

## FINDINGS

### FINDINGS OF FACT (CEQA)

#### Introduction

The City of Los Angeles (the City), as Lead Agency, has evaluated the environmental impacts of implementation of the 2110 Bay Street Mixed-Use Project, a new residential and commercial development, by preparing an environmental impact report ("EIR") (Case Number: ENV-2016-3480-EIR / State Clearinghouse No. 2017031007). The EIR was prepared in compliance with the California Environmental Quality Act of 1970, Public Resources Code Section 21000 et seq. ("CEQA") and the California Code of Regulations Title 15, Chapter 6 (the "CEQA Guidelines"). The findings discussed in this document are made relative to the conclusions of the EIR.

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

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

- 1) Changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant impacts as identified in the EIR.
- 2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been, or can or should be, adopted by that other agency.
- 3) Specific economic, legal, social, technological, other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the EIR.

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

The findings provided below include the following:

- Description of Significant Effects - A description of the environmental effects identified in the EIR.
- Project Design Features - A list of the project design features or actions that are included as part of the Project.

- Mitigation Measures - A list of the mitigation measures that are required as part of the Project to reduce identified significant impacts.
- Finding - One or more of the three possible findings set forth above for each of the significant impacts.
- Rationale for Finding - A summary of the rationale for the finding(s).
- Reference - A reference of the specific section of the EIR which includes the evidence and discussion of the identified impact.

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

Pursuant to CEQA Section 21081.6(a)(2) and CEQA Guidelines Section 15091(e), the documents and other materials that constitute the record of proceedings upon which the City has based its decision are located in and may be obtained from the Department of City Planning, as the custodian of such documents and other materials that constitute the record of proceedings, located at City Hall, 221 North Figueroa Street, Suite 1350, Los Angeles, CA 90012, during office hours Monday-Friday, 9:00 AM – 4:00 PM.

### **Environmental Documentation Background**

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

**Notice of Preparation.** In compliance with CEQA Guidelines Section 15375 and Section 15082, the City published the Notice of Preparation (the "NOP"), which was sent to responsible agencies and members of the public for a 30-day review period commencing March 6, 2017<sup>1</sup> and ending April 5, 2017, identifying the scope of the environmental issues. The purpose of the NOP was to formally convey that the City was preparing a Draft EIR for the proposed Project, and to solicit input regarding the scope and content of the environmental information to be included in the Draft EIR. The Initial Study and NOP are provided in Appendices A-1 and A-2 to the Draft EIR.

**Public Scoping Meeting.** A Public Scoping Meeting was held on March 16, 2017 at 634 Mateo Street, Los Angeles, CA 90021 from 5:00 PM to 7:00 PM. The meeting was held in an open house or workshop format and provided interested individuals, groups, and public agencies the opportunity to view materials, ask questions, and provide oral and written comments to the City regarding the scope and focus of the Draft EIR. During the NOP comment period or at the scoping meeting, the City received comments from five agencies (Los Angeles Department of Sanitation, California Department of Transportation, California Native American Heritage Commission, Los Angeles Fire Department, and South Coast Air Quality Management District), and no individuals. The letters and comments received during the NOP comment period are included in Appendix A-3 of the Draft EIR.

**Draft EIR.** The Draft EIR for the Project, which is incorporated herein by reference in full, was prepared pursuant to CEQA and State, Agency, and City of Los Angeles (City) CEQA Guidelines (Public Resources Code Section 21000, et seq., 14 California Code of Regulations Section 15000,

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<sup>1</sup> A Notice of Preparation (NOP) was sent out for the project on March 2, 2017. However, due to a mailing error, a revised NOP for the project was sent to inform the public of the NOP comment period from March 6, 2017 to April 5, 2017.

et seq., City of Los Angeles Environmental Quality Act Guidelines). The Draft EIR evaluated in detail the potential environmental effects of the Project. The Draft EIR also analyzed in detail the effects of four alternatives to the Project, as described below. These included: 1) No Project; 2) All Office/Commercial; 3) Reduced Intensity; and 4) Zoning Compliant.

In accordance with the provision of Sections 15085(a) and 15087(a)(1) of the State CEQA Guidelines, the Draft EIR was distributed for public review (including the State Clearinghouse) for a 45-day review period (plus holidays), starting on November 8, 2018 and ending on December 26, 2018. A Notice of Completion and Availability was distributed to those public agencies that have jurisdiction by law with respect to the Project, or which exercise authority over resources that may be affected by the Project, and to other interested parties and agencies as required by law, which informed them of where they could view the document and how to comment. The Draft EIR was available to the public at the Department of City Planning, and the following local libraries: Los Angeles Central Library, Franklin Branch Library, Chinatown Branch Library, and Little Tokyo Branch Library. A copy of the document was also posted online at <https://planning.lacity.org/>.

**Final EIR.** A total of six comment letters were received by the close of the public comment period. The specific and general responses to comments are in Section II (Responses to Comments) of the Final EIR. The Final EIR and responses to public agency comments were distributed on April 2, 2019.

**Errata.** An errata, dated August 2019, was prepared to make additions to the EIR to include the description of applicable land use policies within the Land Use section of the document. This information does not represent significant new information that would affect the analysis or conclusions presented in the Final EIR.

## **Overview of the Project**

### **Location**

The Project Site is located in the Central City North Community Plan area of the City of Los Angeles. The Project is located at 2100 Bay Street, 2130 Bay Street, and 2141 Sacramento Street in the Arts District of the City of Los Angeles. The Project Site is located east of Santa Fe Avenue, between Bay Street to the north and Sacramento Street to the south.

The Project Site is composed of three assessor parcels. The Project Site is approximately 77,432 square feet (or 1.78 acres). The Site is zoned M3-1-RIO (Manufacturing, Height District 1, River Improvement Overlay) and has a General Plan designation of Heavy Manufacturing. The Site is subject to Zoning Information (ZI) ZI-2129 East Los Angeles State Enterprise Zone, ZI-2358 River Improvement Overlay District, ZI-2452 Transit Priority Area in the City of Los Angeles, ZI-2427 Freeway Adjacent Advisory Notice for Sensitive Uses, and ZI-2317 Central Industrial Redevelopment Project.

The Site is in southeast Downtown Los Angeles, approximately 550 feet west of the Los Angeles River and 15 miles east of the Pacific Ocean. The Site is located within the Central City North Community Plan (Community Plan). The Community Plan contains 2,005 acres, which is approximately less than one percent of the land in the City of Los Angeles. The plan area is adjacent to downtown Los Angeles (Downtown) and bounded by the Los Angeles River to the east, the City of Vernon to the south, Alameda Street, Cesar Chavez Avenue, Sunset Boulevard, and Marview Avenue to the west, and Stadium Way, Lilac Terrace, and North Broadway to the north. The plan area is surrounded by the Community Plan areas of Silverlake-Echo Park, Central City, Boyle Heights, and Northeast Los Angeles.

Central City North consists of a combination of grid and curvilinear streets and includes both the industrial district east of Alameda Street from the Santa Ana Freeway south to the City of Vernon and the largely commercial and residential Chinatown district north of the Hollywood Freeway. It is located west of the Pasadena Freeway and just southeast of the Hollywood-Pasadena Freeway

interchange. The Chinatown commercial district consists of a mix of low rise buildings with pedestrian oriented storefronts along segments of Hill Street and Broadway. Industrial development north of the 101 Freeway surrounds the Chinatown commercial district. The entire area south of the 101 Freeway between Alameda Street and the Los Angeles River (and railroad lines) is a major industrial district, consisting of a variety of different industrial activities:

Additionally, the Department of City Planning is currently updating the Central City Community Plan in conjunction with the Central City North Community Plan, whose areas together make up Downtown Los Angeles (also known as DTLA), in a combined planning document referred to as the DTLA 2040 Plan. The purpose of the DTLA 2040 Plan is to develop and implement a future vision for Downtown Los Angeles that supports and sustains ongoing revitalization while thoughtfully accommodating projected future growth. As the downtown area has been a rapidly changing setting within Los Angeles, it supports a collection of economic opportunities and entrepreneurship, people, culture, and distinct neighborhoods, and sits at the center of the regional transportation network.

### **Existing Conditions**

The Project Site is currently developed with an existing surface parking lot, an open-air industrial shed to be incorporated into the new development (Shed Building), and an approximately 4,000 square feet manufacturing building to be demolished. The existing buildings are vacant.

### **Development**

The Project proposes a new residential and commercial development including 110 live/work apartment units (67 studio units, 34 1-bedroom units, and 9 2-bedroom units), 113,350 square feet of creative office space, and 50,848 square feet of new commercial space that may include commercial retail, and/or restaurant floor area. The Project would include three buildings:

- Live/Work Building with ground floor retail oriented on the southwest corner of the Site,
- Retail Building with amenities oriented on the northwest corner of the Site, and
- Office Building with ground floor retail oriented on the east side of the Site) with connections via pedestrian walkways, ground floor plazas and elevated terraces.

Each of the buildings is designed with ground floor commercial (retail) fronting not only on Bay and Sacramento streets, but also along the Project's internal central courtyard. The central courtyard is planned with pedestrian connections to the surrounding streets. Within the site's northwestern corner, the Project would adaptively reuse an existing approximately 30-foot tall shed structure (Shed Building) by creating an approximately 17-foot-tall single-story structure with a roof top open space element under the reconstructed shed. This building's first floor is planned for retail uses while its roof top open space element, below the roof of the shed structure, could be used for resident, employee, patron or community activities. The Project's eastern half of the site from Sacramento to Bay streets would be developed with a seven-story building containing approximately 113,350 square feet of creative offices space and a small restaurant space on the top floor (Retail Building). This building is designed with numerous exterior terrace elements available to future tenants providing outdoor working areas or passive recreation areas all with views of downtown or the Los Angeles River. The 11-story Live/Work Building fills the southwestern portion of the site and contains 110 live/work units, their amenity spaces and 2<sup>nd</sup> level publicly accessible gym (primarily accessed from a bridge extending from the adjacent Retail Building to its north. It would also have elevator access from the Live/Work Building). The average unit size is 947 square feet. The Project would provide 11% of its total units, or 12 units, as Very Low-Income Restricted Affordable units. Resident amenities include a large roof top deck with pool, a club-house, a shared art space and private balconies and decks.

### Requested Entitlements

The City of Los Angeles is the Lead Agency for the Project. In order to construct the Project, the Project Applicant is requesting approval of the following actions:

1. Pursuant to **Los Angeles Municipal Code (LAMC) Section 11.5.6**, as authorized by the Los Angeles Charter Section 555, the Applicant requests approval of General Plan Amendments to permit the construction of a new mixed use project containing a maximum of 110 Live/Work Units, 11% of the total units would be set aside as Restricted Affordable units at a Very Low Income level, approximately 50,848 square feet of commercial (retail) space and 113,350 square feet of creative office space. The Amendments include:
  - a. To revise the land use designation in the Central City North Community Plan from Heavy Industrial to Commercial Industrial.
  - b. The deletion of Community Plan Footnotes 1 (Height District No. 1) and 6 (for properties designated on zoning maps as Height District Nos. 1, 1L, 1VL, or 1XL (or their equivalent), development exceeding a floor area ratio of 1:5:1 up to 3:1 may be permitted through a zone change height district change procedure, including an environmental clearance) from the Industrial land use category to accommodate a "2" Height District in the CM zone.
2. Pursuant to **LAMC Section 12.32 F and Q**, the Applicant requests approval of a Vesting Zone and Height District change from M3-1-RIO (Heavy Industrial Zone) to CM-2-RIO (Commercial Manufacturing Zone in Height District 2) to permit the construction of a new mixed use project containing a maximum of 110 Live/Work Units, 11% of the total units would be set aside as Restricted Affordable units at a Very Low Income level, approximately 50,848 square feet of commercial (retail) space and 113,350 square feet of creative office space.
3. Pursuant to **LAMC Section 16.05**, the Applicant requests the approval of Site Plan Review findings.
4. Pursuant to **California Government Code Sections 66473.1 and 66474 (Subdivision Map Act) and LAMC, Section 17.00 of Article 7 (Division of Land)**, the Applicant requests approval of a Vesting Tentative Tract Map to merge all lots into one development site.
  - a. Pursuant to LAMC Section 17.03 A, the request also includes an adjustment of less than 20% in the CM lot area requirements (1 per 800 square feet of lot area) to permit a density equal to one unit per 712 square feet of lot area (11%).
5. Pursuant to various sections of the LAMC, the Applicant would request approvals and permits from the Building and Safety Department (and other municipal agencies) for project construction actions including, but not limited to the following: demolition, excavation, shoring, grading, foundation, building, and tenant improvements.
6. Pursuant to California Environmental Quality Act, the Applicant requests certification of the Project's Environmental Impact Report.

### No Impact Or Less Than Significant Impacts Without Mitigation

Impacts of the Project that were determined to have no impact or be less than significant in the Draft EIR (including having a less than significant impact as a result of implementation of project design features and regulatory compliance measures) and that require no mitigation are identified below. These include potential impacts that were analyzed in the Initial Study and that were further analyzed in the Draft EIR. However, based on the analysis in the Initial Study, the Draft EIR does not address the following environmental impacts that were found to be not potentially significant in

the Initial Study: impacts related to aesthetics, agriculture and forestry resources, biological resources, and mineral resources. Refer to the Initial Study at Appendix A-1 of the Draft EIR. The City has reviewed the record and agrees with the conclusion that the following environmental factors, as well as the environmental factors analyzed exclusively in the Initial Study, would not be significantly affected by the Project and therefore, no additional findings are needed.

These findings do not repeat the full discussions of environmental impacts contained in the EIR. The City ratifies, adopts, and incorporates the analysis, explanation, findings, responses to comments, and conclusions of the EIR. The City adopts the reasoning of the EIR, City staff reports, and presentations regarding the Project.

The California Natural Resources Agency adopted revisions to the CEQA Guidelines that became effective on December 28, 2018. The revisions to the Guidelines included revisions to the Guidelines' Appendix G – Environmental Checklist Form. The revisions to the CEQA Guidelines were adopted largely to create efficiencies and to align the Guidelines with California appellate court and Supreme Court decisions. The revised Guidelines, including the revised Appendix G Environmental Checklist, apply prospectively and only to steps in the CEQA process not yet undertaken by the effective date of the revisions. (CEQA Guidelines Section 15007(b).) The revised Guidelines do not apply to CEQA documents that were published for public review before the effective date of the revised Guidelines. (CEQA Guidelines Section 15007(c).) The Draft EIR was published for public comment on November 8, 2018. Therefore, the revisions to the Guidelines and to Appendix G do not apply to City's analysis in the Initial Study and Draft EIR.

## Air Quality

### 1 Conflict with or Obstruct Implementation of an Applicable Air Quality Plan

#### 1 AQMP

The proposed land uses would neither conflict with the 2016 Air Quality Management Plan ("AQMP") of the South Coast Air Quality Management District ("SCQAMD") nor jeopardize the region's attainment of air quality standards. The Project would not exceed the SCAQMD's screening thresholds for criteria pollutants ( $\text{NO}_2$  as  $\text{NO}_x$ , CO,  $\text{PM}_{10}$ , and  $\text{PM}_{2.5}$ ), which are an indicator of potential exceedances of ambient air quality standards. Since VOCs are not a criteria pollutant, there is no ambient air quality standard or localized threshold for them. Because particulate matter is the primary pollutant of concern during the construction phase, the analysis evaluated  $\text{PM}_{10}$  and  $\text{PM}_{2.5}$  emissions to assess potential effects on localized concentrations and determine if there is potential to cause an exceedance of ambient air quality standards. As shown in Table IV.A-6 of the Draft EIR, increases in  $\text{PM}_{10}$  and  $\text{PM}_{2.5}$  emissions would not exceed the SCAQMD's significance thresholds at sensitive receptors near the Project Site. Similarly, construction emissions of  $\text{NO}_x$  and CO would not exceed the SCAQMD's significance thresholds and would not impact the region's ability to meet ambient air quality standards. As a result, construction activities would not exceed the regional or localized significance thresholds for any criteria pollutants, and no mitigation measures are required. As such, the Project's localized construction emissions impact would be less than significant.

Similarly, Project operations would not produce regional or localized emissions that exceed the SCAQMD's screening thresholds for criteria pollutants, largely because of the absence of major on-site stationary sources. As for off-site impacts, Project-related traffic would not result in CO hotspots where ambient air quality standards could be exceeded near roadways affected by Project traffic. Thus, the Project would not increase the frequency or severity of any existing violation or cause or contribute to new violations for criteria pollutants. As such, the Project meets this AQMP consistency criterion. As shown in Table IV.A-7 of the Draft EIR, operational impacts would be less than significant. Thus, the Project would not increase the frequency or severity of any existing violation or cause or contribute to new violations for criteria pollutants. As the Project would not exceed any State and federal standards, the Project would not delay attainment of air quality standards or interim emission reductions specified in the AQMP.

Furthermore, the Project is consistent with the population, housing, and employment assumptions that were used in the development of the AQMP. As the Project would support the City of Los Angeles and SCAQMD's objectives of reducing vehicle miles traveled ("VMT") and the related vehicular air emissions, the Project would be consistent with AQMP land use policies. The Project would not result in any significant air quality impacts and therefore would not require mitigation. In addition, the Project would comply with all applicable regulatory standards as required by SCAQMD (such as Rule 403). As such, the Project would not exceed the assumptions utilized in preparing the AQMP. The Project would not conflict with or obstruct implementation of the AQMP, and impacts would be less than significant.

## 2 General Plan Air Quality Element

The Project would support the goals, objectives, and policies of the Air Quality Element of the City General Plan. Specifically, the Project includes short- and long-term bicycle parking spaces for residents and visitors. In addition, the Project is located in an area well-served by public transit provided by Los Angeles County Metropolitan Authority ("Metro") and is within a High Quality Corridor. As such, the Project would provide opportunities for the use of alternative modes of transportation, including convenient access to public transit and opportunities for walking and biking, thereby facilitating a reduction in VMT.

Additionally, the Project would include commercial uses that would serve Project residents and employees and the Project vicinity, thereby reducing VMT that would otherwise be required to travel to similar commercial uses elsewhere in the community. Further, the Project would be consistent with the existing land use pattern in the vicinity that concentrates urban density along major arterials and near transit options. The Project would also include an entrance for pedestrians and bicyclists that would be safe and easily accessible. As such, the Project would serve to implement applicable policies of the City of Los Angeles pertaining to air quality, and its impacts would be less than significant.

## 2 Air Quality Standards

### 1 Regional Construction Impacts

Construction-related emissions were estimated using the SCAQMD's CalEEMod 2016.3.2 model using assumptions from the Project's developer, including the Project's construction schedule of approximately 36 months. Table IV.A-5 of the Draft EIR summarizes the proposed construction schedule that was modeled for air quality impacts. Construction of the Project would generate pollutant emissions through the use of heavy-duty construction equipment on- and off-site, heavy-duty trucks hauling material to and from the Project Site, as well as vehicle trips generated by construction workers traveling to and from the site. Construction emissions can vary substantially from day to day, depending on the level of activity, the type of operation, and technology employed in the equipment used. As shown in Table IV.A-6 of the Draft EIR, estimated daily Project construction emissions would not exceed the SCAQMD's regional thresholds. As a result, construction of the Project would not contribute substantially to an existing violation of air quality standards for regional pollutants (e.g., ozone). Therefore, construction impacts on regional air quality would be less than significant.

### 2 Localized Construction Impacts

Maximum on-site daily construction emissions for NO<sub>x</sub>, CO, PM<sub>10</sub>, and PM<sub>2.5</sub> were calculated using CalEEMod and compared to the applicable SCAQMD LSTs for the Central LA SRA based on construction site acreage that is less than or equal to 5 acres. Potential impacts were evaluated at the closest off-site sensitive receptor, which is the multi-family residences (Art House Lofts), located at 1200 South Santa Fe Street, about 400 feet south of the Project Site. The closest receptor distance on the SCAQMD mass rate LST look-up tables is 100 meters. As shown in Table IV.A-6 of the Draft EIR, the Project would produce emissions that do not exceed the SCAQMD's recommended LSTs for NO<sub>2</sub> and CO during the construction phase. Similarly,

construction activities would not produce  $PM_{10}$  and  $PM_{2.5}$  emissions that exceed LSTs recommended by the SCAQMD. These estimates assume the use of Best Available Control Measures (“BACM”) that address fugitive dust emissions of  $PM_{10}$  and  $PM_{2.5}$  through SCAQMD Rule 403. This would include watering portions of the site that are disturbed during grading activities and minimizing tracking of dirt onto local streets. Therefore, construction impacts on localized air quality would be less than significant.

### 3 Regional Operational Impacts

Operational emissions of criteria pollutants would come from area sources and mobile sources. Area sources include natural gas for space heating and water heating, gasoline-powered landscaping and maintenance equipment, consumer products such as household cleaners, and architectural coatings for routine maintenance. The Project would also produce long-term air quality impacts to the region primarily from motor vehicles that access the Project site. The Project is anticipated to generate up to 2,394 daily vehicle trips. The CalEEMod program generates estimates of emissions from energy use based on the land use type and size. As shown in Table IV.A-7 of the Draft EIR, would not exceed the SCAQMD’s regional or localized significance thresholds. Therefore, the Project’s operational impacts on regional air quality would be less than significant.

### 4 Localized Operational Impacts

With regard to localized air quality impacts, the Project would emit minimal quantities of  $NO_2$ , CO,  $PM_{10}$ , and  $PM_{2.5}$  from area and energy sources on-site. As shown in Table IV.A-7 of the Draft EIR, these localized emissions would not approach the SCAQMD’s LSTs that signal when there could be human health impacts at nearby sensitive receptors during long-term operations. Therefore, the Project’s operational impacts on localized air quality would be less than significant.

## 3 Cumulatively Considerable Net Increase of Any Criteria Pollutant Subject to Non-Attainment

### 1 Construction Impacts

For regional ozone precursors, the Project would not exceed SCAQMD mass emission thresholds for ozone precursors during construction. Similarly, regional emissions of  $PM_{10}$  and  $PM_{2.5}$  would not exceed mass thresholds established by the SCAQMD. Construction of the Project would not contribute significantly to cumulative emissions of any non-attainment regional pollutants. Therefore, construction emissions impact on regional criteria pollutant emissions would be less than significant.

When considering local impacts, cumulative construction emissions are considered when projects are within close proximity of each other that could result in larger impacts on local sensitive receptors. Construction of the Project itself would not produce cumulatively considerable emissions of localized nonattainment pollutants  $PM_{10}$  and  $PM_{2.5}$ , as the anticipated emissions would not exceed LST screening thresholds set by the SCAQMD. Therefore, construction emissions impact on localized criteria pollutant emissions would be less than significant.

There are 60 related projects in the general vicinity of the Project Site that were identified by the Project’s traffic study. In addition, the Central City North Community Plan Update, known as the DTLA 2040 Plan, is currently being prepared by DCP. According to the DTLA 2040 Plan projections, approximately 125,000 people, 70,000 housing units, and 55,000 jobs would be added to the Downtown area by the year 2040. Only the initial period of any such projected growth would overlap with the Project’s future baseline forecast, as the Project is anticipated to be completed by 2022, well before the Community Plan Update’s horizon year. As such, it can be assumed that the projected growth reflected by the list of related projects located within the Central City North Community Plan area, which itself is a conservative assumption as discussed

above, would account for any overlapping growth that may be assumed by the Community Plan Update upon its adoption.

If any of these related projects were to undertake construction concurrently with the Project, localized CO, PM<sub>2.5</sub>, PM<sub>10</sub>, and NO<sub>2</sub> concentrations would be further increased. However, the application of LST thresholds to each related project in the local area would help ensure that each related project does not produce localized hotspots of CO, PM<sub>2.5</sub>, PM<sub>10</sub>, and NO<sub>2</sub>. Any related projects that would exceed LST thresholds (after mitigation) would perform dispersion modeling to confirm whether health-based air quality standards may be violated and mitigation imposed as needed. The SCAQMD's LST thresholds recognize the influence of a receptor's proximity, setting mass emissions thresholds for PM<sub>10</sub> and PM<sub>2.5</sub> that generally double with every doubling of distance. However, the City's required compliance with SCAQMD Rule 403 would result in the implementation of measures that substantially reduce PM<sub>10</sub> and PM<sub>2.5</sub> emissions during on-site construction activities. Cumulative projects in the surrounding area would also be required to comply with the applicable portions of SCAQMD Rule 403, and each project would also be required to implement appropriate additional mitigation commensurate with its estimated construction emission quantities. Therefore, construction of the Project would not produce a cumulatively considerable contribution to cumulative pollutant concentrations at nearby sensitive receptors, and impacts would be less than significant.

## 2 Operational Impacts

The Project would not produce cumulatively considerable emissions of nonattainment pollutants at the regional or local level. The Project would not include major sources of combustion or fugitive dust. As a result, its localized emissions of PM<sub>10</sub> and PM<sub>2.5</sub> would be minimal. Likewise, existing land uses in the area include land uses that do not produce substantial emissions of localized nonattainment pollutants. As shown in Table IV.A-7 of the Draft EIR, Project operation daily emissions would not exceed any of the SCAQMD's regional or localized thresholds. Therefore, the Project's contribution to cumulative operation-related regional or localized emissions would not be cumulatively considerable and, thus, would be less than significant. The Project would not result in a cumulatively considerable increase of any criteria pollutant under an applicable federal or State ambient air quality standards.

## 4 Sensitive Receptors

### 1 Construction Impacts

Construction of the Project could expose sensitive receptors to substantial pollutant concentrations if maximum daily emissions of regulated pollutants generated by sources located on and/or near the Project Site exceeded the applicable LST values presented in Table IV.A-3 of the Draft EIR. As illustrated in Table IV.A-6 of the Draft EIR, these nearby receptors would not be exposed to substantial concentrations of localized pollutants PM<sub>10</sub> and PM<sub>2.5</sub> from construction of the Project. Specifically, construction activities would not exceed SCAQMD LST screening thresholds, and impacts would be less than significant.

The Project would not result in any substantial emissions of toxic air contaminants ("TACs") during the construction phase. During construction, the primary TAC emissions would be associated with the combustion of diesel fuels, which produce exhaust-related particulate matter that is considered a TAC by CARB based on chronic exposure to these emissions. However, construction activities would not result in chronic, long-term exposure to diesel particulate matter ("DPM"), and impacts associated with TACs would be less than significant. The primary TAC that would be generated by construction activities is DPM, which would be released from the exhaust stacks of construction equipment. The construction emissions modeling conservatively assumed that all equipment present on the Project Site would be operating simultaneously and continuously throughout most of the day, while, in all likelihood, this would rarely be the case. Average daily emissions of DPM would be less than one pound per day throughout the course of Project construction. Therefore,

the magnitude of daily DPM emissions would not be sufficient to result in substantial pollutant concentrations at off-site residential locations nearby.

Furthermore, according to SCAQMD methodology, health risks from carcinogenic air toxics are usually described in terms of individual cancer risk. "Individual Cancer Risk" is the likelihood that a person exposed to concentrations of TACs over a 30-year lifetime would contract cancer based on the use of standard risk-assessment methodology. The entire duration of construction activities associated with implementation of the Project is anticipated to be approximately 36 months, and the magnitude of daily DPM emissions would vary over this time period. No residual emissions and corresponding individual cancer risk are anticipated after construction. Because there is such a short-term exposure period, construction TAC emissions would result in a less-than significant impact. Therefore, construction of the Project would not expose sensitive receptors to substantial DPM concentrations, and this impact would be less than significant.

## 2 Operational Impacts

The Project would generate long-term emissions on-site from area and energy sources that would generate negligible pollutant concentrations of CO, NO<sub>2</sub>, PM<sub>2.5</sub>, or PM<sub>10</sub> at nearby sensitive receptors. While long-term operations of the Project would generate traffic that produces off-site emissions, these would not result in exceedances of CO air quality standards at roadways in the area due to three key factors. First, CO hotspots are extremely rare and only occur in the presence of unusual atmospheric conditions and extremely cold conditions, neither of which applies to this Project area. Second, auto-related emissions of CO continue to decline because of advances in fuel combustion technology in the vehicle fleet. Finally, the Project would not contribute to the levels of congestion that would be needed to produce the amount of emissions needed to trigger a potential CO hotspot. Specifically, traffic levels of service at the intersections studied in the vicinity of the Project would not be significantly impacted by traffic volumes from the development under existing or 2022 horizon scenarios. At buildout of the Project, the highest average daily trips at an intersection would be less than 100,000 vehicles at the Santa Fe and 7<sup>th</sup> Street intersection, which is significantly below the daily traffic volumes that would be expected to generate CO exceedances. In addition, the SCAQMD recommends that health risk assessments be conducted for substantial sources of diesel particulate emissions (e.g., truck stops and warehouse distribution facilities) and has provided guidance for analyzing mobile source diesel emissions. The Project would not generate a substantial number of truck trips. Based on the limited activity of TAC sources, the Project would not warrant the need for a HRA associated with on-site activities. Therefore, Project impacts would be less than significant. Therefore, the Project would not expose sensitive receptors to substantial air pollutant concentrations, and Project impacts would be less than significant.

## 5 Odors

As discussed in Section V of the Draft EIR, Other CEQA Considerations, and in the Initial Study (Appendix A-1), the Project Site would not create objectionable odor impacts. The Project does not include any of the uses identified by the SCAQMD as being associated with odors. While the Project does include restaurant uses, compliance with industry standard odor control practices, SCAQMD Rule 402 (Nuisance), and SCAQMD Best Available Control Technology Guidelines would limit potential objectionable odor impacts during the project's long-term operations phase to a less-than-significant level. Potential sources that may emit odors during construction activities include the use of architectural coatings and solvents as well as asphalt paving. SCAQMD Rules 1108 and 1113 limit the amount of volatile organic compounds from cutback asphalt and architectural coatings and solvents, respectively. Via mandatory compliance with SCAQMD Rules, no construction activities or materials are proposed which would create a significant level of objectionable odors and would limit potential objectionable odor impacts during the Project's short-term construction phase to a less-than-significant level. Thus, the Project would have a less than significant impact with respect to odors.

## 6 Cumulative Emissions

### 1 Construction Impacts

Similar to the Project, the greatest potential for TAC emissions with respect to each related project would generally involve DPM emissions associated with heavy equipment operations during demolition and grading/excavation activities. According to SCAQMD methodology, health effects from carcinogenic air toxics are usually described in terms of individual cancer risk. "Individual Cancer Risk" is the likelihood that a person exposed to concentrations of TACs over a 70-year lifetime will contract cancer, based on the use of standard risk-assessment methodology. Construction activities with respect to each related project would not result in a long-term (i.e., 70-year) substantial source of TAC emissions. In addition, the SCAQMD's CEQA Air Quality Handbook and SCAQMD's supplemental online guidance/information do not require a health risk assessment for short-term construction emissions. It is, therefore, not required or meaningful to evaluate long-term cancer impacts from construction activities which occur over relatively short durations. As such, cumulative toxic emission impacts during construction would be less than significant. During construction, the Project would not result in a cumulative impact to air quality as the Project's contributions to regional, localized, and TAC emissions would not be cumulatively considerable.

### 2 Operation Emissions

The Project would not produce cumulatively considerable emissions of nonattainment pollutants at either the regional or local level (see Table IV.A-7 the Draft EIR). Because the Project's pollutant emissions would not exceed the SCAQMD's operational thresholds of significance, the Project's contribution to cumulative emissions of non-attainment pollutants would be considered less than significant. Therefore, the emissions of non-attainment pollutants and precursors generated by Project operation would not be cumulatively considerable.

With respect to TAC emissions, neither the Project nor any of the related projects (which primarily include residential, retail/commercial, office, uses) would represent a substantial source of TAC emissions, which are more typically associated with large-scale industrial, manufacturing, and transportation hub facilities. The Project and related projects would be consistent with the recommended screening level siting distances for TAC sources, as set forth in CARB's Land Use Guidelines, and the Project and related projects would not result in a cumulative impact requiring further evaluation. However, the Project and each of the related projects would likely generate minimal TAC emissions related to the use of consumer products and landscape maintenance activities, among other things. Pursuant to California Assembly Bill 1807, which directs CARB to identify substances as TACs and adopt ATCMs to control such substances, the SCAQMD has adopted numerous rules (primarily in Regulation XIV) that specifically address TAC emissions. These SCAQMD rules have resulted in and will continue to result in substantial Air Basin-wide TAC emissions reductions. As such, cumulative TAC emissions during long-term operations would be less than significant. In addition, the Project would not result in any substantial sources of TACs that have been identified in CARB's Land Use Guidelines and, thus, would not result in a cumulatively considerable impact or a cumulatively significant impact. During operation, the Project would not result in a cumulative impact to air quality as the Project's contributions to regional, localized, and TAC emissions would not be cumulatively considerable.

## Cultural Resources

### 7 Historic Resources

The Site and buildings not listed in the National Register and do not appear to meet National Register eligibility requirements. The Site and buildings are not listed in the California Register and do not appear to meet California Register eligibility requirements. The Site and buildings are not individually listed as a City of Los Angeles Historic Cultural Monument (LAHCM), and do not appear to meet local eligibility requirements. This area of the Arts District is not a designated Historic Preservation Overlay Zone (HPOZ) and does not appear to meet HPOZ criteria. As the Project Site and buildings do not appear eligible for listing in the National or California Registers nor are they listed as LAHCM, they are not historical resources for purposes of CEQA. The Project would have no impact on historic resources.

### 8 Archaeological and Paleontological Resources

Archaeological and Paleontological Resources are discussed under Section 5. Less Than Significant Impacts With Mitigation, below.

### 9 Human Remains

The Project Site is located in a heavily urbanized area contains existing buildings and surface parking, and has been previously disturbed by past development activities. The likelihood of encountering human remains on the Project Site is minimal. However, during the construction and excavation of the Project Site, there is a possibility that human remains could be encountered. If human remains are encountered unexpectedly during construction demolition and/or grading activities, State Health and Safety Code Section 7050.5 requires that no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to California Public Resources Code (PRC) Section 5097.98. In the event that human remains are discovered during excavation activities, the County Coroner shall be called immediately. If the remains are determined to be of Native American descent, the County Coroner has 24 hours to notify the Native American Heritage Commission (NAHC). The NAHC would immediately notify the person it believes to be the most likely descendent of the deceased Native American. The most likely descendent has 48 hours to make recommendations to the owner, or representative, for the treatment or disposition, with proper dignity, of the human remains and grave goods. If the owner does not accept the descendant's recommendations, the owner or the descendent may request mediation by the NAHC. Therefore, impacts will be less than significant.

### 10 Cumulative

While the majority of the related projects are located a substantial distance from the Project Site, as shown in Figure III-1 in Section III, Environmental Setting, of the Draft EIR, several related projects are located in proximity to the Project Site. Although impacts to historic resources tend to be site-specific, cumulative impacts would occur if the Project, related projects, and other future development area affected local resources with the same level or type of designation or evaluation, affected other structures located within the same historic district, or involved resources that are significant within the same context as the Project.

All Project development would remain on-site and, no historic resources exist on the Project Site. Therefore, Project impacts to historic resources within the vicinity of the Project would not be cumulatively considerable, and cumulative impacts would be less than significant.

**a) Geology and Soils****(1) Potential Substantial Adverse Effects**

The Project Site would not expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known fault, strong seismic ground shaking, seismic-related ground failure (e.g., liquefaction), or landslide, caused in whole or in part by the Project's exacerbation of the existing environmental conditions. The Project Site is not located in an Alquist-Priolo Fault Zone or a City-designated Fault Rupture Study Area.

The main seismic hazard affecting the Site is moderate to strong ground shaking. The Project would be designed and constructed in accordance with the City Building Code and California Building Code, which specify structural requirements for different types of buildings in a seismically active area. Additionally, the Project would adhere to the City's Department of Building and Safety ("LADBS") recommendations. Adherence to current building codes and engineering practices would ensure that the Project would not expose people, property or infrastructure to seismically induced ground shaking hazards that are greater than the average risk associated with locations in the Southern California region.

The Project Site is not identified by ZIMAS as being within a liquefaction zone. The City of Los Angeles Seismic Safety Element does not identify the Project Site as being within a liquefiable area. The Project would be required to comply with building regulations set forth by the State Geologist, which require site analysis prior to development. Furthermore, the Project would comply with the CGS Special Publications 117, *Guidelines for Evaluating and Mitigating Seismic Hazards in California* (1997), which provides guidance for evaluation and mitigation of earthquake-related hazards including liquefaction. The Project Site is not classified as a landslide hazard zone in the CGS Seismic Hazards Map, nor is it identified by ZIMAS as being within a landslide hazard zone, and development would not substantially alter the existing topography of the Project Site. Thus, the Project would have a less-than-significant impact with respect to potential rupture of a known fault, strong seismic ground shaking, seismic-related ground failure (e.g., liquefaction), or landslide.

**(2) Soil Erosion or Loss of Topsoil**

The Project Site would not result in substantial soil erosion or loss of topsoil. The potential for soil erosion during Project operation would be relatively low due to the urbanized nature of the Project Site and the generally level topography of the Site. In addition, the Project Site will be improved with a new buildings, hardscape and landscape. Thus, the Project would have a less-than-significant impact with respect to soil erosion or loss of topsoil.

**(3) Landslides, Lateral Spreading, Subsidence, Liquefaction, Collapse**

A significant impact may occur if the Project is built in an unstable area without proper site preparation or design features to provide adequate foundations for the project buildings, thus posing a hazard to life and property. Construction activities associated with the Project must comply with the Los Angeles Building Code ("LABC"), which is designed to assure safe construction, including building foundation requirements appropriate to site conditions. In addition, the Project Site is not at risk for landslides as the Project Site is relatively level with very little elevation change. Some seismically-induced settlement of the Project Site would be expected as a result of strong ground shaking. However, due to the uniform nature of the underlying geologic materials, excessive differential settlements are not expected to occur. The Project would be required to conform to the Uniform Building Code seismic standards as approved by LADBS to ensure that seismically-induced settlement does not cause the Project Site to be unstable as a result of the Project's exacerbation of existing environmental conditions. As such, based on these considerations, the Project would not cause the Project Site to become unstable, resulting in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse caused, in whole or in

part, by the Project's exacerbation of existing environmental conditions. Therefore, Project impacts with respect to soil stability would be less than significant.

(4) Expansive Soil

On-site soils have very low expansion range. Design and construction of the Project would be required to comply with the 2016 California Building Code and supplemental requirements of the LAMC, as enforced by the City of Los Angeles. These requirements include building foundation and other requirements appropriate to site-specific conditions that would be provided in accordance with the design level geotechnical investigation required by the City. Therefore, the Project would not be located on expansive soil to create a substantial risk to life or property caused in whole or in part by the Project's exacerbating the expansive soil conditions. As such, Project impacts with respect to expansive soils would be less than significant.

(5) Septic Tanks

As discussed in Section V of the Draft EIR, Other CEQA Considerations, and in the Initial Study (Appendix A-1), the Project Site would not use a septic tank or alternative waste disposal system. The Project Site is located in a developed area, which is served by a wastewater collection, conveyance and treatment system operated by the City. Thus, the Project would have no impact with respect to septic tanks or alternative waste disposal systems.

(6) Cumulative

Due to the site-specific nature of geological conditions (i.e., soils, geological features, subsurface features, seismic features, etc.), geology impacts are typically assessed on a project-by-project basis, rather than on a cumulative basis. Nonetheless, cumulative growth through 2022 (buildout year) (inclusive of the 60 related projects identified in Section III of the Draft EIR, Environmental Setting) would expose a greater number of people to seismic hazards. However, as with the Project, all related projects and other future development projects would be subject to established guidelines and regulations pertaining to building design and seismic safety, including those set forth in the CBC and LABC. Therefore, with adherence to applicable regulations, Project impacts with regard to the exacerbation of geological and soils conditions would not be cumulatively considerable, and cumulative impacts with regard to geology and soils would be less than significant.

**b) Greenhouse Gas Emissions (GHG)**

(1) GHG Emissions Generation

Compliance with a GHG emissions reduction plan renders a Project less than significant. In support of the consistency analysis which describes the Project's compliance with or exceedance of performance-based standards included in the regulations and policies outlined in the applicable portions of the Climate Change Scoping Plan, the 2016– 2040 RTP/SCS, the LA Green Plan, and the Sustainable City pLAN, quantitative calculations are provided below. The Project would result in direct and indirect GHG emissions generated by different types of emissions sources, including: construction, area sources, mobile sources, energy sources, solid waste, and water/wastewater. The Project would generate an incremental contribution to and a cumulative increase in GHG emissions.

As shown in Table IV.D-10 of the Draft EIR, the GHG emissions for the Project would total 6,326 MTCO<sub>2e</sub> per year. The Project's profile as an urban infill, mixed-use project with proximity to substantial public transit would produce substantial reductions over land uses that are located in a more typical community that has not coordinated its land use and transportation planning. GHG emissions from mobile sources reflects a 30 percent reduction in mobile source emissions with implementation of VMT reducing measures as compared to the Project without implementation of VMT reducing measures. This reduction is attributable to the Project characteristics as being an

infill project near transit that supports multi-modal transportation options. These would result in concomitant reductions in CO<sub>2</sub>e emissions that far exceed the State's AB 32 Scoping Plan goal of a 4.5 percent reduction from the overall transportation sector by 2020. As such, the Project would meet and exceed its contribution to statewide climate change obligations that are under the control of local governments in their decision-making.

The Draft EIR's analysis included potential emissions from the Project at build-out based on actions and mandates expected to be in force in 2020. Early-action measures identified in CARB's Climate Change Scoping Plan that have not yet been approved were not credited in that analysis. By not speculating on potential regulatory conditions, the analysis took a conservative approach that likely overestimated the Project's GHG emissions at build-out.

## (2) Plan Consistency

The Project comply with or exceeds the plans, policies, regulations and GHG reduction actions/strategies outlined in the Climate Change Scoping Plan and First Update (as shown in Table IV.D-5 of the Draft EIR), the 2017 Scoping Plan Update (as shown in Table IV.D-6 of the Draft EIR), the 2016–2040 RTP/SCS (as shown in Table IV.D-7 of the Draft EIR), the LA Green Plan (as shown in Table IV.D-8 of the Draft EIR), and the Sustainable City pLAn (as shown in the discussion on pages IV.D-65 to IV.D-66 of the Draft EIR. In addition, consistency with the above plans, policies, regulations and GHG reduction actions/strategies would serve to reduce GHG emissions for the Project. Therefore, the Project would not conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing emissions of GHGs. Furthermore, because the Project is consistent and does not conflict with these plans, policies, and regulations, the Project's incremental increase in GHG emissions as described above would not result in a significant impact on the environment. Therefore, Project-specific impacts with regard to climate change would be less than significant.

## (3) Cumulative

The consistency plans discussed above account for cumulative impacts. As explained above, the analysis of a project's GHG emissions is inherently a cumulative impacts analysis because climate change is a global problem and the emissions from any single project alone would be negligible. Accordingly, the analysis above took into account the potential for the Project to contribute to the cumulative impact of global climate change. Tables IV.D-10 of the Draft EIR illustrate that implementation of the Project's regulatory requirements and project design features, including state mandates, would contribute to GHG reductions. These reductions support State goals for GHG emissions reduction. The analysis shows that the Project is consistent with CARB's Climate Change Scoping Plan, particularly its emphasis on the identification of emission reduction opportunities that promote economic growth while achieving greater energy efficiency and accelerating the transition to a low-carbon economy.

The analysis also shows that the Project is consistent with the 2016–2040 RTP/SCS' plans, policies, and regulatory requirements to reduce regional GHG emissions from the land use and transportation sectors by 2020 and 2035. In addition, the Project would comply with the LA Green Plan, which emphasizes improving energy conservation and energy efficiency, increasing renewable energy generation, and changing transportation and land use patterns to reduce auto dependence. Furthermore, the Project would comply with the aspirations of the Sustainable City pLAn, which includes specific targets related to housing and development, and mobility and transit. Given the Project's consistency with statewide, regional, and local plans adopted for the reduction of GHG emissions, it is concluded that the Project's incremental contribution to greenhouse gas emissions and their effects on climate change would not be cumulatively considerable. For these reasons, the Project's cumulative contribution to global climate change would be less than significant.

(4) Project Design Features

The following project design features (PDFs) are applicable to the Project with regard to GHG emissions:

**GHG-PDF-1** At least 20 percent of the total code-required parking spaces provided for all types of parking facilities shall be capable of supporting future electric vehicle supply equipment (EVSE). Plans shall indicate the proposed type and location(s) of EVSE and also include raceway method(s), wiring schematics and electrical calculations to verify that the electrical system has sufficient capacity to simultaneously charge all electric vehicles at all designated EV charging locations at their full rated amperage. Plan design shall be based upon Level 2 or greater EVSE at its maximum operating capacity. Only raceways and related components are required to be installed at the time of construction. When the application of the 20-percent requirement results in a fractional space, round up to the next whole number. A label stating "EV CAPABLE" shall be posted in a conspicuous place at the service panel or subpanel and next to the raceway termination point.

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

**GHG-PDF-2** The Project will utilize electric or solar-powered generators during construction, as feasible.

**c) Hazards and Hazardous Materials**

(1) Transport, Use, or Disposal

Construction of the Project would involve the temporary transport, use, and/or disposal of potentially hazardous materials, including paints, adhesives, surface coatings, cleaning agents, fuels, and oils. The use of these materials would be temporary and short-term in nature. Additionally, all potentially hazardous materials would be used and stored in accordance with manufacturers' instructions and handled in compliance with applicable standards and regulations.

The Project includes the development of a residential, office, and commercial uses. These types of urban uses typically involve the use and storage of small quantities of potentially hazardous materials in the form of cleaning solvents, paints, and pesticides for landscaping, hydraulic fluids for the elevators, refrigerant for the HVAC system, and petroleum products. With implementation of hazardous waste reduction efforts on-site (i.e., the City's Green Building Ordinance and through source reduction, recycling, on-site treatment, etc.), as well as the proper treatment and disposal of such wastes at licensed resource recovery facilities, the Project would not generate significant amounts of hazardous wastes. The transport of hazardous materials and wastes (i.e., paints, adhesives, surface coatings, cleaning agents, fuels, and oils) would occur in accordance with federal and state regulations, including Resource Conservation and Recovery Act ("RCRA"), Title 49 of the Code of Federal Regulations ("CFR"), the California Vehicle Code, and the California Health & Safety Code. In accordance with such regulations, the transport of hazardous materials and wastes would only occur with transporters who have received training and appropriate licensing. Additionally, hazardous waste transporters would be required to complete and carry with him/her a hazardous waste manifest. Placarding of vehicles carrying hazardous materials would also occur in accordance with Title 49 of the CFR. Compliance with applicable City, state, and federal regulations related to the handling, storage, transport, and disposal of hazardous materials and waste during operation of the Project would ensure that no significant hazard to

the public or the environment occurs. Therefore, impacts related to the use of hazardous materials during operation would be less than significant.

(2) Upset or Accident Conditions

The Project would be removing an industrial building and adaptively reusing a shed structure. While most of the accessed site building's interior areas (shed) are not improved, based on the apparent age of structures at the site, Asbestos-Containing Materials (ACMs) may still be present. If ACMs are found to be present, it will need to be abated in compliance with the South Coast Air Quality Management District's Rule 1403 as well as all other applicable State and Federal rules and regulations. There is potential for lead-based paint. Should lead-based paint materials be identified, standard handling and disposal practices shall be implemented pursuant to OSHA regulations. Impacts would be less than significant.

(3) Existing or Proposed Schools

The Project Site is not located within one-quarter mile of a school. The nearest school is Metropolitan High School, located at 727 Wilson Street, approximately 1,550 feet to the northwest.

During construction, the Site would be surrounded by a temporary construction fence to minimize dust and prevent trespass. All potentially hazardous materials would be used, stored, and disposed of according to manufacturers' specifications and in compliance with applicable federal, state, and local regulations. Thus, the use of such materials would not create a hazard to a nearby school. In addition, the Project will have a less than significant impact during construction for potential asbestos, lead-based paint. Regulations would ensure that demolition of the existing structure and adaptive reuse would not emit hazardous materials.

During operation, the Project would only use small quantities of common hazardous substances (such as cleaning solvents). The use of hazardous materials would be small-scale and entirely within the Project Site. Therefore, the Project would not emit hazardous emissions or handle hazardous materials or acutely hazardous materials, substances, or waste within 0.25 mile of an existing school, and operational impacts related to the use of hazardous materials within 0.25 mile of a school would be less than significant.

(4) List of Hazardous Materials Sites

As described in the Draft EIR, the Project Site is not located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would not exacerbate the current environmental conditions so as to create a significant hazard to the public or the environment. Therefore, as the Project Site is not located on a list of hazardous material sites, no impact would occur.

(5) Public Airport

As discussed in Section V of the Draft EIR, Other CEQA Considerations, and in the Initial Study (Appendix A-1), the Project Site is not located within 2 miles of a public airport. Thus, the Project would have no impact with respect to safety hazards to public airports.

(6) Private Airstrip

As discussed in Section V of the Draft EIR, Other CEQA Considerations, and in the Initial Study (Appendix A-1), the Project Site is not located within the vicinity of private airstrip. Thus, the Project would have no impact with respect to safety hazards to private airstrips.

### (7) Emergency Plans

The construction of the Project would occur within the boundaries of the Project Site. Temporary pedestrian or vehicular public right-of-way closures may be necessary during the construction phase for construction staging, equipment access, and pedestrian safety. Partial lane closures would not significantly affect emergency vehicles, the drivers of which normally have a variety of options for dealing with traffic, such as using their sirens to clear a path of travel or driving in opposing traffic lanes. Additionally, if partial closures to streets surrounding the Project Site become necessary, flagmen would be used to facilitate the traffic flow until such temporary street closures are complete.

Pursuant to Project Design Feature TRANS-PDF-1, a Construction Management Plan would be implemented during construction of the Project. See Section IV.K, Transportation/Traffic, of the Draft EIR for details of the Construction Management Plan. The Construction Management Plan would consider the nature and timing of specific construction activities and other projects in the vicinity, as well as disclose lane closure information, detour plans, truck routes, and staging plans, and identify specific actions that would reduce the effects from construction of the Project on the surrounding community.

Construction of the Project would not substantially impede public access or travel on public rights-of-way such as Bay Street or Sacramento Street, and would not interfere with any adopted emergency response plan or emergency evacuation plan. Major roadways throughout the City, such as Alameda Street are designated disaster routes. Disaster routes function as primary thoroughfares for movement of emergency response traffic and access to critical facilities. Immediate emergency debris clearance and road/bridge repairs for short-term emergency operations will be emphasized along these routes. The Project would not impede access to these routes. Therefore, Project construction would not impair the implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan, and impacts associated with emergency response and emergency evacuation plans during Project construction would be less than significant.

The Project Applicant would prepare an emergency response plan for the Project, which would include, but not be limited to, the following: mapping of emergency exits, evacuation routes for vehicles and pedestrians, location of nearest hospitals, and fire departments. The proposed access plan would provide adequate access to and from the Project Site in the event of an emergency. Further, the Project Applicant is required to submit the Project plot plan to the LAFD for review to ensure compliance with applicable Los Angeles Fire Code, California Fire Code, LABC, and National Fire Protection Association standards, thereby ensuring that the Project would not create any undue fire hazard or obstacle to emergency access or response. Therefore, Project operation would not impair the implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan, and impacts associated with emergency response and emergency evacuation plans during Project operation would be less than significant.

### (8) Wildland Fires

As discussed in Section V, Other CEQA Considerations, and in the Initial Study (Appendix A-1), the Project Site is not located in a Very High Fire Hazard Severity Zone. The Project Site is not located within a designated Fire Buffer Zone or Mountain Fire District in the 1996 City of Los Angeles Safety Element. Thus, the Project would have no impact with respect to wildland fires.

### (9) Cumulative

Development of the Project, in combination with the related projects, has the potential to increase the risk for an accidental release of hazardous materials. Each of the related projects would require evaluation for potential threats to public safety, including those associated with

the use, storage, and/or disposal of hazardous materials, ACMs, lead-based paint, PCBs, and oil and gas, and would be required to comply with all applicable local, state, and federal laws, rules, and regulations. The related projects are not expected to be sources of hazardous materials (such as heavy industrial or manufacturing uses). Therefore, with full compliance with all applicable local, state, and federal laws, rules and regulations, as well as implementation of site-specific recommendations for the related projects, the Project would not result in a cumulatively considerable contribution to any unidentified impacts created by one or more related projects. As such, implementation of the Project would not exacerbate the risk of exposure of people or the public to hazards or hazardous materials, and cumulative impacts related to hazards and hazardous materials would be less than significant.

**d) Hydrology and Water Quality**

(1) Water Quality Standards or Waste Discharge Requirements

(a) Construction Impacts

Construction activities, such as earth moving, maintenance of construction equipment, and handling of construction materials, can contribute to pollutant loading in stormwater runoff. With implementation of the Erosion Control Plan, site-specific Best Management Practices (“BMPs”) would reduce or eliminate the discharge of potential pollutants from stormwater runoff. In addition, the Project Applicant would be required to comply with City grading permit regulations and inspections to reduce sedimentation and erosion. During on-site grading and building construction, hazardous materials, such as fuels, paints, solvents, and concrete additives, would be used and would, therefore, require proper management and disposal. The management of any resultant hazardous wastes could increase the potential for hazardous material releases into groundwater. Compliance with all applicable federal, state, and local requirements concerning the handling, storage and disposal of hazardous waste would reduce the potential to release contaminants into groundwater, exacerbate existing contaminants, or cause a violation of regulatory water quality standards.

Construction of the Project would not result in discharge that would cause: (1) pollution which would alter the quality of the water of the State (i.e., Los Angeles River) or groundwater to a degree which unreasonably affects beneficial uses of the waters; (2) contamination of the quality of the water of the State or groundwater by waste to a degree which creates a hazard to the public health through poisoning or through the spread of diseases; or (3) nuisance that would be injurious to health; affect an entire community or neighborhood, or any considerable number of persons; and occurs during or as a result of the treatment or disposal of wastes. Accordingly, construction of the Project would not violate any water quality standards or waste discharge requirements. Therefore, construction-related impacts on surface water quality and groundwater quality would be less than significant.

(b) Operation Impacts

Project operation would not increase concentrations of the items listed as constituents of concern for the Los Angeles River Watershed. Under section 3.1.3. of the Low Impact Development (LID) Manual, post-construction stormwater runoff from new projects must be infiltrated, evapotranspired, captured and used, and/or treated through high efficiency BMPs on-site for the volume of water produced by the 85th percentile storm event. The Project would implement either infiltration drywells, capture and use system, or biofiltration planters for managing stormwater runoff in accordance with current LID requirements. Operation of the Project would not result in discharges that would cause: (1) pollution which would alter the quality of the waters of the State (i.e., Los Angeles River) or groundwater to a degree which unreasonably affects beneficial uses of the waters; (2) contamination of the quality of the waters of the State or groundwater by waste to a degree which creates a hazard to the public health through poisoning or through the spread of diseases; or (3) nuisance that would be injurious to health; affect an entire community or neighborhood, or any considerable number of persons; and occurs during or as a result of the

treatment or disposal of wastes. As is typical of most urban developments, stormwater runoff has the potential to introduce pollutants into the stormwater system. Potential pollutants include sediment, nutrients, pesticides, metals, pathogens, and oil and grease. The release of pollutants listed above would be reduced or minimized through the implementation of approved LID BMPs. However, the Project is not anticipated to result in releases or spills of contaminants that could reach a groundwater recharge area or spreading ground or otherwise reach groundwater through percolation.

Stormwater infrastructure on the Project Site, in compliance with LID BMP requirements, would control and treat stormwater runoff to account for the 85th percentile storm event. Implementation of LID BMPs would ensure operational impacts on surface water quality are less than significant. Accordingly, operation of the Project would not violate any water quality standards or waste discharge requirements. Therefore, the Project's potential impact on surface water quality and groundwater quality would be less than significant.

## (2) Groundwater

Construction activities for the Project would include excavating down approximately 30 feet for subterranean parking, building the structure, and installing hardscape and landscape around the structure. Groundwater was not encountered during exploration, conducted to a maximum depth of 80 feet below the existing Site grade. The historically highest groundwater level was established by review of the Los Angeles 7.5 Minute Quadrangle Seismic Hazard Evaluation Report, Plate 1.2, Historically Highest Ground Water Contours (CDMG, 2006). Review of this plate indicates that the historically highest groundwater level at the Site was on the order of 150 feet below grade. Therefore, it is highly unlikely that groundwater would be encountered during construction, which would require pumping. Therefore, as Project construction would not adversely affect the rate of groundwater recharge and supply, the Project would not result in a significant impact on groundwater hydrology during construction.

### (3) Hydrology and Drainage

Construction activities, such as excavation and grading of soils, would temporarily expose the underlying soils and may make the Project Site temporarily more permeable. Exposed and stockpiled soils could be subject to wind and conveyance into nearby storm drains during storm events. In addition, on-site watering activities to reduce airborne dust could contribute to erosion or siltation on- or off-site. The Project would implement an Erosion Control Plan for BMPs during construction to manage runoff and reduce pollutants. The BMPs are designed to contain and filter stormwater and construction watering to prevent runoff from affecting off-site drainage facilities or receiving water bodies. Construction watering activities would be temporary and runoff discharges would be controlled. In addition, the Project would comply with all applicable City grading permit regulations, plans, and inspections to reduce sedimentation and erosion. Through compliance with all NPDES General Construction Permit requirements, including preparation of a Stormwater Pollution Prevention Plans (SWPPP), implementation of BMPs, and compliance with applicable City grading regulations, the Project would not substantially alter the Project Site drainage patterns in a manner that would result in substantial erosion or siltation or flooding on- or off-site. Similarly, adherence to standard compliance measures during construction activities would not cause flooding, substantially increase or decrease the amount of surface water flow from the Project Site into a water body, or result in a permanent, adverse change to the movement of surface water. Thus, through compliance with U.S. EPA National Pollutant Discharge Elimination System (NPDES) General Construction Permit requirements, implementation of BMPs, and compliance with applicable City grading regulations, construction of the Project would not substantially alter the drainage patterns of the Project Site in a manner that would result in substantial erosion or siltation or flooding. The Project would not result in a permanent adverse change to the movement of surface water. Therefore, construction-related impacts to surface water hydrology and drainage would be less than significant.

The Project would install impervious surfaces including hardscape and structures that would cover approximately 100% of the Project Site. The Site is currently 100% impervious and the Project would not increase the amount of impervious surface. Stormwater would discharge to an approved location in the public right-of-way and not result in infiltration of rainfall that could influence groundwater hydrology. Accordingly, operation of the Project would not substantially alter the drainage patterns of the Project Site in a manner that would result in substantial erosion or siltation or flooding. Therefore, operational impacts to site surface water hydrology and drainage would be less than significant.

### (4) Stormwater

The Project would not cause flooding during the 50-year frequency storm event to create runoff that would exceed the capacity of existing or planned drainage systems. In addition, the LID requirements for the Project Site would outline the stormwater treatment post-construction BMPs required to control pollutants associated with storm events up to the 85th percentile storm event. The Project BMPs would reduce the stormwater runoff quality and ensure that the Project would not provide substantial additional sources of polluted runoff. As such, the Project would not create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. Therefore, impacts related to stormwater drainage system capacity and stormwater quality would be less than significant.

### (5) Water Quality

The Project would not result in discharges that would cause regulatory standards to be violated and, as such, would not substantially degrade water quality. Therefore, construction and operational impacts on water quality would be less than significant.

(6) Flooding

As discussed in Section V of the Draft EIR, Other CEQA Considerations and in the Initial Study (Appendix A-1), the Project Site is not located in an area identified as potentially subject to 100-year flood. Thus, the Project would have no impact with respect to placing housing within a 100-year flood hazard area or placing structures within a 100-year flood hazard area which would impede or redirect flood flows. Further, the Project Site is not located within an inundation area of any dams or levees. Thus, the Project would have no impact with respect to flooding as a result of the failure of a levee or dam.

(7) Seiche, Tsunami, or Mudflow

As discussed in Section V of the Draft EIR, Other CEQA Considerations and in the Initial Study (Appendix A1), the Project Site is not located in a Tsunami Hazard Area or any major water bodies subject to inundation by seiches or tsunami, and the urbanized and relatively flat area would not create the potential for mudflow. Thus, the Project would have no impact with respect to seiches, tsunamis, or mudflow.

(8) Cumulative

The geographic context for the cumulative impact analysis on surface water hydrology is the Los Angeles River Watershed. In accordance with City requirements, the Project and related projects would be required to implement BMPs to manage stormwater runoff in accordance with LID guidelines. Furthermore, LADPW reviews projects on a case-by-case basis to ensure sufficient local and regional infrastructure is available to accommodate stormwater runoff. Therefore, potential cumulative impacts associated with the Project on surface water hydrology would be less than significant.

Future growth in the Los Angeles River Watershed would be subject to NPDES requirements relating to water quality for both construction and operation. The Project Site is located in a highly urbanized area, and it is anticipated that future development projects would also be subject to LID requirements. With compliance by the Project and related projects with all applicable laws, rules and regulations, cumulative impacts to surface water quality (would be less than significant).

The geographic context for the cumulative impact analysis on groundwater level is the Central Sub-basin. No water supply wells, spreading grounds, or injection wells are located within a one-mile radius of the Project Site, and the Project would not have an adverse impact on groundwater levels. The Project is located in a highly urbanized area, and, as such, any potential reduction or increase in groundwater would be minimal in the context of the regional groundwater basin. Project development would not involve the permanent extraction of groundwater from the Project Site or otherwise utilize groundwater. If any related project requires permanent dewatering systems, such systems would be regulated by the SWRCB. Should excavation for other related projects extend beneath the groundwater level, temporary groundwater dewatering systems would be designed and implemented in accordance with SWRCB permit requirements. These dewatering operations would be limited to temporary and local impact to the groundwater level. Similar to the Project, development of the related projects could result in changes in impervious surface area within their respective project sites. As the related projects are located in an urbanized area, any reduction in groundwater recharge due to the overall net change in impervious area within the related project sites would be minimal in the context of the regional groundwater basin. Additionally, although the Project would implement infiltration BMPs, as infiltration systems are designed to infiltrate only the greater of the 85th percentile storm and or the first 0.75 inch of rainfall for any storm event, the infiltration of stormwater as a means of stormwater treatment and management within related project sites would not result in a cumulative effect to groundwater hydrology. Therefore, cumulative impacts to groundwater hydrology would be less than significant.

Future growth in the Central Sub-basin would be subject to Los Angeles Regional Water Quality Control Board (LARWQCB) requirements relating to groundwater quality. The Project would not cause regulatory water quality standard violations, as defined in the California Code of Regulations, Title 22, Division 4, Chapter 15, and the Safe Drinking Water Act. As with the Project, the related projects would be unlikely to cause or increase groundwater contamination because compliance with existing statutes and regulations would prevent the related projects from affecting or expanding any potential areas affected by contamination or causing regulatory water quality standards at an existing production well to be violated. Therefore, cumulative impacts to groundwater quality would be less than significant.

Cumulative impacts to hydrology (drainage), surface water quality, and groundwater levels/quality (would be less than significant).

#### e) Land Use and Planning

##### (1) Physically Divide an Established Community

The Project site is located in an urbanized area of the City in the Central City North Community Plan Area. As discussed in Section V of the Draft EIR, Other CEQA Considerations, and in the Initial Study (Appendix A-1), the Project Site would not physically disrupt an established community. As development of the Project would occur entirely within the Project Site boundaries, the Project would not physically divide, disrupt, or isolate an established community. Rather, implementation of the Project would result in further infill of an already developed community with similar and compatible land uses. Thus, the Project (would have no impact with respect to physically disrupting an established community.

##### (2) Consistency with Applicable Plans and Policies

The Project would be substantially compatible with the surrounding land uses. To be “consistent” with a general plan, a project must be “compatible with the objectives, policies, general land uses, and programs specified in the applicable plan,” meaning the project must be “in agreement or harmony with the applicable plan.” (*Sequoiah Hills Homeowners Assn. v. Cnty. of Oakland* (1993) 23 Cal.App.4th 704, 717-18; see also *Greenebaum v. City of Los Angeles* (1984) 153 Cal.App.3d 391, 406.) Further, “[a]n action, program, or project is consistent with the general plan if, considering all its aspects, it will further the objectives and policies of the general plan and not obstruct their attainment.” (*Friends of Lagoon Valley v. City of Vacaville* (2007) 154 Cal. App. 4th 807, 817.)

Various local plans and regulatory documents guide development of the Project Site. The following discussion addresses the Project’s consistency with the requirements and policies of SCAG’s 2016-2040 RTP/SCS and Regional Comprehensive Plan (RCP) and the City’s General Plan Framework Element, Health and Wellness Element, Housing Element, Community Plan, and Los Angeles Municipal Code. The Project would be compatible with applicable plans and policies.

**2016-2040 SCAG RTP/SCS:** A discussion of the Project’s consistency with the policies applicable to individual development projects in the 2016-2040 RTP/SCS is presented in Table IV.G-1 of the Draft EIR. While the RTP/SCS focuses on transportation investments in the SCAG region, as demonstrated, the Project would be consistent with the applicable 2016-2040 RTP/SCS policies, and, therefore, a less-than significant impact would occur.

**SCAG RCP:** A discussion of the Project’s consistency with the policies applicable to individual development projects in the RCP is presented in Table IV.G-2 of the Draft EIR. As demonstrated, the Project would be consistent with the applicable RCP policies, and, therefore, a less-than significant impact would occur.

**General Plan Framework Element:** Table IV.G-3 of the Draft EIR lists the goals, objectives, and policies for land use that apply to developers in collaboration with local government. As shown, the

Project would be consistent with the applicable policies of the Framework Element for each land use (within a developer's control or developer focused). Table IV.G-3 of the Draft EIR also presents the consistency analysis for each of the Framework Element chapters. As shown therein, the Project would be consistent with the applicable policies, and, therefore, a less-than-significant impact would occur.

**General Plan Housing Element:** The Project's consistency with the applicable policies set forth in the Housing Element of the General Plan is analyzed in Table IV.G-4 of the Draft EIR. The Project would provide a variety of housing types (two, three, and four bedroom units) in an area that is pedestrian-friendly and served by public transit; facilitate new construction of a range of different housing types; and expand opportunities for residential development, particularly in the Industrial South subarea. Specifically, the Project would develop a total of 110 live/work units. The Project would also promote the construction of green buildings by incorporating sustainable design features, including energy conservation, water conservation, alternative transportation programs, a pedestrian- and bicycle-friendly site design, and waste reduction measures. Therefore, the Project would be consistent with the applicable policies set forth in the Housing Element.

**General Plan Health and Wellness Element:** The Project's consistency with the General Plan Health and Wellness Element land use policies is discussed in Table IV.G-5 of the Draft EIR. As shown therein, the Project would be consistent with the applicable policies, and, therefore, a less-than-significant impact would occur.

**General Plan Conservation Element:** The Project's consistency with the City's General Plan Conservation Element objectives and policies is discussed on page IV.G-36 of the Draft EIR. The Conservation Element established an objective to protect important cultural and historical sites and resources for historical, cultural, research, and community educational purposes and a corresponding policy to continue to protect historic and cultural sites and/or resources potentially affected by proposed land development, demolition, or property modification activities. As the Project Site and buildings do not appear eligible for listing in the National or California Registers nor are they listed as a City of Los Angeles Historic Cultural Monument, they are not historical resources for purposes of CEQA.

**Central City North Community Plan:** The Project Site is located within the Central City North Community Plan (Community Plan), which was adopted in 2000. The Community Plan objectives and policies are included in Table IV.G-6 of the Draft EIR. As shown therein, the Project would be consistent with the applicable objectives and policies and therefore, no significant impacts would occur.

**Citywide Design Guidelines:** The City's Citywide Design Guidelines that are applicable to the Project are discussed on pages IV.G-48 to IV.G-50 of the Draft EIR. As shown, the Project would be consistent with the applicable guidelines, and, therefore, a less-than-significant impact would occur.

**City's Walkability Checklist:** The Walkability Checklist consists of a list of design elements intended to improve the pedestrian environment, protect neighborhood character, and promote high quality urban form. The Project would incorporate, where applicable, many of the implementation strategies presented in the Walkability Checklist and would implement a number of relevant design elements in order to foster a visually appealing pedestrian environment. The Project would support the applicable Walkability Checklist objectives and implement relevant strategies as described in the specific elements above. As such, the Project would be consistent with relevant aspects of the Walkability Checklist.

**Industrial Land Use Policies:** The City's Industrial Land Use Policy (ILUP) project is a comprehensive study of the use of industrial-zoned land within the City of Los Angeles. As part of this effort, the January 3, 2008 Memorandum on Staff Direction Regarding Industrial Land Use and Potential Conversion to Residential or Other Uses (ILUP Memo) underscores that the City's adopted policy is to retain industrial land for job producing uses. The ILUP Clarification Memo

states that the ILUP Memo was not intended to predetermine land use decisions or presuppose any future land use changes. Furthermore, the ILUP Clarification Memo states that the community benefits are not requirements that can be imposed by the Planning Department. In consideration of the foregoing discussion, it is concluded that the Project would not result in a significant impact with respect to the City's policies regarding the use and preservation of industrial land use. See also the Response to Comment Carpenters-4 of the Final EIR, which discusses the ILUP applicable policies and the changing land uses in the immediate area due to redevelopment, infill, and adaptive reuse.

**Los Angeles Municipal Code:** The Project Site is located in the M3 (Heavy Industrial) zone. Uses that are allowed in an M3 zone include all of the uses allowed in the M1, M2, and MR2 zones and, as such, generally include those uses allowed in the C1, C1.5, and C2 zones (see LAMC Section 12.20[A][1]). Permitted uses include, among others: restaurants, business and professional offices, medical clinics and laboratories, grocery stores, retail and service stores, pharmacies, drugstores, manufacturing and industrial activities, research and development, storage, and parking. Buildings containing dwelling units or guest rooms are prohibited in the M3 zone.

The Applicant requests General Plan Amendments to revise the land use designation in the Central City North Community Plan from Heavy Industrial (corresponding zone M3) to Commercial Industrial (corresponding zones CM, and P) and to eliminate two footnotes prohibiting "2" Height District designations in this area. As part of the discretionary requests for this application, the Applicant is also requesting a Vesting Zone and Height District change from the M3-1-RIO Zone to the CM-2-RIO Zone. The findings for the requested Vesting Zone and Height District change are addressed in the sections below.

The requested General Plan Amendments from Heavy Industrial to Commercial Industrial and the elimination of floor area constraints creates a development site consistent, in terms of uses and intensities, with recent successful developments in the area. These developments, both conversion and ground up, are consistent with the Central City North Community Plan's description of the Artists-in-Residence Subarea District, whose southern boundary is one block north of the Project, as an area "primarily made up of old warehouses now converted to artists lofts and studios." The description of the Artists-in-Residence District also notes that the Community Plan "encourages the continued and expanded development of a thriving artists-in-residence community."

The General Plan Amendment to Commercial Industrial would permit the construction of new Live/Work units, following the procedures of the CM Zone ordinance. The introduction of limited residential development is a key component of the area's economic rejuvenation. The deletion of the footnotes limiting floor area on the site is needed to include both residential and commercial uses in sufficient intensities to facilitate the cost of redeveloping the site with a mixed use, mixed income development. The Applicant's request for a General Plan Amendment to change the designation to Commercial Industrial, concurrently with the request for a Vesting Zone Change from M3 to CM-2-RIO Zone allows limited residential and a significant amount of job creating creative space consistent with the changing land use pattern in the area and the nearby Artist-in-Residence District as identified in the Central City North Community Plan. The proposed General Plan Amendment complies with City Charter Sections 556 and 558 in that the requested amendment reflects the land use patterns, trends and uses in the immediate area, which is developed with mixed-use projects containing live work quarters on properties zoned for industrial uses. The proposed General Plan Amendment does further the intent, purposes and objectives of the Central City North Community Plan which "encourages the continued and expanded development of a thriving artists-in-residence community" on lands that are currently zoned industrial with the land use designation of Heavy Industrial. The development of a mixed-use project containing commercial space, Live/Work units, creative office and affordable housing on property with a land use designation of Commercial Industrial is supported by the various goals,

objectives and policies of the General Plan Framework Element, the Community Plan, the Housing Element and the Transportation Element.

On May 10, 2010 the City adopted Ordinance No. 181,133 (the "Ordinance") that established the Joint Live/Work quarters in the CM Zone in order to enable and regulate live/work uses in areas of the City with General Plan land use designation of Commercial Industrial. Based on this legislation, the Applicant requests a Vesting Zone and Height District change from the M3-1-RIO Zone to the CM-2-RIO Zone, corresponding to the herein requested General Plan Amendment from Heavy Industrial to Commercial Industrial and the lifting of floor area constraints. The proposed CM-2-RIO Vesting Zone and Height District change seeks to create consistency for new ground-up projects with neighboring properties that were converted from industrial buildings to mixed-use projects and joint live/work quarters, as adaptive reuse projects, without having to request a zone and height district change in order to achieve residential projects of similar use, size and density. The CM-2-RIO Zone would allow a development similar to other industrial buildings now converted to residential uses, creative office space and commercial floor area. The CM-2-RIO Zone would permit the construction of new Live/Work units, following procedures adopted by the Ordinance. The Applicant's request for a Vesting Zone and Height District change from M3 to CM-2-RIO is consistent with the uses and intensities found in the Artist-in-Residence District and planned for in the City's recent Industrial lands long range visioning.

The General Plan also recognizes that "some industrially zoned lands may be inappropriate for new industries and should be converted to other land uses. Where such lands are to be converted, their appropriate use shall be subject to future planning studies." In this instance the City has determined that there is a need for a different tool specifically to address demand for live/work units in new construction.

In order to be constructed, the Project Applicant requested a General Plan Amendment to alter the Central City North Community Plan's land use designation for the Project site from Heavy Industrial to Commercial Industrial to allow live/work. The Applicants proposed CM-2-RIO Vesting Zone and Height District change would be consistent with the proposed General Plan Amendments. The CM-2-RIO Zone is an industrial zone, which permits C2 Zone commercial uses, and limited light industrial uses, new Live/Work units, and is intended to promote a mix of uses that would be compatible with the surrounding neighborhood. The CM-2-RIO Zone provides a mechanism to increase Live/Work opportunities, enhance neighborhoods, create jobs and revitalize older industrial areas. The CM-2-RIO Zone is intended to accommodate projected population growth in mixed-use projects that are compatible with existing warehouse and industrial neighborhoods. The purpose of the CM Zone reflects the HI Zone insofar as encouraging and accommodating Live/Work development. The proposed Vesting Zone and Height District change to CM-2-RIO would be compatible with the existing industrial and warehouse uses and the expanding mixed-use, creative office and commercial uses that are increasingly common in the surrounding neighborhood.

The proposed CM-2-RIO Zone would allow the development of a maximum of 110 new Live/Work units and significant amounts of floor area dedicated to employment uses both of which are appropriately located near transit, services, facilities and Downtown Los Angeles urban core. The CM-2-RIO Zone permits new ground-up Live/Work uses that are otherwise not permitted in the M3 Zone unless an existing industrial building is converted either by way of a conditional use permit process or under the Adaptive Reuse Ordinance. The Height District change ensures the project can achieve floor area intensities required for the successful redevelopment of the site. The character of the neighborhood has transitioned from more traditional industrial used to relatively high density Live/Work uses, neighborhood commercial uses and creative offices. The Project site is an underutilized surface parking lot with an abandoned industrial warehouse that generates few benefits to the neighborhood or the City. The construction of a new mixed-use project, with Live/Work units, creative office space and neighborhood-serving retail commercial space, will create jobs, enhance the tax revenue economics, livability and security of the neighborhood. Such a Project is consistent with other similar uses in the vicinity such as the

Biscuit Lofts at 1850 Industrial St. There is also a positive trend of creative office expansion in the vicinity exemplified by the reuse of the Ford Motor building at 715-829 South Santa Fe Street and the Coca Cola building at 963 E. 4th Street.

These new businesses will generate new revenue streams to the City, facilitating an improved economic environment for an area in transition to higher paying jobs that will provide substantial further economic benefits to the area and the City, and as a result, being consistent with the General Plan's objectives to promote economic growth and job opportunities. Based on the analysis provided above, the Project would be substantially consistent with applicable goals, policies, and objectives in local and regional plans that govern development on the Project Site.

Therefore, the Project would not be in substantial conflict with either the General Plan or Community Plan, or the whole of relevant environmental policies in other applicable plans. As such, impacts related to land use consistency would be less than significant. Based on the analysis provided above, the Project would be substantially consistent with the whole of applicable goals, policies, and objectives in local and regional plans that govern development on the Project Site. Therefore, the Project would not be in substantial conflict with either the Community Plan, or the whole of relevant environmental policies in other applicable plans. As such, impacts related to land use consistency would be less than significant.

### (3) Land Use Compatibility

The surrounding area is characterized by a mix of light manufacturing, commercial, office, restaurant, and residential uses, especially as the Arts District ongoing evolution to a residential and commercial community continues. The Project would combine these uses at one site. Thus, while the Project would change the character of the land uses on the Project Site, the Project would increase housing and employment opportunities in the area, and would provide greater density near transit services, including existing bus lines. In addition, the Project would provide and be consistent with existing uses nearby that include commercial and office use, and would not interfere with functionality of the Site. The Project would increase pedestrian connectivity at the street level. For these reasons, impacts with respect to land use compatibility would be less than significant.

### (4) Habitat Conservation Plan or Natural Community Conservation Plan

As discussed in Section V of the Draft EIR, Other CEQA Considerations and in the Initial Study (Appendix A1), the Project Site is located in an urbanized area and does not support any habitat or natural community. Thus, the Project would have no impact with respect to any habitat or natural community conservation plan.

### (5) Cumulative

As indicated in Section III, Environmental Setting, of the Draft EIR, there are 60 related projects in the vicinity of the Project Site. The related projects generally consist of infill development and redevelopment of existing uses, including mixed-use, residential, commercial, office, restaurant, retail, school, hotel, and combinations thereof. In addition, as described above and in Section III, Environmental Setting, of the Draft EIR, the Central City North Community Plan Update, once adopted, will be a long-range plan designed to accommodate growth in the Community Plan area until 2040.

As with the Project, the related projects would be required to comply with relevant land use policies and regulations through review by City regulatory agencies and would be subject to CEQA review. Therefore, the Project and the related projects would not have cumulatively significant land use impacts. In addition, as discussed above, as the Project would not be in substantial conflict with either the General Plan or Community Plan, or the whole of relevant environmental policies in other applicable plans, the Project would not incrementally contribute to cumulative inconsistencies with respect to land use plans and relevant environmental policies. Therefore,

cumulative impacts with regard to land use consistency would not be cumulatively considerable and would be less than significant.

The related projects would not cause cumulative land use impacts related to land use compatibility due to either distance and/or existing intervening development. In any event, based on the mix of uses and buildings that currently comprise the community as well as the related projects that are proposed, approved, or are under construction, the Project would be compatible with the various existing developments and related projects in the immediate vicinity of the Project Site and surrounding area. The Project complements and continues the recent development of the immediate neighborhood and the vicinity of the Artist-In-Residence District with mixed-use buildings and Live/Work and commercial uses. According to a recent report for the Coca Cola building, there were approximately six restaurants within walking distance of the Project site. Together with the redevelopment of the Ford Motor Company building shows the trend of mixed land use development extending southerly in the Community Plan area.

In addition, while the Project, in combination with the related projects, represents a continuing trend of infill development at increased densities, future development inclusive of the Project would also serve to modernize the Project vicinity and provide sufficient housing and amenities to serve the needs of the growing population. Such related projects are not expected to fundamentally alter the existing land use relationships in the community, and, as with the Project, the related projects would be required to comply with relevant land use policies and regulations. For these reasons, the Project's incremental contribution with respect to land use compatibility would not be cumulatively considerable, and the cumulative impact of the Project and the related projects on land use compatibility would be less than significant.

**f) Noise**

(1) Noise

(a) On-Site Construction

For this Project, noise impacts were modeled using the noise reference levels of excavators and front-end loaders, as these vehicles would be utilized extensively to excavate and grade for the Project. Excavators can produce hourly average noise levels of 76.7 dBA Leq at a reference distance of 50 feet; front-end loaders, 75.1 dBA Leq. Compounding their noise impacts is the fact that these vehicles commonly operate in tandem. Excavators remove soils and debris, and front-end loaders transport this matter to on-site stockpiles or haul trucks for off-site export. As a result, excavators and front-end loaders typically have the greatest potential to cause sustained and significant noise impacts at nearby receptors. Though other construction equipment may produce greater average or maximum noise levels than excavators and front-end loaders, their usage would be more intermittent in nature or shorter in duration. For example, graders can produce average noise levels of 81.2 dBA Leq at a distance of 50 feet. However, graders would not likely be required for more than a few work days, whereas excavators and front-end loaders would be required extensively throughout the Project's demolition, site preparation, and grading phases. Tools such as auger drills, which produce average noise levels of 77.7 dBA Leq, would produce intermittent noise events when drilling, followed by longer periods of inactivity. Auger drills also would work individually and not in tandem with other major noise-generating construction vehicles or equipment. Therefore, excavator and loader noise levels are a better representation of the Project's most substantial construction noise impact.

As shown in Table IV.H-8 of the Draft EIR, Art House lofts would experience a construction-related noise increase of just 0.1 dBA. This impact would be imperceptible and far below the L.A. CEQA Thresholds Guide's 5 dBA noise increase threshold for construction activities lasting more than 10 days in a 3 month period. As a result, this impact would be considered less than significant.

(b) Off-Site Construction

Grading activities would require haul trucks to export excavated soils from the Project site to a regional landfill. Such activity can marginally increase ambient noise levels at any roadside sensitive receptors. However, the Project is located in a transitional neighborhood with primarily manufacturing, industrial, and warehouse land uses. Haul trucks would access the I-10 Freeway via Santa Fe Avenue and 8th Street; there are no sensitive residential streets in the vicinity of the Project. As a result, the Project's impact from off-site construction noise sources would be considered less than significant.

(c) On-Site Operation

The Project is located in an M3 "Heavy Industrial" zone and is surrounded by other M3 parcels consisting of non-sensitive commercial, industrial, manufacturing, and warehouse land uses. The nearest sensitive receptor, Art House Lofts, is located over 400 feet south of the Project, and there are numerous intervening structures blocking the line of sight between this receptor and the Project. The Project would likely have no audible impact from operational noise sources at this receptor. With respect to these factors, the Project's noise impact from its on-site operational noise sources would be considered less than significant.

(d) Off-Site Operation

The majority of the Project's operational noise impacts would result from off-site mobile sources associated with its net new daily trips. On a typical weekday, the Project is forecast to generate an estimated 2,394 net new daily trips, including 243 A.M. peak hour trips and 281 P.M. peak hour trips. The noise impact of these vehicle trips were modeled using the Federal Highway Administration's (FHWA) Traffic Noise Model 2.5 (TNM 2.5). For the analysis, an existing year (2017) no project scenario was compared to an existing year with project scenario. As shown in Table IV.H-9 in the Draft EIR, the Project by itself would have a negligible impact on surrounding roadside ambient noise levels. The 24-hour CNEL impact similarly be minimal, far below L.A. CEQA Thresholds Guide criteria for significant operational noise impacts, which begin at 3 dBA. This impact would be considered less than significant.

(2) Vibration

(a) Construction

Construction vibration is discussed under Section 5. Less Than Significant Impacts With Mitigation, below.

(b) Operation

During Project operations, there would be no significant stationary sources of ground-borne vibration, such as heavy equipment or industrial operations. Minimal levels of operational ground-borne vibration in the Project's vicinity would be generated by its related vehicle travel on local roadways. However, most vibrations from road vehicles are below 65 VdB and imperceptible. Therefore, the Project's long-term vibration impacts would be considered less than significant.

(3) Public Airport

As discussed in Section V of the Draft EIR, Other CEQA Considerations and in the Initial Study (Appendix A-1), the Project Site would not expose people to excessive noise levels related to the operation of a public airport. Thus, the Project would have no impact with respect to the operation of a public airport.

(4) Private Airstrip

As discussed in Section V of the Draft EIR, Other CEQA Considerations and in the Initial Study (Appendix A-1), the Project Site would not expose people to excessive noise levels related to the operation of a private airstrip. Thus, the Project would have no impact with respect to the operation of a private airstrip.

(5) Cumulative

(a) Construction Noise

Related Project No. 23 (2130 E. Violet Street) is located approximately 220 feet north of the Project Site and over 950 feet north of the Project's Art House Lofts receptor. Related Project No. 35 (1000 S. Santa Fe Avenue) is located just west of the Project Site and approximately 550 feet north of the Art House Lofts receptor.

Given the related projects distance from Art House Lofts, each related project has no potential to contribute to a cumulative impact at this receptor as a result of on-site construction noise levels. The distances from the related projects to Art House Lofts is greater than the 500-foot screening distance for construction noise impacts suggested by the L.A. CEQA Thresholds Guide. Off-site cumulative construction noise impacts could occur if haul trucks for the Project and related projects were to utilize the same roadways on their respective haul routes. However, roadways in the vicinity of the Project have elevated noise levels from traffic, both from automobiles and trucks. Land uses along Santa Fe Avenue towards the I-10 Freeway are zoned M3 "Heavy Industrial" and consist mainly of industrial, manufacturing, commercial, and warehouse uses. Therefore, the Project would not contribute to a cumulatively considerable off-site construction noise impact.

(b) Operation Noise

The Project's nearest noise-sensitive receptor (Art House Lofts) is located over 400 feet to the south and would not be likely to experience any audible on-site operational noises from the Project. Therefore, the Project would not contribute to a cumulatively considerable on-site operational noise impact. Table IV.H-10 in the Draft EIR shows the cumulative noise impact that Project and related project traffic could have on ambient noise levels surrounding the Project. As discussed, the overall 24-hour CNEL impact on ambient noise levels would not exceed 3 dBA. Therefore, the Project would not contribute to a cumulatively considerable off-site operational noise impact.

(c) Operation Vibration

The Project would not contain any significant on-site sources of groundborne vibration. Typically, on-site sources of groundborne vibration are associated with industrial processes or equipment. The Project would generate minimal levels of off-site groundborne vibration from its related traffic. However, groundborne vibration from vehicles is typically below levels of perception. The Project would have a negligible operational vibration impact. Related projects in the vicinity of the Project are all residential, office, and/or commercial in nature. They also would not contain significant on-site sources of groundborne vibration, and their related vehicle travel would also generate negligible levels of groundborne vibration. Therefore, the Project would not contribute to a cumulatively considerable operational vibration impact.

**g) Population and Housing**

(1) Substantial Population Growth

(a) Construction

Due to the employment patterns of construction workers in the region, and the operation of the market for construction labor, construction workers are not likely, to any notable degree, to relocate their households as a consequence of the construction job opportunities presented by the Project. The construction industry differs from most other industry sectors in several ways that are relevant to potential impacts on housing, including (1) there is no regular place of work; (2) many construction workers are highly specialized and move from job site to job site as dictated by the demand for their skills; and (3) the work requirements of most construction projects are highly specialized and workers are employed on a job site as long as their skills are needed to complete a particular phase of the construction process. It is reasonable to assume, therefore, that Project-related construction workers would not relocate their households' places of residence as a direct consequence of working on the Project. Thus, there would not be any significant population and/or housing impacts related to household growth in the City of Los Angeles due to Project construction. Therefore, construction-related impacts related to population and housing would be less than significant, and no mitigation measures are required.

Project development would generate construction workers on-site during the grading and excavation, and building construction and finishing phases. However, individual construction projects generally do not generate new employment within the region. Rather, there is a pool of construction workers who move from project to project as work is available. The Project, would therefore, support the regional pool of construction workers and also contribute additional indirect jobs in a wide range of industries throughout the region resulting from purchases of construction-related supplies, goods and services, and household expenditures by direct and indirect employees. Construction of the Project would not indirectly (e.g., through the extensions of roadways and/or other infrastructure) induce substantial population, housing, and/or employment growth in the area. Therefore, since the construction employment related to the Project would be temporary and would not exceed expected growth, construction-related employment impacts would be less than significant.

(b) Operation

Population generation is shown in Table IV.I-2 of the Draft EIR. It is estimated that the Project would generate approximately 268 residents. As shown in Table IV.I-4 of the Draft EIR, based on SCAG's 2016–2040 RTP/SCS, the population generated by the Project would represent approximately 0.20 percent of the projected growth in the City of Los Angeles between 2017 and 2022 (i.e., the Project's baseline and buildout years). As such, the new residents constitute a small percentage of City growth. Therefore, Project impacts related to population growth would be less than significant.

As stated in the City's 2013–2021 Housing Element, the City remains in need of new dwelling units to serve both current and projected populations. While the Project would not eliminate the housing shortage in the City, it would incrementally advance the goal of generating more housing for the region. The Project would generate 110 units. As shown in Table IV.I-4 of the Draft EIR, based on SCAG's 2016–2040 RTP/SCS, the housing generated by the Project would represent approximately 0.17 percent of the projected growth in the City of Los Angeles between 2017 and 2022 (i.e., the Project's baseline and buildout years). Based on the above analysis, the Project would not cause housing growth to exceed projected/planned levels for the Project's buildout year. As such, development of the Project would not result in an adverse physical change in the environment. Impacts relating to housing growth would be less than significant.

Employee generation is shown in Table IV.I-3 of the Draft EIR. It is estimated that the Project would generate approximately 662 jobs (in total, this number on-site at a given time would be

reduced per shift and other operational needs). As shown in Table IV.I-4, based on SCAG's 2016–2040 RTP/SCS, the employees generated by the Project would represent approximately 0.78 percent of the projected growth in the City of Los Angeles between 2017 and 2022 (i.e., the Project's baseline and buildout years). Therefore, Project-related employment generation would be within and, thus, consistent with SCAG's employment forecasts for the City of Los Angeles. Impacts relating to employees would be less than significant.

The Project Site is located in an urbanized area of the City and developed. Development of the Project would connect to the existing infrastructure currently being used by the adjacent uses surrounding the Project Site. These uses would include a range of permanent and part-time positions that are typically filled by persons already residing in the vicinity of the workplace or those who generally do not relocate their households due to such employment opportunities. Any indirect demand for housing would be fulfilled by a combination of vacancies in the surrounding housing market and from other new units in the vicinity of the Project. As such, the Project's indirect housing demand would not cause housing growth to exceed projected/planned levels for the Project's buildout year. In addition, Project operation would not induce substantial growth through the introduction of new and/or an extension of existing roadways and/or utility infrastructure.

While the Project is consistent with various regional and local housing policies and employment forecasts, it would not, in and of itself, foster new growth in the area by removing impediments to growth. The Project is also compatible with adopted local housing growth policies. In addition, the Project would assist the City in meeting its fair share of regional housing needs, support the regional jobs-housing balance, provide new housing and employment opportunities, and conform to City policies supporting higher density, compact, and infill housing development. Consistent with the SCAG principles, the Project would add to the City's housing supply while meeting other smart growth environmental objectives such as locating housing and jobs in close proximity to reduce VMTs (vehicle miles traveled), increasing housing density, and promoting alternatives to transportation via private automobiles. Therefore, the Project would not cause substantial growth (i.e., new housing or employment generators) or accelerate development in an undeveloped area that exceeds projected/planned levels for the year of Project occupancy/buildout. The Project would be consistent with applicable employment growth plans and policies of the City. The Project would: (1) concentrate growth in accordance with the guidelines set forth by the applicable regional and local regulatory frameworks; (2) support the creation of new jobs; and (3) include a mix of commercial and residential uses, all in the same development, thereby advancing the goal of providing mixed-use facilities within the urbanized areas of the City of Los Angeles. The Project would result in new jobs and economic activity. The new jobs associated with the Project would be within SCAG's employment growth forecast for the City of Los Angeles. As such, Project impacts with respect to employment would be less than significant. Impacts related to induced substantial population growth in an area, either directly or indirectly would be less than significant.

#### (2) Displacement of Existing Housing

As discussed in Section V of the Draft EIR, Other CEQA Considerations, and in the Initial Study (Appendix A-1), the Project Site does not contain housing and would not displace any existing housing, necessitating the construction of replacement housing elsewhere. Thus, the Project would have no impact with respect to the displacement of any existing housing.

#### (3) Displacement of People

As discussed in Section V of the Draft EIR, Other CEQA Considerations, and in the Initial Study (Appendix A-1), the Project Site does not contain housing and would not displace any people, necessitating the construction of replacement housing elsewhere. Thus, the Project would have no impact with respect to the displacement of any people.

(4) Cumulative

(a) Construction

Construction of the related projects would require the participation of construction workers that would be hired from a mobile regional construction work force that moves from project to project. Typically, construction workers pass through various development projects on an intermittent basis as their particular trades are required. Given the mobility and short durations of work at a particular site and the large construction labor pool that can be drawn upon in the region, construction employees would not be expected to relocate residences within this region or move from other regions as a result of their work on the related projects. As the related projects would draw on an existing labor pool, the construction impacts on the number of employees in the region would be negligible. Further, given the temporary nature of the construction activity, the mobility of construction workers and availability of a labor pool to draw on, construction workers would not be expected to have notable impact on the demand for housing or affect general housing occupancy and population patterns. The addition of construction employment opportunities would contribute to the economic well-being of the City and region by creating direct employment opportunities for the individuals hired and indirect contributions to the local and regional economy through expenditures of those employees. Construction of the Project would have a less-than-significant cumulative impact on population growth, housing, and employment.

(b) Operation

The Project and related projects are located in SCAG's City of Los Angeles Subregion. Implementation of the Project, in conjunction with the related projects identified in Section III of the Draft EIR, Environmental Setting, would increase the number of housing units, residents, and employees in the area, compared to existing conditions.

Population generation is shown in Table IV.I-7 of the Draft EIR, Related Projects Estimated Population Generation. It is estimated that the total cumulative growth (Project + related projects) would generate approximately 38,832 persons from 15,980 total units (Project + related projects). The Project represents 0.7 percent of the total persons and units. As shown in Table IV.I-9 of the Draft EIR, based on SCAG's 2016–2040 RTP/SCS, the population generated by the total cumulative growth would represent approximately 28 percent of the projected growth in the City of Los Angeles between 2017 and 2022 (i.e., the Project's baseline and buildout years, respectively). Accordingly, the Project's contribution would not be considered cumulatively considerable.

As shown in Table IV.I-9 of the Draft EIR, based on SCAG's 2016–2040 RTP/SCS, the housing generated by the total cumulative growth would represent approximately 24 percent of the projected growth in the City of Los Angeles between 2017 and 2022 (i.e., the Project's baseline and buildout years, respectively). The increase in housing reflects the ongoing transition in Downtown from a predominately commercial and industrial center to a mixed-use residential and commercial center. This increase would provide housing near transit. However, the housing addition due to the Project would represent only 0.33 percent of the cumulative total. Accordingly, the Project's contribution would not be considered cumulatively considerable.

Employee generation is shown in Table IV.I-8 of the Draft EIR, Related Projects Estimated Employee Generation. It is estimated that the total cumulative growth in employment (Project + related projects in the City of Los Angeles) would generate approximately 19,016 employees. As shown in Table IV.I-9, based on SCAG's 2016–2040 RTP/SCS, the employment generated by the total cumulative growth would represent approximately 22 percent of the projected growth in the City of Los Angeles between 2017 and 2022 (i.e., the Project's baseline and buildout years, respectively). These new jobs would increase the number of transit-adjacent workplaces, which would support the policies intended to reduce VMT. The Project's contribution of the cumulative total would not represent a considerable percentage of the estimated employment growth in the City of Los Angeles and, as such, its cumulative employment impact would be less than

significant. Operation of the Project would have a less-than-significant cumulative impact on population growth, housing, and employment.

**h) Public Services**

(1) Fire Services

(a) Construction

Project construction would require limited exposure to combustible materials, such as wood, plastics, sawdust, coverings and coatings and to heat sources including machinery and equipment sparking, exposed electrical lines, welding activities, and chemical reactions in combustible materials and coatings. While fires and medical emergencies can occur on construction sites, compliance with the OSHA and Fire and Building Code requirements would minimize the risk of fire and medical emergencies on the Project Site. Project construction could also potentially impact the provision of LAFD services in the Project vicinity as a result of construction impacts to the surrounding roadways. While construction activities would primarily be contained within the boundaries of the Project Site, access to the Project Site and the surrounding vicinity could be impacted by temporary lane closures, roadway/access improvements, and the construction of utility line connections.

Construction activities also would generate traffic associated with the movement of construction equipment, the hauling of soil and construction materials to and from the Project Site, and construction worker traffic. Construction delivery/haul trucks would generally travel along Santa Fe and use the on-ramp to I-10 freeway. Thus, although construction activities would be short-term and temporary for the area, Project construction activities could temporarily affect emergency response for emergency vehicles due to increased traffic and temporary lane closures on immediately adjacent streets during the Project's construction phase. However, given the permitted hours of construction and nature of construction projects, daily construction trips would typically be completed prior to PM peak hours.

With implementation of the Project Design Feature TRANS-PDF-1 (Construction Management Plan) (see Section IV.K, Transportation/Traffic, of the Draft EIR), construction truck trips would not cause significant impacts during the AM peak and PM peak hours for peak construction truck activity and to emergency vehicles. In addition, TRANS-PDF-1 would ensure that adequate and safe access remains available within and near the Project Site during construction activities. The Project would also employ temporary traffic controls, such as flag persons to control traffic movement during temporary traffic flow disruptions. Traffic management personnel would be trained to assist in emergency response by restricting or controlling the movement of traffic that could interfere with emergency vehicle access. Appropriate construction traffic control measures (e.g., detour signage, delineators, etc.) would also be implemented, as necessary, to ensure emergency access to the Project Site is kept unobstructed at all times and traffic flow is maintained on adjacent right-of-ways. Furthermore, drivers of emergency vehicles normally have a variety of options for avoiding traffic, such as using sirens to clear a path of travel or driving in the lanes of opposing traffic. Based on the above, construction of the Project would not impact LAFD services to the extent that there would be a need for new or expanded fire facilities in order to maintain LAFD's capability to serve the Project Site. Therefore, fire protection and emergency service impacts associated with construction of the Project would be less than significant.

(b) Operation

The Project Site is expected to continue to be served by Fire Station No. 17, the first-in station for the Project Site. In addition, Fire Station Nos. 9, 4, 25, and 2 would continue to be available to serve the Project Site in the event of an emergency. The Project Site is currently a vacant use that generates very low demand for LAFD fire protection services. As no housing currently exists on the Project Site, there are currently no residents on the Project Site that generate a direct demand for LAFD fire protection services. The Project would include the development of new multi-family

residential units, which would generate a new residential population in the service area of Fire Station No. 17. The Project would generate approximately 268 residents. In addition, the Project would generate approximately 662 employees. Therefore, the Project's population would increase the demand for LAFD fire protection services. However, the Project would implement Los Angeles Building and Fire Code requirements, including, but not limited to, structural design, building materials, site access, clearances, hydrants, fire flow, storage and management of hazardous materials, alarm and communications systems, and building sprinkler systems.

Compliance with applicable City Building Code and Fire Code requirements would be demonstrated as part of LAFD's fire/life safety plan review and LAFD's fire/life safety inspection for new construction projects, as set forth in Section 57.118 of the LAMC, prior to the issuance of a building permit. In addition, as described above, the Project, as a high-rise structure, is required by the Section 57.4705.4 of the LAMC to provide an EHLF, as described in Subsection 2.a.(3)(e), or to implement one of two options to forgo an EHLF. The Project would comply with Option 2 of LAFD Requirement No. 10 and acquire approval from the Fire Marshal for this option. In compliance with Option 2, the Project would provide all applicable life safety features, including automatic fire sprinklers, a video camera surveillance system, egress stairways, fire service access elevators, stairways with roof access, enclosed elevator lobbies, and escalator openings or stairways.

The Project Site is located within the distance specified by Table 507.3.3 of the Fire Code. Station No. 17 is within 1 mile away and contains a Task Force (truck company and engine company)20 and an ambulance. Thus, the Project Site complies with the Fire Code's response distances. The Project is within the maximum response distance of a fire station with adequate equipment.

The Project would be required to install additional hydrant(s) to meet City fire flow requirements. As such, the Project Applicant will coordinate with LADWP to install necessary improvements to the off-site fire water system in accordance with City standards. Therefore, with construction of the proposed fire water system improvements (connections to the existing water mains) and the installation of an additional fire hydrant(s) within the public right-of-way to meet City fire flow requirements set forth in Section 57.507.3.1 of the LAMC, the Project would meet the fire flow requirements.

The Project would not substantially impede public access or travel on public rights-of-way such as Bay Street or Sacramento Street, and would not interfere with any adopted emergency response plan or emergency evacuation plan. The nearest disaster routes include San Pedro Street approximately 1.3 mile northwest of the Project Site, and 1st Street approximately 1.2 mile north of the Project Site.<sup>25</sup> Disaster routes function as primary thoroughfares for movement of emergency response traffic and access to critical facilities. Immediate emergency debris clearance and road/bridge repairs for short-term emergency operations will be emphasized along these routes. The Project would not impede these routes. Emergency access would be maintained at all times. Emergency vehicle access to the Project Site would continue to be provided from local and major roadways near the Project Site.

Based on the analysis above, Project operation would not require the addition of a new fire station or the expansion, consolidation, or relocation of an existing facility, the construction of which would cause significant environmental effects, in order to maintain service and would not inhibit LAFD emergency response. Therefore, impacts to fire protection and EMS during Project construction and operation would be less than significant, and no mitigation measures are required. Furthermore, as described in Subsection 3.b., consistent with *City of Hayward v. Trustees of California State University* (2015) 242 Cal.App.4th 833, significant impacts under CEQA consist of adverse changes in any of the physical conditions within the area of a project, and the obligation to provide adequate fire and EMS is the responsibility of the City. Thus, the need for additional fire protection services is not an environmental impact that CEQA requires a project applicant to mitigate.

## (c) Cumulative

The increase in development and residential service populations from the Project, related projects, and other future development in the Community Plan area would result in a cumulative increase in the demand for LAFD services and could have a cumulative impact on fire services if the Project, together with other development in the service area, did not comply with LAFD requirements for design and construction. However, similar to the Project, the related projects would be reviewed by LAFD on a project-by-project basis to ensure that sufficient fire safety and hazards measures are implemented to reduce potential impacts to fire protection. Furthermore, each related project would be required to comply with regulatory requirements related to fire protection and EMS. As discussed above, each related project and other future development that exceeds the maximum applicable LAMC response distance standards would be required to install automatic fire sprinkler systems in order to compensate for the additional response distance.

In addition, the Project, each related project, and other future development projects in the Community Plan area would be subject to the City's standard construction permitting process, which includes a review by LAFD for compliance with building and site design standards related to fire/life safety, as well as coordinating with LADWP to ensure that local fire flow infrastructure meets current code standards for the type and intensity of land uses involved. Given that the Project Site is located within an urban area, each of the related projects identified in the area would likewise be developed within urbanized locations that fall within an acceptable distance from one or more existing fire stations. The Project would also generate revenues to the City's General Fund (in the form of property taxes, sales revenue, etc.) that could be applied toward the provision of new fire station facilities and related staffing, as deemed appropriate. Cumulative increases in demand for fire protection services due to related projects would be identified and addressed through the City's annual programming and budgeting processes. LAFD resource needs would be identified and monies allocated according to the priorities at the time. Any requirement for a new fire station, or the expansion, consolidation, or relocation of an existing fire station would also be identified through this process, the impacts of which would be addressed accordingly. Furthermore, over time, LAFD would continue to monitor population growth and land development throughout the City and identify additional resource needs, including staffing, equipment, trucks and engines, ambulances, other special apparatuses, and possibly station expansions or new station construction, that may become necessary to achieve the required level of service. LAFD has no known or proposed plans to expand fire facilities or construct new facilities in the Community Plan area.

However, if a new fire station, or the expansion, consolidation, or relocation of an existing station was determined to be warranted by LAFD, the Community Plan area is highly developed, and the site of a fire station would foreseeably be an infill lot less than an acre in size which would meet the requirements for the use of a Class 32 categorical infill exemptions (CEQA Guidelines 15332). Development of a station at this scale is unlikely to result in significant impacts, and projects involving the construction or expansion of a fire station would be addressed independently pursuant to CEQA. With regard to cumulative impacts on fire protection, consistent with *City of Hayward v. Board Trustees of California State University* (2015) 242 Cal.App.4th 833 ruling and the requirements stated in the California Constitution Article XIII, Section 35(a)(2), the obligation to provide adequate fire protection and EMS is the responsibility of the City. Through the City's regular budgeting efforts, LAFD's resource needs, including staffing, equipment, trucks and engines, ambulances, other special apparatuses and possibly station expansions or new station construction, would be identified and allocated according to the priorities at the time. If LAFD determines that new facilities are necessary at some point in the future, such facilities (1) would occur where allowed under the designated land use, (2) would be located on parcels that are infill opportunities on lots that are between 0.5 and 1 acre in size, and (3) could qualify for a categorical exemption or Mitigated Negative Declaration under CEQA Guidelines Section 15301 or 15332. Further analysis, including a specific location, would be speculative and beyond the scope of this document. As such, cumulative impacts on fire protection and emergency medical services would be less than significant. Based on the above, the Project's contribution to cumulative impacts to

fire protection and EMS would not be cumulatively considerable. As such, cumulative impacts to fire protection and EMS would be less than significant.

(2) Police Services

(a) Construction

Construction sites can be sources of attractive nuisances, providing hazards, and inviting theft and vandalism. Therefore, when not properly secured, construction sites can contribute to a temporary increased demand for police protection services. Consequently, the Applicant will take precautions to prevent trespassing through construction sites often include temporary fencing around the perimeter of the site. The Project Site is generally open on the alley, Sacramento and Bay streets. The boundaries would need to be secured during construction. Pursuant to Project Design Feature PUB-PDF-1, temporary fencing will be installed to prevent public entry and theft. This would ensure that valuable materials (e.g., building supplies, metals such as copper wiring) and construction equipment are not easily stolen or vandalized. Project construction activities could also potentially impact LAPD services within the Central Area due to construction impacts on the surrounding roadways. Lane closures and construction-related traffic (e.g., truck deliveries and construction worker vehicles) could cause traffic delays and impact police response times in the Project area. Pursuant to TRANS-PDF-1, a Construction Management Plan (CMP) would be implemented during construction of the Project (as required by the City). See Section 4.K, Transportation/Traffic, of the Draft for details of the CMP. The CMP would consider the nature and timing of specific construction activities and other projects in the vicinity, as well as disclose lane closure information, detour plans, truck routes, and staging plans, and identify specific actions that would reduce the effects from construction of the Project on the surrounding community.

In addition, emergency response vehicles can use a variety of options for overcoming traffic, such as using their sirens to clear a path of travel or driving in the lanes of opposing traffic pursuant to Section 21806 of the CVC. Based on the above, upon implementation of the Project Design Features and compliance with state law temporary construction activities associated with the Project would not generate a demand for additional police protection services that would substantially exceed the capability of the LAPD to serve the Project Site. In addition, Project construction would not cause a substantial increase in emergency response times as a result of increased traffic congestion. As such, Project construction would not result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered governmental facilities, the construction of which would cause significant environmental impacts, in order to maintain LAPD's capacity to serve the Project Site. Therefore, impacts on police protection services during Project construction would be less than significant.

Furthermore, consistent with *City of Hayward v. Trustees of California State University* (2015) 242 Cal.App.4th 833, significant impacts under CEQA consist of adverse changes in any of the physical conditions within the area of the Project, and the protection of the public safety is the first responsibility of local government where local officials have an obligation to give priority to the provision of adequate public safety services. Thus, the need for additional police protection services is not an environmental impact that CEQA requires the Project Applicant to mitigate.

(b) Operation

The Project would not represent a significant change in the officer-to-resident ratio for the Central Area. Consequently, with an increase for one additional officer to maintain current resident service ratios, the Project would not require the expansion, consolidation, or relocation of the Station. The Project would generate a net increase of employees, as well as an increase in visitors and patrons, especially over the evening and night hours due to the commercial and residential use. As such, the Project could potentially increase the number of police service calls due to an increase in onsite employees and visitors. As indicated in Table IV.J.2-1 of the Draft EIR, the most common crimes in the Newton Area are "Burglary from Vehicles" and "Motor Vehicle Theft."

Defensible space, natural surveillance (visibility from streets and sidewalks), and natural access control (landscaping buffers and other distinctions between public and private spaces), would be incorporated into the Project design. The implementation of these design features would reduce the probability of a crime occurring during operation of the Project (see PUB-PDF-2). The Project will include standard security measures such as adequate security lighting, secure access to residential areas, and front desk that offers a visual deterrent and human surveillance feature. Parking would be provided in an enclosed below grade facility as part of the building. LAPD requires that the commanding officer of the Newton Area be provided a diagram of each portion of the property showing access routes, and any additional information that might facilitate police response. This is formally included as PUB-PDF-3.

In addition to the implementation of these project design features, the Project would generate revenues to the City's General Fund (in the form of property taxes, sales revenue, etc.) that could be applied toward the provision of new police facilities and related staffing in the community, as deemed appropriate. Emergency access to the Project Site would be provided by the existing street system.

With regard to Project impacts on police protection, consistent with *City of Hayward v. Board Trustees of California State University* (2015) 242 Cal.App.4th 833 ruling and the requirements stated in the California Constitution Article XIII, Section 35(a)(2), the obligation to provide adequate public safety services, including police protection, is the responsibility of the City. Through the City's regular budgeting efforts, LAPD's resource needs, including staffing and possibly station expansions or new station construction, would be identified and allocated according to the priorities at the time. Further analysis, including a specific location, would be speculative and beyond the scope of this document. As such, impacts on police protection would be less than significant.

While operation of the Project would increase the number of employees, visitors, and residents in the Project area, the provision of on-site security features, coordination with LAPD, and incorporation of crime prevention features would reduce Project operation impacts to a less-than-significant impact. Operation of the Project would not require the provision of new or physically altered police stations in order to maintain acceptable service ratios or other performance objectives for police protection. Therefore, operation impacts would be less than significant.

### (c) Project Design Features

The following Project Design Features are proposed with regard to police protection:

**PUB-PDF-1** Prior to the start of construction, temporary fencing will be placed along the periphery of the active construction areas to keep unpermitted persons from entering the construction area and to screen construction activities from view. The perimeter fence will have gates installed to facilitate the ingress and egress of equipment and construction workers. Where applicable, the construction fence would incorporate a pedestrian walkway with temporary lighting. Should sections of the construction fence have to be removed to facilitate work in progress, barriers and or K – rails would be installed to prevent public entry and theft.

**PUB-PDF-2** The Project will provide for on-site security measures and controlled access systems for residents and tenants to minimize the demand for police protection services. These measures include, but are not limited to, the following:

- Perimeter lighting to supplement the street lighting and to provide increased visibility and security
- On-site security personnel, commensurate to similar/comparable residential and retail projects of its size, as needed

- Installation of parking garage access control
- Installation of residential units access control

**PUB-PDF-3** Prior to the issuance of a certificate of occupancy, the Newton Division commanding officer will be provided with a diagram of each portion of the property. The diagram will include access routes and any additional information that might facilitate police response.

(d) Cumulative

In general, impacts to LAPD services and facilities during the construction of each related project would be addressed as part of each related project's development review process conducted by the City. Similar to the Project, each related project would also be subject to the City's routine construction permitting process, which includes a review by the LAPD to ensure that sufficient security measures are implemented to reduce potential impacts to police protection services. Similar to the Project, each related project would also be subject to the City's routine construction permitting process, which includes a review by the LAPD to ensure that sufficient security measures are implemented to reduce potential impacts to police protection services. Furthermore, construction-related traffic generated by the Project and the related projects would not significantly affect LAPD response within the Project Site vicinity as drivers of police vehicles normally have a variety of options for avoiding traffic, such as using sirens to clear a path of travel or driving in the lanes of opposing traffic. Therefore, the Project's contribution to cumulative impacts on either police protection or emergency services during construction would not be cumulatively considerable, and cumulative impacts would be less than significant.

Similar to the Project, related projects would contribute to funding police protection services in the area by generating annual revenue from property taxes that would be deposited into the City's General Fund, which could potentially be used to fund the construction of future police facilities and support hiring more police officers. This would further ensure that the Project's incremental effect on police protection service would not be cumulatively considerable. Through this process, the ability of the LAPD to provide adequate facilities to accommodate future growth and maintain acceptable levels of service would be ensured. On this basis, it is anticipated that potential impacts to police protection would not be cumulatively considerable. Furthermore, the increased demands for additional LAPD staffing, equipment, and facilities would be funded via existing mechanisms (e.g., property taxes and government funding) to which both the Project and the cumulative projects would contribute. Currently, the LAPD has no known or proposed plans to expand police facilities or construct new facilities within its Newton Area. If a new police station, or the expansion, consolidation, or relocation of an existing station were determined to be warranted by LAPD, the Downtown area is highly developed, and the site of a police station would foreseeably be an infill lot less than an acre in size, which would meet the requirements for the use of a Class 32 categorical infill exemption (CEQA Guidelines 15332). Development of a station at this scale is unlikely to result in significant impacts, and projects involving the construction or expansion of a police station would be addressed independently pursuant to CEQA.

With regard to emergency response, the Project, related projects, and other future development within the Community Plan area would introduce new uses to the Project Site that would generate additional traffic in the vicinity of the Project Site. As discussed above, the Project is not anticipated to substantially affect existing emergency response in the Newton Area, and the Project would not contribute to a cumulative impact regarding response. Furthermore, the drivers of emergency vehicles normally have a variety of options for avoiding traffic, such as using sirens to clear a path of travel, in accordance with CVC Section 21806. With regard to cumulative impacts on police protection, consistent with *City of Hayward v. Board Trustees of California State University* (2015) 242 Cal.App.4th 833 ruling and the requirements stated in the California Constitution Article XIII, Section 35(a)(2), the obligation to provide adequate public safety services, including police protection, is the responsibility of the City. Through the City's regular budgeting efforts, LAPD's resource needs, including staffing and possibly station expansions or new station

construction, would be identified and allocated according to the priorities at the time. Further analysis, including a specific location, would be speculative and beyond the scope of this document. As such, cumulative impacts on police protection would be less than significant.

Based on the above, the Project's contribution to cumulative operational impacts to police protection services would not be cumulatively considerable. The Project would not result in cumulative adverse impacts associated with the provision of new or physically altered government facilities, need for new or physically altered governmental facilities, the construction of which would cause significant environmental impacts, in order to maintain LAPD's capability to serve the Project Site. As the Project would not result in a substantial incremental contribution to the cumulative demand for police protection services, the Project's contribution to cumulative impacts on police protection services are less than significant.

### (3) Schools

#### (a) Construction

The Project would generate part-time and full-time jobs associated with construction of the Project between the start of construction and Project buildout. However, due to the employment patterns of construction workers in Southern California and the operation of the market for construction labor, construction workers are not anticipated to relocate their households (with student-age children) to the Project area and, thus, would not impact existing school facilities. This is due to the employment patterns of construction workers in Southern California, and the operation of the market for construction labor, construction workers are not likely to relocate their households as a consequence of the construction job opportunities presented by the Project. Therefore, the construction employment generated by the Project would not result in a notable increase in the resident population or a corresponding demand for schools in the vicinity of the Project Site. Impacts to school facilities during construction would be less than significant.

#### (b) Operation

LAUSD provides public elementary, junior high/middle school, and high school education for students living in the City of Los Angeles, including near the vicinity of the Project Site. The Project Site is served by the following LAUSD public schools:

- 9th Street Elementary School (grades K-5), located at 835 Stanford Avenue, approximately 1.0 mile to the west of the Project Site.
- Hollenbeck Middle School (grades 6-8), located at 2510 East 6th Street, approximately 1.0 mile to the east of the Project Site.
- Boyle Heights High School Zone of Choice:
  - Boyle Heights Science Tech Engineering Math High School (grades 9-12), at 456 South Matthews Street, approximately 1.0 mile to the east of the Project Site.
  - Theodore Roosevelt High School (grades 9-12), at 456 South Matthews Street, approximately 1.0 mile to the east of the Project Site.
  - Felicitas and Gonzalo Mendez High School (grades 9-12), at 1200 Plaza Del Sol, approximately 1.1 mile to the north of the Project Site.

The Project is expected to generate approximately 195 students. Although it is possible that some of the school aged residents are currently already attending a LAUSD school near the Project Site, and/or other schools in the vicinity due to the open enrollment policy; to provide a conservative analysis, it is assumed that the total number of students generated by the Project are not currently enrolled in a LAUSD school near the Project Site and would enroll in the LAUSD schools

discussed above. The Project buildout year is projected to be in 2022. The District projects student attendance totals for each school in five-year increments. LAUSD does not provide any projections beyond this timeframe. Hollenbeck Middle, and Boyle Heights Zone of Choice High would continue to operate below each school's design capacity by 383 and 661 students, respectively. 9th Street Elementary would experience overcrowding in the future by approximately 37 students. However, pursuant to the California Government Code, the Project Applicant's payment of the school fees established by the LAUSD in accordance with existing rules and regulations regarding the calculation and payment of such fees would, by law, provide full and complete mitigation for the Project's direct and indirect impacts to schools.

Pursuant to Senate Bill 50, the Project Applicant would be required to pay development fees for schools to the LAUSD prior to the issuance of the Project's building permit. Pursuant to Government Code Section 65995, the payment of these fees is considered full and complete mitigation of Project-related school impacts. Therefore, payment of the applicable development school fees to the LAUSD would offset the potential impact of additional student enrollment at schools serving the Project Site. Accordingly, with adherence to existing regulations, impacts on schools would be less than significant, and mitigation measures would not be required.

#### (c) Cumulative

LAUSD's facility planning assumptions are based on overall demographic trends, and although not specifically based upon new development projects, are intended to address changes in student enrollment arising from area population trends from various sources, including new development. Implementation of the Project in conjunction with the cumulative development projects would generate students based on an increase in dwelling units and non-residential uses (employees' students). It is estimated that the cumulative growth (Project + related) projects would generate approximately 10,950 students. In addition to the schools identified above that would serve the Project Site and immediate area, the following additional LAUSD schools would serve the related projects:

- Elementary (K-5): 9th, Los Angeles Early Education Center, San Pedro, 2nd, Soto, Garza, Dena, Vernon City;
- Middle Schools (6-8): Hollenbeck, Nava Learning Academy, Utah, Liechty; and
- High Schools (9-12): Metropolitan, Roosevelt, Contreres, Jefferson, Santee.

In addition, students could enroll in a private school, a LAUSD charter or magnet school located in the area, and/or participate in the LAUSD's open enrollment policy. As with the Project, the cumulative projects would be required to pay the appropriate school fees, which would mitigate impacts to public schools. In accordance with CEQA Guidelines section 15130(a)(3), a project's contribution to cumulative impacts is less than cumulatively considerable if the project is required to implement or fund its fair share of a mitigation measure designed to alleviate the cumulative impact. Under state law, payment of school fees is deemed to provide full and complete mitigation of school facilities impacts. As the Project would not result in a substantial incremental contribution to the cumulative demand for school services, the Project would not have a cumulatively considerable impact to schools, and cumulative impacts would be less than significant. No mitigation measures are required.

#### (4) Parks

##### (a) Adverse Physical Impact

In determining the Project's potential impacts to parks and recreational facilities, this analysis evaluates the potential demand of Project residents for public parks and recreational facilities, as well as the Project's consistency with applicable plans, policies, and regulations related to parks and recreational facilities. As discussed above, due to the amount, variety, and availability of the

Project's proposed open space and recreational amenities, it is anticipated that Project residents would generally utilize on-site open space to meet their recreational needs. As such, the Project would meet the applicable requirements set forth in LAMC Section 12.21. Furthermore, in accordance with the regulatory requirements discussed above, the Project would pay a Dwelling Unit Construction Tax in accordance with LAMC Section 21.10.3(a)(1) and comply with the requirements of LAMC Section 17.12 regarding payment of Quimby fees. The Project would not meet the parkland provision goals set forth in the Public Recreation Plan. However, as previously indicated, these are Citywide goals and are not intended to be requirements for individual development projects. Implementation of regulatory requirements would ensure that the intent of the Public Recreation Plan's parkland standards would be addressed through compliance with applicable LAMC requirements related to the provision and/or funding of parks and recreational spaces. Therefore, the Project would not result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered governmental facilities, the construction of which would cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for parks. Impacts would be less than significant, and no mitigation measures are required.

(b) Construction

There are no parks or recreational facilities adjacent to or near the Project Site. Therefore, Project construction would not be expected to result in access restrictions to City parks and recreation facilities in the vicinity of the Project Site nor interfere with existing park usage in a manner that would substantially reduce the service quality of the existing parks in the Project Site vicinity. Project construction would not generate a demand for park or recreational facilities that cannot be adequately accommodated by existing or planned facilities and services Project construction would not increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated. Therefore, impacts on parks and recreational facilities during Project construction would be less than significant, and mitigation measures would not be required.

(c) Operation

Due to the amount, variety, and availability of the proposed open space and recreational amenities, it is anticipated that Project residents would generally utilize on-site open space to meet their recreational needs. Thus, while the Project's new residents would be expected to utilize off-site public parks and recreational facilities to some degree, the Project would not be expected to cause or accelerate substantial physical deterioration of off-site public parks or recreational facilities given the provision of on-site open space and recreational amenities. Similarly, the Project's commercial component could result in a demand for parks and recreational facilities. However, it is anticipated that Project employees would also primarily utilize on-site open space during their time spent at the Project, resulting in a negligible demand for surrounding parks and recreational facilities. Furthermore, the Project would pay in-lieu parkland fees in accordance with Sections 17.12 and 12.33 of the LAMC. Therefore, the Project would not substantially increase the demand for off-site public parks and recreational facilities. Project operation would not increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated. Therefore, impacts on parks and recreational facilities during Project operation would be less than significant, and mitigation measures would not be required.

(d) Cumulative

All identified related projects and ambient growth projections fall within a 2-mile radius of the Project Site, which is the geographic area analyzed for purposes of assessing impacts to parks and recreational facilities. As noted above, the Community Plan area is currently underserved when considering the desired parkland standards provided in the Public Recreation Plan. As the population continues to grow in the Project Site vicinity, increased demand would lower the

existing parkland to population ratio without the construction of new parkland, such as the anticipated 1st and Broadway Park (in the planning stages with no estimated year of completion). Depending on their location, the related projects could be served by the parks and recreation facilities that would also serve the Project, as well as other LADRP facilities, including

- 6th and Gladys Park
- Aliso Pico Recreation Center, 370 S. Clarence Street
- Central Recreation Center, 1357 E. 22nd Street
- Pershing Square Park, 532 S. Olive Street
- City Hall Park, 200 N. Main Street
- Pecan Recreation Center, 127 S. Pecan Street
- Spring Street Park, 428 Spring Street

While it is anticipated that the Project's provision of on-site open space would meet the recreational needs of Project residents, the Project would not meet all of the parkland provision goals set forth in the Public Recreation Plan. Development of the related projects would exacerbate the Community Plan area's deficiency in parkland per the Public Recreation Plan's standards. The 1st and Broadway Park (in the planning stages with no estimated year of completion), however, would make a substantial positive contribution toward meeting these goals. However, as previously indicated, the standards set forth in the Public Recreation Plan are Citywide goals and are not intended to be requirements for individual development projects. Furthermore, as with the Project, the related projects would undergo discretionary review on a case-by-case basis and would be expected to coordinate with the DRP. Future development projects would also be required to comply with the park and recreation requirements of Sections 12.21, 17.12, 12.33, and 21.10.3(a)(1) of the LAMC and the Park Fee Ordinance, as applicable. As such, cumulative impacts to parks and recreational facilities would be less than significant.

(5) Libraries

(a) Construction

Construction of the Project would result in a temporary increase of construction workers on the Project Site. Due to the employment patterns of construction workers in Southern California, and the operation of the market for construction labor, construction workers are not likely to relocate their households as a consequence of Project construction. Therefore, Project-related construction workers would not result in a notable increase in the resident population within the service area of the libraries in the vicinity of the Project Site. Furthermore, construction workers would not result in a notable increase in an overall corresponding demand for library services in the vicinity of the Project Site. It is unlikely that construction workers would utilize Project area libraries on their way to/from work or during their lunch hours. Construction workers would likely utilize library facilities near their places of residence because lunch break times are typically not long enough for construction workers to take advantage of library facilities, eat lunch, and return to work within the allotted time. It is also unlikely that construction workers would utilize library facilities on their way to work as the start of their work day generally occurs before the libraries open for service.

Similarly, it is unlikely that construction workers would utilize library facilities at the end of the workday and would likely use library facilities near their places of residence. Therefore, any increase in usage of the libraries by construction workers is anticipated to be negligible. As such, construction of the Project would not exceed the capacity of local libraries to adequately serve the existing residential population based on target service populations or as defined by the Los

Angeles Public Library (LAPL). Project construction would not substantially increase the demand for library services for which current demand exceeds the ability of the facility to adequately serve the population. As such, Project construction would not result in the need for new or physically altered libraries, the construction of which would cause significant environmental impacts. Impacts on library facilities during Project construction would be less than significant, and no mitigation measures are required.

(b) Operation

The Central Library is not only a resource for the local population, but it is also a destination for regional, domestic, and international patrons. While the 2007 Branch Facilities Plan recommends the addition of a second branch for communities with populations above 90,000 persons, as previously described, there are three other branch libraries within a two-mile radius of the Project Site. Therefore, the Central Library is sufficient when considered with the other three identified libraries. Chinatown branch currently meet the recommended building size standards. With the addition of the Project's 268 estimated new residents, the library would continue to meet the recommended building size standards under existing and future conditions. However, Franklin and Little Tokyo branches currently do not meet the recommended building size standards under existing conditions. With the addition of the Project's 268 estimated new residents, the libraries would continue their operations without meeting the recommended building size standards without or with the Project under existing and future conditions.

The L.A. CEQA Thresholds Guide considers features (on-site library facilities, direct support to LAPL) that would reduce the demand for library services. It is likely that the residents of the Project would have individual access to internet service, which provides information and research capabilities that studies have shown reduce demand at physical library location. Further, Measure L has provided funds to restore adequate services to the existing library system. The Project would generate revenues to the City's General Fund (in the form of property taxes, sales tax, and business tax, etc.) that could be applied toward the provision of new library facilities and related staffing for any one of the libraries serving the Project area, as deemed appropriate. The Project's revenue to the General Fund would help offset the Project-related increase in demand for library services. As such, the Project would not conflict with or impede implementation of the applicable policies and goals related to libraries in the Framework Element or the Community Plan.

With regard to the potential for the employees to use nearby library facilities, the Project would include a range of full-time and part-time positions that would be primarily filled by persons who already reside in the vicinity of the workplace and already generate a demand for the libraries in the Project Site's vicinity. Furthermore, employees at the Project Site would have internet access, which provides information, research capabilities, and a reduced demand at physical library locations. As such, any indirect or direct new demand for library services generated by employees would be negligible.

Based on Table IV.J.5-3 in the Draft EIR, the Project would not create any new exceedance of the capacity of local libraries to adequately serve the existing residential population based on target service populations or as defined by the LAPL. Therefore, the Project would not result in the need for new or altered facilities, or substantially increase the demand for library services for which current and future demand exceeds the ability of the facility to adequately serve the population. In addition, although the Little Tokyo and Franklin branches would continue operations without meeting recommended building standards under existing and future conditions, residents of the Project could also visit the Central Library, which is nearby. To the extent that Project residents would travel farther within the 2-mile libraries service area, library usage would be expected to be dispersed between the Central Library and the other three local branch libraries identified by the LAPL. Furthermore, as the Franklin and Little Tokyo branches are already undersized in existing conditions, the Project would not be anticipated to result in a substantial increase in demand for library services for which current demand exceeds the ability of the libraries to adequately serve the population. Therefore, the Project would not result in the need for new or altered facilities, the

construction of which would cause significant environmental impacts. As such, impacts on library facilities during operation of the Project would be less than significant. Nonetheless, the LAPL has recommended a fee of \$200 per capita based upon the projected population of the Project, which would be applied towards staff, books, computers, and other library materials. This would be applied as a Condition of Approval on the Project.

(c) Cumulative

Pursuant to the library sizing standards recommended in the 2007 Branch Facilities Plan, the cumulative future service population of the Central Library would warrant the addition of a new branch library since the service population would exceed 90,000 persons. The Central Library is sufficient when considered with the other three identified libraries. Chinatown branch currently meet the recommended building size standards. With the addition of the cumulative growth, the library would continue to meet the recommended building size standards under existing and future conditions. However, Franklin and Little Tokyo branches currently do not meet the recommended building size standards under existing conditions. With the addition of the cumulative growth, the libraries would continue their operations without meeting the recommended building size standards without or with the Project under existing and future conditions.

However, this estimate is likely overstated as it does not consider that much of the growth associated with the Project and related projects is already accounted for in the service population projections made by the LAPL based on SCAG projections. In addition the estimate is conservative considering that all four libraries would provide library services to the 38,832 new residents generated by the Project and the related projects, and not all the residents would utilize the four libraries equally. Therefore, these residents would be more likely to utilize libraries closer in proximity as their primary libraries. In addition, the estimate of the cumulative service population is largely driven by the number of related projects in the Project area.

Depending on their location, the related projects in the City of Los Angeles would be served by the Central Library and three branch libraries that would also serve the Project. In addition, some of the related projects would be served by the following other LAPL branches:

Vernon-Washington Branch, 4504 S. Central Avenue

Stevenson Branch, 803 Spence Street

Furthermore, similar to the Project, each related project, and other future development in the Community Plan area would generate revenues to the City's General Fund (in the form of property taxes, sales tax, business tax, etc.) that could be applied toward the provision of new library facilities and related staffing for any one of the libraries serving the Project area, as deemed appropriate. These revenues to the General Fund would help offset the increase in demand for library services as a result of the Project and the related projects.

Based on Table IV.J.5-4 of the Draft EIR, the cumulative growth would not create any new exceedance of the capacity of local libraries to adequately serve the existing residential population based on target service populations or as defined by the LAPL. Therefore, the cumulative growth would not result in the need for new or altered facilities, or substantially increase the demand for library services for which current and future demand exceeds the ability of the facility to adequately serve the population. In addition, although the Little Tokyo and Franklin branches would continue operations without meeting recommended building standards under existing and future conditions, residents of the related projects could also visit the Central Library, which is nearby. To the extent that residents would travel farther within the 2-mile libraries service area, library usage would be expected to be dispersed between the Central Library and the other three local branch libraries identified by the LAPL. Furthermore, as the Franklin and Little Tokyo branches are already undersized in existing conditions, the cumulative growth would not be anticipated to result in a substantial increase in demand for library services for which current demand exceeds the ability of the libraries to adequately serve the population. Therefore, the

related projects would not result in the need for new or altered facilities, the construction of which would cause significant environmental impacts. As such, cumulative impacts on library facilities during operation would be less than significant.

**i) Transportation and Traffic**

**(1) Construction**

During construction, adequate parking for construction workers would be secured in local public parking facilities or, if needed, a remote site with shuttle service provided. Restrictions against workers parking in the public right-of-way in the vicinity of (or adjacent to) the Project Site would be identified as part of the Construction Management Plan (Project Design Feature TRANSPDF-1). All construction materials storage and truck staging would be contained on-site. Therefore, impacts during construction would be less than significant. The sidewalks fronting the Project Site may require temporary closures for equipment staging. Project construction is not expected to create hazards for roadway travelers, bus riders, or parkers, as long as commonly practiced safety procedures for construction are followed. Such procedures and other measures (e.g., to address temporary traffic control, lane closures, sidewalk closures, relocation of bus stops, etc.) would be incorporated into the Construction Management Plan (Project Design Feature TRANS-PDF-1). Therefore, impacts during construction to access, transit and parking would be less than significant.

**(2) Congestion Management Program (CMP)**

Based on a review of the Project trip generation and the Project trip distribution patterns, the Project is expected to contribute minimal traffic volumes to these CMP monitoring intersections during the weekday AM and PM peak hours (16 or fewer trips at each intersection, during each peak hour). Further, it is expected that Project traffic volume contributions to more distant CMP arterial monitoring locations would be even lower, given that Project traffic would disperse across an increasing number of roadways when farther from the Project site. With Project traffic contributions well below the 50-trip threshold, no significant Project impacts to CMP arterial monitoring locations would occur and no additional arterial intersection analysis is necessary.

Beyond the requirements of the local CMP, a Caltrans freeway impact analysis screening was performed for the Project as part of the approved MOU, per the criteria set forth in the October 2013 Agreement Between City of Los Angeles and Caltrans District 7 on Freeway Impact Analysis Procedures (the "Agreement") and the December 2015 First Amendment to the Agreement between LADOT and Caltrans District 7 on Freeway Impact Analysis Procedures (the "Amendment"). Project traffic volume contributions to the freeway mainline and off-ramp locations most likely to be impacted by Project-related traffic were analyzed. The impact analysis screening included performing Highway Capacity Manual (HCM) operational analyses for four freeway off ramp locations. These freeway off ramp locations included the I-10 Freeway eastbound off-ramp to San Pedro Street, the I-10 Freeway eastbound off-ramp to Porter Street (Santa Fe Avenue), the US-101 Freeway southbound off-ramp to 7th Street, and the I-5 Freeway northbound off-ramp to 7th Street. None of the Project traffic volume contributions to freeway mainline and off-ramp locations met the thresholds requiring additional analysis. Therefore, the Project's CMP mainline freeway impacts would be less than significant and no further analysis is required.

**(3) Site Access and Circulation**

Project parking would be provided on-site in three subterranean garage floors. Primary residential and commercial access/egress would be via a driveway intersecting the north side of Sacramento Street near the southeast corner of the Project site. A secondary, egress-only driveway would intersect the south side of Bay Street near the northeast corner of the Project Site. The Project would comply with the conditions contained within the Transportation Study Assessment for the Project. The vehicular access system is adequate to serve the Site and no points of congestion are anticipated that would affect traffic flow on the adjacent public streets. The conceptual site

plan is acceptable to LADOT. Approval of the driveway dimensions, access and circulation scheme require separate review and approval from LADOT. Therefore, impacts would be less than significant.

With respect to operation, emergency vehicle access to the Project Site is provided via local roadways. The Project's design would be required to comply with Department of Building and Safety and Los Angeles Fire Department's (LAFD) access requirements. The LAFD's ability to provide adequate fire protection and emergency response services to a site is also determined by the degree to which emergency response vehicles can successfully navigate the given access ways and adjunct circulation system along the response route. Operational impacts on emergency access would be less than significant.

#### (4) Transit, Bicycle, and Pedestrian Facilities

The Project trip generation reflects a transit adjustment of 10 percent for all land uses, which amounts to 364 net vehicles reduced by transit per day, with 30 AM peak-hour and 40 PM peak-hour trips reduced. Per the 2010 CMP guidelines, person transit trips can be estimated by multiplying the transit vehicle trip reductions by a conversion factor of 1.4. Therefore, the number of net Project person transit trips would be approximately 510 daily person transit trips, with 42 AM peak-hour and 56 PM peak-hour person transit trips. Based on recent ridership information provided by Metro, all three of the bus lines operating in the Project study area experience ridership levels below capacity during the AM and PM peak hours. With Metro operating three different bus routes within a convenient walking distance of the Project site, with most peak-hour headways of 15 minutes or less, the local transit system offers available ridership capacity. Therefore, the incremental additions of Project person transit trips would not have a significant impact on transit service in the study area.

There are no bike lanes on Sacramento Street or Bay Street. In order to facilitate bicycle use, bicycle parking spaces would be provided on-site. No bicycle lane facilities are planned along Sacramento Street or Bay Street, consistent with the Bicycle Parking Ordinance, LAMC Section 12.21 A16(a)(2). The Project would also embrace the objectives of the City of Los Angeles Mobility Plan 2035, which includes the goals and policies of the City of Los Angeles 2010 Bicycle Plan. The Mobility Plan 2035 aims to complete its proposed paths, protected cycle tracks, bicycle lanes, routes, and priority Neighborhood Enhanced Network roadway segments by 2035. The Project would not impede the Mobility Plan 2035 improvements which have already been realized, and the Project would support the implementation of future improvements. The Project Site has been designed with consideration for the roadway and right-of-way dimensions for Bay Street and Sacramento Street, per the Mobility Plan 2035. Therefore, impacts to bicycle facilities would be less than significant.

Project Design Feature TRANS-PDF-2 would provide adequate protections during construction to existing pedestrian facilities such as sidewalks around the Site. Development projects proposed on a roadway identified as part of the City's High Injury Network (HIN) should be designed to enhance safety. Although the Project is not located within the HIN, the Project would take measures to align with the City's Vision Zero Los Angeles Initiative. Vision Zero was launched by Executive Order Number 10 in August 2015 with the goals of reducing traffic fatalities by 20 percent by 2017 and eliminating all traffic fatalities citywide by 2025. Vision Zero specifically seeks to implement traffic safety treatments at intersections and along roadway segments to improve safety for pedestrians, bicyclists, and other vulnerable road users. The Project driveways have been located at the eastern edge of the Project site on Bay Street and Sacramento Street, away from pedestrian walkways, thus enhancing walkability and connectivity. Further, the Project will feature open-to-the-sky pedestrian paseos that cross the site, create comfort for passing pedestrians, and activate the block as a pedestrian-safe environment. The Project access locations would be designed to provide adequate sight distance, sidewalks, crosswalks, and pedestrian movement controls that meet the City's requirements to protect pedestrian safety. All roadways and driveways intersect at right angles and street trees and other potential impediments

to adequate driver and pedestrian visibility would be minimal. Therefore, impacts to pedestrian facilities would be less than significant.

(5) Project Design Features

The following Project Design Features (PDFs) are proposed with regard to transportation and traffic:

**TRANS-PDF-1 Construction Management Plan**

The Project Applicant would prepare and submit a Construction Management Plan, including street closure information, detour plans, truck routes, and staging plans, to LADOT for review and approval. The Construction Management Plan would formalize how construction would be carried out and identify specific actions that would be required to reduce effects on the surrounding community. The Construction Management Plan would be based on the nature and timing of the specific construction activities and other projects in the vicinity of the Project Site, and would include, but not be limited to, the following measures:

- Prohibition of construction worker, equipment or construction-related vehicle parking on adjacent streets.
- Prohibition of construction equipment or material deliveries within the public right-of-way unless specified in the Construction Management Plan.
- Provisions for temporary traffic control during all construction activities adjacent to public right-of-way to improve traffic flow on public roadways (e.g., flag person).
- Provisions of safety precautions for pedestrians and bicyclists through such measures as alternate routing and protection barriers as appropriate.
- Provisions to accommodate the equipment storage and truck staging on-site whenever possible to avoid surrounding streets.
- Scheduling of construction-related deliveries, haul trips, etc., during off-peak hours to the extent feasible.
- Coordinate truck activity and deliveries to ensure trucks do not wait to unload or load at the Project Site and impact roadway traffic, and if needed, utilize an organized onsite staging area.
- Obtaining all required approvals for truck haul routes from the City prior to issuance of any permit for the Project.

**TRANS-PDF-2 Pedestrian Facilities - Construction**

- The Project Applicant would maintain pedestrian access on adjacent sidewalks throughout all construction phases. This requires the Project Applicant to maintain adequate and safe pedestrian protection, including physical separation (including utilization of barriers such as K-Rails or scaffolding, etc.) from work space and vehicular traffic and overhead protection, due to sidewalk closure or blockage, at all times.
- The Project Applicant would provide temporary pedestrian facilities adjacent to the project site and would provide safe, accessible routes that replicate as nearly as practical the most desirable characteristics of the existing facility.

- The Project Applicant would provide covered walkways where pedestrians are exposed to potential injury from falling objects.
- The Project Applicant would keep sidewalks open during construction until only when it is absolutely required to close or block sidewalk for reasonable construction staging or safety. Where such closures are necessary, the Project's Construction Management Plan will identify the location of any sidewalk and identify all traffic control measures, signs, delineators, and work instructions to be implemented by the construction contractor through the duration of the closure. Sidewalk would be reopened as soon as reasonably feasible taking construction and construction staging into account.

**j) Tribal Cultural Resources**

**(1) Substantial Adverse Change**

The California Historical Resources Information System (CHRIS) search did not identify any previously recorded tribal cultural resources within the Project site. The Native American Heritage Commission (NAHC)'s search of the Sacred Lands File (SLF) search did not identify any sacred lands or sites. Pursuant to Assembly Bill (AB) 52, the Department of City Planning (DCP) mailed notification letters to 10 tribal parties by March 2, 2017. No requests for consultation were received within the 30-day response period. Therefore, SWCA (consultant that prepared the Draft EIR's tribal cultural resource assessment) finds the Project would not adversely affect known tribal cultural resources.

The potential for unidentified tribal cultural resources within the Project site was assessed and found to be moderate, with the highest potential between 0.9 and 1.5 m (3 and 15 feet) below the present grade. Specifically, there is a likelihood that material remains from a Native American open camp are present in the Project site, which includes but is not limited to flaked stone tools, tool-making debris, stone milling tools, ceramics, modified shell, animal remains, and hearth features (e.g., sediment discoloration or carbonization, charcoal deposits, and fire-altered rock). These artifacts and features are subtle in nature and unlikely to be identified without training. The Project is also subject to Project Design Features TRIBAL-PDF-1 and TRIBAL-PDF-2, which requires retaining an archaeologist and conducting a WEAP training to ensure that construction workers are provided instruction on the types of tribal cultural resource that could be encountered and ensure that any such resources are properly identified and preserved. The City has established a standard condition of approval to address inadvertent discovery of tribal cultural resources, which provides for the temporary halting of construction, Native American tribal notification protocol, and assessment by a qualified archaeologist. Based on the City's standard condition of approval, as implemented according to TRIBAL-PDF-1 and TRIBAL-PDF-2 incorporated into the Project, any potential impacts to tribal cultural resources would be reduced to less than significant levels.

**(2) Project Design Features**

As a means of fulfilling the City's condition of approval, the following project design features (PDFs) have been incorporated into the Project that will be implemented by the Project applicant:

**TRIBAL-PDF-1 Retain a Qualified Archaeologist**

In the event of an inadvertent discovery, the Project applicant shall retain a qualified archaeologist (Project archaeologist), defined as an archaeologist who meets the Secretary of the Interior's Standards for professional archaeology, during the demolition and excavation phase to carry out the Condition of Approval of the Inadvertent Discovery of Tribal Cultural Resources.

**TRIBAL-PDF-2 Worker Environmental Awareness Program (WEAP)**

Before demolition, excavation or any other ground-disturbing activities, at the project kickoff, the selected Project archaeologist or their designee will provide a WEAP training to construction crews that provides information on regulatory requirements for the protection of tribal cultural resources. As part of the WEAP training, construction crews shall be briefed on proper procedures to follow should unanticipated tribal cultural resources discoveries be made during construction. In addition, workers will be shown examples of the types of resources that would require notification of the Project archaeologist.

(3) Cumulative

Although impacts to Tribal cultural resources tend to be site-specific, cumulative impacts would occur if the Project, related projects, and other future development within the Community Plan area affected the same Tribal cultural resources and communities. The Project and the related projects are located within an urbanized area that has been disturbed and developed over time. Although impacts to Tribal cultural resources tend to be site-specific, cumulative impacts would occur if the Project, related projects, and other future development within the Community Plan area affected the same Tribal Cultural resources and communities. As discussed above, there are no Tribal cultural resources located on the Project Site and all Project development would remain onsite. However, the Project would address any inadvertent discovery of Tribal cultural resources by adhering to the City's condition of approval and mitigation measures, as discussed above. In addition, in the event that Tribal cultural resources are uncovered, each related project and other future development would be required to comply with the regulatory requirements, as discussed in detail above, and with the City's condition of approval. Furthermore, related projects would also be required to comply with consultation requirements of AB 52 to determine and mitigate any potential impacts to tribal cultural resources. Therefore, cumulative impacts to Tribal cultural resources would be less than significant and would not be cumulative considerable.

**k) Utilities and Service Systems**

(1) Wastewater

(a) Construction

Construction activities for the Project would not result in wastewater generation as construction workers would typically utilize portable restrooms, which would not contribute to wastewater flows to the City's wastewater system. Thus, wastewater generation from Project construction activities is not anticipated to cause a measurable increase in wastewater flows. Construction activities associated with upsizing and/or connection to existing lines would not result in significant impacts, as the construction activities would be temporary. With Project Design Feature TRANS-PDF-1, a Construction Management Plan (CMP) would be implemented during construction of the Project. See Section IV.K, Transportation/Traffic, of the Draft EIR for details of the CMP. The CMP would consider the nature and timing of specific construction activities and other projects in the vicinity, as well as disclose lane closure information, detour plans, truck routes, and staging plans, and identify specific actions that would reduce the effects from construction of the Project on the surrounding community to ensure safe pedestrian access and vehicle travel and emergency vehicle access throughout the construction phase. Therefore, construction related impacts to the existing wastewater infrastructure and facilities would be less than significant.

(b) Operation

The Project Site is served by an existing wastewater conveyance system. The amount of wastewater flow generated during operation of the Project would be similar to other uses in the area. The Project would generate a total of approximately 30,426 gallons per day (gpd) (or 0.030 mgd) of wastewater. This total represents a conservative result since it does not take any credit for the proposed sustainable and water conservation features of the Project. The 0.030 mgd net increase in wastewater over the existing Project Site conditions represents approximately 0.02

percent of the remaining capacity HTP system. Further, BOS would be required to confirm that the HTP and local trunk lines have sufficient capacity to accommodate the Project's projected wastewater flows. If the surrounding sewer lines' capacity is determined to be insufficient, the Project Applicant would be required to construct and finance the necessary improvements to convey the wastewater to a point with sufficient capacity. In addition, the Project Applicant would also be responsible for any necessary sewer connection fees. After completion of the required improvements, a final approval of the sewer capacity would be provided, as well as a connection permit. Further, the City's implementation of the Sewer Allocation Ordinance (City Ordinance No. Ordinance No. 166060) assures that sufficient capacity is available at the HTP at the time a building permit is issued by the City. Therefore, the HTP has enough remaining capacity to accommodate the Project. The increase caused by the Project represents approximately 1 percent of the annual sewage allotment of 5.0 mgd for both priority and non-priority projects.

As the HTP is required to adhere to the LARWQCB wastewater regulations, no impacts with regard to operation of the Project and wastewater treatment requirements would occur. Wastewater generated during the Project's construction period would not result in significant impacts to the existing wastewater infrastructure and/or facilities, and would comply with the existing federal, state, and local regulations applicable to wastewater. Implementation of the Project would increase the amount of wastewater flow generated on the Project Site (during operation), as compared to existing conditions. However, as discussed above the Project Applicant would be required to confirm that the HTP and existing sewer system have the capacity to accommodate the projected increase in wastewater flow. Further detailed gauging and evaluation is required as part of the permit process to identify a specific sewer connection point. If the public sewer has insufficient capacity, then the Project Applicant shall be required to build improvements to convey wastewater to a point in the sewer system with sufficient capacity. A final approval for sewer capacity and connection permit would be made at that time. The Project would not result in the potential expansion of existing facilities, the construction of which could cause significant environmental effects or substantially or incrementally exceed the future scheduled capacity of any one treatment plant by generating flows greater than those anticipated in the Wastewater Facilities Plan or General Plan and its amendments. The Project's wastewater flow would not exceed wastewater treatment requirements of the LARWQCB. Thus, impacts with regards to wastewater generation and infrastructure capacity would be less than significant.

(c) Cumulative

Construction activities associated with upsizing and/or connection to existing lines would not result in significant impacts, as the cumulative construction activities would be temporary. Related projects would not significantly impact traffic or emergency access, as required by the City, LAPD, and LAFD. Similar to the Project, cumulative construction related impacts to the existing wastewater infrastructure and facilities would be less than significant. The related projects, in combination with the Project would generate approximately 3.09 mgd of wastewater, with the Project accounting for approximately 4 percent of the projected increase in wastewater generation. Wastewater generated by the related projects would be treated at the HTP. The total wastewater flow would be within the design capacity of the HTP, representing about 1.8 percent of the remaining capacity. As such, the Project's incremental effect on cumulative impacts to wastewater treatment capacity would not be cumulatively considerable and cumulative wastewater impacts would be less than significant.

In addition, increased wastewater flows to the HTP are addressed in the Integrated Resources Plan (IRP), which includes a plan to ensure that existing wastewater processing facilities are sufficient to handle projected flows through 2020 of the expected 18.7 percent population growth for the City. The environmental impacts of potentially expanding the existing facilities have already been analyzed in the Draft and Final EIRs prepared and certified for the Integrated Resources Plan. In June 2012, LABS and the LADWP issued the Water Integrated Resources Plan Five Year Review, which identified that actual average wastewater flows to the HTP in 2010 were approximately 26.5 percent below projections based upon 2008 demographic data from SCAG.<sup>27</sup>

Accordingly, the requirement for physical expansions of the HTP to address increased flows that are included in the IRP have not been triggered and it would appear likely that the requirements set forth in the IRP will remain valid beyond the 2020 horizon year of the IRP. In addition, the City is currently engaged in a comprehensive update to the IRP (One Water LA) that will identify water and wastewater needs for the City through 2040. As with the Project, related projects would be required to coordinate with LASAN via a sewer capacity availability request to determine adequate sewer capacity. In addition, related projects would also be subject to LAMC Sections 64.11 and 64.12, which require approval of a sewer permit prior to connection to the sewer system. In order to connect to the sewer system, related projects in the City of Los Angeles would also be subject to payment of the City's Sewerage Facilities Charge. Payment of such fees would help to offset the costs associated with infrastructure improvements that would be needed to accommodate wastewater generated by overall future growth. If system upgrades are required as a result of a given project's additional flow, arrangements would be made between the related project and LASAN to construct the necessary improvements. Furthermore, similar to the Project, each related project would be required to comply with applicable water conservation programs, including the City of Los Angeles Green Building Code. Therefore, Project impacts on the City's wastewater infrastructure would not be cumulatively considerable, and cumulative impacts would be less than significant.

(2) Water

(a) Construction

Construction activities for the Project would result in a temporary demand for water associated with soil compaction and earthwork, dust control, mixing and placement of concrete, equipment and site cleanup, irrigation for plant and landscaping establishment, testing of water connections and flushing, and other short-term related activities. These activities would occur incrementally throughout construction of the Project (from the start of construction to project buildout). The amount of water used during construction would vary depending on soil conditions, weather, and the specific activities being performed.

Given the temporary nature of construction activities, the short-term and intermittent water use during construction of the Project would be significantly less than the net new water consumption at Project buildout. Water for construction activities would be conveyed using the existing water infrastructure at the Project Site. No infrastructure improvements would be needed to provide water during the construction of the Project. Furthermore, as concluded in LADWP's 2015 UWMP, projected water demand for the City would be met by the available supplies during an average year, single-dry year, and multiple-dry year in each year from 2015 through 2040. Therefore, the Project's temporary and intermittent demand for water during construction could be met by the City's available supplies during each year of project construction.

Based on the above, project construction activities would result in a limited, temporary demand for water and are not anticipated to have a substantial adverse impact on available water supplies. Therefore, the City would have sufficient water supply available to adequately serve the Project during construction. As such, construction-related impacts to water supply would be less than significant.

(b) Operation

Operation of the Project would require 30,426 net gallons of water per day (gpd) (or 0.030 million gallons per day (mgd)). The LAAFP currently has the capacity to treat and convey an additional 50 to 150 mgd of water, depending on the season (summer and winter). The Project's net increase represents approximately 0.01 percent of the LAAFP available capacity during the more constrained summer months, and would be accommodated within the LAAFP's existing treatment capacity. As the Project's water demand is accounted for in the City's future projected demands (the 2012 RTP includes growth throughout the Los Angeles subregion, and informs the LADWP 2015 UWMP; the 2016 RTP was released after the 2015 UWMP), and the existing capacity of the

LAAFP would be adequate to accommodate the Project's water demands, the Project would not require the construction or expansion of new water treatment facilities that could cause a significant environmental effect. In general, projects that conform to SCAG's RTP demographic projections and are in the City's service area, are considered to have been included in LADWP's water supply planning efforts in the UWMP. Therefore projected water supplies would meet projected demands.

The LADWP (through its 2015 UWMP) anticipates its projected water supplies will meet demand through the year 2040, including anticipated growth projections and demographic changes. In terms of the City's overall water supply condition, the water requirement for any project that is consistent with the City's General Plan has been taken into account in the planned growth of the water system. In addition, any project that conforms to the demographic projections from SCAG's RTP and is located in the service area, is considered to have been included in LADWP's water supply planning efforts, and therefore, projected water supplies would meet projected demands. The 2015 UWMP is based on projections from SCAG's 2012 RTP, which provided projections through 2035. The 2016 RTP provides projects through 2040.

The estimated water demand for the Project would not exceed the available supplies projected by LADWP. Thus, LADWP would be able to meet the water demand of the Project, as well as the existing and planned future water demands of its service area. Therefore, the Project's operation-related impacts on water supply would be less than significant.

Based on the above, the Project would not exceed the available capacity within the distribution infrastructure that would serve the Project Site and would have sufficient water supplies available to serve the Project from existing entitlements and resources. Therefore, the Project's impacts on water supply would be less than significant.

(c) Cumulative

Related projects, similar to the Project, would involve construction activities requiring water (e.g., soil watering for fugitive dust control, clean up, masonry, painting, etc.), which would be short term and temporary in nature. Thus, construction activities would require minimal water consumption and would not be expected to have an adverse impact on available water supplies or existing water distribution systems. Related projects will establish whether construction water demand can be met on a project-by-project basis, with regard to days of excavation and grading and the amount of fugitive dust control water is needed. The Project would not be cumulatively considerable with regard to construction water demand.

The Project in conjunction with the related projects would yield a cumulative average water demand of approximately 3,085,656 gpd, with the Project accounting for approximately 3.5 percent of the projected increase in water demand. The remaining daily capacity of the LAAFP is 50 to 150 mgd of water, depending on the season. The total cumulative water demand (related projects + Project) would represent approximately 6 percent of the total remaining daily capacity during the more constrained summer months. Therefore, the LAAFP would have adequate capacity to treat the water demanded by the Project and related projects.

For projects that meet the requirements established pursuant SB 610, SB 221, and Sections 10910-10915 of the State Water Code, a WSA demonstrating sufficient water availability is required on a project-by-project basis. Similar to the Project, each related project would be required to comply with City and State Water Code and conservation programs for both water supply and infrastructure.

In addition, the potential need for the related projects to upgrade water lines to accommodate their water needs is site-specific and there is little, if any, relationship between the development of the Project and the related projects in relation to this issue. Therefore, no cumulative water infrastructure impacts or water treatment facilities impacts are anticipated from the development of

the Project and the related projects. Future development projects within the service area of the LADWP would be subject to the locally mandated water conservation programs. Citywide water conservation efforts would also be expected to partially offset the cumulative demand for water. The LADWP undertakes expansion or modification of water service infrastructure to serve future growth in the City as required in the normal process of providing water service. Each related project will be evaluated on a case by case basis and required to comply with state and city regulations.

Based on the related project list and projections provided in adopted plans (e.g., MWD's 2015 UWMP, LADWP's 2015 UWMP, and Sustainable City pLan), it is anticipated that LADWP would be able to meet the net water demands of the Project (30,426 gpd or approximately 34.1 AFY) and future growth through 2022 and beyond. The 2015 UWMP forecasts adequate water supplies to meet all projected water demands in the City through the year 2040. Therefore, cumulative significant impacts with respect to water supply are not anticipated from the development of the Project and the related projects. Project impacts to water supply would not be cumulatively considerable, and would be less than significant.

(3) Solid Waste

(a) Construction

The Project would dispose of approximately 157 tons of construction-related waste in the County's inert landfill throughout the construction period. This amount of construction and debris waste would represent approximately 0.0003 percent of the Azusa Land Reclamation Landfill's existing remaining disposal capacity of 56.34 million tons. Thus, the total amount of construction and demolition waste generated by the Project would represent a fraction of the remaining capacity at the unclassified landfill serving Los Angeles County. Since the County's unclassified landfill generally does not face capacity shortages, and the County's unclassified landfill would be able to accommodate Project-generated waste, construction of the Project would not result in the need for an additional disposal facility to adequately handle Project-generated construction-related waste. Therefore, construction impacts to solid waste facilities would be less than significant.

(b) Operation

It is estimated that the Project would generate a net total of approximately 4.43 tpd (1,617 tons per year) of solid waste. This total represents a conservative estimate and does not account for any recycling efforts, which the Project would be required to implement. Assuming a 76 percent recycling rate (consistent with the amount of waste diverted in the City in 2015) the Project would generate a total of 388 tons per year of solid waste. The net increase in solid waste disposal associated with the Project would represent an approximate 0.01 percent increase in the City's annual solid waste disposal quantity, based on the 2017 disposal of approximately 3.2 million tons. Project-generated solid waste would be collected by a private solid waste hauler and taken for disposal at one of the County's Class III landfills open to the City of Los Angeles. The estimated remaining capacity for the County's Class III landfills open to the City of Los Angeles is approximately 78.71 million tons. Thus, the Project's net increase of 388 tons of annual solid waste disposal would represent approximately 0.0005 percent of the estimated remaining Class III landfill capacity available to the City of Los Angeles. Thus, based on the amount of solid waste to be generated by the Project, the waste reduction measures that would be implemented, and the existing capacity of Los Angeles County landfills, impacts associated with solid waste disposal would be less than significant.

(c) Cumulative

The related projects in combination with the Project would generate approximately 203.5 tons per day (74,277.5 tons per year) of operation solid waste, with the Project accounting for approximately 3 percent of that projected increase. Assuming a 76 percent recycling rate (consistent with the amount of waste diverted in the City in 2015), the cumulative total would

generate a total of 17,826.6 tons per year of solid waste. The net increase in solid waste disposal associated would represent an approximate 0.56 percent increase in the City's annual solid waste disposal quantity, based on the 2017 disposal of approximately 3.2 million tons. Solid waste would be collected by a private solid waste hauler and taken for disposal at one of the County's Class III landfills open to the City of Los Angeles. The estimated remaining capacity for the County's Class III landfills open to the City of Los Angeles is approximately 78.71 million tons. Thus, the net increase would represent approximately 0.02 percent of the estimated remaining Class III landfill capacity available to the City of Los Angeles. The Project's contribution to the County's estimated cumulative waste stream would not be cumulatively considerable.

(4) Energy Conservation

(a) Construction

Approximately 9,098 kWh of electricity, 174,359 gallons of gasoline, and 137,482 gallons of diesel are estimated to be consumed during Project construction. Project construction is expected to be completed by 2022. A total of approximately 9,098 kWh of electricity is anticipated to be consumed during Project construction. The electricity demand at any given time would vary throughout the construction period based on the construction activities being performed, and would cease upon completion of construction. When not in use, electric equipment would be powered off so as to avoid unnecessary energy consumption. The estimated construction electricity usage represents approximately 0.10 percent of the estimated net annual operational demand which would be within the supply and infrastructure service capabilities of LADWP. Therefore, electricity impacts during construction would be less than significant. Construction activities, including the construction of new buildings and facilities, typically do not involve the consumption of natural gas. Accordingly, natural gas would likely not be needed to support Project construction activities; thus there would be no demand generated by construction. On- and off-road vehicles would consume an estimated 174,359 gallons of gasoline and approximately 137,482 gallons of diesel fuel throughout the Project's construction. For comparison purposes, the fuel usage during Project construction would represent approximately 0.004 percent of the 2017 annual on-road gasoline-related energy consumption (4,294,811,614 gallons) and 0.02 percent of the 2017 annual diesel fuel-related energy consumption (607,534,327 gallons) in Los Angeles County. Therefore, transportation impacts during construction would be less than significant.

(b) Operation

The Project's net new energy demand would be approximately 3,717 MWh of electricity per year, 2,195,971 cf (2,277,221 kbtu/yr, assuming 1 cubic foot = 1.037 kBTU of natural gas per year, 408,382 gallons of gasoline per year, and 102,065 gallons of diesel fuel per year. Based on LADWP's 2016 Power Integrated Resource Plan, LADWP forecasts that its total energy sales in 2022-2023 fiscal year (the Project's buildout year) will be 24,165 Gwh of electricity. As such, the Project-related net increase in annual electricity consumption of 3.78 gWh per year would represent approximately 0.015 percent of LADWP's projected sales in 2022. In addition, as previously described, the Project would incorporate a variety of energy conservation measures to reduce energy usage.

The Project's estimated increase in demand for natural gas is 2,195,971 cf per year, or approximately 6,016 cf per day. Based on the 2016 California Gas Report, the California Energy and Electric Utilities estimates natural gas consumption within SoCalGas' planning area will be approximately 2,456 million cf per day in 2025 (the Project's the closest subsequent year to the Project's buildout year). The Project would account for approximately 0.0002 percent of the 2025 forecasted consumption in SoCalGas's planning area. In addition, as previously described, the Project would incorporate a variety of energy conservation measures to reduce energy usage.

During operation, much of the fuel consumption resulting from the Project would involve the use of motor vehicles traveling to and from the Project Site, as well as fuels used for alternative modes of

transportation that may be used by residents, employees, visitors, and guests of the Project. Petroleum fuel consumption associated with motor vehicles traveling to and from the Project Site is a function of the VMT as a result of Project operation. The annual VMT attributable to the Project is expected to be 8,392,021 VMT. Assuming a fleet mix of 91 percent auto and 9 percent other types of vehicles with a lower mpg), the Project would consume 510,447 gallons of petroleum (gas and diesel) per year of operation for vehicular trips to and from the Project.

(c) Cumulative

Buildout of the Project, related projects, and additional forecasted growth in LADWP's service area would cumulatively increase the demand for electricity supplies and infrastructure capacity. LADWP forecasts that its total energy sales in the 2022 fiscal year (the Project occupancy year) will be 24,165 GWh of electricity. Based on the Project's estimated net new electrical consumption of 3,717 MWh per year, the Project would account for approximately 0.015 percent of LADWP's projected sales for the Project's occupancy year. Although Project development would result in the use of renewable and non-renewable electricity resources during construction and operation, which could limit future availability, the use of such resources would be on a relatively small scale, would be reduced by measures making the Project more energy-efficient, and would be consistent with growth expectations for LADWP's service area. Furthermore, as with the Project, during construction and operation, other future development projects would be expected to incorporate energy conservation features, comply with applicable regulations including CALGreen and state energy standards under Title 24, and incorporate mitigation measures, as necessary. Therefore, the Project's contribution to cumulative impacts related to wasteful, inefficient and unnecessary use of electricity would not be cumulatively considerable and, thus, would be less than significant.

Buildout of the Project, related projects, and additional forecasted growth in SoCalGas' service area would cumulatively increase the demand for natural gas supplies and infrastructure capacity. Based on the 2016 California Gas Report, the CEC estimates natural gas consumption within SoCalGas' planning area will be approximately 2,456 cf per day in 2022 (the Project's occupancy year). The Project would account for approximately 0.0002 percent of the 2022 forecasted consumption in SoCalGas planning area. SoCalGas' forecasts take into account projected population growth and development based on local and regional plans. Although Project development would result in the use of natural gas resources, which could limit future availability, the use of such resources would be on a relatively small scale, would be reduced by measures rendering the Project more energy-efficient, and would be consistent with regional and local growth expectations for SoCalGas service area. Furthermore, future development projects would be expected to incorporate energy conservation features, comply with applicable regulations including CALGreen and state energy standards under Title 24, and incorporate mitigation measures, as necessary. Therefore, the Project's contribution to cumulative impacts related to wasteful, inefficient and unnecessary use of natural gas would not be cumulatively considerable and, thus, would be less than significant.

When accounting for the features that would be implemented to reduce VMT, the Project's estimated net petroleum-based fuel usage would be approximately 408,382 gallons of gasoline and 102,065 gallons of diesel per year, or a total of approximately 510,447 gallons of petroleum-based fuels annually. For comparison purposes, the fuel usage during Project operation would represent approximately 0.009 percent of the 2017 annual on-road gasoline-related energy consumption (4,294,811,614 gallons) and 0.02 percent of the 2017 annual diesel fuel-related energy consumption (607,534,327 gallons) in Los Angeles County.

Additionally, petroleum currently accounts for 90 percent of California's transportation energy sources; however, over the last decade the State has implemented several policies, rules, and regulations to improve vehicle efficiency, increase the development and use of alternative fuels, reduce air pollutants and GHGs from the transportation sector, and reduce vehicle miles traveled which would reduce reliance on petroleum fuels. According to the CEC, gasoline consumption has declined by 6 percent since 2008, and would continue to decline for the next 10 years due to an increase in the use of alternative fuels, such as natural gas, biofuels, and electricity. As with the

Project, other future development projects would be expected to reduce VMT by encouraging the use of alternative modes of transportation and other design features that promote VMT reductions.

Furthermore, the Project would be consistent with the energy efficiency policies emphasized by the 2016 RTP/SCS. Specifically, the Project would be a mixed-use development consisting of residential and commercial uses located along commercial corridors that are characterized by a high degree of pedestrian activity. The Project would provide greater proximity to neighborhood services, jobs, and residences and would be well-served by existing public transportation, including Metro and LADOT bus lines and rail line. The Project also would introduce new housing and job opportunities within a HQTAs, which is consistent with numerous policies in the 2016 RTP/SCS related to locating new jobs near transit. These features would serve to reduce VMT and associated transportation fuel consumption. By its very nature, the 2016 RTP/SCS is a regional planning tool that addresses cumulative growth and resulting environmental effects. Since the Project is consistent with the 2016 RTP/SCS, its contribution to cumulative impacts related to wasteful, inefficient and unnecessary use of transportation fuel would not be cumulatively considerable and, thus, would be less than significant.

### **Less Than Significant Impacts With Mitigation**

The EIR determined that the Project has potentially significant environmental impacts in the areas discussed below. The EIR identified feasible mitigation measures to avoid or substantially reduce the environmental impacts in these areas to a level of less than significant. Based on the information and analysis set forth in the EIR, the Project would not have any significant environmental impacts in these areas based on the incorporation of all feasible mitigation measures are incorporated into the Project. The City again ratifies, adopts, and incorporates the full analysis, explanation, findings, responses to comments, and conclusions of the EIR.

#### **a) Cultural Resources**

##### **(1) Archaeological Resources**

According to the South Central Coastal Information Center, no archaeological resources are located within the Project Site. The Project Site is located in an urbanized area and has been previously disturbed by past development activities and contains existing buildings and a shed structure and a parking lot. The Project would require excavation for three subterranean parking levels (approximately 30 feet), utility and foundation work, and grading to level the Project Site. Thus, there is the potential for buried prehistoric and historic resources within the Project boundaries. If archaeological resources are discovered during excavation, grading, or construction activities, work shall cease in the area of the find until a qualified archaeologist has evaluated the find in accordance with federal, State, and local guidelines, including those set forth in California Public Resources Code Section 21083.2. Construction personnel of the Project shall not collect or move any archaeological materials and associated materials. Construction activity may continue unimpeded on other portions of the Project site. The found deposits would be treated in accordance with federal, State, and local guidelines, including those set forth in California Public Resources Code Section 21083.2. This is included as Mitigation Measure CUL-MM-1 below. Therefore, impacts would be less than significant.

##### **(2) Paleontological Resources**

The Project Site is located in an urbanized area, contains existing buildings and surface parking, and has been previously disturbed by past development activities. The Project would require excavation for subterranean parking levels, utility and foundation work, and grading to level the Project Site. Shallow excavations in the younger Quaternary Alluvium exposed throughout the proposed project area are unlikely to uncover significant fossil vertebrate remains. Deeper excavations in the proposed project area that extend down into the older Quaternary sediments, however, may well encounter significant vertebrate fossils. Thus, there is the potential for buried

paleontological resources within the Project Site. Any substantial excavations in the proposed project area, therefore, would be closely monitored to quickly and professionally recover any potential vertebrate fossils without impeding development. Also, sediment samples should be collected and processed to determine the small fossil potential in the proposed project area. If paleontological resources are discovered during excavation, grading, or construction, the City of Los Angeles Department of Building and Safety shall be notified immediately, and all work shall cease in the area of the find until a qualified paleontologist evaluates the find. Construction activity may continue unimpeded on other portions of the Project Site. The found deposits would be treated in accordance with federal, State, and local guidelines, including those set forth in California Public Resources Code Section 21083.2. This is included as Mitigation Measure CUL-MM-2 below. Therefore, impacts would be less than significant.

### (3) Mitigation Measures

Because the Project could result in significant cultural resources impacts related to archaeological and paleontological resources, the following mitigation measures are required:

**CUL-MM-1** During the construction phase and prior to the issuance of building permits, the Applicant shall retain an independent Construction Monitor, who shall be responsible for coordinating with a certified archaeologist to implement and enforce the following:

a. The services of an archaeologist, qualified for historic resource evaluation, as defined in CEQA and Office of Historic Preservation (OHP) Guidelines, shall be secured to implement the archaeological monitoring program. The qualified archaeologist shall be listed, or be eligible for listing, in the Register of Professional Archaeologist (RPA). Recommendations may be obtained by contacting the South Central Coastal Information Center (657- 278-5395) located at California State University Fullerton.

b. In the event of a discovery, or when requested by the Project archaeologist, the contractor shall divert, direct, or temporarily halt ground disturbing activities in an area in order to evaluate potentially significant archaeological resources.

i. It shall be the responsibility of the Project archaeologist to: determine the scope and significance of the find; determine the appropriate documentation; ensure preservation, conservation, and/or relocation of the find; and determine when grading/excavation activities may resume in the area of the find.

ii. Determining the significance of the find shall be guided by California Public Resources Code Division 13, Chapter 1, Section 21083.2, subdivision (g) and (h). If the find is determined to be a "unique archaeological resource", then the applicant, in conjunction with the recommendation of the Project archaeologist, shall comply with Section 21083.2, subdivisions (b) through (f).

iii. If at any time the Project Site, or a portion of the Project Site, is determined to be a "historical resource" as defined in California Code of Regulations Chapter 3, Article 1, Section 15064.5, subdivision (a), the Project archaeologist shall prepare and issue a mitigation plan in conformance with Section 15126.4, subdivision (b).

iv. If the Project archaeologist determines that continuation of the Project or Project-related activities will result in an adverse impact on a discovered historic resource, which cannot be mitigated, all further activities resulting in

the impact shall immediately cease, and the Lead Agency shall be contacted for further evaluation and direction.

v. The applicant shall comply with the recommendations of the Project archaeologist with respect to the documentation, preservation, conservation, and/or relocation of the find.

vi. The Construction Monitor shall also prepare and submit documentation of the Applicant's compliance with the Mitigation Measure CUL-MM-1 during construction every 30 days in a form satisfactory to the Department of City Planning. The documentation must be signed by the Applicant and Construction Monitor and be included as part of the Applicant's Compliance Report. The Construction Monitor shall be obligated to report to the Enforcement Agency any non-compliance with the mitigation measure within two business days if the Applicant does not correct the non-compliance within a reasonable time of notification to the Applicant by the Construction Monitor, or if the non-compliance is repeated. Such noncompliance shall be appropriately addressed by the Enforcement Agency.

c. Monitoring activities may cease when:

i. Initial grading and all excavation activities have concluded; or

ii. By written consent of the Project archaeologist, agreeing that no further monitoring is necessary. In this case, a signed and dated copy of such agreement shall be submitted to the Dept. of City Planning for retention in the administrative record for Case No. ENV-2016-4889-EIR.

d. At the conclusion of monitoring activities, and only if archaeological materials were encountered, the Project archaeologist shall prepare and submit a report of the findings to the South Central Coastal Information Center (SCCIC).

e. At the conclusion of monitoring activities, the Project archaeologist shall prepare a signed statement indicating the first and last dates monitoring activities took place, and submit it to the Department of City Planning, for retention in the administrative file for this case.

**CUL-MM-2** During the construction phase and prior to the issuance of building permits, the Applicant shall retain an independent Construction Monitor, who shall be responsible for coordinating with a certified paleontologist to implement and enforce the following:

a. If any paleontological materials are encountered during the course of Project development, the Construction Monitor, in accordance with CUL-MM-2, shall coordinate with the services of a paleontologist, and all further development activity shall halt and the following shall be undertaken:

i. The services of a paleontologist shall then be secured by contacting the Center for Public Paleontology-USC, UCLA, California State University Los Angeles, California State University Long Beach, or the Los Angeles County Natural History Museum-who shall assess the discovered material(s) and prepare a survey, study or report evaluating the impact.

ii. In the event of a discovery, or when requested by the Project paleontologist, the contractor shall divert, direct, or temporarily halt ground disturbing activities in an area in order to evaluate potentially significant

paleontologist resources. The paleontologist shall determine the location, the time frame, and the extent to which any monitoring of earthmoving activities shall be required. The found deposits would be treated in accordance with federal, State, and local guidelines, including those set forth in California Public Resources Code Section 21083.2.

iii. The Construction Monitor shall also prepare and submit documentation of the Applicant's compliance with the Mitigation Measure CUL-MM-2 during construction every 30 days in a form satisfactory to the Department of City Planning. The documentation must be signed by the Applicant and Construction Monitor and be included as part of the Applicant's Compliance Report. The Construction Monitor shall be obligated to report to the Enforcement Agency any non-compliance with the mitigation measure within two business days if the Applicant does not correct the non-compliance within a reasonable time of notification to the Applicant by the Construction Monitor, or if the non-compliance is repeated. Such noncompliance shall be appropriately addressed by the Enforcement Agency.

iv. The paleontologist's survey, study or report shall contain a recommendation(s), if necessary, for the preservation, conservation, or relocation of the resource.

v. The Applicant shall comply with the recommendations of the evaluating paleontologist, as contained in the survey, study or report.

b. At the conclusion of monitoring activities, the Project paleontologist shall prepare a signed statement indicating the first and last dates monitoring activities took place, and submit it to the Department of City Planning, for retention in the administrative file for this case. Copies of the paleontological survey, study or report shall also be submitted to the Los Angeles County Natural History Museum.

c. Prior to the issuance of any building permit, the Applicant shall submit a letter to the case file indicating what, if any, paleontological reports have been submitted, or a statement indicating that no material was discovered.

#### (4) Cumulative

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

#### (5) Finding

With respect to the potential impacts regarding cultural resources related to archaeological and paleontological resources associated with the Project, each decision-making body of the City adopts the first possible finding as outlined above in Section I, which states that "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." (CEQA Guidelines Section 15091(a)(1)).

## (a) Rationale for Finding

The potential Project impact on a unique archaeological resource or paleontological resource or site or unique geologic feature would be reduced to a less-than-significant level with the implementation of Mitigation Measures CUL-MM-1 and CUL-MM-2, which would preclude the possibility of causing a potential impact through the accidental discovery as a result of excavation and construction activities.

## (b) Reference

For a complete discussion of the Project's impacts associated with cultural resources, see Section IV.B, Cultural Resources, of the Draft EIR. See also Appendices E-1, E-2, and E-3 of the Draft EIR.

**b) Noise**

## (1) Construction Vibration

It should be noted that equations for the prediction of groundborne vibration can overestimate vibration levels at distances nearer than 25 feet, and especially when distances are below 10 feet. And even so, all construction activities beyond 10 feet from 2145-2159 Sacramento Street would not be projected to generate groundborne vibration levels in excess of this receptor's 0.25 inches per second PPV threshold. Nevertheless, the Project's impact at 2145-2159 Sacramento Street would be considered significant, prior to mitigation. Mitigation Measures NOI-MM-1 and NOI-MM-2 would implement construction sequencing and a monitoring program in relation to vibration. These measures would substantially reduce the potential for the Project's construction-related vibrations to damage these receptors. With these measures in place, the Project's construction vibration impact would be less than significant. In addition, 2145-2159 Sacramento Street is currently incorporated as a part of Related Project No. 45, an 8-story office building project located at 2159 E. Bay Street. If 2145-2159 Sacramento Street were to be demolished prior to the construction of the Project, there would be no impact at this receptor. Nevertheless, this analysis assumes a scenario with the building intact during the Project's construction. The FTA considers "auditoriums and theaters"; "Concert halls, TV studios, and recording studios"; "Institutional land uses with primarily daytime uses"; and "Residences and buildings where people normally sleep" to be sensitive to groundborne vibration. No land use surrounding the Project Site falls into any of these categories. Other land uses would not be considered sensitive to groundborne vibrations from the Project's temporary activities, especially the numerous industrial, manufacturing, and warehouse uses in the vicinity of the Project. As a result, the Project's potential to disrupt nearby vibration-sensitive land uses would be considered less than significant.

## (2) Mitigation Measures

**NOI-MM-1** Construction activities that produce vibration (i.e. excavation work or auger drilling foundations or shoring piles) shall be sequenced so that vibration sources within ten feet of the existing building at 2145-2159 Sacramento Street do not operate simultaneously.

**NOI-MM-2** Prior to the start of Project construction, the Applicant shall retain the services of a qualified structural engineer to conduct pre-construction surveys to document the conditions at the boundary of the Project Site (surveys conducted on the Project Site) adjacent to 2145-2159 Sacramento Street and document the apparent physical condition of the readily-visible features, including but not limited to the exterior building structure of the existing building at 2145-2159 Sacramento Street. The Applicant shall request access to the interior to observe interior walls and ceiling finishes. If access is denied, interior conditions would not be considered as existing physical conditions.

The Applicant shall retain the services of a qualified acoustical engineer to review the proposed construction equipment and develop and implement a vibration monitoring system capable of documenting the construction-related ground vibration levels at the existing building at 2145-2159 Sacramento Street during site demolition, excavation and pile installation, where heavy construction equipment (e.g., large bulldozer, excavator, drill rig) would be operating within ten feet of 2145-2159 Sacramento Street. Vibration monitoring shall include the following:

- a. The vibration monitoring system shall measure and store the peak particle velocity (PPV) in inch/second to determine whether the groundborne vibration levels at the boundary of the Project Site adjacent to the existing building at 2145-2159 Sacramento Street reach 0.25 PPV inches/second.
- b. The vibration monitoring system shall include documentation, consisting of video and/or photographic documentation, of accessible and visible areas on the exterior of the existing building at 2145-2159 Sacramento Street.
- c. The vibration monitoring system shall survey for vertical and horizontal movement, as well as vibration thresholds.
- d. In the event the PPV reaches 0.20 PPV inch/second at the façade of the existing building at 2145-2159 Sacramento Street.
  - i. The contractor shall identify the source of vibration generation and provide feasible steps to reduce the vibration level, including, but not limited to, halting/staggering concurrent activities and utilizing lower vibratory techniques. Construction activities may then restart.
- e. In the event the PPV reaches 0.25 PPV inch/second at the façade of the existing building at 2145-2159 Sacramento Street.
  - i. The contractor shall identify the source of vibration generation and provide feasible steps to reduce the vibration level, including, but not limited to, halting/staggering concurrent activities and utilizing lower vibratory techniques.
  - ii. The qualified professional shall visually inspect the adjacent façade of the existing building at 2145-2159 Sacramento Street for any damage. The results of the inspection must be logged. Vibration measurement shall be made with the new construction method to verify that the vibration level is below the warning level of 0.20 PPV. Construction activities may then restart.
  - iii. In the event damage occurs due to construction vibration, such damage shall be repaired.
- f. The vibration monitoring system shall be submitted to the Department of Building and Safety and received into the case file for the associated discretionary action permitting the Project prior to initiating any construction activities.

(3) Finding

With respect to the potential impacts regarding building damage from construction vibration from the Project, each decision-making body of the City adopts the first possible finding as outlined above in Section I, which states that "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." (CEQA Guidelines Section 15091(a)(1)).

(a) Rationale for Finding

Mitigation Measures NOI-MM-1 and NOI-MM-2 would reduce the Project's vibration sources and implement a comprehensive monitoring program for the identified receptors. These measures would substantially reduce the potential for the Project's construction-related vibrations to damage these receptors. With these measures in place, the Project's construction vibration impact as it relates to potential building damage would be considered less than significant.

(b) Reference

For a complete discussion of the Project's impacts associated with noise, see Section IV.H, Noise, of the Draft EIR. See also Appendix H, of the Draft EIR.

### **SIGNIFICANT AND UNAVOIDABLE IMPACTS**

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

**a) Transportation/Traffic**

(1) Intersection Impact

The Project would significantly impact the following nine study intersections under Future (2022) conditions, prior to mitigation:

- #4. Alameda Street & 7<sup>th</sup> Street (PM peak hour)
- #6. Mateo Street & 7<sup>th</sup> Street (PM peak hour)
- #7. Santa Fe Avenue & 7<sup>th</sup> Street (AM and PM peak hours)
- #9. Santa Fe Avenue & Porter Street (PM peak hour)
- #10. Santa Fe Avenue & Olympic Boulevard (AM peak hour)
- #12. Soto Street & 4<sup>th</sup> Street (AM and PM peak hours)
- #13. Soto Street & Whittier Boulevard (AM and PM peak hours)
- #14. Soto Street & 7<sup>th</sup> Street (PM peak hour)
- #16. Mateo Street & 6<sup>th</sup> Street (PM peak hour)

The implementation of a comprehensive TDM plan, installation of signal system upgrades at select intersection locations, and provision of shuttle service between the Project site and a Metro rail station would reduce the Project's impacts to less-than-significant levels at eight of nine significantly impacted intersections. These measures would also help reduce the Project's impacts at the intersection of Soto Street & Whittier Boulevard. However, these measures would not be able to mitigate the Project impacts at Soto Street & Whittier Boulevard to less-than-significant

levels. Therefore, the Project impacts at this study intersection would remain significant and unavoidable.

(2) Mitigation Measures

**TRANS-MM-1 Transportation Demand Management (TDM) Plan**

The purpose of a TDM plan is to reduce the use of single occupant vehicles (SOV) by increasing the number of trips by walking, bicycle, carpool, vanpool and transit. A TDM plan should include design features, transportation services, education, and incentives intended to reduce the amount of SOV during commute hours. Through strategic building design and orientation, the Project can facilitate access to transit, can provide a pedestrian-friendly environment, can promote non-automobile travel and can support the goals of a trip-reduction program.

A preliminary TDM plan shall be prepared and provided for LADOT review prior to the issuance of the first building permit for the Project and a final TDM plan approved by LADOT is required prior to the issuance of the first certificate of occupancy for the Project. The TDM plan may include, but not be limited to, the following strategies:

- Provide an internal Transportation Management Coordination Program with an on-site transportation coordinator;
- Provide a bulletin board, display case, or kiosk with information on transportation options that includes, but is not limited to:
  - Current routes and schedules for public transit;
  - Telephone numbers for information on transportation that includes regional ridesharing and local transit operations;
  - Promotional material on ridesharing from commuter-oriented organizations;
  - Regional and local bicycle route and facility information; and
  - A listing of on-site services or facilities which are available for carpools, vanpools, bicyclists and transit riders.
- Design the Project to ensure a bicycle, transit, and pedestrian friendly environment;
- Administrative support for the formation of carpools/vanpools;
- Designated parking areas for employee carpools and vanpools with the identification, location, design, and application as described in the study;
- One permanent carpool/vanpool for the first 50,000 to 100,000 square-feet of gross floor area and an additional carpool/vanpool space for development over 100,000 square-feet; A provision requiring compliance with the State Parking Cash-out Law in all leases;

- Coordinate with LADOT to determine if the Project location is eligible for a future Integrated Mobility Hub (which can include space for a bike share kiosk, and/or parking spaces on-site for car-share vehicles);
- Unbundled parking from housing costs;
- Transit Incentives which includes, but is not limited to:
  - Flexible/alternative work schedules and telecommuting programs;
  - Guaranteed ride home program;
  - Transit routing and schedule information;
  - Provide rideshare matching services;
  - Implement a transit pass discount program for Project residents and employees;
  - Establish bike and walk to work promotions;
  - Where applicable, consult with local bus service for possible improvements;
- Preferential rideshare and bike share loading/unloading or parking location;
- Participate in an Arts District Transportation Management Organization (TMO), if and when a TMO is formed;
- Make a one-time financial contribution of \$50,000 to the City of Los Angeles Department of Transportation to be used in the implementation of the Mobility Hub in the general area of the Project; and
- Contribute a one-time fixed fee contribution of \$50,000 to be deposited into the City's Bicycle Plan Trust Fund to implement bicycle improvements in the vicinity of the Project.

### **TRANS-MM-2 Project Shuttle Service**

To enhance the TDM measures mentioned previously and in addition to the signal system upgrades, the Project shall provide a shuttle service between the Project site and either the Metro Gold Line Little Tokyo/Arts District Station (to be replaced in the future by the 1<sup>st</sup> Street/Central Avenue Station) or Union Station. The shuttle shall be free to users from the Project and the surrounding community. The shuttle service shall be provided via a 30 passenger bus (similar to LADOT DASH bus) privately owned and operated independent of existing bus service.

### **TRANS-MM-3 Transportation Systems Management (TSM) Improvements**

Install new CCTVs at the following intersections:

- 7<sup>th</sup> Street and Santa Fe Avenue
- Olympic Boulevard and Santa Fe Avenue
- Mission Road and Whittier Boulevard
- 4<sup>th</sup> Street and Soto Street
- 7<sup>th</sup> Street and Soto Street

Should the Project be approved, then a final determination on how to implement these CCTV installations would be made by LADOT prior to the issuance of the first building permit. These installations would be implemented either by the applicant through the B-Permit process of the Bureau of Engineering (BOE), or through payment of a one-time fixed fee to LADOT to fund the cost of the upgrades. If LADOT selects the payment option, then the applicant would be required to pay LADOT, and LADOT shall design and construct the upgrades. If the installations are implemented by the applicant through the B-Permit process, then these improvements must be guaranteed prior to the issuance of any building permit and completed prior to the issuance of any certificate of occupancy. Temporary certificates of occupancy may be granted in the events of any delay through no fault of the applicant, provided that, in each case, the applicant has demonstrated reasonable efforts and due diligence to the satisfaction of LADOT.

### (3) Finding

Each decision making body of the City finds that all feasible mitigation measures to substantially reduce or avoid the project's intersection impacts have been incorporated into the project.

In accordance with CEQA Guidelines Section 15091, the City finds that changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen these significant environmental impacts. The City also finds that specific economic, legal, social, technological or other considerations, including provision of employment opportunities for highly trained workers, make infeasible additional mitigation measures or project alternatives. However, while implementation of mitigation measures will reduce the impacts, the project's traffic impacts will be significant and unavoidable.

#### (a) Rationale for Finding

To align with the goals outlined in the 2035 Mobility Plan, physical mitigation measures intended to increase vehicular roadway capacity are generally not accepted as viable mitigation strategies by the LADOT. However, given that the implementation of the comprehensive TDM plan, system signal upgrades, and shuttle service would not be expected to mitigate the anticipated Project traffic impacts to less-than-significant levels at the intersection of Soto Street & Whittier Boulevard, potential physical mitigation measures were also examined. As detailed above, the segment of Soto Street including the intersection with Whittier Boulevard is planned for the installation of northbound and southbound bicycle lanes that will decrease the number of vehicular through travel lanes from two to one in each direction. This improvement is part of a Safe Routes To School (SRTS) neighborhood safety improvement project. Therefore, widening for potential physical improvements on the Soto Street legs of this intersection is infeasible.

In addition, Whittier Boulevard is designated an Avenue II roadway per the Mobility Plan 2035. As an Avenue II roadway, the ultimate dimensions consist of a 56-foot wide roadway within an 86-foot wide right-of-way. At its intersection with Soto Street, Whittier Boulevard already maintains a roadway width of 56 feet within a right-of-way width of 86 feet. As such, widening either leg of this roadway to mitigate the Project's significant traffic impact would require narrowing the existing

sidewalks to a width less than the standard 15 feet for Avenue II roadways, or the acquisition of private property and partial demolition of private structures. Such a reduction in sidewalk widths would be contrary to the City's aims outlined in the Mobility Plan 2035, the Los Angeles Complete Streets Design Guide, and other planning documents. Considering these factors, physical mitigation measure is not considered feasible for this intersection.

As outlined above, the implementation of a comprehensive TDM plan, installation of signal system upgrades at select intersection locations, and provision of shuttle service between the Project site and a Metro rail station would reduce the Project's impacts to less-than-significant levels at eight of nine significantly impacted intersections. These measures would also help reduce the Project's impacts at the intersection of Soto Street & Whittier Boulevard. However, these measures would not be able to mitigate the Project impacts at Soto Street & Whittier Boulevard to less-than-significant levels. Therefore, the Project impacts at this study intersection would remain significant and unavoidable.

(b) Reference

For a complete discussion of the Project's impacts associated with noise, see Section IV.K, Transportation/Traffic, of the Draft EIR. See also Appendix J, of the Draft EIR.

## ALTERNATIVES

CEQA requires that an EIR analyze a reasonable range of feasible alternatives that could substantially reduce or avoid the significant impacts of a project while also meeting the project's basic objectives. An EIR must identify ways to substantially reduce or avoid the significant effects that a project may have on the environment (Public Resources Code Section 21002.1). Accordingly, the discussion of alternatives shall focus on alternatives to a project or its location which are capable of avoiding or substantially reducing any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly. The alternative analysis included in the Draft EIR, therefore, identified a reasonable range of project alternatives focused on avoiding or substantially reducing the project's significant impacts.

a) **Summary of Findings**

Based upon the following analysis, the City finds, pursuant to CEQA Guidelines Section 15096(g)(2), that there are two feasible alternatives that will substantially lessen any significant effect of the project, reduce the significant unavoidable impacts of the project to a level that is less than significant, or avoid any significant effect the project would have on the environment.

b) **Project Objectives**

Section 15124(b) of the California Environmental Quality Act (CEQA) Guidelines states that a project description shall contain "a statement of the objectives sought by the proposed project." In addition, Section 15124(b) of the State CEQA Guidelines further states that "the statement of objectives should include the underlying purpose of the project." The objectives of the Project are as follows:

1. **Provide a set of mixed-uses that takes maximum advantage of a smart growth opportunity of a currently vacant and utilized site.**
  - Fully utilize the Project site consistent with the goals and policies in the Central City North Community Plan.
  - Construct a development that incorporates a high quality structure, landscaping and aesthetics, and creates a more beautiful and livable neighborhood environment.

- Improve the visual character of the Project area by developing a vacant and underutilized site.
- Activate the industrial area with new contemporary commercial opportunities that could serve the employees and new residents in the area.

**2. Provide needed housing.**

- Provide high density residential dwelling units to serve a range of potential renters including the provision of deed Restricted Affordable units, as well as provide the necessary infrastructure and associated amenities.
- Provide housing that contributes towards the City's Regional Housing Needs Assessment.
- Develop additional housing stock at an infill location that is close to commercial and office locations.
- Provide affordable housing in a mixed-income community and near transit.

**3. Promote fiscal benefits, economic development, and job creation.**

- Create construction jobs through construction of a new mixed-use development.
- Develop residential and commercial uses that generate local tax revenues and provide new permanent jobs and housing for residents who could support local business.

**4. Create an environmentally sensitive development.**

- Incorporate sustainable and green building design and construction to promote resource conservation, including waste reduction, efficient water management techniques, and conservation of energy to achieve a LEED-Gold certified building.
- Incorporate sustainable and green building design and construction to promote resource conservation, including waste reduction, efficient water management techniques, and conservation of electricity and energy.

**5. Encourage alternative modes of transportation and reduce vehicle trips.**

- Create a sustainable balance of commercial and residential uses located within a transit priority area.
- Reduce vehicle miles traveled (VMT) and pollutant emissions by developing a site that is adjacent to a significant employment node.

**c) Alternatives Rejected as Being Infeasible**

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

Alternative Project Site – The Project Applicant already owns the Project Site and cannot reasonably be expected to acquire, control, or access an alternative site in a timely fashion. Additionally, development of the Project at an alternative site could potentially produce other environmental impacts that would otherwise not occur at the current Project Site and result in greater environmental impacts when compared with the Project. Therefore, an alternative site is not considered feasible since the Project Applicant does not own another suitable site that would achieve the underlying purpose and objectives of the Project.

#### **d) Alternatives Analyzed in the Draft EIR and Final EIR**

CEQA requires that an EIR analyze a reasonable range of feasible alternatives that could substantially reduce or avoid the significant impacts of a project while also meeting a project's basic objectives.

Each decision-making body of the City finds that given the potential impacts of the project, the Final EIR considered a reasonable range of alternatives to the project to provide informed decision-making in accordance with Section 15126.6 of the CEQA Guidelines.

Based on the significant environmental impact of the project and the objectives established for the project, the following alternatives to the project were evaluated in the EIR:

Alternative 1 – No Project. Alternative 1 continues the existing uses (the existing open air shed and 4,000 square feet manufacturing that is vacant) and proposed no changes. No uses or activity at the Site.

Alternative 2 – All Office/Commercial. Alternative 2 would have the same 287,137 square feet floor area (3.9:1 FAR) as the Project. Alternative 2 would have the same 50,848 square feet commercial as the Project (43,657 square feet of leasable space) and the same 8,114 square feet of covered ancillary space as part of the adaptive reuse of the shed structure. Alternative 2 would allocate the Project's 114,825 square feet of residential to office for a new total of 228,175 square feet of office. There would be no residential uses.

Alternative 3 – Reduced Intensity. Alternative 3 provides a 45 percent reduction across all uses proposed as part of the Project: 61 residential dwelling units; 62,343 gross square feet of creative office space; and 27,966 sf commercial (24,011 square feet of leasable space). No affordable units would be provided.

Alternative 4 – Zoning Compliant. Alternative 4 would have a 111,035 square-foot manufacturing building (1.5:1 FAR) which is provided for under the current zoning.

##### **(1) Alternative 1: No Project**

CEQA requires the alternatives analysis to include a "no project" alternative, which is the circumstance under which the Project does not proceed. The purpose of analyzing a No Project Alternative is to allow decision makers to compare the impacts of approving the project with the impacts of not approving the project (CEQA Guidelines Section 15126.6[e][1]). Pursuant to CEQA Guidelines Section 15126.6(e)(2), requirements of the analysis of the "no project" alternative are as follows:

The "no project" analysis shall discuss the existing conditions at the time the notice of preparation is published, or if no notice of preparation is published, at the time the environmental analysis is commenced, as well as what would reasonably be expected to occur in the foreseeable future if the proposed project were not approved, based on current plans, and consistent with available infrastructure and community services.

Accordingly, for purposes of this analysis, Alternative 1, the No Project Alternative, assumes that the Project would not be approved, no new permanent development would occur within the Project Site, and the existing environment would be maintained. Thus, the physical conditions of the Project Site would generally remain as they are today. Specifically, the Site would remain with a vacant building and unused shed structure, and no new construction would occur.

(a) Comparison of Impacts

Alternative 1 would avoid the Project's significant and unavoidable traffic impact at the intersection impact at Soto Street and Whittier Boulevard which cannot be feasibly mitigated to less than significant. Impacts associated with the remaining environmental issues would be less than those of the Project.

(b) Finding

With respect to the Alternative 1, each decision making body adopts a finding, which states that "specific economic, legal, social, technological, other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the final EIR." (CEQA Guidelines § 15091(a)(3).)

(c) Rationale for Finding

Under Alternative 1, the existing vacant status of the Site would remain, and no new development would occur. As such, Alternative 1 would not meet the underlying purpose of the Project or any of the Project's objectives.

(d) Reference

For a complete discussion of impacts associated with Alternative 1, see Section VI, Alternatives, of the Draft EIR.

(2) Alternative 2: All Commercial/Office

Alternative 2 would have the same 287,137 square feet floor area (3.9:1 FAR) as the Project. Within that, Alternative 2 would have the same 50,848 square feet commercial as the Project (for purposes of traffic, commercial uses 43,657 square feet of leasable space) and the same 8,114 square feet of covered ancillary space as part of the adaptive reuse of the shed structure as the Project. Alternative 2 would allocate the Project's 114,825 square feet of residential to office for a new total of 228,175 square feet of office. Alternative 2 would not have any residential uses. Alternative 2 would involve more excavation and grading due to the deeper parking garage (an additional 1/2 subterranean parking level is needed) as compared to the Project. Additional parking spaces are needed for the additional office use as compared to the Project's residential uses. Alternative 2 would involve a similar overall amount of construction since the same amount of floor area would be built as compared to the Project. Upon completion, Alternative 2 would result in a maximum FAR of 3.9:1, same as the Project.

(a) Comparison of Impacts

Alternative 2 would not avoid the Project's significant and unavoidable impact that cannot be feasibly mitigated with respect to traffic (intersection of Soto and Whittier). Alternative 2 would result in 6 intersections with significant and unavoidable intersection impacts, as compared to 1 under the Project. Impact conclusions associated with the remaining environmental issues would be the same as those of the Project.

(b) Finding

With respect to the Alternative 2, each decision making body adopts a finding, which states that “specific economic, legal, social, technological, other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the final EIR.” (CEQA Guidelines § 15091(a)(3).)

(c) Rationale for Finding

Alternative 2 would partially meet Project Objectives 1, 3, and 5. Alternative 2 would not meet Project Objective 2. Alternative 2 would meet Project Objective 4.

Because Alternative 2 does not include development of housing at the Project Site, this alternative would only partially meet Project Objective 1. Alternative 2 could be designed and constructed to meet goals and policies of the Community Plan, improve the visual character of the Project Site area, and activate the industrial area with new contemporary commercial opportunities that could serve the employees and new residents in the area. However, without development of housing at the Project Site, Alternative 2 misses the opportunity to maximize the smart-growth potential of the Project Site that is a result of combining housing and commercial land uses on one site.

Because Alternative 2 does not include development of any housing at the Project Site, this alternative would not meet Project Objective 2. Alternative 2 would miss the opportunity to provide housing, including affordable housing, in an area in need of new housing, as identified in the City’s Regional Housing Needs Assessment.

Because Alternative 2 includes development of commercial and office land uses, which would provide jobs and generate tax revenue, this alternative would partially meet Project Objective 3. However, because Alternative 2 does not include housing, this alternative would miss the opportunity to provide housing for residents who support local businesses.

As with any development in the City, Alternative 2 would be constructed and designed to incorporate green building standards, including LEED standards. Alternative 2 would meet Project Objective 4.

Due to the Project Site’s location in a Transit Priority Area and its proximity to ample transit options and the City’s requirements for bicycle parking, any development of the Project Site (including that as part of Alternative 2) would encourage the use of alternative modes of transportation. However, because Alternative 2 does not include development of any housing at the Project Site and would not place a residential population in proximity to employment and shopping options, this alternative would not reduce VMT and associated pollutant emissions to the same extent that the Project would. For these reasons, Alternative 2 would only partially meet Project Objective 5.

(d) Reference

For a complete discussion of impacts associated with Alternative 2, see Section VI, Alternatives, of the Draft EIR.

(3) Alternative 3: Reduced Intensity

Alternative 3 provides a 45 percent reduction across all uses proposed as part of the Project: 61 residential dwelling units (as compared to 110 units under the Project); 62,343 gross square feet of creative office space (as compared to 113,350 square feet under the Project); and 27,966 sf commercial (24,011 square feet of leasable space; as compared to 50,848 square feet (43,657 square feet leasable space) under the Project). No affordable units would be provided as compared to 12 affordable units in the Project. Alternative 3 would involve a similar amount of grading and excavation needed for shoring for the buildings as compared to the Project.

Alternative 3 would involve a reduced overall amount of construction since 45 percent less floor area would be built as compared to the Project. Upon completion, Alternative 3 would result in a maximum FAR of 2.0:1, less than the Project's 3.9:1.

(a) Comparison of Impacts

Alternative 3 would result in no significant and unavoidable intersection impacts, as compared to 1 under the Project. Impact conclusions associated with the remaining environmental issues would be the same as those of the Project.

(b) Finding

With respect to the Alternative 3, each decision making body adopts a finding, which states that "specific economic, legal, social, technological, other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the final EIR." (CEQA Guidelines § 15091(a)(3).)

(c) Rationale for Finding

Alternative 3 would meet Project Objectives 4 and 5. Because Alternative 3 includes a 45 percent reduction in land uses as compared to the Project, this alternative would also meet Project Objectives 1 and 3, but to a lesser degree. Due to the reduction in the number of housing units included as part of Alternative 3 as compared to the Project and the lack of any affordable housing, Alternative 3 would only partially meet Project Objective 2.

Because Alternative 3 includes development of land uses similar to those proposed as part of the Project, but reduced by 45 percent, this alternative would meet Project Objective 1, but to a lesser degree than the Project; due to the reduced size, maximum smart-growth development of the Project Site might not be achieved under this alternative. Additionally, Alternative 3 would not provide as many job and housing opportunities to the Project Site area as would the Project.

Although Alternative 3 includes development of some housing at the Project Site, the number of dwelling units provided as part of this alternative would be 45 percent fewer (49 fewer units) than would be provided under the Project. As such, Alternative 2 would contribute fewer dwelling units toward the number of needed housing units identified in the City's Regional Housing Needs Assessment. Additionally, Alternative 3 does not include any affordable housing. Thus, Alternative 3 would only partially meet Project Objective 2.

Because Alternative 3 includes development of land uses similar to those proposed as part of the Project, but reduced by 45 percent, this alternative would meet Project Objective 3, but to a lesser degree than the Project.

As with any development in the City, Alternative 3 would be constructed and designed to incorporate green building standards, including LEED standards. Alternative 3 would meet Project Objective 4.

Due to the Project Site's location in a Transit Priority Area and its proximity to ample transit options and the City's requirements for bicycle parking, any development of the Project Site (including that as part of Alternative 3) would encourage the use of alternative modes of transportation and reduce VMT and associated pollutant emissions. For these reasons, Alternative 3 would meet Project Objective 5.

(d) Reference

For a complete discussion of impacts associated with Alternative 3, see Section VI, Alternatives, of the Draft EIR.

(4) Alternative 4: Zoning Compliant

The Project Site is zoned M3-1-RIO (Manufacturing, Height District 1, River Improvement Overlay) and has a General Plan designation of Heavy Manufacturing. The Project Site buildable area (not the same as lot area) is 74,023 square feet. The permitted floor area ratio (FAR) for the existing Height District (HD) 1 is 1.5:1 (111,035 square feet). Alternative 4 would have a 111,035 square-foot manufacturing building (1.5:1 FAR) which is provided for under the current zoning.

(a) Comparison of Impacts

Alternative 4 would result in no significant and unavoidable intersection impacts, as compared to 1 under the Project. Impact conclusions associated with the remaining environmental issues would be the same or reduced as those of the Project.

(b) Finding

With respect to the Alternative 4, each decision making body adopts a finding, which states that “specific economic, legal, social, technological, other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the final EIR.” (CEQA Guidelines § 15091(a)(3).)

(c) Rationale for Finding

Alternative 4 would meet Project Objective 4.

Because Alternative 4 does not include development of housing at the Project Site, this alternative would only partially meet Project Objective 1. Alternative 4 could be designed and constructed to meet goals and policies of the Community Plan, improve the visual character of the Project Site area, and activate the industrial area with new manufacturing opportunities (albeit not contemporary commercial opportunities) that could serve the employees and new residents in the area. However, without development of housing at the Project Site, Alternative 4 misses the opportunity to maximize the smart-growth potential of the Project Site that is a result of combining housing and commercial land uses on one site.

Because Alternative 4 does not include development of any housing at the Project Site, this alternative would not meet Project Objective 2. Alternative 4 would miss the opportunity to provide housing, including affordable housing, in an area in need of new housing, as identified in the City’s Regional Housing Needs Assessment.

Because Alternative 4 includes development of manufacturing land uses, which would provide jobs and generate tax revenue, this alternative would partially meet Project Objective 3. However, because Alternative 4 does not including housing, this alternative would miss the opportunity to provide housing for residents who support local businesses.

As with any development in the City, Alternative 4 would be constructed and designed to incorporate green building standards, including LEED standards. Alternative 4 would meet Project Objective 4.

Due to the Project Site’s location in a Transit Priority Area and its proximity to ample transit options and the City’s requirements for bicycle parking, any development of the Project Site (including that as part of Alternative 4) would encourage the use of alternative modes of transportation. However, because Alternative 4 does not include development of any housing at the Project Site and would not place a residential population in proximity to employment and shopping options, this alternative would likely not reduce VMT and associated pollutant emissions to the same extent that the Project would. For these reasons, Alternative 4 would only partially meet Project Objective 5.

(d) Reference

For a complete discussion of impacts associated with Alternative 4, see Section VI, Alternatives, of the Draft EIR.

e) **Environmentally Superior Alternative**

CEQA requires that an EIR alternatives analysis include designation of an “environmentally superior” alternative. Based on the analysis presented in this section, Alternative 1: No Project would be environmentally superior to the Project, since this alternative would avoid all of the significant (but mitigatable) impacts that would occur under the Project, including Noise (Construction Vibration), and the significant and unavoidable impact related to Transportation/Traffic (Operational Intersection LOS). Also, Alternative 1 would not meet any of the Project Objectives.

CEQA requires that if the environmentally superior alternative is the “No Project” alternative, the EIR shall also identify an environmentally superior alternative from among the other alternatives (CEQA Guidelines, Section 15126.6[e][2]).

Alternative 3 would include development of the Project site with a mix of land uses that are similar to those proposed under the Project, to a lesser intensity. As a result, this alternative would result in an overall reduction in the amount of construction and operational pollutant emissions, demand for public services, construction traffic trips, daily and peak-hour operational traffic trips, generation of wastewater and solid waste, and consumption of water, when compared to the Project.

Accordingly, Alternative 3 was selected as the Environmentally Superior, because this alternative would reduce the significant and unavoidable Project traffic intersection impact at Soto and Whittier.

As discussed previously, Alternative 3 would meet Project Objectives 4 and 5. Because Alternative 3 includes a 45 percent reduction in land uses as compared to the Project, this alternative would also meet Project Objectives 1 and 3, but to a lesser degree. The City’s Housing Element and the Regional Housing Needs Assessment (RHNA) has identified a housing crisis due in part to a lack of overall provision of housing stock to meet the growing population, the lack of a geographic balance between residential and jobs centers, and diversity in housing price points. The Housing Element has identified 453 sites (179.6 acres) in the Central City North Community Plan Area as having the housing capacity for 11,490 net units. The Project and Alternative 3 (Reduced Intensity) are the only scenarios that provide housing toward fulfilling the City’s RHNA. Alternative 1, Alternative 2, and Alternative 4 do not include any housing. Due to the reduction in the number of housing units included as part of Alternative 3 as compared to the Project and the lack of any affordable housing, Alternative 3 would only partially meet Project Objective 2. Only the Project maximizes the number of housing units provided and only the Project provides affordable housing.

## **OTHER CEQA FINDINGS**

a) **Summary of Significant and Unavoidable Impacts**

Pursuant to Section 15126.2(b) of the CEQA Guidelines, the City finds that the Project would result in significant and unavoidable environmental impacts with respect to traffic.

The implementation of a comprehensive TDM plan, installation of signal system upgrades at select intersection locations, and provision of shuttle service between the Project site and a Metro rail station would reduce the Project’s impacts to less-than-significant levels at eight of nine significantly impacted intersections. These measures would also help reduce the Project’s impacts at the intersection of Soto Street & Whittier Boulevard. However, these measures would not be

able to mitigate the Project impacts at Soto Street & Whittier Boulevard to less-than-significant levels. Therefore, the Project impacts at this study intersection would remain significant and unavoidable.

#### **b) Significant Irreversible Environmental Changes**

Pursuant to section 15126.2(c) of the CEQA Guidelines, the City considered the potential significant irreversible environmental changes that could result from the Project. The Project would necessarily consume a limited amount of slowly renewable and nonrenewable resources that could result in irreversible environmental changes. This consumption would occur during construction of the Project and would continue throughout its operational lifetime.

The Project would necessarily consume a limited amount of slowly renewable and non-renewable resources that could result in irreversible environmental changes. This consumption would occur during construction of the Project and would continue throughout its operational lifetime. The development of the Project would require a commitment of resources that would include: (1) building materials and associated solid waste disposal effects on landfills; (2) water; and (3) energy resources (e.g., fossil fuels) for electricity, natural gas, and transportation. As demonstrated below, the Project would consume a limited commitment of natural resources and would not result in significant irreversible environmental changes.

#### **c) Growth-Inducing Impacts**

Section 15126.2(d) of the CEQA Guidelines requires that growth-inducing impacts of a project be considered in a Draft EIR. Growth-inducing impacts are characteristics of a project that could directly or indirectly foster economic or population growth or the construction of additional housing, either directly or indirectly, in the surrounding environment. According to the CEQA Guidelines, such projects include those that would remove obstacles to population growth (e.g., a major expansion of a wastewater treatment plant that, for example, may allow for more construction in service areas). In addition, as set forth in the CEQA Guidelines, increases in the population may tax existing community service facilities, thus requiring construction of new facilities that could cause significant environmental effects. The CEQA Guidelines also require a discussion of the characteristics of projects which may encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively. Finally, the CEQA Guidelines also state that it must not be assumed that growth in an area is necessarily beneficial, detrimental, or of little significance to the environment.

Overall, the Project would be consistent with the growth forecast for the City of Los Angeles Subregion and would be consistent with regional policies to reduce urban sprawl, efficiently utilize existing infrastructure, reduce regional congestion, and improve air quality through the reduction of vehicle miles traveled. In addition, the Project would not require any major roadway improvements nor would the Project open any large undeveloped areas for new use. Any access improvements would be limited to driveways necessary to provide immediate access to the Project Site and to improve safety and walkability. Therefore, direct and indirect growth-inducing impacts would be less than significant.

#### **Additional CEQA/Environmental Findings**

1. The City, acting through the Planning Department, is the "Lead Agency" for the Project evaluated in the Final EIR. The City finds that the Final EIR was prepared in compliance with CEQA and the CEQA Guidelines. The City finds that it has independently reviewed and analyzed the Final EIR, and that the Final EIR reflects the independent judgment of the City.
2. The City finds that the Final EIR provides objective information to assist the decision-makers and the public at large in their consideration of the environmental consequences of the Project. The public review period provided all interested jurisdictions, agencies, private organizations,

and individuals the opportunity to submit comments regarding the Draft EIR. The Final EIR was prepared after the review period and adequately responds to comments made during the public review period.

3. The Planning Department evaluated comments on environmental issues received from persons who reviewed the Draft EIR. In accordance with CEQA, the Planning Department prepared written responses describing the disposition of significant environmental issues raised. The Final EIR provides adequate, good faith and reasoned responses to the comments. The Planning Department reviewed the comments received and responses thereto and has determined that neither the comments received nor the responses to such comments add significant new information regarding environmental impacts to the Draft EIR as defined under CEQA. The lead agency has based its actions on full appraisal of all viewpoints, including all comments received up to the date of adoption of these findings, concerning the environmental impacts identified and analyzed in the Final EIR.
4. The mitigation measures which have been identified for the Project were identified in the text and summary of the Final EIR. The final mitigation measures are described in the Mitigation Monitoring Program. Each of the mitigation measures identified in the Mitigation Monitoring Program, and contained in the Final EIR, is incorporated into conditions of approval for the Project. The City finds that the impacts of the Project have been mitigated to the extent feasible by the mitigation measures identified in the Mitigation Monitoring Program and contained in the Final EIR.
5. CEQA requires the lead agency approving a project to adopt a Mitigation Monitoring Program and make that Program a condition of project approval in order to ensure compliance with project implementation. The mitigation measures included in the Final EIR as certified by the City and included in the Mitigation Monitoring Program as adopted by the City serve that function. The Mitigation Monitoring Program includes all the mitigation measures identified in the Final EIR and has been designed to ensure compliance during implementation of the Project. In accordance with CEQA, the Mitigation Monitoring Program provides the means to ensure that the mitigation measures are fully enforceable. In accordance with the requirements of Public Resources Code section 21081.6, the City hereby adopts the Mitigation Monitoring Program.
6. In accordance with the requirements of Public Resources Code section 21081.6, the City hereby adopts each of the mitigation measures expressly set forth herein as conditions of approval for the Project.
7. The custodian of the documents or other materials which constitute the record of proceedings upon which the City's decision is based is the Department of City Planning, City of Los Angeles.
8. The City finds and declares that substantial evidence for each and every finding made herein is contained in the Final EIR, which is incorporated herein by this reference, or is in the record of proceedings in the matter.
9. The citations provided as references in the Final and Draft EIR for each impact area discussed in these Findings are for reference purposes only and are not intended to represent an exhaustive listing of all evidence that supports these Findings.
10. The City is certifying the EIR for, and is approving and adopting findings for, the entirety of the actions described in these Findings and in the Final EIR. It is contemplated that there may be a variety of actions undertaken by other State and local agencies (who might be referred to as "responsible agencies" under CEQA). Because the City is the lead agency for the Project, the Final EIR is intended to be the basis for compliance with CEQA for each of the possible discretionary actions by other State and local agencies to carry out the Project.

## CONSIDERATION AND APPROVAL OF FINAL EIR

Pursuant to Article 7 of the CEQA Guidelines, these Findings have been prepared for the consideration and approval of the Final EIR and the analysis contained herein. The Final EIR was completed in accordance with CEQA; and the decision-making body has reviewed and considered the information contained in the Final EIR prior to the action. Since the Project will result in a significant and unavoidable impact related to traffic, a Statement of Overriding Considerations will be required.

## STATEMENT OF OVERRIDING CONSIDERATIONS

The Final EIR for the Project has identified unavoidable and significant impacts that will result from implementation of the Project. Section 21081 of the Public Resources Code and Section 15093(b) of the CEQA Guidelines provide that when a public agency's decision allows the occurrence of a significant impact identified in a Final EIR, which is not substantially mitigated to an insignificant level or eliminated entirely, the lead agency must state in writing the reasons to support its action based on the completed EIR and/or other information in the record. Article I of the City of Los Angeles CEQA Guidelines incorporates all of the State CEQA Guidelines contained in title 15, California Code of Regulations, sections 15000 et seq., and hereby requires, pursuant to CEQA Guidelines Section 15093(b) that the decision-maker adopt a Statement of Overriding Considerations at the time of approval of a project if it finds that significant adverse environmental effects have been identified in the Final EIR that cannot be substantially mitigated to an insignificant level or be eliminated. These Findings and the Statement of Considerations are based on the record of proceedings, including, but not limited to, the Final EIR, and other documents and materials that constitute the record of proceedings.

Based on the analysis provided in the Final EIR, implementation of the Project would result in significant impacts that cannot be feasibly mitigated with respect to traffic.

Accordingly, the City adopts this Statement of Overriding Considerations. Having

(i) adopted all feasible mitigation measures;

(ii) determined that Alternatives 1 through 4 would not meet the Project objectives to the same degree as the Project, as discussed above in Section VII;

(iii) determined that Alternative 2 would not avoid any significant and unavoidable impacts from the Project and would undermine economic considerations of the Project;

(iv) recognized the significant and unavoidable impacts; and

(v) balanced the benefits of the Project against its significant and unavoidable impacts, the City hereby finds that each of the benefits outweigh and override the significant unavoidable impacts for the reasons stated below.

The City further finds and determines that:

- a) All significant environmental impacts that can be feasibly avoided have been eliminated, or substantially lessened through implementation of the project design features and/or mitigation measures; and
- b) Based on the Final EIR, the Statement of Overriding Considerations herein, and other documents and information in the record with respect to the construction and operation of the project, all remaining unavoidable significant impacts, as set forth in these findings, are overridden by the benefits of the project as described in the Statement of

Overriding Considerations for the construction and operation of the project and implementing actions.

The below stated reasons summarize the benefits, goals, and objectives of the Project and provide the rationale for the benefits of the Project. Any one of the overriding considerations of economic, social, aesthetic and environmental benefits listed below would be sufficient to outweigh the adverse environmental impacts of the Project and justify its approval.

1. Location of a high-density mixed-use development on an under-utilized site in a transit priority area, a high-quality transit corridor, and that is in proximity to several transit options (Metro bus lines 18, 60, and 62 are within ¼ mile of the Site).
2. Development of new residential units, with 11% set aside as Restricted Affordable, that contribute to the Mayor's housing goal of building 100,000 new housing units by 2021, as well as the policies of SCAG's 2016-2040 RTP/SCS and the City's General Plan Framework, Health and Wellness, and Housing Elements.
3. Promoting and supporting community interaction on and around the Project Site for residents, workers, and visitors through the introduction of new amenities.
4. Furthering the growth of the City's economic base through the introduction of an economically viable project that includes revenue generating commercial activities, tax revenues, and other fiscal benefits for the community. The Project is estimated to create 662 full-time long-term jobs including 543 office jobs (section IV.I, Population and Housing). Additionally, projects construction will create more than 100 jobs for every day of construction.
5. Supporting the revitalization of the nearby Arts District by contributing to the active environment through the addition of residences, office, and commercial uses.
6. Development of an architecturally recognizable building that furthers the development of Los Angeles and is accessible by public transit to both local residents and visitors of the city.
7. Development of different types of new housing units, including live/work units in a variety of floor plan layouts and bedroom types to help meet the demand for high-density housing for Downtown employees in the Central City North Community Plan Area.
8. Addressing urban run-off impacts for a site proximate to the LA River and reducing heat island impacts associated with surface parking.

#### **FINDINGS OF FACT (SUBDIVISION MAP ACT)**

In connection with the approval of Vesting Tentative Tract Map No. 74564, the Advisory Agency of the City of Los Angeles, pursuant to Sections 66473.1, 66474.60, .61 and .63 of the State of California Government Code (the Subdivision Map Act), makes the prescribed findings as follows:

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

The Vesting Tentative Tract Map was prepared by a Registered Professional Engineer and contains the required components, dimensions, areas, notes, legal description, ownership, applicant, and site address information as required by the Los Angeles Municipal Code ("LAMC").

The project site is located within the adopted Central City North Community Plan area and is classified with the Heavy Manufacturing land use designation with the corresponding zone of M3. The project site is not located in a Specific Plan Area. The project site contains 1.76 net acres and is presently zoned M3-1-RIO and is located in Arts District Neighborhood in the Central City North Community Plan District. Height District 1 allows a maximum floor area ratio (FAR) of 1.5:1.

The requested merger and resubdivision for 1 ground lot includes an additional request pursuant to LAMC section 17.03 A, for an adjustment in lot area of less than 20% in the CM zone lot area requirements (1 unit per 800 square feet of lot area) to permit a density equal to one unit per 712 square feet of lot area (11%). In conjunction with the tract map, an open-air warehouse shed would be incorporated into the new development, and a 4,000 square-foot manufacturing building and surface parking lot would be demolished. The Project proposes a new residential and commercial development including 110 live/work units, including 11 restricted affordable units, and 113,350 square feet of creative office, 50,848 square feet of new commercial space (that may include retail and/or restaurant floor area) and 8,114 square feet of covered ancillary space. The Project would consist of three buildings built on top of three levels of subterranean parking containing 479 parking spaces. A 6-story office building would be located on the eastern half of the site while the remaining western half contains an approximately 30-foot tall existing shed that will be adaptively reused as part of the two-level retail component fronting Bay Street. An 11-story structure fronting Sacramento Street would contain the Live/Work Units. The maximum building height is 139 feet and its proposed 287,137 square feet of floor area generates a FAR of 3.9:1. In conjunction with the Vesting Tentative Tract Map, under concurrent case no. CPC-2016-3479-GPA-VZC-HD-SPR, the applicant is requesting an approval of a City-initiated General Plan Amendments, allow for the development of the project.

The merger and resubdivision of a 1.76 net-acre site into 1 ground lot, in conjunction with the construction of a new residential and commercial development including 110 live/work units, including 11 restricted affordable units, and 113,350 square feet of creative office, 50,848 square feet of new commercial space (that may include retail and/or restaurant floor area) and 8,114 square feet of covered ancillary space is consistent with the General Plan and demonstrates compliance with Sections 17.06 of the Los Angeles Municipal Code as well as with the intent and purpose of the General Plan, with regard to density and use. The project site is not governed by a specific plan.

Therefore, as conditioned, the proposed Vesting Tract Map is consistent with the intent and purpose of the General Plan and Specific Plan.

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

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

Section 17.05-C of the Los Angeles Municipal Code enumerates design standards for Subdivisions and requires that each Tentative Map be designed in conformance with the Street Design Standards and in conformance to the General Plan. Section 17.05-C, third paragraph, further establishes that density calculations include the areas for residential use and areas designated for public uses, except for land set aside for street purposes ("net area"). LAMC Section 17.06-B and 17.15 lists the map requirements for a tentative tract map and vesting tentative tract map. The map provides the required components of a tentative tract map.

The Tract Map subdivision design includes the merger and resubdivision of a 1.76 net-acre site into 1 ground lot, in conjunction with the construction of a new residential and commercial development including 110 live/work units, including 11 restricted affordable units, and 113,350 square feet of creative office, 50,848 square feet of new commercial space (that may include retail and/or restaurant floor area) and 8,114 square feet of covered ancillary space.

The design and layout of the map is consistent with the design standards established by the Subdivision Map Act and Division of Land Regulations of the Los Angeles Municipal Code. Several public agencies (including the Bureau of Engineering, Department of Building and Safety, Grading Division and Zoning Division, Bureau of Street Lighting, Fire Department, and Department of Building and Safety,) have reviewed the map and found the subdivision design satisfactory, and have imposed improvement requirements and/or conditions of approval. Bureau of Engineering requires dedication and improvements along Bay Street, Sacramento Street, and the adjacent alley in accordance with the City's Street Standards. Sewers are available and have been inspected and deemed adequate in accommodating the proposed project's sewerage needs. Fire and traffic access, as well as site grading, have been reviewed and deemed appropriate. Additional traffic improvement or control measures for adjacent roadways and nearby intersections have been included for traffic and pedestrian safety.

The subdivision will be required to comply with all regulations pertaining to grading, building permits, and street improvement permit requirements. Conditions of Approval for the design and improvement of the subdivision are required to be performed prior to the recordation of the tentative map, building permit, grading permit, or certificate of occupancy.

Further, the Community Plan designates the site for Heavy Manufacturing land uses, and subject to the provisions of Footnote 6, which limits the FAR for properties in height district 1 to 1.5:1 or 3: with a Zone Change, Height District Change, and environmental clearance. The project is seeking a Zone and Height District Change to change the Zone for the site to CM and the Height District to 2. Both the CM Zone and Height District 2 are included in the Central City North Community Plan. Upon approval of the entitlement requests by the City Planning Commission, the design and improvement of the proposed subdivision would be consistent with the intent and purpose of the Community Plan. Therefore, as conditioned, the design and improvement of the proposed subdivision would be consistent with the intent and purpose of the Community Plan.

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

The project site is currently improved with an open-air warehouse shed, a 4,000 square-foot manufacturing building, and a surface parking lot. The project site is physically suitable for the proposed type of development. The project site is relatively flat and located within an urbanized area and is not located in a slope stability study area or a fault/rupture study zone. The project is not located in a liquefaction seismic hazard zone. The project site is not located within a Methane Zone. The subject site is not located in any other hazardous

zone According to a memo from the Department of Building and Safety, Grading Division, dated November 29, 2016, the project site is outside of a City of Los Angeles Hillside Area; is exempt or located outside of a State of California liquefaction, earthquake induced landslide, or fault-rupture hazard zone; and does not require any grading or construction of an engineered retaining structure to remove potential geologic hazards.

The tract has been approved contingent upon the satisfaction of the Department of Building and Safety, Grading Division prior to the recordation of the map and issuance of any permits. Therefore, the site will be physically suitable for the proposed type of development.

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

The General Plan identifies, through its Community and Specific Plans, geographic locations where planned and anticipated densities are permitted. Zoning standards for density are applied to sites throughout the city and are allocated based on the type of land use, physical suitability, and future population growth expected to occur. The adopted Central City North Community Plan designates the subject site a Heavy Manufacturing land use, which allows for industrial land uses. As part of the concurrent Case No. CPC-2016-3479-GPA-VZC-HD-SPR, requests for a Zone Change and Height District Change have been submitted, changing the zone from M3-1-RIO to CM-2-RIO, allowing for commercial and residential uses.

Therefore, zoning for the subject site permits a maximum floor area ratio of 3:1 with an environmental clearance, but is otherwise restricted to 1.5:1. The Project has also submitted a request for a General Plan Amendment to remove Footnote 1 and 6 allowing for residential uses with Height District 2 for the site. Additionally, the project is seeking pursuant to LAMC section 17.03 A, an adjustment to allow for a decreased project site of 78,679 square feet in lieu of the otherwise required 88,041 square feet in order to construct 110 dwelling units in lieu of the otherwise allowed 98 units. The site contains 77,432 square feet of land prior to dedication, and contingent upon the approval of a General Plan Amendment, Zone Change, and Height District Change Case No. CPC-2016-3479-GPA-VZC-HD-SPR, to allow for a Height District 2, the project would be allowed a maximum floor area ratio of 6:1, or a maximum of 464,592square feet. Therefore, the project's proposed density of up to 287,137 square feet of floor area (3.9:1 FAR), including 110 live/work units, including 11 restricted affordable units, and 113,350 square feet of creative office, 50,848 square feet of new commercial space (that may include retail and/or restaurant floor area) and 8,114 square feet of covered ancillary space , on a 75,736 square foot lot (after dedications and vacations), is consistent with the general provisions and area requirements of the Planning and Zoning Code.

Surrounding uses are within the M3-1-RIO zones and are generally developed with primarily industrial uses, with commercial, multi-family residential, live/work residential, institutional, surface parking lots, the Los Angeles River Viaduct, and a freeway right of way in the surrounding area. The Project's floor area, density, and massing is appropriately scaled and situated given the uses in the surrounding area within the Arts District. The subject site is a relatively flat, in-fill lot, in a substantially developed urban area with adequate infrastructure. The area is easily accessible via improved streets, highways, and transit systems. The environmental review conducted by the Department of City Planning (Case No. ENV-2016-3480-EIR (State Clearinghouse House No. 2017031007), establishes that the physical characteristics of the site and the proposed density of development are generally consistent with existing development and urban character of the surrounding community. Therefore, the project site is physically suitable for the proposed density of development.

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

The EIR prepared for the project identifies no potential adverse impacts on fish or wildlife resources. The project site, as well as the surrounding area, are presently developed with 4,000 square feet of manufacturing space, a shed, and a surface parking lot, and do not provide a natural habitat for either fish or wildlife. The site, as described in the EIR, does not contain any natural open spaces, act as a wildlife corridor, contain riparian habitat, wetland habitat, migratory corridors, conflict with a Habitat Conservation Plan, nor possess any areas of significant biological resource value. With regard to protected trees, a Protected Tree Report was prepared for the project site and found that of the 11 trees identified on the project site, no trees are protected. The Protected Tree Report concludes that no trees meet protection requirements, and that the trees on site either meet minimum requirements as non-protected trees, or are identified in the report as palms which the report concludes are often not considered trees for the purposes of the tree report. In addition, there is one street tree surrounding the project site which would be impacted. All trees will be removed for the project, and will be replaced in compliance with applicable requirements of the City's Protected Tree Ordinance.

The EIR prepared for the project identifies no potential adverse impacts on fish or wildlife resources. The project site, as well as the surrounding area are presently developed with industrial, residential, office, and commercial structures and do not provide a natural habitat for either fish or wildlife. The project site is presently improved with an existing building and surface parking area and does not contain any natural open spaces, act as a wildlife corridor, contain riparian habitat, wetland habitat, migratory corridors, conflict with any protected tree ordinance, conflict with a Habitat Conservation Plan, nor possess any areas of significant biological resource value.

Therefore, the design of the subdivision would not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

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

The proposed subdivision and subsequent improvements are subject to the provisions of the Los Angeles Municipal Code (e.g., the Fire Code, Planning and Zoning Code, Health and Safety Code) and the Building Code. Other health and safety related requirements as mandated by law would apply where applicable to ensure the public health and welfare (e.g., asbestos abatement, seismic safety, flood hazard management).

The project is not located over a hazardous materials site, flood hazard area and is not located on unsuitable soil conditions. The project would not place any occupants or residents near a hazardous materials site or involve the use or transport of hazardous materials or substances.

The Bureau of Sanitation, Wastewater Collection System Division issued a letter dated April 17, 2017 (Appendix L-1 of the draft EIR), stating that they reviewed the existing sewer and storm drain lines serving the tract, and determined that there will be no potential problems to these City structures or potential maintenance problems. The EIR fully analyzed the impacts of both construction and operation of the project on the existing public utility and sewer systems, facilities and services and determined that impacts are less than significant. The development is required to be connected to the City's sanitary sewer system, where the sewage will be directed to the Hyperion Treatment Plant, which has been upgraded to meet Statewide ocean discharge standards. The Bureau of Engineering has reported that the proposed subdivision does not violate the existing

California Water Code because the subdivision will be connected to the public sewer system and will have only a minor incremental impact on the quality of the effluent from the Hyperion Treatment Plant. No adverse impacts to the public health or safety would occur as a result of the design and improvement of the site. Therefore, the design of the subdivision and the proposed improvements are not likely to cause serious public health problems.

- (g) THE DESIGN OF THE SUBDIVISION AND THE PROPOSED IMPROVEMENTS WILL NOT CONFLICT WITH EASEMENTS ACQUIRED BY THE PUBLIC AT LARGE FOR ACCESS THROUGH OR USE OF PROPERTY WITHIN THE PROPOSED SUBDIVISION.

There are no recorded instruments identifying easements encumbering the project site for the purpose of providing public access. The site is surrounded by private properties that adjoin improved public streets and sidewalks designed and improved for the specific purpose of providing public access throughout the area. In addition, the Bureau of Engineering indicated in their report dated December 12, 2016 that the proposed improvements will not conflict with easements. The project site does not adjoin or provide access to a public resource, natural habitat, Public Park, or any officially recognized public recreation area. Needed public access for roads and utilities will be acquired by the City prior to recordation of the proposed tract. Therefore, the design of the subdivision and the proposed improvements would not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.

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

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

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

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

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

These findings shall apply to both the tentative and final maps for Vesting Tentative Tract Map No. 74564.