building plans shall be implemented by the developer and the responsible parties. Building plans and specifications with regard to the five development parcels shall be reviewed and approved by the City's Department of Building and Safety, or other appropriate City agency or department. Building plans and specifications with regard to the Civic Park shall be reviewed and approved by the County's CAO or its designee.

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

- iii. Supportive Evidence and Rationale – The FEIR discusses the Project's potentially significant air quality impacts in Section IV.F of the DEIR. With implementation of the above regulatory measures and mitigation measures, heavy-duty construction equipment emissions would be reduced by a minimum of 5 percent and fugitive dust emissions would be reduced by an additional 16 percent. However, regional construction activities would still exceed the SCAQMD daily emission thresholds for regional NO<sub>x</sub>, CO and VOC after implementation of all feasible mitigation measures. Therefore, construction of the Project would have a significant and unavoidable impact on regional air quality. Construction activities would also still exceed the SCAQMD daily localized emission threshold for PM<sub>10</sub> and NO<sub>2</sub> after implementation of all feasible mitigation measures. Therefore, construction of the Project would also have a significant and unavoidable impact on localized emissions.

- iv. Cumulative Impact - Buildout of those related development projects identified in the FEIR that would be constructed within a similar time frame as the Project would increase short-term emissions for concurrent activities during the Project's construction period. Since emissions of criteria pollutants under peak construction activities are concluded to be significant, any additional construction activities as part of any related project occurring during this time and in the vicinity of the Project site would be adding additional air pollutant emissions to these significant levels. As a result, a significant and unavoidable cumulative impact with respect to construction emissions would occur.

L. Air Quality (Project Operation)

- i. Potential Impacts –Project operations may cause a significant air quality impact if:
  - a. Operation emissions exceed any of the daily thresholds presented below:

Pollutant	Significance (lbs/day)	Threshold
VOC	55	
NOx	55	
CO	550	
PM10	150	
SOx	150	

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

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

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

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

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

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

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

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

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

- iii. Supportive Evidence and Rationale – The FEIR discusses the Project's potentially significant air quality impacts in Section IV.F of the DEIR. As with the analysis of air quality impacts due to construction of the Project, the analysis used to determine the air quality impacts attributable to Project operations employed protocol established by the SCAQMD. Potential impacts associated with the CO hot spots, toxic air contaminants, and regional air pollutants were analyzed in the FEIR. The analysis conservatively assumed that if any "screening" threshold set by the SCAQMD would be exceeded, then a significant impact would occur. Further, it was assumed that such an impact applied to the entire

community surrounding the Project area, and, accordingly, no particular group of sensitive receptors was excluded. Under that analysis, operational emissions of "regional" air pollutants from the Project would exceed the SCAQMD daily emission threshold for regional CO, VOC, PM<sub>10</sub>, and NO<sub>x</sub> after implementation of all feasible mitigation measures. Therefore, operation of the Project would have a significant and unavoidable impact on regional air quality. In addition, regional operational emissions would still exceed SCAQMD daily thresholds for CO, VOC, PM<sub>10</sub>, and NO<sub>x</sub> after implementation of all feasible mitigation measures. Therefore, operation of the Project would have a significant and unavoidable impact on regional air quality.

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

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

M. Noise (Construction)

- i. Impacts – The construction of the Project may cause a significant noise impact if:

- a. Construction activities lasting more than 10 days in a three-month period would exceed existing ambient exterior noise levels by 5 dBA or more at a noise sensitive use;
  - b. Construction activities would exceed the ambient noise level by 5 dBA at a noise sensitive use between the hours of 9:00 P.M. and 7:00 A.M. Monday through Friday, before 8:00 A.M. or after 6 P.M. on Saturday, or at anytime on Sunday.
- ii. Findings – The Project will cause a significant and unavoidable noise impact during construction of the Project on a project-specific and cumulative basis. The Authority makes the following findings for this impact:
- a. All feasible measures, changes and alterations have been required in, or incorporated into, the Project on a project-specific and cumulative basis, which will lessen such significant environmental effects.
  - b. For the reasons set forth in the Statement of Overriding Considerations adopted concurrently by the Authority, the Authority finds that the significant impact identified in this Section XI-G(a) is acceptable in light of the Project's overall benefits.

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

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

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

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

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

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

**Mitigation Measure G-5:** During each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the

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

**Mitigation Measure G-6:** Prior to the issuance of grading permits for each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements, shall prepare, and thereafter implement, plans and specifications that include a requirement to route pedestrians (to the maximum extent practicable) 50 feet away from the construction area when heavy equipment such as hydraulic excavators are in use. Such routing may include the posting of signs at adjacent intersections. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels and the Streetscape Program. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.

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

- c. Supportive Evidence and Rationale – The FEIR discusses the Project's potentially significant construction noise impacts in Section IV.G of the DEIR. The noise reduction measures prescribed in Mitigation Measure G-1 would achieve a minimum 5-dBA reduction along areas of sensitive receptors where the line-of-sight to ground-level construction activity that

occurs on the Project site is broken. Regulatory Measure G-1 would preclude construction-period noise impacts from occurring during the noise-sensitive night time periods, or at any time on Sundays or holidays. In addition, the use of heavy construction equipment shall cease one hour earlier than otherwise allowed under City Code. Noise level reductions attributable to Mitigation Measures G-2 and G-3, and G-4, G-5, and G-6 (e.g., use of noise mufflers and on-site storage of construction equipment) are not easily quantifiable, but implementation of such measures would reduce the noise level impact associated with construction activities to the extent feasible. Further, construction noise from earthmoving equipment will be reduced since most of such equipment will sink below a surrounding soundwall as excavation proceeds during construction. Nevertheless, Project construction activities would intermittently increase the daytime noise levels at nearby sensitive land uses during construction activities by more than the 5-dBA significance threshold. As such, noise impacts during construction are concluded to be significant and unavoidable.

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

N. Noise (Operational)

- i. Potential Impacts – The Project's operations may cause a significant impact if:
  - a. The Project causes the ambient noise level measured at the property line of affected uses to increase by 3dBA in CNEL to or within the "normally unacceptable" or "clearly unacceptable" category or by 5dBA in CNEL within the "normally acceptable" or "conditionally acceptable" category.
  - b. Project-related operational (i.e., non-roadway) noise sources increase ambient noise by 5 dBA, thus causes a violation of the City's Noise Ordinance.

- ii. Findings – The potentially significant noise impact attributable to Project operations will be mitigated to a level of less than significance with the implementation of Mitigation Measure G-8:

**Mitigation Measure G-8:** The developer, with regard to the five development parcels, shall prepare and implement building plans that ensure prior to the start of each construction phase which includes residential development, that all exterior walls, floor-ceiling assemblies (unless within a unit), and windows having a line of sight (30 degrees measured from the horizontal plane) of Grand Avenue, Hill Street, Hope Street, First Street, and Second Street of such residential development shall be constructed with double-paned glass or an equivalent and in a manner to provide an airborne sound insulation system achieving a lab-tested Sound Transmission Class of 30, subject to field testing, as defined in UBC Standard No. 35-1, 1982 edition. Sign off by the City's Department of Building and Safety, or other appropriate City agency or department, shall be required prior to obtaining a building permit. The developer, as an alternative, may retain an engineer registered in the State of California with expertise in acoustical engineering, who shall submit a signed report for an alternative means of sound simulation satisfactory to the City's Department of Building and Safety, or other appropriate City agency or department. Examples of alternative means may include, but are not limited to, the following: (1) acoustical seals for doors and windows opening to the exterior; (2) consideration of the type, location, and size of windows; and (3) sealing or baffling of openings and vents. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure.

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

additive to Project-related noise levels. Accordingly, cumulative stationary-source noise impacts attributable to cumulative development would also be less than significant.

O. Hazards and Hazardous Materials

- i. Potential Impacts – The Project may a significant impact with regard to hazards and hazardous materials if:
  - a. Project activities would involve the disturbance, removal, storage, or disposal of hazardous materials; or
  - b. The Project would expose people or structures to substantial risk resulting from the release of a hazardous material, or from exposure to a health hazard, in excess of regulatory standards.
- ii. Findings – The Project will not cause a significant impact with regard to hazards and hazardous material. Notwithstanding, the following regulatory measures have been identified to ensure the Project's less than significant impact concerning this issue:

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

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

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

Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure.

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

**Regulatory Measure H-5:** Prior to demolition or renovation in the Civic Center Mall, the responsible parties for implementation of the Civic Park under the applicable agreements shall perform an asbestos-sampling survey to determine the presence of asbestos containing materials. If such materials should be found, the responsible parties for implementation of the Civic Park shall prepare and implement an Operations and Maintenance Plan that meets all applicable federal, state and local requirements. This plan shall safely maintain asbestos containing materials that remain on the site. The County's CAO or its designee shall determine compliance with this measure.

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

- iii. Supportive Evidence and Rationale – The Project's potential impacts attributable to hazards and hazardous materials were analyzed in detail in Section IV-H of the DEIR. According to the Phase I environmental

assessments completed for the Project site, there are no potential recognized environmental conditions (RECs) within any of the five development parcels. In addition, there is no evidence at the Project site of asbestos, hazardous materials use, storage or waste, or hazardous air emissions. It is anticipated that hazardous materials, including fertilizers, herbicides and pesticides, would be used to maintain the landscaping within the Civic Park, the Grand Avenue streetscape program and the five development parcels. In addition, hazardous materials associated with maintenance activity within the five development parcels would be present at the Project site. However, since the transport, use and storage of these materials would be managed in accordance with applicable federal, state, and local regulations, these materials would not be expected to pose significant risks to the public or the environment. Consequently, construction and operation under both Project Options would not expose people to substantial risk resulting from the release of a hazardous material, or from exposure to a health hazard in excess of regulatory standards. Accordingly, construction and operation under both Project Options would not result in a significant hazard to the public or the environment through the transport, use or disposal of hazardous materials, and impacts would be less than significant. Further, impacts associated with the potential discovery of hazardous and non-hazardous materials on the Project site would be reduced to a less than significant level with compliance with the above regulatory measures.

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

P. Fire Protection and Related Services

- i. Potential Impacts – The Project would cause a significant impact to Los Angeles Fire Department fire prevention and suppression services and/or emergency medical services if:

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

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

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

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

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

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

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

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

**Regulatory Measure I.1-8:** Prior to the start of each construction phase, Related, with regard to the five development parcels and the responsible parties for implementation of the Streetscape Program under the

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

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

**Regulatory Measure I.1-10:** Prior to the start of each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements shall prepare, and thereafter implement, a plan that will assure that any required fire hydrants that are installed shall be fully operational and accepted by the Fire Department prior to any building construction. The LAFD shall determine compliance with this measure with regard to the five development parcels and the Streetscape Program. The LACoFD shall determine compliance with this measure with regard to the Civic Park.

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

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

**Regulatory Measure I.1-13:** During each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park under the

applicable agreements shall provide emergency access for Fire Department apparatus and personnel to and into all structures. The LAFD shall determine compliance with this measure with regard to the five development parcels. The LACoFD shall determine compliance with this measure with regard to the Civic Park.

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

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

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

**Regulatory Measure I.1-17:** Prior to the start of each construction phase, the developer, with regard to the five development parcels shall prepare, and thereafter implement, a plan that designs fire lanes to be not less than 28 feet in width. When a fire lane must accommodate the operation of Fire Department aerial ladder apparatus or where fire hydrants are installed, those portions shall not be less than 28 feet in width. The LAFD shall determine compliance with this measure with regard to the five development parcels.

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

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

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

**Regulatory Measure I.1-21:** Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall not construct any building or portion of a building to be more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane. The LAFD shall determine compliance with this measure with regard to the five development parcels.

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

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

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

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

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

**Regulatory Measure I.1-27.** Prior to the start of each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park under the applicable agreements, shall prepare, and thereafter implement, a plan that would not construct any building or portion of a building more than 300 feet from an approved fire hydrant. Distance shall be computed along path of travel with the exception that dwelling unit travel distance shall be computed to the front door of the unit. The LAFD shall determine compliance with this measure with regard to the five development parcels. The LACoFD shall determine compliance with this measure with regard to the Civic Park.

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

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

**Regulatory Measure I.1-30.** During operations of the Project, planning for large events at the Civic Park shall be implemented by the County or County Park Operator to reduce potential adverse affects on emergency access. As part of the planning process, representatives of the LACoFD, County Office of Public Safety, LAFD, LAPD and LADOT shall be advised

of the activities and consulted to establish appropriate procedures for crowd and traffic control. Plans shall be submitted to the County Chief Administrative Officer for review and approval.

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

- iii. Supportive Evidence and Rationale – The FEIR analyzed in detail the Project's potential impacts on fire protection and related services in Section IV-I(1) of the DEIR. Construction may result in temporary lane closures that would potentially affect emergency access. Temporary lane closures could increase the time for fire protection vehicles and emergency medical vehicles responding to elderly or disabled residents in the downtown areas. However, the average response times for Fire Stations 3, 4, 9, and 10, which would serve the Project and currently serve the surrounding area are 5.3 minutes, 4.6 minutes, 4.8 minutes, and 4.9 minutes, respectively. Those response times are below the Citywide average response times of 5.5 minutes for EMS and 5.4 minutes for fire incidents, which indicates these existing services will be adequate to handle incidents during Project construction. To ensure adequate response times for these services, the LAFD would be notified of the scheduling of all Project construction in order to plan appropriate alternative response routes, if necessary. Public detour routes would be established where required to divert traffic from the affected street segments. In addition, emergency vehicle access to adjoining and nearby properties would be required to be maintained at all times. Thus, due to the better than City-wide response times, the large number of fire stations in the Project area, the temporary and limited nature of the closures along roadways and the wide selection of alternative routes to and through the Project site, construction of the Project will not significantly impact the ability of the LAFD to respond to emergency incidents, as confirmed by the FEIR. With respect to Project operations, automatic fire sprinkler systems in all structures, fire hydrants installed to LAFD specifications, and supplemental fire protection devices would be incorporated into new Project structures, as required by the Fire Code. As the Project site is within the service area of four Task Force truck and engine companies, Project operations are anticipated to result in less than significant impacts to LAFD staff and equipment capabilities. In addition, the Project will comply with all fire safety regulations and the incorporation of regulatory measures. No significant impacts will occur with respect to fire protection and related services.

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

Q. Police Protection Services

- i. Potential Impacts – The Project may cause a significant impact on police protection services provided by the LAPD if:
  - a. The Project will generate demand for additional police protection services that substantially exceeds the capability of the LAPD to serve the Project site.
  - b. The Project would cause a substantial increase in emergency response times as a result of increased traffic congestion and/or limited emergency access, during either construction or operation of the Project.
- ii. Findings - The Project will not cause a significant impact with regard to police services. Notwithstanding, the following regulatory measures have been identified to ensure a less than significant impact concerning this issue.

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

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

**Regulatory Measure I.2-3:** Prior to the start of each construction phase, the developer, with regard to the five development parcels, shall submit plot plans for all proposed development to the Los Angeles Police

Department's Crime Prevention Section for review and comment. Security features subsequently recommended by the LAPD shall be implemented by the developer to the extent feasible.

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

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

**Regulatory Measure I.2-6:** During Project operations, the developer, with regard to the five development parcels and the responsible parties for implementation of the Civic Park shall install alarms and/or locked gates on doorways providing public access to commercial facilities. The LAPD shall determine compliance with this measure with regard to the five development parcels. The County Office of Public Safety shall determine compliance with this measure with regard to the Civic Park.

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

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

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

**Regulatory Measure I.2-10:** Prior to the issuance of a certificate of occupancy for each construction phase and during Project operations, the developer, with regard to the five development parcels, shall develop, and thereafter implement, a new or modified Security Plan to minimize the potential for on-site crime and the need for LAPD services. The plan would outline the security services and features to be implemented, as determined in consultation with the LAPD. The LAPD shall determine compliance with this measure with regard to the five development parcels. The following shall be included in the plan:

1. Provision of an on-site security force that would monitor and patrol the Project site. During operational hours, security officers shall perform pedestrian, vehicular, and/or bicycle patrols.
2. Implementation of a video camera surveillance system and/or a closed-circuit television system;
3. Additional security features shall be incorporated into the design of proposed parking facilities, including "spotters" for parking areas, and ensuring the availability of sufficient parking either on- or off-site for all building employees and anticipated patrons and visitors;
4. Security lighting incorporating good illumination and minimum dead space in the design of entryways, seating areas, lobbies, elevators, service areas, and parking areas to eliminate areas of concealment. Security lighting shall incorporate full cutoff fixtures which minimize glare from the light source and provide light downward and inward to structures to maximize visibility;

5. Provision of lockable doors at appropriate Project entryways, offices, retail stores, and restaurants;
6. Installation of alarms at appropriate Project entryways and ancillary commercial structures;
7. All businesses desiring to sell or allow consumption of alcoholic beverages are subject to the issuance of a Conditional Use Permit by the City;
8. Accessibility for emergency service personnel and vehicles into each structure, and detailed diagram(s) of the Project site, including access routes, unit numbers, and any information that would facilitate police response shall be provided to the Central Area Commanding Officer.
9. In addition, security procedures regarding initial response, investigation, detainment of crime suspects, LAPD notification, crowd and traffic control, and general public assistance shall be outlined in the Security Plan. The plan would be subject to review by the LAPD, and any provisions pertaining to access would be subject to approval by the LADOT.

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

- iii. Supportive Evidence and Rationale – The FEIR analyzed in detail the Project's potential impacts on police protection and related services in Section IV-I(2) of the DEIR. The Project's impacts on police protection services or response times would continue to be less than significant. Project construction may result in temporary lane closures that would potentially affect emergency access. Given notification to the LAPD of all construction scheduling, the temporary nature of any closures, and the availability of alternative routes, the Project would not significantly affect emergency access or response times. Furthermore, during construction, traffic management personnel (flag persons) would be trained to assist in emergency response, and on-site security measures would reduce theft and other demands on police services. Therefore, construction activities

are not expected to significantly affect the capacity of the LAPD to adequately serve the Project site. With regard to Project operation, it is anticipated that activity in the Civic Park would increase on both a daily basis and during special events. As the current Civic Center Mall is currently used extensively on a daily basis, the additional increase in activity on a daily basis is not anticipated to increase to such an extent so as to exceed the capabilities of the County Office of Public Safety. During special events, when the numbers of people using the park would increase substantially, the park operator would employ private security personnel to supplement police services during these events and, therefore, reduce the demand on police services created by these large events. The use of additional security staff would be commensurate with the size of the event. Access to the park would be governed by a set of rules that are consistent with those used throughout public parks in the area. Those who comply with the posted rules will not be denied access to the park, whereas on the other hand, those individuals who chose not to comply with the rules would, out of courtesy to others, be required to leave the park. The Project's combined residential and employment population would reduce the officer per resident ratio and, assuming the same number of officers in the LAPD Central Area station as under existing conditions, the ratio of crimes that are handled by each officer would increase from approximately 20 to 23.4. This level of increased demand in the context of occurring over an entire year would not substantially exceed LAPD's capacity. Accordingly, the Project's impact to police services would be less than significant.

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

R. School Services

- i. Potential Impacts – The Project may cause a significant impact on Los Angeles Unified School District (“LAUSD”) schools if:
  - a. The demand for school services anticipated at the time of Project build out exceeds the expected level of service available; or
  - b. The increased demand would require the construction of new facilities, a major reorganization of students or classrooms, major revisions to the school calendar (i.e., multi-track calendar), or other actions that would create a temporary or permanent impact on the school(s) serving the Project site.

- ii. Findings – Through compliance with Mitigation Measure I.3.1 and Government Code Section 65995, the Project will not cause a significant impact on schools, and no other mitigation measures are required.

**Mitigation Measure I.3-1:** Prior to the issuance of each building permit, the developer, with regard to the five development parcels, shall pay school mitigation fees pursuant to the provisions of California Government Code Section 65995. Compliance with this measure shall be determined by the City’s Department of Building and Safety, or other appropriate City agency or department.

- iii. Supportive Evidence and Rationale – The FEIR analyzed in detail the Project’s potential impacts on schools in Section IV-I(3) of the DEIR Pursuant to the provisions of Government Code Section 65995, a project’s impact on school facilities is fully mitigated through the payment of the requisite school facility development fees current at the time building permits are issued. As the developer is required to pay school facility development fees, impacts under the Project are concluded to be less than significant.

- iv. Cumulative Impact – The middle and high school students that would be generated by the 93 related projects would when combined with the Project’s students, be dispersed throughout the attendance boundaries of both the existing and the newly constructed schools. As a result, sufficient capacity would be available at the middle and high school level to accommodate the students generated by the Project in conjunction with all of the related projects and a less than significant cumulative impact would occur. In contrast, the students generated by the related projects combined with the Project’s students could not be accommodated within the existing or future elementary school capacities. However, the Project and each related project would pay new school facility development fees and, under the provisions of Government Code Section 65995, the

payment of these fees would constitute full mitigation. Thus, cumulative impacts on schools would be less than significant.

S. Parks and Recreation(Project Construction)

- i. Potential Impacts – The construction of the Project may cause a significant impact on parks and recreational facilities if:
  - a. The Project generates a demand for park or recreational facilities that cannot be adequately accommodated by existing or planned facilities and services.
- ii. Findings – The Project will not cause a significant impact to park and recreational facilities, except for a short-term significant and unavoidable impact during construction of the new Civic Park at the Civic Mall, which impact is a project-specific and cumulative impact. With respect to that latter impact, the Authority makes the following findings:
  - a. All feasible measures, changes and alterations have been required in, or incorporated into, the Project, which will lessen such significant environmental effects.
  - b. For the reasons set forth in the Statement of Overriding Considerations adopted concurrently by the Authority, the Authority finds that the significant impact identified in this Section XI-L(a) is acceptable in light of the Project's overall benefits.
- iii. Supportive Evidence and Rationale – The FEIR discusses the Project's potentially significant impact to park and recreational facilities in Section IV.I.4 of the DEIR. Construction of the proposed improvements in Civic Park would require closure of the existing Civic Mall to implement those improvements. This would limit park availability and usage. Impacts on park usage would likely occur within the immediate area of construction activity and adjacent park areas that might be sensitive to construction activities. It is not known if the entire Park area would be affected at a single time, or if Park improvements would be implemented on a smaller basis (e.g., block by block). As the construction activities could adversely affect park usage, the Project is considered to have a significant, short-term impact on parks during construction of the Civic Park. Upon completion of the Project, the affected park areas would return to operations with an enhanced level of operation due to improvements that were implemented during the construction phase. Construction of the remainder of the Project, namely, the five development parcels and the Grand Avenue street improvements would not cause any significant

impacts to parks and recreational facilities since those sites currently include no parks or recreational facilities.

- iv. Cumulative Impact – No related projects are known to affect the use or availability of those existing recreational resources that would be affected by the Project, either during their construction or operations phases. However, as the Project would prohibit the recreational use of the existing Civic Center Mall during the construction of the Project's Civic Park, it is conservatively concluded that cumulative impacts on recreational resources are considered significant.

T. Parks and Recreation (Project Operation)

- i. Potential Impacts – The operation of the Project may cause a potentially significant impact to parks and recreational facilities if:
  - a. The Project generates a demand for park or recreational facilities that cannot be adequately accommodated by existing or planned facilities and services.
- ii. Findings – The Project will not cause a significant impact to park and recreational services due to the implementation of Mitigation Measure I.4-1.

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

- iii. Supportive Evidence and Rationale – The EIR discusses the potential impact to park and recreation services caused by Project operations in Section IV.I.4 of the DEIR. Compliance with the mitigation measure for meeting park demand would reduce any impacts due to park dedication shortfalls to less than significant levels. The required dedication of parkland from a project is determined by the number of residents within the project. Under the Quimby Act, which is implemented through the City's Municipal Code, three acres per 1,000 residents are required. The Project with County Office Building Option is anticipated to generate approximately 2,925 residents and would be required to provide approximately 8.8 acres of park/recreation space. The Additional Residential Development Option is anticipated to generate approximately

3,777 residents and would be required to provide approximately 11.33 acres of park/recreation space. Since these requirements would not be fully achievable on-site, the developer would be required to either dedicate additional parkland or pay in-lieu fees per the Quimby Act. If in lieu fees are paid, such fees would be used by the City to enhance park and recreational facilities in the appropriate geographic areas. Compliance with the Quimby Act would offset the Project's park and recreational facility shortfall and would avoid a significant impact.

- iv. Cumulative Impact -- As with the Project, compliance by related projects with the Quimby Act to either dedicate additional parkland or pay in-lieu fees would offset the park/recreation demands of such related projects and, therefore, avoid a significant cumulative impact.

#### U. Library Services

- i. Potential Impacts – The Project may cause a significant impact on library services caused by the Project. A Project could have a significant impact on library services if:
  - a. The Project would generate a demand for library facilities or services that would cause an increase in the community population that would exceed Los Angeles Public Library (“LAPL”) defined target service population.
- ii. Findings – The Project will not cause significant impacts on library services, and no mitigation measures are required.
- iii. Supportive Evidence and Rationale – The FEIR analyzed in detail the Project's potential impacts on libraries in Section IV-I(5) of the DEIR. The increase in residential population, employees and patrons associated under the Project would increase demand on LAPL facilities in this area, including the Central Library, the Little Tokyo and Chinatown Branch Libraries. However, the Project is not expected to cause an increase in the community population that would exceed the LAPL-defined service target population. The LAPL has indicated in comments to the NOP for the EIR that the Project should pay a fee of \$200 per capita to offset the increase in library service demand. However, the detailed analysis provided in the EIR demonstrates that the Project would not cause a significant impact on library services, and the LAPL did not provide any data in its NOP response letter to the contrary. In addition, the LAPL did not provide any comments on the DEIR. Further, it should be noted that the LAPL has not taken the necessary legal steps to impose a mitigation fee on all new development projects in its jurisdiction.

- iv. Cumulative Impacts – Population increases created by the 93 related projects in combination with the Project would increase the demand for LAPL services within the Project area. If a large number of these related projects are eventually developed and such future development causes a demand on library services beyond the capacity of the then existing libraries, then the LAPL may take the necessary steps to adopt an impact fee program that would adequately mitigate that cumulative impact on library services. However, since the LAPL has not adopted such a fee program, the Authority conservatively determines that the cumulative impact on library services will be significant.

V. Water Supply

- i. Potential Impacts – The Project may cause a significant impact on the water supply if:
  - a. The public water system's total projected water supplies available during normal, single dry and multiple dry water years during the current 20-year projection would not meet the projected water demand associated with the proposed Project, as well as all other future uses, including agricultural and manufacturing uses.
  - b. The estimated water demand for the Project would exceed the available capacity within the distribution infrastructure that would serve the Project site.
  - c. The construction of a new or upgraded water distribution infrastructure would result in substantial obstruction of vehicle and/or pedestrian access.
- ii. Findings – With the implementation of Mitigation Measure J.1-1, the Project's potentially significant impact on water supply will be reduced to a less than significant level. In addition, a series of regulatory measures are identified that would result in reducing the water demand attributable to the Project.

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

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

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

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

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

**Regulatory Measure J.1-4:** Prior the issuance of building permits for each construction phase, the developer, with regard to the five development parcels and the responsible parties for implementation of the Civic Park Plan under the applicable agreements, shall coordinate with the Los Angeles Department of Water and Power to conduct a flow test to confirm that the existing water system meets fire flow requirements imposed by the LAFD for the Project. The developer, with regard to the five development parcels and the responsible parties for implementation of the Civic Park Plan under the applicable agreements, shall undertake and

complete required improvements as identified by the LADWP, based on the findings of the flow test. The City's Department of Public Works, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels. The County's CAO Department of shall determine compliance with this measure with regard to the Civic Park.

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

**Regulatory Measure J.1-6:** During Project operations, incorporate Los Angeles County water conservation policies into the operation of the Civic Park, and the County Office Building, if the Project proceeds with the County office building option. The responsible parties for the implementation of the Civic Park under the applicable agreements, and the County with regard to the County Office Building, if the Project proceeds with the County office building option, shall be responsible for implementing this measure. The implementation of this measure shall be subject to the review and approval of the County's CAO or its designee.

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

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

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

- iii. Supportive Evidence and Rationale – The Project's potentially significant impact on the water supply is analyzed in Section IV.J.1 of the DEIR. Based on a Water Supply Assessment certified by the Los Angeles Department of Water and Power ("LADWP"), the total estimated water demand for the Project at build-out is not expected to exceed available supplies during normal, single dry and multiple dry water years during the 20-year planning period projection. Further, the Project is not anticipated to exceed the available capacity within the distribution infrastructure that would serve the Project site. Other than connections from the Project site to the water mains and the installation of new water lines along Second Street, the construction of a new or upgraded distribution and conveyance infrastructure would not be required. With regulatory compliance and incorporation of the mitigation measures discussed above, impacts to water supply associated with the Project would be less than significant.
- iv. Cumulative Impact – Development of the 93 related projects would cumulatively contribute, in conjunction with the Project to the water demand in the Project area. Related projects are anticipated to be developed in compliance with all applicable water conservation regulations and within the build-out scenario of the Community Plans and the City of Los Angeles General Plan elements. Further, the LADWP Water Supply Assessment concluded that there are adequate water supplies to meet all existing and future water demands for the next 20 years. As such, impacts associated with cumulative water demand would be less than significant.

W. Wastewater

- i. Potential Impacts – The Project may cause a significant impact on wastewater conveyance and treatment facilities if:
  - a. The Project's additional wastewater flows would substantially or incrementally exceed the future scheduled capacity of the Hyperion Treatment Plant ("HTP").
  - b. The Project would cause a measurable increase in wastewater flows at a point where, and a time when, a sewer's capacity is

already constrained or that would cause a sewer's capacity to become constrained.

- c. The construction of new or upgraded wastewater distribution infrastructure would result in a substantial obstruction of vehicle and/or pedestrian access.
- ii. Findings – The Project will not cause a significant impact with regard to wastewater service. Notwithstanding, the following regulatory measures have been identified to ensure the Project's less than significant impact concerning this issue.

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

**Regulatory Measure J.2-2:** Prior to the start of each construction phase, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park Plan, shall prepare, and thereafter implement, building plan specifications for the installation of low-flow water fixtures and further encourage reduction of water consumption to minimize wastewater flow to the sewer system, in accordance with applicable water conservation requirements. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels. The County's CAO or its designee shall ensure compliance with this measure.

- iii. Supportive Evidence and Rationale – The FEIR analyzed in detail the Project's potential impact on wastewater facilities in Section IV-J(2) of the DEIR. The operation of the Project under the County Office Building Option would generate 631,650 gallons per day (gpd) of wastewater and a peak flow of 1,073,805 gpd. The Project under the Additional Residential Development Option would generate 592,070 gpd on average and a peak flow of 1,006,519 gpd. By complying with the provisions of the City's Sewer Allocation Ordinance, wastewater generation resulting from operation of the Project would not substantially exceed the future scheduled capacity of the HTP. Nor, would the Project cause a measurable increase in wastewater flows at a point where, and a time when, a sewer's capacity is already constrained or would cause a sewer's

capacity to become constrained. Therefore, implementation of the Project would result in a less than significant impact to wastewater facilities.

- iv. Cumulative Impact – Development of the 93 related projects, in conjunction with the Project would cumulatively contribute to wastewater generation in the Project area. The Project with Additional Residential Option would generate nearly seven percent less wastewater than that of the proposed Project with County Office Building Option. The wastewater anticipated to be discharged by the related projects along with the Project with County Office Building Option is 7.3 million gpd, which represents approximately 1.6 percent of the HTP's full capacity of 450 million gpd. Each of the individual related projects would be subject to the LADWP's determination of whether there is allotted sewer capacity available prior to the formal acceptance of plans and specifications by the Department of Building and Safety. Therefore, cumulative impacts to the local and regional sewer system for the Project, in conjunction with the related projects, would be less than significant.

#### X. Solid Waste

- i. Potential Impacts – The Project may cause a significant impact concerning solid waste if:
  - a. The Project generates solid waste at a level that exceeds the available capacity of the existing and/or planned landfills.
  - b. The Project conflicts with diversion and recycling goals set forth in the City of Los Angeles Solid Waste Management Policy Plan (CiSWMPP) and Source Reduction and Recycling Element (SRRE).
- ii. Findings - The Project will not cause a less than significant impact with regard to solid waste services. Notwithstanding, the following regulatory measures have been identified to ensure the Project's less than significant impact concerning this matter.

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

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

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

**Regulatory Measure J.3-4:** During Project operations, the developer, with regard to the five development parcels, and the responsible parties for implementation of the Civic Park and Streetscape Program under the applicable agreements, shall continuously maintain in good order for the convenience of businesses, patrons, employees and park visitors clearly marked, durable and separate bins on the same lot, or parcel to facilitate the commingled recyclables and deposit of recyclable or commingled waste metal, cardboard, paper, glass, and plastic therein; maintain accessibility to such bins at all times, for collection of such wastes for transport to on- or off-site recycling plants; and require waste haulers to utilize local or regional material recovery facilities as feasible and appropriate. The City's Department of Building and Safety, or other appropriate City agency or department, shall determine compliance with this measure with regard to the five development parcels and the Streetscape Program. The County's CAO or its designee shall determine compliance with this measure with regard to the Civic Park.

**Regulatory Measure J.3-5:** During each construction phase, the developer, with regard to the five development parcels, and the

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

- iii. Supportive Evidence and Rationale – The FEIR analyzed in detail the Project's potential impact on solid waste facilities in Section IV-J(3) of the DEIR. The Project would not cause the available capacity of the existing and/or planned landfills to be exceeded, and impacts due to construction and operations would be less than significant. Nonetheless, regulatory mitigation measures have been identified concerning compliance with existing plans, programs and policies promoting recycling, waste reduction and waste diversion.
- iv. Cumulative Impact – Development of the 93 related projects would generate solid waste during their respective construction periods and on an on-going basis following the completion of construction. The total cumulative construction debris from the related projects and proposed Project would total 63,000 tons. This would comprise approximately 0.1 percent of the remaining inert landfill disposal capacity of 69.94 million tons and, as such, cumulative impacts on inert landfill capacity would be less than significant. During operation, the total cumulative solid waste generation is estimated to be 112,015 tons per year under the Project with County Office Building Option and 107,660 tons per year under the Project with Additional Residential Development Option. These levels of cumulative annual solid waste generation represent approximately 1.2 percent of the total solid waste generated in Los Angeles County in 2003. Based on these small percentages, and the County's forecast of 15 years of landfill availability, cumulative impacts on municipal landfill capacity are concluded to be less than significant.

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

CEQA Guideline 15126.6 directs that the analysis of alternatives be limited to alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of project objectives, or would be more costly.

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

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

#### Alternatives Considered But Rejected

Two alternatives were identified but subsequently rejected from further analysis in the FEIR. The first such rejected alternative was the Alternative Location Alternative. With respect to alternative sites for any proposed project, CEQA Guideline 15126.6(f)(2)(A) provides that: "The key question and first step in analysis is whether any of the significant effects of the project would be avoided or substantially lessened by putting the project in another location. Only locations that would avoid or substantially lessen any of the significant effects of the project need be considered for inclusion in the EIR."

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

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

Finally, a commentator during the public review process suggested that the Project should be modified to include a higher percentage of affordable housing units. However, the developer has committed to 20 percent of the overall housing units in the Project being affordable units, and substantial evidence supports the conclusion that additional subsidies from the LA/CRA or others for an even greater number of affordable housing units in the Project are not available or feasible, and that key Project objectives would not be achieved if more financial resources of the Project are devoted to additional affordable housing units, including the use of funds to improve and extend the existing County Mall into a Civic Park that can serve as a public gathering place for the entire region. Accordingly, the Authority finds that such an alternative to the Project is not feasible within the meaning of CEQA.

#### The Five Alternatives Evaluated in the FEIR

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

- Alternative 1: No Project "A" – The Project site remains in its existing conditions.
- Alternative 2: No Project "B" – Development on Parcels Q and W-2 would occur per the provisions of the 1991 Owner Participation Agreement

applicable to those parcels, while development on Parcels W-1, L, and M-2 would occur per current City zoning. Under the No Project "B" Alternative, the Grand Avenue streetscape program would be limited to only improvements along the frontage of Parcel Q, while no improvements to the existing Civic Center Mall would occur.

- Alternative 3: Reduced Density Alternative – Development on the five parcels would be reduced by 25 percent, as would proposed building heights. Improvements within the Civic Park as well as along the Grand Avenue streetscape program would be reduced commensurate with the reduced funding for Phase 1 that would be available from prepaid lease revenues.
- Alternative 4: Alternative Design Alternative – Two unrelated components of the Project would be changed under this Alternative – the Civic Park and the location of the towers on Parcels L and M-2. Under this Alternative, the existing Civic Center Mall's four character-defining features would remain as they exist today and in their current locations, or they would be retained and reused within the Civic Park in accordance with the Secretary of the Interior's Standards for the Rehabilitation of Historic Buildings. Also under this Alternative, the towers proposed for development on Parcels L and M-2 would be reversed, such that the tower proposed for the southeast corner of Parcels L and M-2 would be moved to the southwest corner, and the tower proposed for the northwest corner would be moved to the northeast corner.
- Alternative 5: Alternative Land Use Alternative – development on all five development parcels would be residential supported by a limited amount of retail development. The Civic Park and Grand Avenue streetscape program under this Alternative would be the same as the Project.

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

#### Alternative 1 - No Project "A"

##### a. Ability to Achieve Most of the Project Objectives

The No Project "A" Alternative would not meet the ultimate goal of the Project to provide an economically viable, architecturally distinguished community-oriented, mixed-use development with welcoming public open spaces or create, define, and celebrate the Civic and Cultural Center as a regional destination in downtown Los Angeles. In addition, the No Project "A" Alternative would also not meet any of the Project's priority objectives.

Planning Commission, it must be accepted as complete by the City Planning Department and appeal fees paid, prior to expiration of the above 10-day time limit. Such appeal must be submitted on Master Appeal Form No. CP-7769 at the Department's Public Offices, located at:

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

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

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

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

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

Item No. 5 is an application for TT-69284 and environmental clearance ENV-2007-3000-MND. This is a request to permit a one-lot subdivision to construct a new 29-unit residential condominium with 65 parking spaces, including seven for guests on a 14,333 net square foot site in the R4-1 zone. The project address is 155-163 S. Oxford Avenue.

The project site is relatively flat, and comprised of two rectangular-shaped tied lots. The site is zoned R4-1, and has a High Medium Residential land use designation in the Wilshire Community Plan area. The subject site is also located within the Wilshire Center/Koreatown Redevelopment Project area and the 500-foot school zone of the proposed Cahuenga Elementary School.

The site is presently developed with a two-story, 17-unit apartment building and will include the demolition of the existing structure, and involve the construction of a new 5-story, 60-foot high, 29-unit residential structure. The applicant provided a list of 11 tenants on the subject site. As part of concurrent case ZA-2007-3943-YV, the project will be requesting to permit a floor area ratio of 4.1:1 in lieu of the required 3:1. More specifically, the proposed building will consist of 39,754 square feet of floor area in lieu of the permitted 29,160 square feet.

The project will also provide a total of 65 parking spaces including seven spaces for guests. This will comply with the Advisory Agency's parking requirement for residential condominium projects within a non-congestion parking area.

Adjacent uses include multi-family dwellings to the north and south in the R4-1 zone; pre-school and multi-family dwellings exist to the east across Oxford Avenue in the R3-1 zone, and commercial uses to the west in the C2-1 zone. Oxford Avenue is Secondary Highway dedicated to a width of 80 feet.

The project engineer has certified that the subject site is not within any flood hazard, special hazard or mud-prone area, will not have any adverse impacts upon existing development. The project site is located within a methane zone. There are presently no oak trees on the site.

Reports have been received by BOE, DBS Zoning Division, DOT, Fire Dept., LAUSD, and the Bureau of Street lighting. One letter and one telephone call was received by staff. Both were from the same person stating concerns of lack of parking, demolition and construction impacts, noise, dust, asbestos, and density. A copy of letter has been included in the case folder.

Staff recommends the approval of TT-69284 and the adoption of ENV-2007-3000-MND.