

## FINDINGS

### CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) FINDINGS

#### I. INTRODUCTION

The Environmental Impact Report (EIR), consisting of the Draft EIR and the Final EIR is intended to serve as an informational document for public agency decision-makers and the general public regarding the objectives and environmental impacts of the Violet Street Creative Office Campus Project (Project), which is located at 2030, 2034, 2038, 2042, 2046, 2054, and 2060 East 7th Street, 715, 721, 725, 729, 733, 777, 801, 805, 809, 813, 817, 821, 825, 827, and 829 South Santa Fe Avenue, 2016, 2020, 2023, 2026, 2027, 2030, 2031, 2034, 2035, 2037, 2038, 2039, 2040, and 2043 East 7th Place, and 2017, 2023, 2027, 2031, 2035, 2039, 2045, and 2051 East Violet Street in Los Angeles, California (Site or Project Site). The Project would provide for the redevelopment and expansion of an existing office campus on an approximately six-acre site. New construction includes a 13-story, 450,599-square-foot building, comprised of 435,100 square feet of office uses, 15,499 square feet of ground floor retail and/or restaurant uses, and four subterranean and two above-grade levels of parking, shown as Lot 1 of the VTTM, which would require the demolition of warehouse and office uses and associated parking, all located on the southwest portion of the Project Site. In addition, a Future Campus Expansion Phase could allow for up to 211,201 square feet of additional office and restaurant uses, which would require the demolition of an existing 21,880 square-foot building, located at the corner of Violet Street and Santa Fe Avenue. The Future Campus Expansion Phase would be considered by the City pursuant to subsequent permits applied for in accordance with City requirements applicable to the Project Site at the time of application. Such applications would be subject to subsequent CEQA review at the time such applications are filed and considered by the City. The existing 244,795 square-foot Warner Music Group building (originally the Ford Factory building, a designated historic resource) and a five-story parking garage would be retained as part of the Project.

The City of Los Angeles (City), as Lead Agency, has evaluated the environmental impacts of implementation of the Project by preparing an EIR (Case Number ENV-2021-2232-EIR/State Clearinghouse No. 2021110015). The EIR was prepared in compliance with the California Environmental Quality Act of 1970 (CEQA), Public Resources Code (PRC) Section 21000 et seq. and the California Code of Regulations Title 15, Chapter 6 (CEQA Guidelines). The findings discussed in this document are made relative to the conclusions of the EIR.

PRC 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.” PRC 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 PRC Section 21002 are implemented, in part, through the requirement that agencies must adopt findings before approving projects for which EIRs are required. (See PRC 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 which avoid or substantially lessen the significant effects as identified in the final 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 adopted by such agency or can and should be adopted by such other agency.
- 3) Specific economic, legal, social, technological, or 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.

The findings reported in the following pages incorporate the facts and discussions of the environmental impacts that are found to be significant in the final EIR for the Project as fully set forth therein. Although CEQA Guidelines Section 15091 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. The findings provided below include (where applicable) 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 (PDFs) 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 Sections 15093, 15043(b); see also PRC Section 21081(b).)

Although a brief summary of the EIR's analysis and conclusions is provided in these findings, to avoid redundancy, these findings do not attempt to describe the full analysis of each environmental impact contained in the EIR. Instead, a full explanation of these environmental

findings and conclusions can be found in the EIR, and these findings hereby incorporate by reference the discussion and analysis in the EIR supporting the EIR's determination regarding the Project's impacts and mitigation measures designed to address those impacts and the Project alternatives discussed in these findings. In making these findings, the City certifies, adopts, and incorporates in these findings the analysis, explanation, findings, responses to comments and conclusions of the EIR, except to the extent any such determinations and conclusions are specifically and expressly modified by these findings. The City adopts the reasoning of the EIR, City staff reports and presentations regarding the Project. Without limiting the foregoing, the City has considered the opinions of staff and experts, other agencies and members of the public. The City finds that the determination of significance thresholds is a judgment decision within the discretion of the City; the significance thresholds used in the EIR are supported by substantial evidence in the record, including the expert opinion of the EIR preparers and City staff; and the significance thresholds used in the EIR provide reasonable and appropriate means of assessing the significance of the adverse environmental effects of the Project. Thus, although, as a legal matter, the City is not bound by the significance determinations in the EIR (see PRC Section 21082.2(e)), the City finds them persuasive and hereby adopts them as its own.

## II. ENVIRONMENTAL REVIEW PROCESS

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

**Initial Study.** The Project was reviewed by the City of Los Angeles Department of City Planning (Lead Agency) in accordance with the requirements of CEQA. The City prepared an Initial Study in accordance with Section 15063(a) of the CEQA Guidelines.

**Notice of Preparation.** Pursuant to the provisions of Section 15082 of the CEQA Guidelines, the City then circulated a Notice of Preparation (NOP) to State, regional and local agencies, and members of the public for a 30-day period commencing on November 5, 2021, and ending on December 6, 2021. The NOP also provided notice of a Public Scoping Meeting held on November 18, 2021. The purpose of the NOP and Public Scoping Meeting was to formally inform the public that the City was preparing a Draft EIR for the Project, and to solicit input regarding the scope and content of the environmental information to be included in the Draft EIR. Written comment letters responding to the NOP and the Scoping Meeting were submitted to the City by various public agencies, interested organizations, and individuals. The NOP, Initial Study, and NOP comment letters are included in Appendix A of the Draft EIR.

**Draft EIR.** The Draft EIR was published on June 29, 2023, in accordance with CEQA Guidelines Section 15087. The Draft EIR evaluated in detail the potential environmental effects of the Project. It also analyzed the effects of a reasonable range of alternatives to the Project, including a "No Project" alternative. The Draft EIR for the Project (State Clearinghouse No. 2021110015), incorporated herein by reference in full, was prepared pursuant to CEQA and the CEQA Guidelines. The Draft EIR was circulated for a 45-day public comment period beginning on June 29, 2023, and ending on August 14, 2023. A Notice of Completion and Availability (NOC/A) was distributed on June 29, 2023, to all property owners and occupants within 500 feet of the Project Site and interested parties, which informed them of where they could view the document and how to comment. The Draft EIR was available to the public at the City of Los Angeles, Department of City Planning, and the following local libraries: Los Angeles Central Library, Benjamin Franklin Branch Library, R. L. Stevenson Branch Library, and Little Tokyo Branch Library. A copy of the document was also posted online at <https://planning.lacity.org>. Notices were filed with the County Clerk on June 3, 2024.

**Notice of Completion.** A Notice of Completion was sent with the Draft EIR to the Governor's Office of Planning and Research State Clearinghouse for distribution to State Agencies on June 26, 2023, and notice was provided in newspapers of general and/or regional circulation.

**Final EIR.** The City released a Final EIR for the Project on May 31, 2024, which is hereby incorporated by reference in full. The Final EIR constitutes the second part of the EIR for the Project and is intended to be a companion to the Draft EIR. The Final EIR also incorporates the Draft EIR by reference. Pursuant to Section 15088 of the CEQA Guidelines, the City, as Lead Agency, reviewed all comments received during the review period for the Draft EIR and responded to each such comment in Section II, Responses to Comments, of the Final EIR. On May 31, 2024, responses were sent to all public agencies that made comments on the Draft EIR at least 10 days prior to certification of the EIR pursuant to CEQA Guidelines Section 15088(b). Notices regarding availability of the Final EIR were also sent to property owners and occupants within a 500-foot radius of the Project Site, as well as anyone who commented on the Draft EIR, and interested parties. Copies of the original comment letters are provided in Appendix FEIR-1 of the Final EIR.

**Public Hearing.** A noticed public hearing for the Project was held by the Deputy Advisory Agency on June 26, 2024 for consideration and potential action on the Project's subdivision approval. The Hearing Officer conducted a concurrent hearing to take testimony on behalf of the City Planning Commission.

### III. RECORD OF PROCEEDINGS

For purposes of CEQA and these Findings, the Record of Proceedings for the Project includes (but is not limited to) the following documents and other materials that constitute the administrative record upon which the City approved the Project. The following information is incorporated by reference and made part of the record supporting these Findings of Fact:

- All Project plans and application materials including supportive technical reports;
- The Draft EIR and Appendices, Final EIR and Appendices, and all documents referenced in, relied upon, or incorporated therein by reference (any references to the Final EIR include the Draft EIR, Responses to Comments, and the Initial Study);
- The NOP and all other public notices issued by the City in conjunction with the Project.
- The Mitigation Monitoring Program (MMP) prepared for the Project;
- The City of Los Angeles General Plan, and all Elements and applicable Community Plans thereof and related EIR(s), all as amended from time to time through the date of approval of the Project;
- The Southern California Association of Governments' (SCAG) 2020–2045 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) and related EIR (SCH No. 2021110015);
- The Municipal Code of the City of Los Angeles, including but not limited to the Zoning Ordinance and Subdivision Ordinance;

- All records of decision, resolutions, staff reports, memoranda, maps, exhibits, letters, supplemental technical reports and summaries, minutes of meetings, summaries, and other documents approved, reviewed, relied upon, or prepared by any City commissions, boards, officials, consultants, or staff relating to the Project;
- All information, including written evidence and testimony provided by City staff to City decisionmakers relating to the EIR, the Project, the alternatives set forth in the EIR, or these CEQA findings;
- All information provided by the public, including written correspondence received by City staff during the public comment period on the Draft EIR and supplemental technical reports and memoranda prepared in support of the Project approvals;
- All testimony presented to the Hearing Officer, Deputy Advisory Agency, Planning Commission and/or City Council;
- Any documents expressly cited in these Findings of Fact, in addition to those cited above; and
- Any and all other materials required for the record of proceedings by PRC Section 21167.6.

Pursuant to PRC 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 the City of Los Angeles, Figueroa Plaza, 221 North Figueroa Street, Suite 1350, Los Angeles, CA 90012.

In addition, copies of the Draft EIR, and Final EIR are available on the Department of City Planning's website at <https://planning.lacity.org/development-services/eir> (to locate the documents, search for either the environmental case number or project title in the Search Box). The Draft and Final EIR are also available at the following four Library Branches:

- Los Angeles Central Library—630 West Fifth Street, Los Angeles, CA 90071
- Benjamin Franklin Branch Library—2200 East First Street, Los Angeles, CA 90033
- R. L. Stevenson Branch Library—803 Spence Street, Los Angeles, CA 90023
- Little Tokyo Branch Library—203 South Los Angeles Street, Los Angeles, CA 90012

The Deputy Advisory Agency has relied on all of the documents listed above in reaching its decision on the Project, even if not every document was formally presented. Without limiting the foregoing, any documents set forth above not found in the Project either (1) reflect prior legislative or planning decisions of the City decisionmakers were familiar when approving the Project, or (2) were documents that influenced the expert advice provided to City staff or consultants who then provided advice to the City decisionmakers relating to approval of the Project and therefore properly constitute part of the Administrative Record. All files have been available to City decisionmakers and the public for review in considering these findings and whether to approve the Project. However, the Administrative Record does not include internal "working draft"

documents that have not been shared with the public. Such documents reflect the reality that a given document necessarily undergoes multiple drafts before it is released to the public, is relied on by the City, or presented to decisionmakers. Such documents are therefore not part of the Administrative Record.

These findings are based upon substantial evidence in the entire record before the City. In these findings the references to certain pages or sections of the Draft or Final EIR, which together constitute the EIR, are for ease of reference and are not intended to provide an exhaustive list of the evidence relied upon for these findings. A full explanation of the substantial evidence supporting these findings can be found in the EIR, and these findings hereby incorporate by reference the discussion and analyses in those documents supporting the EIR's determinations regarding the Project's impacts and mitigation measures designed to address those impacts. References to the Draft EIR or to the EIR are intended as a general reference to information that may be found in either or both the Draft EIR or Final EIR. References in these findings to initial determinations and certifications of the City with respect to the EIR refer to the determinations, findings, and certifications of the Deputy Advisory Agency of the City of Los Angeles.

#### **IV. PROJECT DESCRIPTION**

##### **A. Project Overview**

In accordance with CEQA Guidelines Section 15124, Chapter 2 of the EIR (Project Description), as clarified by Chapter III of the Final EIR, presents information regarding the location and boundaries of the site where the Project would be located (the Project Site), the objectives sought by the proposed Project, the physical and operational components and characteristics of the Project, and a description of the discretionary approvals from the City and other public agencies that would be required to implement the Project. In order to avoid redundancy, the Project Description contained in the EIR is not repeated here. Instead, that discussion is incorporated into these findings in full.

In brief, the Project is located on a highly urbanized, approximately six-acre site within the southern portion of the City's Central City North Community Plan Area. Uses surrounding the Project Site consist of a mixture of low and mid-rise buildings occupied by industrial, warehouse, office, and residential uses.

The Project Site is currently improved with a mix of warehouse and ancillary office and parking / truck loading uses. In addition, Lot 3 of the Project Site, located at the northeastern portion of the Project Site along Santa Fe Avenue, is currently improved with a two- and five-story office building currently occupied by Warner Music Group. Constructed in 1913, this building originally served as a factory and warehouse for the Ford Motor Company, and in 2015 was renovated to accommodate offices, retail and restaurant uses. A five-story, 604-stall parking garage with a roof-top level is located on Lot 2.

Key Elements of the proposed Project include, without limitation and as more fully described in the EIR:

- a new 13-story (including mechanical penthouse) 450,599-square-foot commercial building, comprised of 435,100 square feet of office uses, 15,499 square feet of ground floor retail and/or restaurant uses, and 1,264 automobile parking spaces in one at-grade, two above-grade, and four below-grade parking levels within Lot 1 of the Project Site, located at the southwestern corner of the Project Site.

- approximately 74,018 square feet of outdoor areas, comprised of 20,418 square feet of balconies and roof decks for the private use of office tenants and their guests, as well as 53,600 square feet of shared outdoor areas in both deck areas and a covered ground floor area.
- a ground-floor pedestrian paseo which would provide pedestrian access to the proposed and existing uses within the Project Site, creating a unified development and introducing new public space that would be improved and programmed with ground floor retail and/or restaurant uses, seating areas, and landscaped areas of varying size and shaded areas.
- enhancement of the public realm with streetscape improvements to create a cohesive visual identity for the Project Site and enhance the pedestrian experience with appropriate connectivity to the surrounding area. Along all street frontages, pedestrian access would be improved and allow for planting areas and six street trees. Plantings would include resilient, drought-tolerant native and adaptive tree, shrub, and groundcover species, including shade trees. Adjacent to the Violet Street sidewalk, pedestrian scale improvements, including pavers, and planters, would be provided to highlight the main entrance.
- demolition of the existing 25,798 square feet of warehouse and 9,940 square feet of office uses, along with associated surface parking, all located on Lot 1 on the southwestern portion of the Project Site.
- retention of the Warner Music Group building (originally the Ford Factory building) on Lot 3 and 604-space vehicle parking garage on Lot 2 with no change in use or alteration of the historic building.
- limited flexibility for the applicant to implement one of two vehicular access options (ingress/egress) to the parking structure: via a driveway on East 7th Place (described in the EIR as the 7th Place Driveway Scenario), or via a driveway on Violet Street (described in the EIR as the Violet Street Driveway Scenario). The Draft EIR carefully describes and evaluates the impacts of each such driveway location (scenario) in the Project Description and relevant sections of the EIR.

In addition to the development described above, the Project also includes a Future Campus Expansion Phase, which encompasses a potential expansion opportunity for additional development on Lot 4 of the Project Site. Construction of the Future Campus Expansion Phase would require the demolition of an existing 21,880-square-foot building at the corner of Violet Street and Santa Fe Avenue. The Future Campus Expansion Phase could be comprised of any uses consistent with the existing M3-1-RIO zone. The Future Campus Expansion Phase is analyzed as 191,201 square feet of office uses and 20,000 square feet of restaurant uses (which are both uses authorized by the M3-1-RIO zone) in order to provide a conservative analysis for environmental review. However, the precise uses and development plan for the Future Campus Expansion Phase are not known at this time. Such uses would ultimately be considered by the City pursuant to subsequent permits applied in accordance with City requirements applicable to the Project Site at the time of application. Such applications would be subject to subsequent environmental review at the time such applications are filed and considered by the City.

## **B. Project Objectives**

As fully described in Section II, Project Description, of the Draft EIR, pages II-6 through II-7, both the City and Applicant have established specific objectives concerning the Project. Those objectives are focused on the underlying purpose of the Project, which is to redevelop underutilized parcels into a high-density, infill development that improves the function, design, and economic vitality of the commercial corridors within the Central City North Community Plan area. The Project's specific objectives are as follows:

- Promote Central City North Community Plan Objective 2-1 to conserve and strengthen viable commercial development in the community and to provide additional opportunities for new commercial development and services.
- Promote local, regional, and State land use and mobility objectives and reduce vehicle miles traveled (VMT) through infill development and providing jobs in proximity to transit and transportation infrastructure to encourage pedestrian activity.
- Create an interactive creative office campus with outdoor areas, shared amenities (including publicly accessible outdoor areas), and landscaping while retaining an existing historic building and a (non-historic) attached annex on-site.
- Provide a sustainable building design that allows for the use of energy-efficient technology, thereby reducing the overall reliance on energy for lighting and cooling.
- Create a pedestrian-friendly project by creating a street-level identity for the Project Site and improving the pedestrian experience through the introduction of commercial uses on the ground floor level and the incorporation of a paseo to connect the existing uses with the new development.
- Support the growth of the City's economic base by creating a significant number of construction and permanent jobs.

## **C. Approvals Required For Implementation of the Project and Intended Uses of the EIR**

The City of Los Angeles has the principal responsibility for approving the Project as the lead agency. Approvals required for development of the Project include, but are not limited to, the following:

- Pursuant to Sections 17.01, 17.10, 17.13, and 17.15 of the LAMC, a Vesting Tentative Tract Map to permit the merger, vacation, and resubdivision of the Project Site and portions of 7th Place, Violet Street, Santa Fe Avenue, and the abutting public alley to permit the creation of four ground lots; maintenance of the existing 30-foot width of the abutting half right-of-way of Violet Street, maintenance of the existing 40-foot width of the abutting half right-of-way of Santa Fe Avenue; maintenance of the existing 40-foot width of the abutting half right-of-way of 7th Street, maintenance of the existing 7.5-foot width of the abutting half right-of-way of the alley located at the westerly property line, and the export of greater than 144,000 cubic yards of materials;



- Pursuant to City Charter Section 555 and Section 11.5.6 of the LAMC, a General Plan Amendment to amend the Central City North Community Plan to re-designate Lot 1 from “Heavy Manufacturing” to “Regional Center Commercial”;
- Pursuant to Section 12.32 F and 12.32 Q of the LAMC, a Vesting Zone and Height District Change from the M3-1-RIO Zone to the C2-2-RIO Zone for Lot 1 of the Project Site;
- Pursuant to Section 12.24 W.19 of the LAMC, a Vesting Conditional Use to allow Floor Area Ratio averaging across a Unified Development;
- Pursuant to Section 12.27 of the LAMC, a Zone Variance from Section 12.21 C.6 (b) of the LAMC to permit a loading zone to be provided with vehicular access from a public street;

Pursuant to Section 16.05 of the LAMC, Site Plan Review for a project resulting in more than 50,000 new square-feet of nonresidential floor area within the Project Site; and

- Other discretionary and ministerial permits and approvals that are or may be required, including, but not limited to, temporary street closure permits, grading permits, excavation permits, haul route approval, street tree removal approval, foundation permits, and sign permits.

## **V. ENVIRONMENTAL IMPACTS FOUND NOT TO BE SIGNIFICANT WITHIN THE INITIAL STUDY**

The Department of City Planning prepared an Initial Study dated November 5, 2021, which is located in Appendix A.1 of the Draft EIR. The Initial Study found the following environmental impacts not to be significant or less than significant without mitigation.

### **1. Aesthetics**

- a. Scenic Vista
- b. Scenic Resources
- c. Zoning and Regulations Governing Scenic Quality
- d. Light & Glare

Summary: The Project is an employment center project located on an infill site within a Transit Priority Area (TPA). Therefore, in accordance with PRC Section 21099(d)(1), the Project’s aesthetic impacts are not considered to be significant impacts on the environment and therefore do not require further evaluation under CEQA.

### **2. Agricultural and Forest Resources**

- a. Farmland
- b. Existing Zoning for Agricultural Use
- c. Forest Land or Timberland Zoning
- d. Loss or Conversion of Forest Land
- e. Other Changes in the Existing Environment

Summary: The Project Site is located in an urbanized area of the City of Los Angeles and is developed with nonresidential buildings and surface parking. The Project Site and surrounding

area are not zoned for agricultural or forest uses, and no agricultural or forest lands occur on-site or in the vicinity of the Project Site. No impacts to agriculture and forestry resources would occur.

### **3. Air Quality**

#### **a. Objectional Odors**

Summary: No objectionable odors are anticipated as a result of either construction or operation of the Project and construction and operation of the Project would comply with all applicable SCAQMD regulations. Impacts would be less than significant.

### **4. Biological Resources**

- a. Special Status Species
- b. Riparian Habitat and Wetlands
- c. Wetlands
- d. Wildlife Movement
- e. Local Protection and Preservation Policies
- f. Habitat Conservation Plans

Summary: The Project Site is located in an urbanized area and is currently developed with warehouse and office uses. Landscaping within the Project Site is limited to minimal ornamental landscaping, grasses, and shrubs. Of the 11 trees to be removed under the Project, none are protected under the City of Los Angeles Native Tree Protection Ordinance and tree removal would comply with the Migratory Bird Treaty Act and California Fish and Game Code. Impacts would be less than significant.

### **5. Cultural Resources**

#### **a. Human Remains**

Summary: The Project Site is located within an urbanized area and has been subject to previous grading and development. If human remains are discovered during Project construction, Project construction would be required to comply with applicable regulatory requirements including California Health and Safety Code Section 7050.5, PRC Section 5097.98, and CEQA Guidelines Section 15064.5(e). Impacts would be less than significant.

### **6. Geology and Soils**

- a. Substantial Adverse Effects
  - i. Known Earthquake Fault
  - ii. Seismic Ground Shaking
  - iii. Seismic-Related Ground Failure/Liquefaction
  - iv. Landslides
- b. Soil Erosion
- c. Instability
- d. Expansive Soils
- e. Septic Tanks
- f. Paleontological Resources

Summary: No active faults cross the Project Site and it is not located within an Alquist-Priolo Fault Zone. Therefore, the potential for surface rupture due to faulting beneath the Project Site is considered low and impacts would be less than significant.

The Project Site is located in the seismically active region of Southern California and could be subject to strong seismic ground shaking. However, the Project's design and construction would comply with all applicable regulatory requirements, including applicable provisions of the Los Angeles Building Code relating to seismic safety, and accepted and proven construction engineering practices would be implemented, including the Project-specific geotechnical design recommendations set forth in the Geotechnical Investigation (included in Appendix 2 of the Initial Study). Through compliance with regulatory requirements and site-specific geotechnical recommendations contained in a final design-level geotechnical report, impacts would be less than significant.

The Project Site is not located within a liquefaction area. Regardless, the Project would be designed in accordance with the Los Angeles Building Code, which requires implementation of engineering techniques to minimize hazards related to ground failure, including liquefaction, to acceptable levels. Impacts would be less than significant.

The Project Site is not located in a landslide area mapped by the state or the City. Furthermore, as concluded in the Geotechnical Investigation, the probability of seismically induced landslides occurring on the Project Site is considered low due to the minimal change in elevation throughout and adjacent to the Project Site. No impact would occur.

All grading activities would require grading permits from the Los Angeles Department of Building and Safety and on-site grading and site preparation would comply with all applicable provisions of the Los Angeles Municipal Code (LAMC). Furthermore, the Project would be required to comply with the City's Low Impact Development (LID) ordinance and implement standard erosion controls. Impacts related to erosion would be less than significant.

With respect to unstable soils, as discussed above, the Project Site is not susceptible to liquefaction or landslides. Subsidence is not anticipated at the Project Site because no large-scale extraction of groundwater, gas, oil, or geothermal energy currently occurs or is planned at the Project Site. Additionally, although temporary dewatering is expected during construction, such activities would be limited and temporary and would not involve permanent large-scale water extraction. Consolidation tests performed on collected soil samples as part of the Geotechnical Investigation did not exhibit hydro-collapse upon saturation. Impacts would be less than significant.

The Project Site is served by existing sewage infrastructure and would not require the use of septic tanks or alternative wastewater disposal systems. No impacts related to septic tanks or alternative wastewater disposal systems would occur.

The Project would include excavations up to a maximum depth of 45 feet below ground surface. However, with regard to paleontological resources, the Project Site has been previously graded and developed, and such activity likely would have disturbed any surficial paleontological resources. Moreover, the City has established a standard condition of approval to address inadvertent discovery of paleontological resources. As adherence to the City's condition of approval would not result in the direct or indirect destruction of a unique paleontological resource, the impacts would be less than significant.

## **7. Hazards and Hazardous Materials**

- a. Routine Transport, Use and Disposal
- b. Upset and Accident Conditions
- c. Proximity to Schools
- d. Government Code Section 65962.5 Sites
- e. Airport Land Use Plans
- f. Emergency Response and Evacuation Plans
- g. Wildland Fires

Summary: Construction and operation of the Project would involve the routine use of small quantities of potentially hazardous materials typical of those used on construction sites and office campuses. All hazardous materials would be acquired, handled, used, stored, and disposed of in accordance with all applicable federal, state, and local requirements. Impacts would be less than significant.

Previous soil sampling conducted at the Project Site revealed low levels of total petroleum hydrocarbons (TPH) and volatile organic compounds (VOCs) that were left in place and an on-site vapor survey showed VOCs below laboratory testing limits. No underground storage tanks (USTs) previously present on the Project Site were on the Leaking Underground Storage Tanks (LUST) list. Should any hazardous materials or USTs be encountered during construction, they would be removed in accordance with all applicable regulatory requirements.

Metropolitan High School is located approximately 0.1 miles west of the Project Site. However, as noted above, the Project is not expected to involve hazardous emissions or handle acutely hazardous materials, substances, or waste. Impacts would be less than significant.

The Project Site is not located within two miles of an airport, private airstrip, or within an area subject to an airport land use plan. Accordingly, no impact would occur.

If lane closures are necessary during construction, the remaining travel lanes would be maintained in accordance with standard construction management plans that would be implemented to ensure adequate circulation and emergency access. Additionally, the Project would comply with LAFD access requirements and would not impede emergency access within the Project vicinity. Impacts would be less than significant.

The Project Site is not located within a City-designated Very High Fire Hazard Severity Zone, nor is it located within a City-designated fire buffer zone. Additionally, the proposed uses would not create a fire hazard that has the potential to exacerbate current environmental conditions relative to wildfires. Accordingly, no impact would occur.

## **8. Hydrology and Water Quality**

- a. Water Quality Standards / Surface or Ground Water Quality
- b. Groundwater Supplies
- c. Drainage
- d. Flood Hazard
- e. Water Quality Control Plan

Summary: The Project would be required to obtain coverage under the National Pollutant Discharge Elimination System (NPDES) Construction General Permit that requires site-specific stormwater treatment. In addition, Project construction would occur in accordance with all applicable City grading regulations. During operation, the Project would include the installation of

a capture and use system to be used for irrigation purposes consistent with the City's LID manual. With adherence to applicable regulatory requirements, impacts related to surface water quality would be less than significant.

Project construction activities are not expected to encounter groundwater. However, if temporary dewatering is required, any discharge of groundwater during Project construction would comply with the applicable NPDES permit or industrial user sewer discharge permit and applicable Los Angeles Regional Water Quality Control Board (LARWQCB) requirements. During operation, any potential hazardous materials associated with the Project would be acquired, handled, used, contained, stored, and disposed of in accordance with manufacturers' instructions and all applicable regulatory requirements such that no hazardous materials would contaminate or otherwise affect groundwater. Due to limited temporary or no dewatering operations expected, and with compliance with all applicable regulatory requirements, impacts to regional groundwater levels would be less than significant.

Construction activities for the Project have the potential to temporarily alter existing drainage patterns on-site by exposing the underlying soils, modifying flow direction, and making the Project Site temporarily more permeable. Exposed and stockpiled soils could also be subject to erosion. However, as noted above, the Project would be required to obtain coverage under the NPDES Construction General Permit and comply with all applicable City grading regulations. During operation, the existing drainage areas and overall drainage patterns would remain unchanged. Impacts would be less than significant.

With respect to groundwater supplies/recharge and stormwater flows, flow rates would remain the same with implementation of the Project. Impacts would be less than significant.

The Project Site is not located within a 100-year flood plain as mapped by the Federal Emergency Management Agency. No impact would occur.

The Project Site is not located near the Pacific Ocean or large body of water and would not be susceptible to tsunami or seiche. The Safety Element of the General Plan maps the Project Site within the potential inundation area for the Los Angeles River located approximately 0.2 miles to the east. However, the U.S. Army Corps of Engineers maintains the water levels of the River in the Project's vicinity using various flood control strategies and infrastructure. Impacts would be less than significant.

## **9. Land Use Planning**

### **a. Divide an Established Community**

Summary: The Project Site is already developed, is located in an urbanized area surrounded on all sides by urban development, and abuts existing streets on three sides and alleys and development on the fourth. The proposed uses would be consistent with the other commercial developments located adjacent to and in the general vicinity of the Project Site. All proposed development would occur within the boundaries of the Project Site. In addition, the Project does not propose a freeway or other large infrastructure that would divide the existing surrounding community. Accordingly, impacts related to the physical division of an established community would be less than significant.

## **10. Mineral Resources**

- a. Loss of Known Mineral Resources**
- b. Loss of Mineral Resources Recovery Site**

Summary: No mineral extraction operations currently occur on the Project Site. Furthermore, the Project Site is not located within a City-designated Mineral Resource Zone or Surface Mining District where significant mineral deposits are known to be present or within a mineral producing area as classified by the California Geologic Survey. No impact would occur.

## **11. Noise**

- a. Airport Land Use Plans; Private Airstrips

Summary: The Project is not located in the vicinity of a private airstrip, an airport land use plan, or within two miles of an airport. Impacts would be less than significant.

## **12. Population and Housing**

- a. Substantial Unplanned Population Growth
- b. Displacement of Existing Housing or Existing Residents

Summary: The Project does not propose housing and thus would not directly induce population growth in the vicinity. Since Project construction would create temporary construction jobs, relocation of households is not likely to be generated during construction activity. The Project's net increase in employment would be consistent with expected employment growth projected by SCAG's RTP/SCS. (Section XIV(a) of the Initial Study.)

The Project Site is currently developed with a warehouse and office uses and the surrounding area is already fully developed and already contains fully developed roadway and utility infrastructure systems. The Project would not require the extensions of roads or utility infrastructure. Impacts would be less than significant.

As no housing currently exists on the Project Site, the Project would not displace any existing persons or housing. Impacts related to the displacement of people or housing would be less than significant. (Section XIV(b) of the Initial Study.)

## **13. Public Services**

- a. Schools
- b. Parks
- c. Libraries and Other Facilities

Summary: With respect to schools, the Project does not include residential uses and would not result in a direct increase in the number of students in Los Angeles Unified School District (LAUSD) schools. Furthermore, per SB 50, the Applicant would be required to pay development fees for schools to LAUSD prior to the issuance of building permits. Pursuant to Government Code Section 65995, the payment of these fees is considered full mitigation of Project-related school impacts. Impacts would be less than significant. (Draft EIR page VI-32.)

With respect to parks and libraries, the Project would not include residential uses and would not generate a new residential population that would regularly utilize nearby parks and/or libraries. In addition, while some new Project employees may be anticipated to relocate to the Project vicinity, many would not, nor would existing employees be expected to move as a result of redevelopment of the Project Site, and thus an associated demand for new or expanded park facilities or libraries

would not be expected. Impacts would be less than significant. (Draft EIR pages VI-32 through VI-34.)

#### **14. Recreation**

- a. Neighborhood and Regional Parks
- b. New Recreation Facilities

Summary: With respect to recreation, the Project would not include residential uses and would not generate a new residential population that would regularly utilize nearby parks and/or recreational facilities. In addition, while some new Project employees may be anticipated to relocate to the Project vicinity, many would not, nor would existing employees be expected to move as a result of redevelopment of the Project Site, and thus an associated demand for new or expanded park or recreational facilities would not be expected. Impacts would be less than significant. (Draft EIR page VI-34.)

#### **15. Transportation**

- a. Hazardous Design Features
- b. Emergency Access

Summary: The Project's design does not include hazardous geometric design features (e.g., sharp curves or dangerous intersections). The roadways adjacent to the Project Site are part of the urban roadway network and contain no sharp curves or dangerous intersections. The Project's proposed driveways and access points would be designed to meet all applicable City Building Code and Fire Code requirements regarding site access, and would not create hazards to the surrounding streets. The proposed uses would also be consistent with the surrounding uses, and would not introduce hazards due to incompatible uses. Emergency access would be maintained throughout construction and operation. In addition, the Project would comply with LAFD access requirements, including required fire lane widths, turning radii, secondary access, etc., and plot plans would be submitted to LAFD for approval. Impacts would be less than significant.

#### **16. Utilities and Services Systems**

- a. Wastewater, Stormwater, Telecommunications
- b. Landfill Capacity
- c. Solid Waste Statutes and Regulations

Summary: The existing capacity of the sewer lines near the Project Site would have sufficient capacity to serve the Project. In addition, the Project's net increase in wastewater flow would represent only a small fraction of the remaining available capacity at the Hyperion Water Reclamation Plant. Impacts would be less than significant.

The Project would result in a decrease of stormwater flows from the Project Site. Impacts would be less than significant. (Section XIX of the Initial Study.)

When considering impacts from on-site construction related to telecommunications infrastructure, all impacts are of a relatively short duration (i.e., months) and would cease to occur once such infrastructure is installed. No upgrades to off-site telecommunications systems are anticipated. Impacts would be less than significant.

The Project's estimated net increase in solid waste disposal represents only a small fraction of the remaining capacity at the Class III landfills serving the County. The Project would also comply with all applicable state and local regulations related to solid waste. Impacts would be less than significant.

**17. Wildfire**

- a. Emergency Response Plan
- b. Exacerbate Wildfire Risks
- c. Installation of Infrastructure
- d. Downslope or Downstream Risks

Summary: The Project Site is not located within a City-designated Very High Fire Hazard Severity Zone, nor is it located within a City-designated fire buffer zone. Therefore, the Project Site is not located in or near state responsibility areas or lands classified as very high fire hazard severity zones. No impact would occur.

The City has reviewed the record and agrees with the conclusion that the above environmental issues would not be significantly affected by the Project and, therefore, no additional findings are needed. The City agrees with, ratifies, adopts, and incorporates the analysis, explanation, findings, responses to comments, and conclusions of the Initial Study and relies upon them as substantial evidence supporting these findings.

Under CEQA, no mitigation measures are required for impacts that are less than significant. (PRC Section 21002; CEQA Guidelines Section 15126.4(a)(3) and Section 15091.) Based on substantial evidence in the Administrative Record, the City finds that implementation of the Project will not result in any significant impacts in the foregoing areas and that these impact areas, accordingly, do not require mitigation.

**VI. NO IMPACT OR LESS THAN SIGNIFICANT IMPACT WITHOUT MITIGATION**

Impacts of the Project that were determined to have no impact or be less than significant in the EIR (including having a less than significant impact due to compliance with existing regulations) and that require no mitigation are identified below.

Under CEQA, no mitigation measures are required for impacts that are less than significant. (PRC Section 21002; CEQA Guidelines Section 15126.4(a)(3) and Section 15091.) Based on substantial evidence in the Administrative Record, the City finds that implementation of the Project will not result in any significant impacts in the foregoing areas and that these impact areas, accordingly, do not require mitigation.

The City has reviewed the record and agrees with the conclusion that the following environmental issues would not be significantly affected by the Project and, therefore, no additional findings are needed. As stated above, the following information does not repeat the full discussions of environmental impacts contained in the EIR. The City agrees with, ratifies, adopts, and incorporates the analysis, explanation, findings, responses to comments, and conclusions of the EIR and relies upon them as substantial evidence supporting these findings.



## **A. Air Quality**

### **1. Impact Summary**

The Project is consistent with the South Coast Air Quality Management District's (SCAQMD) Air Quality Management Plan (AQMP), as well as the applicable City plans and policies. Thus, the Project would not conflict with or obstruct implementation of the AQMP or applicable City policies pertaining to air quality. (Draft EIR, on pages IV.A-45-55.)

Regional emissions would be below established South Coast Air Quality Management District (SCAQMD) thresholds during both construction and operation. Impacts would be less than significant. (Draft EIR pages IV.A-55 through IV.A-57, as revised and clarified on pages III-10 through III-12 of the Final EIR.) The Project's regional emissions during construction and operations would not exceed SCAQMD's daily regional operational thresholds, as shown in Tables IV.A-6 and IV.A-7 of the Draft EIR (the latter as revised and clarified on page III-11 of the Final EIR), and therefore would result in a less than significant impact.

Project-related construction emissions would not exceed localized thresholds. Similarly, the Project's localized operational emissions were evaluated based on local significance thresholds (LSTs) developed by SCAQMD, which address emissions from on-site sources such as water heaters, cooking appliances, and HVAC systems. As shown on Table IV.A-9 (as revised and clarified on page III-12 in the Final EIR), the Project's localized operational emissions would not exceed the SCAQMD's LSTs, and therefore would result in a less than significant impact.

Given the short-term construction schedule of approximately 33 months, the Project would not result in a long-term (i.e., 70-year) source of toxic air contaminant (TAC) emissions (such as diesel particulate) that would contribute to "individual cancer risk," or the likelihood that a person continuously exposed to concentrations of TACs over a 70-year lifetime will contract cancer based on standard risk assessment methodology. Project operations would not result in substantial generation of TAC emissions, and the Project would not expose sensitive receptors to substantial pollutant concentrations and the potential for TAC impacts during Project operation would be less than significant. (Draft EIR pages IV.A-64 through 65.) This conclusion is further supported by the health risk analysis provided in Appendix FEIR-2 of the Final EIR.

While the Project includes sources of TACs such as diesel particulate matter from delivery and production trucks and, to a lesser extent, facility operations (e.g., natural gas fired boilers), these activities and the land uses associated with the Project are not substantial generators of TAC emissions. As such, and given the Project's consistency with SCAQMD and CARB guidance, the Project would not expose sensitive receptors to substantial pollutant concentrations and the potential for TAC impacts during Project operation would be less than significant. (Draft EIR pages IV.A-64 through IV.A-65.)

Finally, as further discussed on Draft EIR page IV.A-66, regional, localized, and TAC emissions during construction and operation of the Project would not be cumulatively considerable.

### **2. Regulatory Measures**

Refer to subsection 2.b, Regulatory Framework, of Section IV.A, Air Quality, of the Draft EIR for a discussion of regulatory measures applicable to the Project.

### **3. Project Design Features**

The following Project Design Features would also be implemented as part of the Project, and have been considered in the analysis of potential impacts.

**Project Design Feature AIR-PDF-1:** Where power poles are available, electricity from power poles and/or solar powered generators rather than temporary diesel or gasoline generators will be used during construction.

## **B. Cultural Resources**

### **1. Impact Summary**

The Project Site contains a designated historical resource, the Ford Factory building, and ten potential historical resources in the immediate vicinity, all of which are conservatively treated as historical resources for the purposes of this analysis. Most of the historical resources are one to three stories in height, except for the six-story Mefford Chemical Co. building at 826 South Santa Fe Avenue. The office tower proposed as part of the Project would be taller than both the on-site historical resource and all ten potential historical resources in the vicinity and would be visible from the adjacent historic resources. However, the Project is confined to the Project Site and is physically separated from the ten potential historic resources in the vicinity. Further, given where the proposed office tower is situated within the Project Site, no important views of or from the Ford Factory building or any of the ten nearby historical resources from any direction would be blocked or compromised by the Project. As such, the Project would not have any adverse impacts on the significance or integrity of setting of the historic resources (Draft EIR pages IV.B-30 through IV.B-35.)

The Project would include excavations up to a maximum depth of 45 feet below ground surface. However, with regard to archaeological resources, the Project Site has been previously graded and developed, and such activity likely would have disturbed any surficial archaeological resources. Moreover, the City has established a standard condition of approval to address inadvertent discovery of archaeological resources. As adherence to the City's condition of approval would not result in the direct or indirect destruction of a unique paleontological resource, the impacts would be less than significant. (Draft EIR pages IV.B-35 through IV.B-37.)

Cumulative impacts to historical resources would not be cumulatively considerable, and cumulative impacts would be less than significant as to each of historic resources and archaeological resources.

### **2. Regulatory Measures**

Refer to subsection 2.a, Regulatory Framework, of Section IV.B, Cultural Resources, of the Draft EIR for a discussion of regulatory measures applicable to the Project.

## **C. Energy**

### **1. Impact Summary**

The Project would not result in potentially significant environmental impacts due to wasteful, inefficient, and unnecessary consumption of energy resources during construction or operation. The Project's energy requirements would not significantly affect local and regional supplies or capacity. The Project's energy usage during peak and base periods would also be consistent with electricity and natural gas future projections for the region. Additionally, gasoline fuel usage for the region is expected to decline over the next ten years. Transportation fuel supply

is not expected to decrease significantly over this same period and supplies would be sufficient to meet Project demand. Electricity generation capacity and supplies of natural gas and transportation fuels would also be sufficient to meet the needs of Project-related construction and operations. During operations, the Project would comply with existing energy efficiency requirements such as CalGreen Code the City of Los Angeles Green Building Code, City of Los Angeles Green New Deal, the City's All-Electric Buildings Ordinance, as applicable, and the 2020–2045 RTP/SCS. As such, the Project's energy demands would comply with existing energy efficiency standards and would not cause wasteful, inefficient, or unnecessary use of energy.

In addition to the foregoing, the Project would not conflict with adopted energy conservations plans or violate state or local energy standards for renewable energy or energy efficiency. In particular, the Project would introduce new job opportunities within a High Quality Transit Area, consistent with the policies in the 2020-2045 RTP/SCS related to locating new housing and jobs near transit. Therefore, Project impacts associated with regulatory consistency would be less than significant.

With respect to the Project's contribution to cumulative impacts related to the wasteful, inefficient, and unnecessary use of energy, including electricity and natural gas and transportation fuels, the Project's contribution would not be cumulatively considerable and, therefore, would be less than significant. The Project's increase in electricity and natural gas demand would be within the anticipated service capabilities of the City of Los Angeles Department of Water and Power (LADWP) and the Southern California Gas Company (SoCalGas). Finally, the Project's contribution to cumulative impacts related to consistency with adopted energy conservation plans, or State or local energy standards for renewable energy or energy efficiency would not be cumulatively considerable and, therefore, would be less than significant; and the cumulative impact of the Project's incremental effect and effects of related projects related to consistency with adopted energy conservation plans, or State or local energy standards for renewable energy or energy efficiency would be less than significant. (Draft EIR pages IV.C-20 through IV.C-44, as revised and clarified on page III-13 of the Final EIR.)

## **2. Regulatory Measures**

Refer to subsection 2.a, Regulatory Framework, of Section IV.C, Energy, of the Draft EIR for a discussion of regulatory measures applicable to the Project.

## **D. Greenhouse Gas Emissions**

### **1. Impact Summary**

As discussed on page IV.D-43 of the Draft EIR, compliance with applicable GHG emissions reductions plans would result in a less-than-significant Project and cumulative impact. The Project would comply with or exceed the performance-based standards included in the regulations outlined in the 2008 Climate Change Scoping Plan and subsequent updates (i.e., 2014 Update to the Scoping Plan, 2017 Update to the Scoping Plan, and 2022 Update to the Scoping Plan), SCAG's 2020–2045 RTP/SCS, and the City's Green New Deal. Project Design Feature GHG-PDF-1 would also be implemented as part of the Project to further reduce GHG emissions. As such, the Project would not conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing emissions of GHGs, and impacts (both during construction

and operation), as well as cumulative impacts, would be less than significant. (Draft EIR pages IV.D-56 through IV.D-83, as revised and clarified on pages III-13 through III-16 of the Final EIR.)

## **2. Regulatory Measures**

Refer to subsection 2.c, Regulatory Framework, of Section IV.D, Greenhouse Gas Emissions, of the Draft EIR for a discussion of regulatory measures applicable to the Project.

## **3. Project Design Features**

The following Project Design Features would also be implemented as part of the Project, and have been considered in the analysis of potential impacts.

**Project Design Feature GHG-PDF-1:** The design of the new buildings will incorporate the following sustainability features:

- a. Use of Energy Star-labeled products and appliances;
- b. Use of light-emitting diode (LED) lighting or other energy-efficient lighting technologies, such as occupancy sensors or daylight harvesting and dimming controls, where appropriate, to reduce electricity use;
- c. Water-efficient plantings with drought-tolerant species;
- d. Fenestration designed for solar orientation; and
- e. Pedestrian- and bicycle-friendly design with short-term and long-term bicycle parking.

## **E. Land Use and Planning**

### **1. Impact Summary**

The Project and associated amendments to the General Plan designation and zoning for the Project Site are consistent with the policies and objectives provided in the applicable land use plans that were adopted for the purpose of avoiding or mitigating an environmental effect, including the City's General Plan (i.e., Framework Element, Conservation Element, Mobility Plan 2035 [Transportation Element], and the Wilshire Community Plan), LAMC, the Citywide Design Guidelines, and SCAG's 2020–2045 RTP/SCS. Under applicable state law, a project is consistent with the applicable land use plan if it is compatible with the objectives, policies, general land uses, and programs specified in the applicable plan, meaning that the project is in agreement or harmony with the applicable land use plan. As demonstrated in the EIR (including Appendix H to the Draft EIR), the Project will not conflict with the relevant policies in the applicable land use plans. Therefore, the Project would not conflict with the goals, policies, and objectives in local and regional plans that were adopted for the purpose of avoiding or mitigating an environmental effect. In addition, the requested General Plan Amendment resolution and associated zone change ordinance would include development standards in the form of Qualified "Q" Classifications that will ensure that the Project is developed consistent with the policies and objectives in the land use plans, including establishing requirements for design, height, setbacks, permitted uses, and other standards. Accordingly, impacts related to conflicts with applicable plans, policies, and regulations would be less than significant. (Draft EIR pages IV.E-18 through IV.E-30, as revised and clarified on page III-16 and III-17 of the Final EIR.)

As set forth in the Draft EIR page IV.E-31, there are 27 related projects in the vicinity of the Project Site, including the DTLA 2040 Community Plan. As such, and similar to the Project, the proposed construction associated with the related projects would be confined to individual project sites and would not physically divide a community. Cumulative impacts related to the physical division of a community would be less than significant. Further, as set forth in the Draft EIR page IV.E-31, as with the Project, the related projects would be required to comply with relevant land use policies and regulations. Therefore, as with the Project, the related projects would consist of infill development and redevelopment of existing uses and consist of multi-family residential, commercial, office, and hotel uses and would be required to comply with relevant land use policies and regulations. Therefore, as with the Project, the related projects would not conflict with applicable land use plans. Overall, cumulative impacts related to conflict with land use plans would be less than significant.

## **2. Regulatory Measures**

Refer to subsection 2.a, Regulatory Framework, of Section IV.E, Land Use and Planning, of the Draft EIR for a discussion of regulatory measures applicable to the Project.

## **F. Noise (Off-Site Construction Noise, On-Site and Off-Site Construction Vibration; On-Site Operational Noise, Operational Vibration)**

### **1. Impact Summary**

The EIR evaluated whether the Project would (a) result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the Project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies, and/or (b) result in the generation of excessive ground-borne vibration or ground-borne noise levels. In each of the below-listed impact areas, Project impacts were determined to be less than significant with regard to both Project and cumulative impacts.

#### *(a) Off-Site Construction Noise*

As set forth in detail in the Draft EIR pages IV.F-35–IV.F-38 and pages IV-F-58–IV-F-60, and Tables IV.F-12 and IV.F-13, Project construction would involve the use of materials delivery, concrete mixing, and haul/construction trucks, as well as construction worker vehicles accessing the Project Site. As indicated in Table IV-F-12, the noise levels generated by construction trucks would be below the existing daytime ambient noise levels, and thus would be below the threshold of significance of 5 dBA above ambient noise levels. As indicated in Table IV-F-13, noise levels generated by concrete trucks during the nighttime construction pour for the mat foundation would be below the existing nighttime ambient noise levels and would therefore be below the threshold of significance. Therefore, temporary noise impacts from off-site construction traffic would be less than significant.

#### *(b) On-Site Operational Noise*

As set forth in detail in the Draft EIR pages IV.F-38–IV.F-43 and IV-F-60, and Tables IV.F-14 through IV.F-18, Project operations would not result in the exposure of persons to or generation of noise levels in excess of standards established in the City's General Plan or noise ordinance, or applicable standards of other agencies. Therefore, the Project's operational noise impacts from on- and off-site sources would be less than significant.

(c) *On-Site and Off-Site Construction Vibration*

The Project would generate ground-borne vibration during building demolition and site excavation/grading activities when heavy construction equipment such as large bulldozers, drill rigs, and loaded trucks would be used. Additionally, Project construction will include construction delivery/haul trucks traveling between the Project Site and I-10 along the Project's anticipated haul routes, which would generate ground-borne vibration. These impacts are discussed in detail in the Draft EIR. As detailed on pages IV.F-49 through IV.F-51 of the Draft EIR, the Project's on-site vibration impacts during construction will not cause building damage to nearby structures. As set forth in Table IV.F-22 of the Draft EIR, estimated off-site vibration velocity levels at the nearest off-site structures will be below the applicable thresholds of significance that were applied to analyze potential impacts to historical resources within and in the vicinity of the Project Site. Accordingly, the Project's potential vibration impact related to building damage due to on-site construction would be less than significant.

In addition, as fully explained on pages IV.F-52 through IV.F-54 of the Draft EIR, with respect to the vibration generated during construction by heavy-duty trucks along the Project's anticipated haul routes, the anticipated ground-borne levels of vibration would be well below the building damage criterion for buildings extremely susceptible to vibration, and would be below the threshold of significance with respect to human annoyance. Accordingly, vibration impacts from on- and off-site construction activities would be less than significant.

(d) *Operation Vibration Impacts*

Potential sources of vibration related to Project operations include vehicle circulation, delivery trucks, and building mechanical equipment. However, it is unusual for vibration from sources like rubber-tired buses and trucks to be perceptible, even in locations close to major roads, so that vehicle circulation within the subterranean, surface, and above-grade areas would not generate perceptible vibration levels at off-site sensitive receptors. Building mechanical equipment such as air-condenser units mounted at roof-level will include vibration-attenuation mounts to reduce vibration and ensure vibration would not be perceptible at off-site sensitive receptors. As explained in the Draft EIR, the Project's operational vibration impacts would be less than significant. (Draft EIR page IV.F-54.)

## **2. Regulatory Measures**

Refer to subsection 2.b, Regulatory Framework, of Section IV.F, Noise, of the Draft EIR for a discussion of regulatory measures applicable to the Project.

## **4. Project Design Features**

The following Project Design Features would also be implemented as part of the Project, and have been considered in the analysis of potential impacts.

**Project Design Feature NOI-PDF-1:** During plan check for each phase of Project construction, the contractor will provide a statement to the City indicating their power construction equipment (including combustion engines), fixed or mobile, will be equipped with state-of-the-art noise shielding and muffling devices (consistent with manufacturers' standards). The statement will further indicate that the equipment will be properly maintained to assure that no additional noise, due to worn or improperly

maintained parts, would be generated. The contractor will comply and cause all subcontractors to comply with the foregoing.

**Project Design Feature NOI-PDF-2:** Project construction will not include the use of driven (impact) pile systems.

**Project Design Feature NOI-PDF-3:** All outdoor mounted mechanical equipment will be screened from off-site noise-sensitive receptors. The equipment screen will be impermeable (i.e., solid material with minimum weight of two pounds per square feet) and break the line-of-sight from the equipment to the off-site noise-sensitive receptors.

**Project Design Feature NOI-PDF-4:** All loading docks will be acoustically screened from off-site noise-sensitive receptors. Loading docks and trash compactors will only operate during daytime hours.

**Project Design Feature NOI-PDF-5:** Outdoor amplified sound systems, if any, will be designed so as not to exceed the maximum noise level of 80 dBA ( $L_{eq-1hr}$ ) at a distance of 15 feet from the amplified speaker sound systems on the paseo at Level 1 and balconies on Levels 1.5, 2, 3, 4, 8, and 10; and 85 dBA ( $L_{eq-1hr}$ ) at a distance of 25 feet at the roof decks on Levels 1.5, 4, and 12. A qualified noise consultant will provide written documentation, prior to issuance of a certificate of occupancy, that the design of the system complies with this maximum noise level.

## **G. Public Services (Fire and Police Protection)**

### **1. Impact Summary**

#### *(a) Fire Protection*

As set forth in Draft EIR, pages IV.G.1-17–IV.G.1-26, Project construction, operation, and cumulative impacts would not result in substantial adverse physical impacts associated with the provision of new or physically altered fire-related government facilities, need for new or physically altered governmental facilities. Therefore, impacts to fire protection services during Project construction, operation, and with regard to cumulative impacts would be less than significant.

As set forth in Draft EIR, pages IV.G.2-12–IV.G.2-20, Project construction, operation, and cumulative impacts would not result in substantial adverse physical impacts associated with the provision of new or physically altered police-related government facilities, need for new or physically altered governmental facilities. Therefore, impacts to fire protection services during Project construction, operation, and with regard to cumulative impacts would be less than significant.

### **2. Regulatory Measures**

Refer to subsection 2.a, Regulatory Framework, of Section IV.G.1, Public Services—Fire Protection, of the Draft EIR, as further enunciated and applied to the Project by the LAFD letter included in Appendix J of the Draft EIR, for a discussion of regulatory measures applicable to the Project related to fire protection.

Refer to subsection 2.a, Regulatory Framework, of Section IV.G.2, Public Services—Police Protection, of the Draft EIR for a discussion of regulatory measures applicable to the Project related to police protection.

### **3. Project Design Features**

The following Project Design Features would also be implemented as part of the Project, and have been considered in the analysis of potential impacts.

**Project Design Feature POL-PDF-1:** During construction, the Applicant will implement temporary security measures including security fencing, lighting, and locked entry.

**Project Design Feature POL-PDF-2:** The Project will include a closed circuit camera system and keycard entry for the building and parking areas.

**Project Design Feature POL-PDF-3:** The Project will provide proper lighting of buildings and walkways to provide for pedestrian orientation and clearly identify a secure route between parking areas and points of entry into buildings.

**Project Design Feature POL-PDF-4:** The Project will provide sufficient lighting of parking areas to maximize visibility and reduce areas of concealment.

**Project Design Feature POL-PDF-5:** The Project will design entrances to and exits from buildings, open spaces around buildings, and pedestrian walkways to be open and in view of surrounding sites.

**Project Design Feature POL-PDF-6:** Prior to the issuance of a building permit, the Applicant will consult with LAPD's Crime Prevention Unit regarding the incorporation of feasible crime prevention features appropriate for the design of the Project, including applicable features in LAPD's Design Out Crime Guidelines.

**Project Design Feature POL-PDF-7:** Upon completion of construction of the Project and prior to the issuance of a certificate of occupancy, the Applicant will submit a diagram of the Project Site to the LAPD's Newton Division Commanding Officer that includes access routes and any additional information that might facilitate police response.

## **H. Transportation (Conflict with Plans, Vehicle Miles Traveled)**

### **1. Impact Summary**

#### **(a) Conflict Program, Plan, Ordinance or Policy**

As detailed in Draft EIR pages IV.H-27–IV.H-29 (as revised and clarified on pages III-17 through III-19 of the Final EIR) and pages IV.H-35 through IV.H-36, the Project would not conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit,



roadway, bicycle, and pedestrian facilities, and therefore impacts were determined to be less than significant with respect to project and cumulative impacts.

*(b) CEQA Guidelines Section 15064.3, subdivision (b)*

As set forth in Draft EIR pages IV.H-29–IV.H-31 and page IV.H.36 and Appendix M.1, Transportation Study, and Appendix M.2, LADOT Assessment Letter, Project-level impacts related to VMT were determined to be less than significant with respect to project and cumulative impacts.

## **1. Regulatory Measures**

Refer to subsection 2.a, Regulatory Framework, of Section IV.H, Transportation, of the Draft EIR for a discussion of regulatory measures applicable to the Project.

## **2. Project Design Features**

The following Project Design Features would also be implemented as part of the Project, and have been considered in the analysis of potential impacts.

**Project Design Feature TR-PDF-1:** Prior to the start of construction, a Construction Traffic Management Plan will be prepared and submitted to LADOT for review and approval. The Construction Traffic Management Plan will include, but not necessarily be limited to, the following measures:

- Provide notification in advance of construction to the immediately adjacent properties and Los Angeles Unified School District Facilities within 0.5 miles of the Project Site;
- As traffic lane, parking lane and/or sidewalk closures are anticipated, worksite traffic control plan(s), approved by the City of Los Angeles, will be developed and implemented to route vehicular traffic, bicyclists, and pedestrians around any such closures and otherwise provide for pedestrian and bicycle safety. Measures included in the worksite traffic control plan(s) may include, if and as identified by the applicant and determined by LADOT based on the specific construction activities occurring at a given point in time: protection barriers for pedestrians and bicyclists, temporary traffic control and flaggers, and the posting of signage along roads identifying construction traffic access or flow limitations due to single lane conditions during periods of truck traffic, if needed;
- Ensure that access will remain unobstructed for land uses in proximity to the Project Site during construction;
- Provide off-site truck staging in a legal area furnished by the construction truck contractor;
- Coordinate with the City and emergency service providers to ensure adequate access is maintained to the Project Site and neighboring businesses and residences;

- Coordinate with Metro Bus Operations Control Special Events Coordinator and Metro's Stops and Zones Department not later than 30 days before the start of Project construction;
- Accommodate all equipment staging and worker parking on-site to the extent feasible;
- Schedule deliveries and pick-ups of construction materials during non-peak travel periods to the extent possible and coordinate to reduce the potential of trucks waiting to load or unload for protracted periods; and
- Describe the haul truck routes and avoid haul truck routes that travel passed Los Angeles Unified School District facilities.

## **I. Utilities and Service Systems**

### **(a) Water Supply and Infrastructure**

#### **1. Impact Summary**

As set forth in Draft EIR pages IV.J.1-29 through IV.J.1-46, and Appendix K of the Draft EIR (Water Utility Technical Report), and Appendix O of the Draft EIR (Water Supply Assessment), the Project, during both construction and operation, and with respect to cumulative impacts, would not require or result in the relocation or construction of new water facilities or expansion of existing facilities, the construction of which could cause significant environmental effects. In addition, sufficient water supply is available to serve the Project construction, Project operation, and in the cumulative condition. As such, impacts related to water infrastructure and to water supply would be less than significant.

Water service to the Project Site would continue to be supplied by LADWP for domestic and fire protection uses. Fire flow for the Project would comply with the LAMC and the Project would upgrade public water mains within the public right-of-way. Impacts would be less than significant. (Draft EIR pages IV.J.1-39.)

In the Water Supply Assessment for the Project (Appendix K of the Draft EIR), LADWP concluded that the projected water supplies for average, single-dry, and multiple-dry years reported in LADWP's 2020 UWMP would be sufficient to meet the Project's estimated water demand, in addition to the existing and anticipated future water demands within LADWP's service area through the year 2045. Impacts would be less than significant. (Draft EIR pages IV.J.1-29 through IV.J.1-38.)

As confirmed by LADWP and SoCalGas, the existing infrastructure would be sufficient to serve the Project. Impacts would be less than significant. (Draft EIR pages IV.J.2-7 through IV.J.2-8.)

#### **2. Regulatory Measures**

Refer to subsection 2.a, Regulatory Framework, of Section IV.J.1, Utilities and Service Systems—Water Supply and Infrastructure, of the Draft EIR for a discussion of regulatory measures applicable to the Project related to water supply.

#### **3. Project Design Features**

The following Project Design Features would also be implemented as part of the Project, and have been considered in the analysis of potential impacts.

**Project Design Feature WAT-PDF-1:** The Project design will incorporate the following design features to support water conservation in excess of LAMC requirements.

#### Fixtures

- WaterSense certified, low-flow toilets with flow rates of 1.1 gallons per flush (gpf) in lieu of 1.28 gpf.
- Showerheads (for fitness center/bicycle commuting) with a flow rate of 1.5 gallons per minute (gpm) in lieu of 1.8 gpm.
- Flow metering of cooling tower makeup water.

#### Landscape and Irrigation

- Drip/ Subsurface Irrigation (Micro-Irrigation)
- Drought-Tolerant Plants-100 percent of total landscaping
- Micro-Spray
- Proper Hydro-Zoning/Zoned Irrigation (groups plants with similar water requirements together)

#### *(b) Energy Infrastructure*

##### **1. Impact Summary**

As set forth in Draft EIR Section IV.M.3, Utilities and Service Systems – Energy Infrastructure, pages IV.J.2-7–IV.J.2-13 and Appendix F (Energy Analysis Spreadsheets) of the Draft EIR and Appendix G (Energy Infrastructure Memorandum) of the Draft EIR, Project construction and operation, including with respect to cumulative impacts, would not require or result in an increase in demand for electricity or natural gas that exceeds available supply or distribution infrastructure capabilities that could result in the construction of new energy facilities or expansion of existing facilities, the construction of which could cause significant effects. Therefore, Project impacts would be less than significant during construction and operation.

##### **2. Regulatory Measures**

Refer to subsection 2.a, Regulatory Framework, of Section IV.J.2, Utilities and Service Systems—Energy Infrastructure, of the Draft EIR for a discussion of regulatory measures applicable to the Project related to energy infrastructure.

## **VII. LESS THAN SIGNIFICANT IMPACTS WITH MITIGATION**

The following impact areas were concluded by the EIR to be less than significant with the implementation of mitigation measures described in the Final EIR. Based on that analysis and other evidence in the administrative record relating to the Project, the City finds and determines that mitigation measures described in the Final EIR reduce potentially significant impacts identified for the following environmental impact categories to below the level of significance. Pursuant to PRC Section 21081, the City finds that changes or alterations have been required in, or incorporated into, the Project, which mitigate or avoid each of the following significant effects on the environment.

## **A. Tribal Cultural Resources**

### **1. Impact Summary**

The Project would require excavation for subterranean parking and building foundations and therefore has the potential to uncover previously unidentified tribal cultural resources. In compliance with the requirements of AB 52, the City provided formal notification of the Project on June 22, 2021, to the tribes listed in Subsection 2.b.(4). No tribes have requested consultation, and the 30-day period for requesting consultation pursuant to PRC Section 21080.3.1(d) has passed. Additionally, no TCRs have been identified within the Project Site or the surrounding search radius through the records search at the SCCIC (completed July 21, 2021). A search of the NAHC SLF (completed July 8, 2021) did identify the presence of Native American sacred sites within the search area but did not specify whether Native American resources were located within the Project Site. Ethnographic research indicates that the Project Site is located approximately 1.6 miles south/southeast of the location of a Native American village, known as Yanga, and near natural resources which would have been important to Native Americans in prehistoric and protohistoric times, notably the Los Angeles River. Historic-era Native American communities have also been documented in the surrounding vicinity, notably Ranchería de los Pipimares (reported but unconfirmed near San Pedro and 7th Streets) and the Ranchería de los Poblanos (reported but unconfirmed near Alameda and Commercial Streets).

The Project Site and surrounding neighborhoods have been subject to extensive development throughout the twentieth century. The character and severity of this past disturbance suggests that subsurface soils are likely unsuited to support the presence of intact TCRs. In addition, since no tribes requested consultation, no TCRs were identified within the Project Site through the AB 52 process. Nevertheless, because of the positive SLF search result and the Project Site's proximity to the Los Angeles River, impacts to TCRs are considered potentially significant. As further set forth on page IV.I-18 of the Draft EIR, cumulative impacts to TCRs would be less than significant.

### **2. Regulatory Measures**

Refer to subsection 2.a, Regulatory Framework, of Section IV.I, Tribal Cultural Resources, of the Draft EIR for a discussion of regulatory measures applicable to the Project.

### **3. Mitigation Measures**

**Mitigation Measure TCR-MM-1:** Prior to commencing any ground disturbance activities at the Project Site, the Applicant, or its successor, shall retain qualified tribal monitors/consultants from the Gabrieleño Band of Mission Indians—Kizh Nation and a qualified archaeologist/archaeological monitor. Ground disturbance activities shall include excavating, digging, trenching, plowing, drilling, tunneling, quarrying, grading, leveling, removing peat, clearing, driving posts, augering, backfilling, blasting, stripping topsoil, pavement removal, grubbing, tree removals, boring or a similar activity at the Project Site. Any tribal monitor/consultant shall be approved by the Gabrieleño Band of Mission Indians—Kizh Nation Tribal Government. A qualified archaeologist/archaeological monitor shall be identified as principal personnel who must meet the Secretary of Interior standards for archaeology and have a minimum of ten years of

experience as a principal investigator working with Native American archaeological sites in Southern California. The archaeologist shall ensure that all other personnel associated with and hired for the archaeological monitoring are appropriately trained and qualified.

The archaeological and tribal monitors/consultants shall observe all ground disturbance activities on the Project Site at all times any ground disturbance activities are taking place. If ground disturbance activities are simultaneously occurring at multiple locations on the project site, an archaeological and tribal monitor shall be assigned to each location where the ground disturbance activities are occurring. The on-site monitoring shall end when the ground disturbing activities are completed, or when the City has determined that the Project Site has a low potential for impacting tribal cultural resources after consultation with the tribal monitor/consultant and archaeologist.

Prior to commencing any ground disturbance activities, the archaeological monitor in consultation with the tribal monitor/consultant, shall provide Worker Environmental Awareness Program (WEAP) training to construction crews involved in ground disturbance activities that includes 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 a crew member discover tribal cultural resources during ground disturbance activities. In addition, workers will be shown examples of the types of resources that would require notification of the archaeological monitor and tribal monitor. The Applicant shall maintain on the Project Site, for City inspection, documentation establishing the WEAP training was completed for all members of the construction crew involved in ground disturbance activities.

In the event that any subsurface objects or artifacts that may be tribal cultural resources are encountered during the course of any ground disturbance activities, all such activities shall temporarily cease within the area of discovery, the radius of which shall be determined by the archaeologist, in consultation with the tribal monitor/consultant approved by the Gabrieleño Band of Mission Indians—Kizh Nation, until the potential tribal cultural resources are properly assessed and addressed pursuant to the process set forth below:

1. Upon a discovery of a potential tribal cultural resource, the Applicant, or its successor, shall immediately stop all ground disturbance activities in the immediate vicinity of the find until the find can be assessed by the archaeologist and tribal monitor/consultant.
2. If the archaeologist and tribal monitor/consultant determine the resources are Native American in origin, the Gabrieleño Band of Mission Indians—Kizh Nation shall coordinate with the landowner regarding treatment and curation of these resources. Typically, the Tribe will request reburial or preservation for educational purposes.
3. The Applicant, or its successor, shall implement the tribe's recommendations if the archaeologist, in consultation with the tribal monitor/consultant, reasonably conclude that the tribe's recommendations are reasonable and feasible.

4. In addition to any recommendations from the Gabrieleño Band of Mission Indians—Kizh Nation, the archaeologist shall develop a list of actions that shall be taken to avoid or minimize impacts to the identified tribal cultural resources substantially consistent with best practices identified by the Native American Heritage Commission and in compliance with any applicable federal, state, or local law, rule or regulation. Any discrepancies between the implementation of the recommendations shall be resolved through the City as the Lead Agency, in consultation with the archaeologist and tribal monitor/consultant.
5. The Applicant, or its successor, may recommence ground disturbance activities outside of a specified radius of the discovery site, so long as this radius has been reviewed by both the archaeologist and tribal monitor/consultant and determined to be reasonable and appropriate.
6. The Applicant, or its successor, may recommence ground disturbance activities inside of the specified radius of the discovery site only after it has complied with all of the recommendations developed and approved pursuant to the process set forth in paragraphs 2 through 4 above.
7. Copies of any subsequent prehistoric archaeological study, tribal cultural resources study or report, detailing the nature of any significant tribal cultural resources, remedial actions taken, and disposition of any significant tribal cultural resources shall be submitted to the South Central Coastal Information Center (SCCIC) at California State University, Fullerton and to the Native American Heritage Commission for inclusion in its Sacred Lands File.
8. Notwithstanding paragraph 7 above, any information that the Department of City Planning, in consultation with the City Attorney's Office, determines to be confidential in nature shall be excluded from submission to the SCCIC or provided to the public under the applicable provisions of the California Public Records Act, California Public Resources Code, Section 6254(r), and handled in compliance with the City's AB 52 Confidentiality Protocols.
9. Archaeological and Native American monitoring and excavation during construction projects will be consistent with current professional standards. All feasible care to avoid any unnecessary disturbance, physical modification, or separation of human remains and associated funerary objects shall be taken.

#### **4. Finding**

Pursuant to PRC Section 21081(a)(1) and CEQA Guidelines Section 15091(a)(1), changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant effects as identified in the final EIR regarding tribal cultural resources.

#### **5. Rationale for Finding**

Implementation of Mitigation Measure TCR-MM-1 would avoid and/or substantially lessen the impact TCRs by temporarily halting all ground disturbance activities near the find, until an assessment can be conducted by the archeologist and tribal monitor/consultant. Any such tribal cultural resources would be appropriately identified, documented, and treated in compliance with best practices and applicable federal, state, or local law, rule or regulation so they are not

inadvertently damaged or destroyed. Therefore, implementation of Mitigation Measure TCR-MM-1, which provides for the monitoring by archaeological and tribal monitors/consultants and implementation of inadvertent discovery protocols, will reduce any impact to tribal cultural resources to a less than significant level.

## **6. Reference**

See Draft EIR pages IV.I-13 through IV.I-19 for a complete evaluation of TCR impacts, thresholds, and evaluation methods conducted for the Project, along with Appendix N of the Draft EIR (Tribal Cultural Resources Report). The TCR-related PDFs and mitigation measures to be implemented by the Project Applicant are described in the Mitigation Monitoring Program (MMP) at pages IV-12 through IV-14 of the Final EIR.

## **VIII. SIGNIFICANT AND UNAVOIDABLE IMPACTS**

The following significant and potentially significant environmental impacts of the Project, including cumulative impacts, are unavoidable and cannot be mitigated in a manner that would substantially lessen the significant impact. Notwithstanding these impacts, the City elects to approve the Project due to overriding considerations as set forth below in Section XIII, the statement of overriding considerations, prepared in accordance with CEQA Guidelines Section 15093.

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, or with respect to cumulative impacts.

The City finds and determines that pursuant to CEQA Guidelines Section 15092:

- a) In approving the Project it has eliminated or substantially lessened all significant and potentially significant effects of the Project on the environment where feasible as more fully described in Sections IV.A through IV.J of the EIR; and
- b) Based on the EIR, the Statement of Overriding Considerations set forth in Section XIII below, and other documents and information in the administrative record, each of the remaining significant effects on the environment found to be unavoidable are acceptable due to overriding concerns as described in the Statement of Overriding Considerations made in accordance with CEQA Guidelines Section 15093, and set forth below in Section XIII of these findings.

### **A. Noise (On-Site Construction Noise)**

#### **1. Impact Summary**

As detailed in the Draft EIR, pages IV.F-30 through IV.F-35 and Tables IV.F-9 through IV.F-11, noise impacts from Project-related construction activities occurring within the development area of the Project Site would be a function of the noise generated by construction equipment, the location of the equipment, the timing and duration of the noise-generating construction activities, and the relative distance to noise-sensitive receptors. Each stage of construction would involve various types of equipment with distinct noise characteristics. Noise from construction equipment would generate both steady-state and episodic noise that could be heard within and adjacent to the Project Site.

As provided in Project Design Feature NOI-PDF-1 below, construction equipment would

have proper noise muffling devices per the manufacturers' standards. Individual pieces of construction equipment anticipated to be used during construction of the Project could produce maximum noise levels ( $L_{\max}$ ) of up to 90 dBA at a reference distance of 50 feet from the noise source, as shown in Table IV.F-9 on page IV.F-32 of the Draft EIR. As indicated in Table IV.F-10 on page IV.F-34, the estimated noise levels at all receptor locations, with the exception of the upper levels of receptor location R2 (designated as "R2U"), would be below the significance criterion during daytime construction hours. However, the estimated noise level due to the concrete pour of the mat foundation would exceed the nighttime significance criterion at the upper levels of receptor location R2 by up to 5.3 dBA if the proposed mixed-use development at that location were to be completed and occupied prior to or during Project construction. If the proposed mixed-use development is not built and occupied by or during Project construction, the noise impact identified at the upper levels of receptor R2 would be less than significant based on the current use at receptor R2.

In addition, the construction of the Project would have the potential to overlap for some phases. Construction noise impacts associated with the overlapping construction are provided in Table IV.F-11 on page on page IV.F-35. As indicated therein, the overlapping construction would be below the significance threshold at all receptor locations. Therefore, temporary noise impacts associated with the Project's on-site construction would be significant only during the nighttime mat pour phase (a maximum of 5 days) without mitigation measures.

## **2. Regulatory Measures**

See Draft EIR Section IV.F and Appendix I of the Draft EIR for a complete evaluation of noise impacts, thresholds, and evaluation methods conducted for the Project. The noise-related PDFs are described in the MMP at pages IV-4 through IV-6 of the Final EIR.

## **3. Project Design Features**

The following Project Design Features would also be implemented as part of the Project, and have been considered in the analysis of potential impacts.

**Project Design Feature NOI-PDF-1:** During plan check for each phase of Project construction, the contractor will provide a statement to the City indicating their power construction equipment (including combustion engines), fixed or mobile, will be equipped with state-of-the-art noise shielding and muffling devices (consistent with manufacturers' standards). The statement will further indicate that the equipment will be properly maintained to assure that no additional noise, due to worn or improperly maintained parts, would be generated. The contractor will comply and cause all subcontractors to comply with the foregoing.

**Project Design Feature NOI-PDF-2:** Project construction will not include the use of driven (impact) pile systems.

## **4. Mitigation Measures**

The EIR identified a possible mitigation measure on page IV.F-47 of the Draft EIR (a temporary noise barrier), but explained and concluded that it would not be technically feasible to



construct such a measure given the height of the receptor location. Accordingly, no feasible mitigation measures are identified in the EIR for this environmental issue.

## **5. Finding**

Pursuant to PRC Section 21081(a)(3) and CEQA Guidelines Section 15091(a)(3), specific economic, legal, social, technological, or other considerations, including consideration for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the environmental impact report, as further explained below. To the extent that this adverse impact will not be eliminated or lessened to a less-than-significant level, the City finds that specific economic, legal, social, technological, and other considerations identified in the Statement of Overriding Considerations (see Section XIII of these findings) support approval of the Project, as modified, despite these impacts.

## **6. Rationale for Finding**

Implementation of Project Design Features NOI-PDF-1 and NOI-PDF-2 would limit the Project's construction noise levels and have been considered in the EIR's noise analysis. As detailed in the Draft EIR, estimated construction-related noise levels would exceed the significance criterion at only one out of the five off-site sensitive receptor locations (the upper levels of receptor location R2). This significant impact would occur only during the nighttime concrete pour for the mat foundation (a 16-hour period during nighttime hours extending over five days). As identified in the Draft EIR at page IV.F-47, typical noise mitigation would include the use of a temporary noise barrier. However, due to the height of the future mixed-use development at receptor location R2 (a planned 36-story building that has not yet been constructed or occupied), it would not be feasible to construct a temporary noise barrier tall enough to effectively reduce the construction noise at the upper levels. There are no other feasible mitigation measures to further reduce the nighttime construction noise level at the upper levels of receptor location R2. Therefore, construction noise impacts associated with on-site construction noise levels (during the nighttime concrete pour) would remain significant and unavoidable. Finally, it is noted that this significant impact would only occur if the proposed mixed-use development at receptor location R2 is completed and occupied prior to or during Project construction, and impacts would only occur for a maximum five days during the mat pour.

In addition, as detailed on pages V-3 through V-4 of the Draft EIR, the EIR considered analysis of a project alternative to eliminate this temporary construction noise impact, namely use of an alternative foundation system. However, this alternative foundation system was rejected as infeasible. As detailed in the Draft EIR, based on consultation with the Project's geotechnical engineer, the only other foundation system that could be considered based on structural and seismic requirements would consist of a deep pile foundation system. However, a deep pile system requires additional drilling and vibration that would last for several weeks, as compared to the five days of impacts identified for the Project. The alternative deep pile foundation system would also require daily concrete delivery, which would add to construction noise and traffic. In light of the additional impacts described above, this alternative foundation system was rejected, and construction noise impacts associated with on-site construction noise levels (during the nighttime concrete pour) would remain significant and unavoidable at receptor location R2U as described above and detailed in the Draft EIR.

## **7. Reference**

See Draft EIR Section IV.F and Appendix I of the Draft EIR for a complete evaluation of noise impacts, thresholds, and evaluation methods conducted for the Project. The noise-related PDFs are described in the MMP at pages IV-4 through IV-6 of the Final EIR.

## **B. Noise (Cumulative Off-Site Operational Noise)**

### **1. Impact Summary**

The Project and related projects in the area would produce traffic volumes (off-site mobile sources) that would generate roadway noise during Project operations. As detailed in the Draft EIR, pages IV.F-43 through IV.F-48 and Tables IV.F-19 and IV.F-21, the Project would generate a net increase of 7,367 daily vehicle trips. This increase in roadway traffic volumes was analyzed to determine if any traffic-related noise impacts would result from operation of the Project. As detailed on page IV.F-43 through page IV.F-44, the calculated noise levels were conservatively calculated in front of roadways (namely, without barriers between the roadway and receptors) and do not account for the presence of any physical sound barriers or intervening structures. The estimated increase in traffic noise levels as compared to Future Without Project conditions would be below both the 5-dBA CNEL (applicable to noise levels less than 70 dBA CNEL) and the 3-dBA CNEL (applicable to noise levels 70 dBA CNEL or higher) significance criteria. Therefore, project-level traffic noise impacts under Future Plus Project conditions would be less than significant. Additional analysis was performed to determine potential noise impacts based on the increase in noise levels due to Project-related traffic compared with existing baseline traffic noise conditions. As shown in Table IV.F-20 on Draft EIR page IV.F-46, the estimated increase in traffic noise levels as compared to existing conditions would be below the applicable significance criteria and traffic noise impacts under Existing Plus Project conditions would also be less than significant. Finally, as detailed in the Draft EIR, pages IV.F-45 through IV.F-48 and Table IV.F-21 composite noise levels (i.e., noise levels from all on-site and off-site noise sources combined, such as mechanical equipment, outdoor areas, parking, loading, trash compactor, and off-site traffic) was evaluated. The composite noise levels from Project operation would be below the applicable significance criteria at all receptor locations. Accordingly, project-level composite noise levels due to Project operations would be less than significant.

Twenty-seven related projects have been identified in the vicinity of the Project Site. While all related projects are of a residential, retail, commercial or industrial nature and would not typically be associated with excessive exterior noise levels, each related project would produce traffic volumes that are capable of generating roadway noise impacts. The potential cumulative noise impacts associated with these noise sources were addressed on pages IV.F-60 through IV.F-63 of the Draft EIR.

Cumulative noise impacts due to off-site traffic were analyzed by comparing the projected increase in traffic noise levels from “Existing” conditions to “Future Plus Project” conditions to the applicable significance criteria. Future Plus Project conditions include traffic volumes from future ambient growth, related projects, and the Project. The calculated traffic noise levels under “Existing” and “Future Plus Project” conditions are presented in Table IV.F-24 on pages IV.F-61 and IV.F-62 of the Draft EIR. As shown therein, cumulative traffic volumes would result in an increase ranging from 1.2 dBA (CNEL) along the roadway segment of 7th Street (between Santa Fe Avenue and Rio Street) to up to 10.8 dBA (CNEL) along the roadway segment of Violet Street (east of Violet Street). The estimated cumulative noise increase along the analyzed roadway segments would be below the applicable 3-dBA and 5-dBA, except for the roadway segments of

Mateo Street (between 6th and 7th Street), Santa Fe Avenue (between 6th Street and 7th Street), and Violet Street (east of Santa Fe Avenue). As analyzed in the Draft EIR, the Project would not generate traffic and increase traffic noise along Violet Street (east of Santa Fe Avenue) and, therefore, would not contribute to the cumulative traffic noise impact along Violet Street (east of Santa Fe Avenue). However, the estimated traffic noise levels along Mateo Street (between 6th Street and 7th Street) and along Santa Fe Avenue (between 6th Street and 7th Street) would exceed the 3-dBA threshold of significance (applicable when noise levels fall within the normally unacceptable or clearly unacceptable land use category) by 0.1 dBA and 0.8 dBA, respectively. Therefore, the Project's contribution to noise impacts due to off-site mobile noise sources would be cumulatively considerable, and cumulative impacts would be significant. It should be noted that the cumulative noise impacts along Mateo Street (between 6th Street and 7th Street) and along Santa Fe Avenue (between 6th Street and 7th Street) would also be significant even without the Project.

## **2. Regulatory Measures**

Refer to subsection 2.b, Regulatory Framework, of Section IV.F, Noise, of the Draft EIR for a discussion of regulatory measures applicable to the Project.

## **3. Project Design Features**

The Project incorporates the following PDFs regarding noise during Project operations:

**Project Design Feature NOI-PDF-3:** All outdoor mounted mechanical equipment will be screened from off-site noise-sensitive receptors. The equipment screen will be impermeable (i.e., solid material with minimum weight of 2 pounds per square feet) and break the line-of-sight from the equipment to the off-site noise-sensitive receptors.

**Project Design Feature NOI-PDF-4:** All loading docks will be acoustically screened from off-site noise-sensitive receptors. Loading docks and trash compactors will only operate during daytime hours.

**Project Design Feature NOI-PDF-5:** Outdoor amplified sound systems, if any, will be designed so as not to exceed the maximum noise level of 80 dBA ( $L_{eq-1hr}$ ) at a distance of 15 feet from the amplified speaker sound systems on the paseo at Level 1 and balconies on Levels 1.5, 2, 3, 4, 8, and 10; and 85 dBA ( $L_{eq-1hr}$ ) at a distance of 25 feet at the roof decks on Levels 1.5, 4, and 12. A qualified noise consultant will provide written documentation, prior to issuance of a certificate of occupancy, that the design of the system complies with this maximum noise level.

## **5. Mitigation Measures**

No mitigation measures are identified in the EIR for this environmental issue.

## **6. Finding**

Pursuant to PRC Section 21081(a)(3) and CEQA Guidelines Section 15091(a)(3), specific economic, legal, social, technological, or other considerations, including consideration for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the EIR, as further explained below.

While these adverse impacts will not be eliminated or lessened to a less-than-significant level, the City finds that specific economic, legal, social, technological, and other considerations identified in the Statement of Overriding Considerations (see Section XIII of these findings) support approval of the Project, as modified, despite these impacts.

## **7. Rationale for Finding**

Cumulative operational noise impacts from on-site sources would be less than significant. However, cumulative impacts related to off-site operational noise due to off-site mobile noise sources would be significant. As detailed in the Draft EIR, this cumulative impact would occur along two street segments (Mateo Street (between 6th Street and 7th Street)) and Santa Fe Avenue (between 6th Street and 7th Street). And, cumulative impacts at these two locations would also be significant even without the Project. Therefore, the addition of any traffic from the Project would incrementally increase noise levels that would contribute to a significant cumulative impact. This limits the availability of feasible mitigation measures or alternatives to reduce or avoid this impact. Nonetheless, as explained on page V-5 of the Draft EIR, the EIR considered analysis of a project alternative to eliminate this significant and unavoidable cumulative operational noise impact. In particular, conventional mitigation measures, such as providing noise barrier walls to reduce the off-site traffic noise impacts, would not be feasible as the barriers would obstruct the access and visibility to the properties along the impacted roadway segments, and for this reason was rejected. There are no other feasible mitigation measures to reduce the significant noise impacts associated with the cumulative off-site traffic.

## **8. Reference**

See Draft EIR Section IV.F and Appendix I of the Draft EIR for a complete evaluation of noise impacts, thresholds, and evaluation methods conducted for the Project. The noise-related PDFs are described in the MMP at pages IV-4 through IV-6 of the Final EIR.

## **C. Transportation (Geometric Design Features, Both Project-Level and Cumulative Conditions)**

### **1. Impact Summary**

The TAG includes a methodology for analyzing impacts with respect to hazardous geometric design features. For vehicle, bicycle and pedestrian safety impacts, project access points, internal circulation, and parking access from an operational and safety perspective (for example, turning radii, driveway queuing, line of sight for turns into and out of project driveway[s]) are reviewed. Where project driveways would cross pedestrian facilities or bicycle facilities (bike lanes or bike paths), operational and safety issues related to the potential for vehicle/pedestrian and vehicle/bicycle conflicts and the severity of consequences that could result are considered. In areas with moderate to high levels of pedestrian or bicycle activity, the collection of pedestrian or bicycle count data may be required. Using this methodology, the Project design, including proposed infrastructure improvements, land uses, and open spaces, are reviewed to determine if the Project would increase and/or create a hazardous geometric design feature(s) and/or incompatible use.

The Project's design does not include hazardous geometric design features (e.g., sharp curves or dangerous intersections). The roadways adjacent to the Project Site are part of the urban roadway network and contain no sharp curves or dangerous intersections, and the development of the Project would not result in roadway improvements such that safety hazards would be introduced adjacent to the Project Site. The proposed uses would also be consistent with the surrounding uses and would not introduce hazards due to incompatible uses.

The City's interim guidance on freeway safety analysis requires freeway off-ramps where a proposed project adds 25 or more trips in either the a.m. or p.m. peak hour to be studied for potential queuing impacts. If the proposed project is not projected to add 25 or more peak hour trips at any freeway off-ramps, then a freeway ramp analysis is not required. As detailed on pages IV.H-31 through IV.H-35, the Project is projected to add 25 or more trips to each of three freeway off-ramps: (1) the US-101 Southbound off-ramp to 7th Street (A.M. peak hour), (2) the I-10 Eastbound off-ramp to Porter Street (A.M. and P.M. peak hours), and (3) the I-10 Westbound off-ramp to Mateo Street/Enterprise Street (A.M. peak hour). Therefore, each of these ramps was further analyzed for potential safety issues.

*(a) US-101 Southbound Off-Ramp to 7th Street*

As discussed on page IV.H-32 of the Draft EIR, the Project is projected to add six car lengths to the Future Base queue in the a.m. peak hour. Since the Project is projected to increase the overflow onto the mainline by more than two car lengths, further analysis was required. Based on an assessment of the speed differential between the off-ramp queue and the mainline of the freeway during the A.M. peak hour, a potential safety issue during the a.m. peak hour at the US-101 Southbound off-ramp to 7th Street would occur. Impacts would be significant prior to mitigation.

*(b) I-10 Eastbound Off-Ramp to Porter Street*

As discussed on pages IV.H-32 to IV.H-33 of the Draft EIR, the Project is projected to exceed ramp capacity in the A.M. peak hour but not in the P.M. peak hour in the Future plus Project scenario. The Project is projected to add three to four car lengths to the Future Base queue in the A.M. peak hour. The analysis conservatively treated the collector-distributor lanes as mainline lanes because vehicles can travel at high speeds on these lanes. Under this conservative approach, since the Project is projected to increase the overflow by more than two car lengths, further analysis was required. Based on an assessment of the speed differential between the off-ramp queue and the mainline of the freeway during the a.m. peak hour, a potential safety issue during the a.m. peak hour at the I-10 Eastbound off-ramp to Porter Street would occur. Impacts would be significant prior to mitigation.

*(c) I-10 Westbound Off-Ramp to Mateo Street/Enterprise Street*

As discussed on page IV.H-33 of the Draft EIR, the Project is projected to add three to five car lengths to the Future Base queue in the A.M. peak hour. The analysis conservatively treated the collector-distributor lanes as mainline lanes because vehicles can travel at high speeds on these lanes. Under this conservative approach, since the Project is projected to increase the overflow by more than two car lengths, further analysis was required. Based on an assessment of the speed differential between the off-ramp queue and the mainline of the freeway during the A.M. peak hour, a potential safety issue during the A.M. peak hour at the I-10 Westbound off-ramp to Mateo Street/Enterprise Street would occur. Impacts would be significant prior to mitigation.

*(d) Cumulative Impacts*

As discussed on page IV.H-37 of the Draft EIR, and pages 42-43 and Tables 4A and 4B of the Transportation Assessment, the freeway off-ramp queues at each of the off-ramps identified above would exceed ramp capacity under future base conditions, cumulative impacts would also occur prior to mitigation.

**2. Level of Significance After Mitigation**

As discussed in pages IV.H-31 through IV.H-35 of the Draft EIR with respect to project-level impacts, and pages IV.H-37 and 38 with respect to cumulative impacts, as well as Tables 4A and 4B of the Transportation Assessment, implementation of the feasible mitigation measures TR-MM-1 (for the US-101 Southbound off-ramp and 7th Street), TR-MM-2 (for the I-10 Eastbound off-ramp and Porter Street), and TR-MM-3 (the I-10 Westbound off-ramp and Mateo Street/Enterprise Street) would reduce off-ramp queuing at each such respective location to the extent that queueing would no longer extend onto the freeway mainline at each location where the respective mitigation measures are implemented. However, implementation of each of the feasible mitigation measures are subject to the approval of Caltrans. While Caltrans can and should authorize the improvements at each of the three off-ramp locations, their implementation is beyond the jurisdiction of the City and thus their implementation cannot be guaranteed. Accordingly, the project-level and cumulative impacts at each of these three freeway off-ramp locations are concluded to be significant and unavoidable.

**3. Regulatory Measures**

Refer to subsection 2.a, Regulatory Framework, of Section IV.H, Transportation, of the Draft EIR for a discussion of regulatory measures applicable to the Project.

**4. Project Design Features**

There are no PDFs applicable to the Project's off-site construction-related noise impacts.

**Mitigation Measures**

**Mitigation Measure TR-MM-1:** The Applicant shall work with the City of Los Angeles and Caltrans to signalize the intersection of the US-101 Southbound off-ramp and 7th Street. This shall require complying with the Caltrans project development process as a local agency-sponsored Project.

**Mitigation Measure TR-MM-2:** The Applicant shall work with the City of Los Angeles and Caltrans to signalize the intersection of the I-10 Eastbound off-ramp and Porter Street. This shall require complying with the Caltrans project development process as a local agency-sponsored Project. Because of the proximity to other intersections, close signal coordination is recommended with nearby intersections.

**Mitigation Measure TR-MM-3:** The Applicant shall work with the City of Los Angeles and Caltrans to signalize the intersection of the I-10 Westbound off-ramp and Mateo Street/Enterprise Street. This shall require complying with the

Caltrans project development process as a local agency-sponsored Project.

## **5. Finding**

Pursuant to PRC Section 21081(a)(1) and CEQA Guidelines Section 15091(a)(1), the City finds 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. Pursuant to PRC Section 21081(a)(2) and CEQA Guidelines Section 15091(a)(2), the City also finds that such changes or alterations are within the responsibility and jurisdiction of another public agency (namely, Caltrans) and not the agency making the finding. Such changes can and should be adopted by that other agency (Caltrans). Pursuant to PRC Section 21081(a)(3) and CEQA Guidelines Section 15091(a)(3), the City also finds that specific economic, legal, social, technological, and 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, as further explained below.

## **6. Rationale for Finding**

As discussed above and shown in shown in Tables 4A and 4B of the Transportation Assessment (Appendix M of the Draft EIR), each of Mitigation Measures TR-MM-1 through TR-MM-3 would reduce off-ramp queues at each of the respective off-ramp locations (namely, the US-101 Southbound off-ramp and 7th Street for TR-MM-1; I-10 Eastbound off-ramp and Porter Street for TR-MM-2; and I-10 Westbound off-ramp and Mateo Street/Enterprise Street for TR-MM-3) onto the freeway mainlines to less than significant levels under both project-level and cumulative conditions if each of Mitigation Measures TR-MM-1 through TR-MM-3 are implemented.

However, since the improvements involve another jurisdiction (i.e., Caltrans) beyond the City of Los Angeles, implementation cannot be guaranteed.

Accordingly, the project-level and cumulative impacts at each respective off-ramp locations would remain significant and unavoidable until such time (if any) that Caltrans approves the mitigation measure for that location and the proposed signals are completed. Accordingly, the City finds that the impact at each of the three off-ramp locations identified above remains significant and unavoidable.

As explained on pages V-4 and V-5 of the Draft EIR, the EIR considered analysis of other off-ramp improvements (other than signals) that could mitigate these impacts. However, since any other improvements at this location would also be within the jurisdiction of Caltrans, there are no other measures that can be implemented with respect to freeway safety that do not also involve Caltrans and for this reason, the other potential off-ramp improvements identified in the EIR were rejected.

To the extent that any one or more of these adverse impacts will not be eliminated or lessened to a less-than-significant level, the City finds that specific economic, legal, social, technological, and other considerations identified in the Statement of Overriding Considerations (see Section XIII of these findings) support approval of the Project, as modified, despite these impacts.

## **7. Reference**

See Draft EIR Section IV.H and Appendix M of the Draft EIR for a full analysis related to the Project's transportation related impacts. The transportation-related PDFs and mitigation measures are described in the MMP at pages IV-9 through IV-12 of the Final EIR.

## **IX. ALTERNATIVES**

CEQA requires that an EIR analyze a reasonable range of alternatives to the Project or the Project location that could substantially reduce or avoid the significant impacts of a project while also meeting the project's basic objectives. 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. CEQA also requires evaluation of a "No Project" alternative.

In addition, CEQA Guidelines Section 15126.6(c) requires that an EIR identify any alternatives that were considered for analysis but rejected as infeasible. Such alternatives are identified on pages V-3 through V-6 of the Draft EIR.

### **1. Summary of Findings**

The City has considered the Project alternatives presented and analyzed in the EIR and presented during the comment period and public hearing process. The City finds, based on specific economic, legal, social, technological, or other considerations, that these alternatives are infeasible. Based on the impacts identified in the EIR and other reasons summarized below, and as supported by substantial evidence in the record, the City finds that approval and implementation of the Project as proposed is the most desirable, feasible, and appropriate action and hereby rejects the other alternatives as infeasible based on consideration of the relevant factors set forth in CEQA Guidelines section 15126.6(f). (See also CEQA Guidelines Section 15091(a)(3).)

### **2. Project Objectives**

An important consideration in the analysis of alternatives to the Project is the degree to which such alternatives would achieve the objectives of the Project. As more thoroughly described in Section II, Project Description, of the Draft EIR, pages II-6 through II-7, both the City and Applicant have established specific objectives concerning the Project. Those objectives are focused on the underlying purpose of the Project, which is to redevelop underutilized parcels into a high-density, infill development that improves the function, design, and economic vitality of the commercial corridors within the Central City North Community Plan area. The Project's specific objectives are as follows:

- Promote Central City North Community Plan Objective 2-1 to conserve and strengthen viable commercial development in the community and to provide additional opportunities for new commercial development and services.
- Promote local, regional, and State land use and mobility objectives and reduce vehicle miles traveled (VMT) through infill development and providing jobs in proximity to transit and transportation infrastructure to encourage pedestrian activity.



- Create an interactive creative office campus with outdoor areas, shared amenities (including publicly accessible outdoor areas), and landscaping while retaining an existing historic building and a (non-historic) attached annex on-site.
- Provide a sustainable building design that allows for the use of energy-efficient technology, thereby reducing the overall reliance on energy for lighting and cooling.
- Create a pedestrian-friendly project by creating a street-level identity for the Project Site and improving the pedestrian experience through the introduction of commercial uses on the ground floor level and the incorporation of a paseo to connect the existing uses with the new development.
- Support the growth of the City's economic base by creating a significant number of construction and permanent jobs.

### **3. Alternatives Analyzed**

#### **(a) Alternative 1—No Project/No Build**

##### **i. Description of Alternative**

In accordance with the CEQA Guidelines, the No Project/No Build Alternative for a development project on an identifiable property consists of the circumstance under which a proposed project does not proceed. CEQA Guidelines Section 15126.6(e)(3)(B) states that "in certain instances, the No Project Alternative means 'no build' wherein the existing environmental setting is maintained." Accordingly, for purposes of this analysis, Alternative 1, the No Project/No Build Alternative, assumes that the Project would not be approved, and no new development would occur within the Project Site. Thus, the physical conditions of the Project Site would generally remain as they are today. Under Alternative 1, the Project Site would continue to be developed with 302,413 square feet of office and warehouse uses and a parking structure. No new construction would occur.

##### **ii. Impact Summary**

Construction activities would not occur on the Project Site under the No Project/No Build Alternative. Therefore, no construction-related noise or vibration would be generated on-site or off-site. As such, Alternative 1 would avoid the Project's significant and unavoidable on-site noise impacts during construction. Alternative 1 would also avoid the Project's cumulative impacts with respect to on- and off-site construction noise. No impacts associated with construction noise and vibration would occur under Alternative 1, which would avoid the significant and unavoidable impacts of the Project.

The No Project/No Build Alternative would not develop new uses on the Project Site, and no changes to existing site operations would occur. Therefore, no new stationary or mobile noise sources would be introduced to the Project Site or the Project Site vicinity. As such, no impacts associated with on-site or off-site operational noise would occur under Alternative 1, which would avoid the significant and unavoidable cumulative off-site operational noise impact of the Project.

Since the No Project/No Build Alternative would not develop new or additional land uses on the Project Site, Alternative 1 would not generate any additional vehicle trips or alter existing access or circulation within the Project Site during operation. Therefore, no impacts would occur with respect to potential conflicts with programs, plans, ordinances, or policies addressing the circulation system; VMT; or hazardous geometric design features. Alternative 1 would avoid the significant and unavoidable freeway safety impacts of the Project.

Grading and other earthwork activities would not occur under the No Project/No Build Alternative. Therefore, there would be no potential for Alternative 1 to uncover subsurface tribal cultural resources. As such, no impacts to tribal cultural resources would occur, and impacts would be less when compared to the less-than-significant impacts with mitigation measures of the Project.

### **iii. Finding**

The City finds, pursuant to PRC Section 21081(a)(3) and CEQA Guidelines Section 15091(a)(3), that specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the No Project Alternative, as described in the EIR.

### **iv. Rationale for Finding**

Under the No Project/No Build Alternative, the existing uses would remain on the Project Site, and no new development would occur. As such, Alternative 1 would not meet the underlying purpose of the Project to redevelop underutilized parcels into a high-density, infill development that improves the function, design, and economic vitality of the commercial corridors within the Central City North Community Plan area. In addition, Alternative 1 would not meet any of the Project objectives. The City rejects Alternative 1 on each of these grounds independently. Each of the reasons provide sufficient independent grounds for rejecting this alternative.

### **v. Reference**

Section V, Alternatives, of the Draft EIR pages V-14 through V-19.

## **(b) Alternative 2—Reduced Density Alternative**

### **i. Description of Alternative**

Alternative 2 would develop the same mix of uses as the Project but at a reduced density. Specifically, Alternative 2 would develop 260,000 square feet of office uses and 10,000 square feet of retail and/or restaurant uses during the initial phase compared to 435,000 square feet of office uses and 15,499 square feet of retail/restaurant uses under the Project. Under this Alternative, the Future Campus Expansion Phase would consist of 211,201 square feet of office uses compared to 191,201 square feet of office uses and 20,000 square feet of restaurant uses under the Project. In total, Alternative 2 would develop 481,201 square feet of new uses within the Project Site, compared to 661,800 square feet under the Project, representing a reduction of approximately 27 percent. The proposed uses would be located in a ten-story, approximately 170-foot-tall building compared to 13 stories and 217.5 feet with the Project. Similar to the Project, the

parking structure on Lot 2 of the Project Site and Ford Factory Building on Lot 3 of the Project Site would be retained with no change in use. As with the Project, Alternative 2 would include outdoor areas, consisting of paseos, decks, and balconies, but only 54,033 square feet would be provided compared to 74,018 square feet with the Project.

The proposed uses would be supported by 1,042 vehicle parking spaces and 152 bicycle parking spaces, comprised of 100 long-term spaces and 52 short-term spaces. Parking would be provided within one at-grade, two above-grade, and three below-grade levels, resulting in one less subterranean level than the Project. Access would be similar to the Project. Specifically, vehicular access to the parking structure would be provided via one driveway on East 7th Place, which extends into the paseo, or via one driveway on Violet Street. In addition, a rideshare drop-off area would be provided on Violet Street, along the southern border of the Project Site. Access to the loading dock would be provided to the east of the parking structure entry/exit driveway. Pedestrian access to the buildings would be provided along multiple points throughout the Project Site.

Alternative 2 would implement a similar building design as the Project, though the building would be shorter as noted above. Alternative 2 would also implement similar signage, lighting, setbacks, and sustainability features as those proposed for the Project. Alternative 2 would also require the same discretionary approvals as the Project. Due to the reduction in density, the duration of construction would also be reduced compared to the Project. Specifically, construction would take approximately 31 months compared to 32 months with the Project.

## **ii. Impact Summary**

The types of construction activities under Alternative 2 would be substantially similar to the Project, although the amount of construction activities would be less and the duration shorter due to the reduction in total floor area (i.e., 481,201 square feet under Alternative 2 as compared to 661,800 square feet under the Project) and one less subterranean parking level (i.e., three levels under Alternative 2 compared to four levels under the Project). As with the Project, construction of Alternative 2 would generate noise from the use of heavy-duty construction equipment, as well as from haul truck and construction worker trips. Under Alternative 2, on- and off-site construction activities and the associated construction noise levels would be expected to be similar to those of the Project during maximum activity days since the overall amount and duration, but not the daily intensity of construction activities, would decrease under Alternative 2 when compared to the Project. As such, noise levels during maximum activity days, which are used for measuring impact significance, would be similar to those of the Project. Also, as with the Project, Alternative 2 would implement Project Design Features NOI-PDF-1 (requiring muffling of equipment) and NOI-PDF-2 (prohibition on the use of driven [impact] pile systems), which would minimize construction noise. However, similar to the Project, on-site construction noise would be significant and unavoidable under Alternative 2 (during the nighttime mat pour phase, for a maximum of five days), but cumulative impacts would be less than significant. Nonetheless, the overall amount/duration of construction activities and associated noise under Alternative 2 would be less when compared to the significant and unavoidable impacts and the less-than-significant cumulative impacts of the Project.

As discussed in Section IV.F, Noise, of the Draft EIR, sources of operational noise under the Project would include (a) on-site stationary noise sources, including mechanical equipment, activities within the proposed outdoor spaces (i.e., outdoor dining and terraces), parking facilities, loading dock and trash compactor areas; and (b) off-site mobile (roadway traffic) noise sources. Regarding on-site operational noise, Alternative 2 would introduce noise from similar on-site noise sources. However, it is anticipated that with the overall reduction in total floor area and uses of approximately 27 percent reduction in square footage under this alternative (i.e., 481,201 square feet under Alternative 2 as compared to 661,800 square feet under the Project), the noise levels from building mechanical equipment, outdoor spaces, and parking facilities would be reduced. In addition, similar to the Project, Alternative 2 would implement project design features similar to Project Design Features NOI-PDF-3 (acoustic screening of outdoor mechanical equipment), NOI-PDF-4 (acoustic screening of loading docks), and NOI-PDF-5 (controls on amplified sound), which would minimize on-site operational noise. As with the Project, Alternative 2 would also comply with the regulations under LAMC Section 112.02, which prohibit noise from air conditioning, refrigeration, heating, pumping, and filtering equipment from exceeding the ambient noise levels on the premises of other occupied properties by more than 5 dBA. Thus, operational on-site noise impacts under Alternative 2 would be less than significant and less when compared to the less-than-significant impacts of the Project.

With regard to operational off-site (i.e., traffic) noise, Alternative 2 would generate less operational traffic than the Project (i.e., 3,598 net daily trips versus 6,380 net daily trips under the Project).<sup>1,2</sup> The reduction in vehicle trips would result in a decrease in off-site operational traffic-related noise levels under Alternative 2, and Project-level impacts under this alternative would be less than significant and less when compared to the less-than-significant impacts of the Project. However, as with the Project, despite the reduction in off-site operational traffic noise, cumulative impacts under Alternative 2 would remain significant and unavoidable because cumulative noise impacts along Mateo Street (between 6th Street and 7th Street) and along Santa Fe Avenue (between 6th Street and 7th Street) would also be significant even without this alternative.

Alternative 2 would not introduce hazardous geometric design features, and as is the case with the Project, all driveways would be designed to LADOT standards. Impacts would be less than significant and similar to the Project. With respect to freeway safety, Alternative 2 would result in 28 to 30 percent fewer peak hour trips than the Project. However, this would still increase the vehicle queues at the US-101 Southbound off-Ramp and 7th Street, I-10 Eastbound off-Ramp and Porter Street, and I-10 Westbound off-Ramp and Mateo Street/Enterprise Street. Mitigation Measures TR-MM-1 through TR-MM-3 identified in Section IV.H, Transportation, which would signalize these intersections, would mitigate these impacts to a less-than-significant level. However, since the improvements involve another jurisdiction (i.e., Caltrans) beyond the City of Los Angeles, implementation cannot be guaranteed. Therefore, both Project-level and cumulative

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<sup>1</sup> Fehr & Peers, Technical Memorandum, Violet Street Creative Office Campus Project: Alternatives Analysis, October 17, 2022. (See Appendix P of the Draft EIR.)

<sup>2</sup> As stated in Section IV.H, Transportation, of the Draft EIR, the Project is estimated to result in a net increase of 6,389 daily vehicle trips and a total daily VMT of 48,177 under the 7th Place driveway scenario, and a net increase of 6,380 daily vehicle trips and a total daily VMT of 48,107 under the Violet Street driveway scenario.

impacts would remain significant and unavoidable but less when compared to the significant and unavoidable impacts of the Project.

Similar to the Project, Alternative 2 requires excavation and grading for building foundations and subterranean parking. While the uncovering of tribal cultural resources is not anticipated, if tribal cultural resources are discovered during construction, such resources would be treated in accordance with State law (i.e., CEQA Guidelines Section 15064.5(d), PRC Sections 21080.3.1(b), 21080.3.2(a), 21084.3, etc.). Accordingly, impacts to tribal cultural resources would be less than significant and similar to the less-than-significant impacts with mitigation measures of the Project.

### **iii. Finding**

The City finds, pursuant to PRC Section 21081(a)(3) and CEQA Guidelines Section 15091(a)(3), that specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible Alternative 2 as described in the EIR.

### **iv. Rationale for Finding**

Under Alternative 2, the same land uses (i.e., office, restaurant, and retail) would be developed at the Project Site as under the Project but at a reduced square footage (i.e., 481,201 square feet versus 661,800 square feet under the Project). As such, Alternative 2 would partially meet the underlying purpose of the Project, which is to redevelop underutilized parcels into a high-density, infill development that improves the function, design, and economic vitality of the commercial corridors within the Central City North Community Plan area, but to a lesser extent than the Project.

Regarding the Project objectives, Alternative 2 would meet the following Project objective to the same degree as the Project as it would include similar types of land uses and building design and would implement the same energy conservation and sustainability features:

Provide a sustainable building design that allows for the use of energy-efficient technology, thereby reducing the overall reliance on energy for lighting and cooling.

Alternative 2 would meet the remaining Project objectives, although to a lesser extent than the Project due to the reduction in development:

- Promote Central City North Community Plan Objective 2-1 to conserve and strengthen viable commercial development in the community and to provide additional opportunities for new commercial development and services.
- Promote local, regional, and State land use and mobility objectives and reduce vehicle miles traveled (VMT) through infill development and providing jobs in proximity to transit and transportation infrastructure to encourage pedestrian activity.

- Create an interactive creative office campus with outdoor areas, shared amenities (including publicly accessible outdoor areas), and landscaping while retaining an existing historic building and a (non-historic) attached annex on-site.
- Create a pedestrian-friendly project by creating a street-level identity for the Project Site and improving the pedestrian experience through the introduction of commercial uses on the ground floor level and the incorporation of a paseo to connect the existing uses with the new development.

Support the growth of the City's economic base by creating a significant number of construction and permanent jobs.

The City rejects Alternative 2 on each of these grounds independently. All of the reasons provide sufficient independent grounds for rejecting this alternative.

## **v. Reference**

Section V, Alternatives, of the Draft EIR pages V-20 through V-37.

### **(c) Alternative 3—Reduced Density Alternate Use Alternative**

#### **i. Description of Alternative**

Alternative 3 would develop 260 multi-family residential units and 10,000 square feet of retail and/or restaurant uses during the initial phase compared to 435,000 square feet of office uses and 15,499 square feet of retail/restaurant uses under the Project. The 260 residential units would consist of 26 studio units, 117 1-bedroom units, and 117 2-bedroom units. Under Alternative 3, the Future Campus Expansion Phase would consist of 211,201 square feet of office uses compared to 191,201 square feet of office uses and 20,000 square feet of restaurant uses. In total, Alternative 3 would develop 481,201 square feet of new uses within the Project Site, compared to 661,800 under the Project, representing a reduction of approximately 27 percent. The proposed uses would be located in a 75-foot tall building compared to 217.5 feet with the Project. Similar to the Project, the parking structure on Lot 2 of the Project Site and Ford Factory Building on Lot 3 of the Project Site would be retained with no change in use. As with the Project, Alternative 3 would include outdoor areas, consisting of paseos, decks, and balconies, but only 27,325 square feet would be provided compared to 74,018 square feet with the Project due to the reduction in square footage and revised building footprint. However, because residential uses are provided, all 27,325 square feet of outdoor areas would be required to meet the LAMC definition of open space.

The proposed uses would be supported by 883 vehicle parking spaces and 231 bicycle parking spaces, comprised of 189 long-term spaces and 42 short-term spaces. Parking would be provided within one at-grade, two above-grade, and two below-grade levels, resulting in two fewer subterranean levels than the Project. Access would be similar to the Project. Specifically, vehicular access to the parking structure would be provided via one driveway on East 7th Place, which extends into the paseo, or one driveway on Violet Street. In addition, a rideshare drop-off area would be provided on Violet Street, along the southern border of the Project Site. Access to the loading dock would be provided to the east of the parking structure entry/exit

driveway. Pedestrian access to the buildings would be provided along multiple points throughout the Project Site.

Alternative 3 would implement a generally similar building design as the Project, though the building would be shorter as noted above and certain design elements and construction methods would be tailored to suit a residential structure. Specifically, the building would be a maximum of 75 feet in height and, as a result, would have a larger footprint within the Project Site than the Project. Alternative 3 would also implement similar signage, lighting, setbacks, and sustainability features as those proposed for the Project. Alternative 3 would also require the same discretionary approvals as the Project. In addition, the duration of construction would be reduced compared to the Project. Specifically, construction would take approximately 27 months compared to 32 months with the Project.

## **ii. Impact Summary**

The types of construction activities under Alternative 3 would be substantially similar to the Project, although the amount of construction activities would be less and the duration shorter due to the reduction in total floor area (i.e., 481,201 square feet under Alternative 3 as compared to 661,800 square feet under the Project) and two fewer subterranean parking levels (i.e., two levels under Alternative 3 compared to four levels under the Project). As with the Project, construction of Alternative 3 would generate noise from the use of heavy-duty construction equipment, as well as from haul truck and construction worker trips. Under Alternative 3, on- and off-site construction activities and the associated construction noise levels would be expected to be similar to those of the Project during maximum activity days since the overall amount and duration, but not the daily intensity of construction activities, would decrease under Alternative 3 when compared to the Project. As such, noise levels during maximum activity days, which are used for measuring impact significance, would be similar to those of the Project. Also, as with the Project, Alternative 3 would implement Project Design Features NOI-PDF-1 (requiring muffling of equipment) and NOI-PDF-2 (prohibition on the use of driven [impact] pile systems), which would minimize construction noise. However, similar to the Project, on-site construction noise would be significant and unavoidable under Alternative 3 (during the nighttime mat pour phase, for a maximum of five days), but cumulative impacts would be less than significant. Nonetheless, the overall amount/duration of construction activities and associated noise under Alternative 3 would be less when compared to the significant and unavoidable impacts and the less-than-significant cumulative impacts of the Project.

As discussed in Section IV.F, Noise, of the Draft EIR, sources of operational noise under the Project would include (a) on-site stationary noise sources, including mechanical equipment, activities within the proposed outdoor spaces (i.e., outdoor dining and terraces), parking facilities, loading dock and trash compactor areas; and (b) off-site mobile (roadway traffic) noise sources. Regarding on-site operational noise, Alternative 3 would introduce noise from similar on-site noise sources. However, it is anticipated that with the overall reduction in total floor area and uses of approximately 27 percent reduction in square footage under this alternative (i.e., 481,201 square feet under Alternative 3 as compared to 661,800 square feet under the Project), the noise levels from building mechanical equipment, outdoor spaces, and parking facilities would be reduced. In addition, similar to the Project, Alternative 3 would implement project design features similar to Project Design Features NOI-PDF-3 (acoustic screening of outdoor mechanical equipment),

NOI-PDF-4 (acoustic screening of loading docks), and NOI-PDF-5 (controls on amplified sound), which would minimize on-site operational noise. As with the Project, Alternative 3 would also comply with the regulations under LAMC Section 112.02, which prohibit noise from air conditioning, refrigeration, heating, pumping, and filtering equipment from exceeding the ambient noise levels on the premises of other occupied properties by more than 5 dBA. Thus, operational on-site noise impacts under Alternative 3 would be less than significant and less when compared to the less-than-significant impacts of the Project.

With regard to operational off-site (i.e., traffic) noise, Alternative 3 would generate less operational traffic than the Project (i.e., 3,267 net daily trips versus 6,380 net daily trips under the Project).<sup>3,4</sup> The reduction in vehicle trips would result in a decrease in off-site operational traffic-related noise levels under Alternative 3, and Project-level impacts under this alternative would be less than significant and less when compared to the less-than-significant impacts of the Project. However, as with the Project, in spite of the reduction in off-site operational traffic noise, cumulative impacts would remain significant and unavoidable because cumulative noise impacts along Mateo Street (between 6th Street and 7th Street) and along Santa Fe Avenue (between 6th Street and 7th Street) would also be significant even without this alternative.

Alternative 3 would not introduce hazardous geometric design features, and, as is the case with the Project, all driveways would be designed to LADOT standards. Impacts would be less than significant and similar to the Project. With respect to freeway safety, Alternative 3 would result in 85 to 92 percent fewer peak hour trips than the Project. Because of the decrease in peak hour traffic, Alternative 3 would not increase the vehicle queues at the US-101 Southbound off-Ramp and 7th Street, I-10 Eastbound off-Ramp and Porter Street, and I-10 Westbound off-Ramp and Mateo Street/Enterprise Street. Therefore, impacts would be less than significant under Alternative 3, which would avoid the Project's significant and unavoidable Project-level and cumulative impact with respect to freeway queueing.

Similar to the Project, Alternative 3 requires excavation and grading for building foundations and subterranean parking. While the uncovering of tribal cultural resources is not anticipated, if tribal cultural resources are discovered during construction, such resources would be treated in accordance with State law (i.e., CEQA Guidelines Section 15064.5(d), PRC Sections 21080.3.1(b), 21080.3.2(a), 21084.3, etc.). Accordingly, impacts to tribal cultural resources would be less than significant and similar to the less-than-significant impacts with mitigation measures of the Project.

### **iii. Finding**

The City finds, pursuant to PRC Section 21081(a)(3) and CEQA Guidelines Section 15091(a)(3), that specific economic, legal, social, technological, or other considerations,

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<sup>3</sup> Fehr & Peers, Technical Memorandum, Violet Street Creative Office Campus Project: Alternatives Analysis, October 17, 2022. (See Appendix P of the Draft EIR.)

<sup>4</sup> As stated in Section IV.H, Transportation, of the Draft EIR, the Project is estimated to result in a net increase of 6,389 daily vehicle trips and a total daily VMT of 48,177 under the 7th Place driveway scenario, and a net increase of 6,380 daily vehicle trips and a total daily VMT of 48,107 under the Violet Street driveway scenario.



including considerations for the provision of employment opportunities for highly trained workers, make infeasible Alternative 3, as described in the EIR.

#### **iv. Rationale for Finding**

Alternative 3 would develop residential, office, and retail and/or restaurant uses on the Project Site but at a reduced square footage compared to the Project (i.e., 481,201 square feet versus 661,800 square feet) and with a reduced emphasis on office development. As such, Alternative 3 would somewhat meet the underlying purpose of the Project, which is to redevelop underutilized parcels into a high-density, infill development that improves the function, design, and economic vitality of the commercial corridors within the Central City North Community Plan area but to a lesser extent than the Project.

Regarding the Project objectives, Alternative 3 would meet the following Project objective to the same degree as the Project as it would include land uses typical of urban development and building design, and would implement the same energy conservation and sustainability features:

Provide a sustainable building design that allows for the use of energy-efficient technology, thereby reducing the overall reliance on energy for lighting and cooling.

Alternative 3 would meet the remaining Project objectives, although to a lesser extent than the Project due to the reduction in development and in the office component of the Project:

- Promote Central City North Community Plan Objective 2-1 to conserve and strengthen viable commercial development in the community and to provide additional opportunities for new commercial development and services.
- Promote local, regional, and State land use and mobility objectives and reduce vehicle miles traveled (VMT) through infill development and providing jobs in proximity to transit and transportation infrastructure to encourage pedestrian activity.
- Create an interactive creative office campus with outdoor areas, shared amenities (including publicly accessible outdoor areas), and landscaping while retaining an existing historic building and a (non-historic) attached annex on-site.
- Create a pedestrian-friendly project by creating a street-level identity for the Project Site and improving the pedestrian experience through the introduction of commercial uses on the ground floor level and the incorporation of a paseo to connect the existing uses with the new development.

Support the growth of the City's economic base by creating a significant number of construction and permanent jobs.

The City rejects Alternative 3 on each of these grounds independently. All of the reasons provide sufficient independent grounds for rejecting this alternative.

#### **v. Reference**

Section V, Alternatives, of the Draft EIR pages V-38 through V-55.

**(d) Alternative 4—Office with Hotel Future Campus Expansion Phase Alternative****i. Description of Alternative**

Alternative 4 would develop the same mix of uses as the Project during its initial phase, but the Future Campus Expansion Phase would consist of a hotel, instead of office. Specifically, as with the Project, Alternative 4 would develop 435,000 square feet of office uses and 15,499 square feet of retail/restaurant uses. The Future Campus Expansion Phase would, however, consist of a 211,201-square-foot hotel with 384 rooms and a standard range of amenities (i.e., pool, conference room, etc.). In total, as with the Project, Alternative 4 would develop the Project Site with 661,800 square feet of new uses, which would be located in a 13-story building up to 217.5 feet in height. As with the Project, Alternative 4 would include 74,018 square feet of outdoor areas, consisting of paseos, decks, and balconies.

The proposed uses would be supported by 1,178 vehicle parking spaces and 191 bicycle parking spaces, comprised of 117 long-term spaces and 74 short-term spaces. Parking would be provided within one at-grade, two above-grade, and four below-grade levels, similar to the Project. Access would be similar to the Project. Specifically, vehicular access to the parking structure would be provided via one driveway on East 7th Place, which extends into the paseo, or via one driveway on Violet Street. In addition, a rideshare drop-off area would be provided on Violet Street, along the southern border of the Project Site. Access to the loading dock would be provided to the east of the parking structure entry/exit driveway. Pedestrian access to the buildings would be provided along multiple points throughout the Project Site.

Alternative 4 would implement a similar building design as the Project, as well as similar signage, lighting, setbacks, and sustainability features as those proposed for the Project. Alternative 4 would also require the same discretionary approvals as the Project and the length of construction is anticipated to be similar.

**ii. Impact Summary**

The types of construction activities under Alternative 4 would be substantially similar to the Project, and the amount of construction activities and duration would be similar to the Project because the same amount of development is proposed. As with the Project, construction of Alternative 4 would generate noise from the use of heavy-duty construction equipment, as well as from haul truck and construction worker trips. Under Alternative 4, on- and off-site construction activities and the associated construction noise levels would be expected to be similar to those of the Project during maximum activity days. As such, noise levels during maximum activity days, which are used for measuring impact significance, would be similar to those of the Project. Also, as with the Project, Alternative 4 would implement Project Design Features NOI-PDF-1 (requiring muffling of equipment) and NOI-PDF-2 (prohibition on the use of driven [impact] pile systems), which would minimize construction noise. However, similar to the Project, on-site construction noise would be significant and unavoidable under Alternative 4 (during the nighttime mat pour phase, for a maximum of five days), but cumulative impacts would be less than significant.

As discussed in Section IV.F, Noise, of the Draft EIR, sources of operational noise under the Project would include (a) on-site stationary noise sources, including mechanical equipment, activities within the proposed outdoor spaces (i.e., outdoor dining and terraces), parking facilities, loading dock and trash compactor areas; and (b) off-site mobile (roadway traffic) noise sources. Regarding on-site operational noise, Alternative 4 would introduce noise from similar on-site noise sources. In addition, similar to the Project, Alternative 4 would implement project design features similar to Project Design Features NOI-PDF-3 (acoustic screening of outdoor mechanical equipment), NOI-PDF-4 (acoustic screening of loading docks), and NOI-PDF-5 (controls on amplified sound), which would minimize on-site operational noise. As with the Project, Alternative 4 would also comply with the regulations under LAMC Section 112.02, which prohibit noise from air conditioning, refrigeration, heating, pumping, and filtering equipment from exceeding the ambient noise levels on the premises of other occupied properties by more than 5 dBA. Thus, operational on-site noise impacts under Alternative 4 would be less than significant and similar when compared to the less-than-significant impacts of the Project.

With regard to operational off-site (i.e., traffic) noise, Alternative 4 would generate slightly more operational traffic than the Project (i.e., 6,454 net daily trips versus 6,380 net daily trips under the Project).<sup>5,6</sup> The slight increase in vehicle trips would result in a slight increase of less than 0.1 dBA ( $L_{eq}$ ) in off-site operational traffic-related noise levels under Alternative 4. However, as with the Project, Project-level impacts under this alternative would remain less than significant. In addition, the slight increase the net daily trips would results in a slight increase in off-site cumulative traffic noise less than 0.1 dBA ( $L_{eq}$ ). As such, cumulative impacts under Alternative 4 would remain significant and unavoidable along Mateo Street (between 6th Street and 7th Street) and along Santa Fe Avenue (between 6th Street and 7th Street) and would be similar to the Project.

Alternative 4 would not introduce hazardous geometric design features, and, as is the case with the Project, all driveways would be designed to LADOT standards. Impacts would be less than significant and similar to the Project. With respect to freeway safety, Alternative 4 would result in approximately 3 percent more peak hour trips than the Project. As with the Project, this would increase the vehicle queues at the US-101 Southbound off-ramp and 7th Street, I-10 Eastbound off-ramp and Porter Street, and I-10 Westbound off-ramp and Mateo Street/Enterprise Street. Mitigation Measures TR-MM-1 through TR-MM-3 identified in Section IV.H, Transportation, which would signalize these intersections, would mitigate these impacts to a less-than-significant level. However, since the improvements involve another jurisdiction (i.e., Caltrans) beyond the City of Los Angeles, implementation cannot be guaranteed. Therefore, both Project-level and cumulative impacts would remain significant and unavoidable and would be greater when compared to the significant and unavoidable impacts of the Project because the increase in peak hour traffic would be slightly greater.

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<sup>5</sup> Fehr & Peers, Technical Memorandum, Violet Street Creative Office Campus Project: Alternatives Analysis, October 17, 2022. (See Appendix P of the Draft EIR.)

<sup>6</sup> As stated in Section IV.H, Transportation, of the Draft EIR, the Project is estimated to result in a net increase of 6,389 daily vehicle trips and a total daily VMT of 48,177 under the 7th Place driveway scenario, and a net increase of 6,380 daily vehicle trips and a total daily VMT of 48,107 under the Violet Street driveway scenario.

Similar to the Project, Alternative 4 requires excavation and grading for building foundations and subterranean parking. While the uncovering of tribal cultural resources is not anticipated, if tribal cultural resources are discovered during construction, such resources would be treated in accordance with State law (i.e., CEQA Guidelines Section 15064.5(d), PRC Sections 21080.3.1(b), 21080.3.2(a), 21084.3, etc.). Accordingly, impacts to tribal cultural resources would be less than significant and similar to the less-than-significant impacts with mitigation measures of the Project.

### **iii. Finding**

The City finds, pursuant to PRC Section 21081(a)(3) and CEQA Guidelines Section 15091(a)(3), that specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible Alternative 4, as described in the EIR.

### **iv. Rationale for Finding**

Under Alternative 4, the same land uses (i.e., office, restaurant, and retail) would be developed at the Project Site as under the Project during the initial phase, but the Future Campus Expansion Phase would include a hotel rather than additional office. As such, Alternative 4 would meet the underlying purpose of the Project, which is to redevelop underutilized parcels into a high-density, infill development that improves the function, design, and economic vitality of the commercial corridors within the Central City North Community Plan area, to the same extent than the Project because all commercial uses and the same amount of development are proposed.

Regarding the Project objectives, Alternative 4 would meet the following Project objective to the same degree as the Project as it would include commercial land uses and similar building design, and would implement the same energy conservation and sustainability features:

Promote Central City North Community Plan Objective 2-1 to conserve and strengthen viable commercial development in the community and to provide additional opportunities for new commercial development and services.

Promote local, regional, and State land use and mobility objectives and reduce vehicle miles traveled (VMT) through infill development and providing jobs in proximity to transit and transportation infrastructure to encourage pedestrian activity.

Provide a sustainable building design that allows for the use of energy-efficient technology, thereby reducing the overall reliance on energy for lighting and cooling.

Create a pedestrian-friendly project by creating a street-level identity for the Project Site and improving the pedestrian experience through the introduction of commercial uses on the ground floor level and the incorporation of a paseo to connect the existing uses with the new development.

Alternative 4 would meet the remaining Project objectives, although to a lesser extent than the Project because less office square footage is proposed, which in turn would result in fewer new jobs:

- Create an interactive creative office campus with outdoor areas, shared amenities (including publicly accessible outdoor areas), and landscaping while retaining an existing historic building and a (non-historic) attached annex on-site.

Support the growth of the City's economic base by creating a significant number of construction and permanent jobs.

However, Alternative 4 would increase vehicle queuing at the US-101 Southbound off-ramp and 7th Street, I-10 Eastbound off-ramp and Porter Street, and I-10 Westbound off-ramp and Mateo Street/Enterprise Street. For this reason (in addition to the fact that Alternative 4 would not fully achieve the Project objectives identified above), this alternative is rejected.

The City rejects Alternative 4 on each of these grounds independently. All of the reasons provide sufficient independent grounds for rejecting this alternative.

#### **v. Reference**

Section V, Alternatives, of the Draft EIR pages V-56 through V-73.

#### **4. Alternatives Rejected as 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. Alternatives to the Project that were considered and rejected as infeasible include the following:

- **Alternative Project Site:** The Applicant owns the Project Site, and its location is conducive to the development of a commercial project. The Project Site is located in the Arts District, which is characterized by a mix of uses, including residential, commercial, office, and industrial uses. These uses make the Project Site particularly suitable for the redevelopment of underutilized parcels into a high-density infill development that improves the function, design, and economic vitality of the commercial corridors within the Central City North Community Plan area. The Project Site is also well-served by transit. Furthermore, the Applicant cannot reasonably acquire, control, or access an alternative site in a timely fashion that would result in implementation of a project with similar uses and square footage. Given its urban location, if an alternative site in the Arts District area that could accommodate the Project were to be found, it would be expected that the significant and unavoidable impact associated with cumulative operational off-site noise would also occur, similar to the proposed Project on the Project Site because existing traffic volumes in the Arts District are so low that the addition of additional trips would also result in an exceedance of the noise threshold. Additionally, considering the mix of uses in the Arts District, which includes sensitive uses, it is possible that development of the Project at an alternative site could potentially be closer to sensitive uses and, thus, may produce other environmental impacts that would otherwise not occur at the current Project Site or result in greater environmental impacts when compared to the Project. Therefore, an alternative site is not considered feasible as the Applicant does not own another

suitable site that would achieve the underlying purpose and objectives of the Project, and an alternative site would not likely avoid the Project's significant impact without resulting in other environmental impacts. Thus, this alternative was rejected from further consideration.

- Alternatives to Eliminate Significant Noise Impacts During Construction:** As discussed in Section IV.F, Noise, of the Draft EIR, construction of the Project would result in a significant noise impact during the nighttime concrete pour for the mat foundation (estimated to be approximately five days). Typical noise mitigation includes the use of temporary noise barrier. However, due to the height of the future mixed-use development at receptor location R2 (31-story building), it would not be feasible to construct a temporary noise barrier tall enough to effectively reduce the construction noise at the upper levels. Moreover, the expected duration of the impact is quite short. There are no other feasible mitigation measures to further reduce the nighttime construction noise level at receptor location R2, and based on structural and seismic requirements, the construction methods cannot be feasibly modified (i.e., an alternative to a mat pour). Specifically, based on feedback from the Project's geotechnical engineer, the only other foundation system that could be considered would consist of a deep pile foundation system.<sup>7</sup> However, a deep pile system would require additional drilling and vibration, which would last for several weeks, as compared to the five days estimated for the Project. The pile installation would also require daily concrete delivery, which would add to construction noise and traffic. Therefore, construction noise impacts associated with on-site construction noise levels (during the nighttime concrete pour) would remain significant and unavoidable with a pile foundation system and as stated previously, no other feasible alternative foundation system was identified. Additionally, although an alternative with a smaller building footprint could potentially reduce the length of time this impact would occur, construction noise impact at receptor location R2 would not be avoided for the reasons detailed above. It should be noted that this impact would only occur if the proposed mixed-use development at receptor location R2 is completed and occupied prior to or during Project construction; as such the impact would be short-term and of very short duration (i.e., approximately five days). Nevertheless, because no feasible mitigation measures were identified that could reduce this impact to a less-than-significant level, and because the mat foundation pour is integral to construction of the Project, an alternative to eliminate nighttime construction noise impact during the concrete pour for the mat foundation has been rejected from further consideration in the Draft EIR.
- All-Commercial Alternative to Eliminate the Significant Freeway Safety Impact:** As discussed in Section IV.H, Transportation, of the Draft EIR, Mitigation Measures TR-MM-1, TR-MM-2, and TR-MM-3 would reduce both Project-level and cumulative significant impacts at the US-101 Southbound off-ramp to 7th Street, I-10 Eastbound off-ramp to Porter Street, and I-10-Westbound off-ramp to Mateo Street/Enterprise Street to a less-than-significant level. However, since the improvements are within the responsibility and jurisdiction of another public agency (i.e., Caltrans), the City of Los Angeles cannot guarantee the mitigation would be approved and implemented, and there are no alternatives that can be implemented with respect to freeway safety that do not also involve Caltrans. Therefore, impacts are assumed to be significant and unavoidable.

Therefore, an All-Commercial Alternative to eliminate the significant Project-level and cumulative impact related to freeway safety was considered. As shown in Table 3A of

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Email communication with Gregorio Varela, P.E., Geotechnologies, Inc., July 22, 2022.

the Transportation Assessment, of the off-ramps where the Project is estimated to have a safety impact, the Project adds the most car lengths to the US-101 Southbound/7th Street off-ramp during the A.M. peak hour (i.e., six car lengths). Per LADOT guidance, a Project/Alternative can add up to one car length to an off-ramp queue that exceeds capacity before there is a freeway safety impact. Therefore, in order to go from six car lengths to one car length, an alternative would need to reduce the A.M. inbound trip generation by approximately 83 percent. In order to accomplish this, the Project would need to be reduced to 119,600 square feet of office uses and 15,499 square feet of retail/restaurant uses. This reduction in square footage would reduce peak hour traffic to a sufficient degree to avoid the Project's impacts with respect to freeway safety at US-101 Southbound off-ramp and 7th Street, I-10 Eastbound off-ramp and Porter Street, and I-10 Westbound off-ramp and Mateo Street/Enterprise Street.

Therefore, although this scenario would avoid the Project's significant and unavoidable freeway safety impact, the degree of reduction is too great to meet Project objectives. As such, this alternative was removed from further consideration. However, Alternative 3, the Reduced Density Alternate Use Alternative, which includes residential uses instead of office uses, is analyzed below and would avoid the Project's significant and unavoidable freeway safety impact.

- **Alternatives to Eliminate Significant Cumulative Off-Site Noise Impacts During Operation:** An alternative designed to eliminate the significant and unavoidable cumulative operational noise impact was considered. However, because of the related projects in the immediate Project vicinity whose vehicle trips are expected to utilize Santa Fe Avenue and Mateo Street north of the Project Site, future noise levels along Mateo Street (between 6th Street and 7th Street) and along Santa Fe Avenue (between 6th Street and 7th Street) would be significant even without the Project. Therefore, the addition of any traffic from the Project or any alternative would incrementally increase noise levels that would contribute to a significant cumulative impact. Conventional mitigation measures, such as providing noise barrier walls to reduce the off-site traffic noise impacts, would not be feasible as the barriers would obstruct the access and visibility to the properties along the impacted roadway segments. Thus, this alternative was rejected from further consideration. Nevertheless, it should be noted that a reduced development alternative would lessen the degree of this impact. Accordingly, the Reduced Density Alternative and Reduced Density Alternative Use Alternative been analyzed.
- **Alternative with all Aboveground Parking:** An alternative was considered that would include all aboveground parking, increasing the height of the proposed building from 13 stories to 18 stories. This alternative was considered as it had the potential to replace the identified mat foundation system with a different foundation system (pad foundation, spread footing, piles, etc.). Upon further review, this alternative would still require a mat foundation during construction because of soil conditions and the same traffic generation during operation and, as such, would not avoid any of the Project's significant and unavoidable impacts related to on-site construction noise (Project-level), off-site operational noise (cumulative), and freeway safety (Project-level and cumulative). Additionally, the massing of such a structure could also result in greater impacts to nearby historic resources, including the Ford Factory Building within the Project Site. Lastly, such a parking structure deviates from certain provisions of the existing guidance provided by the City Planning Commission in its October 206 Advisory Notice Relative to Above-Grade Parking, as well as certain provisions

included in the DTLA Community Plan Update. Therefore, this alternative was rejected from further consideration.

- **DTLA Community Plan Compliant Alternative:** An alternative was considered that would conform with the DTLA Community Plan update. However, this alternative was too similar to the Project regarding use, density, and frontages for the Project Site. Therefore, this alternative was rejected from further consideration.

#### **v. Reference**

Section V, Alternatives pages V-3 through V-6, of the Draft EIR.

#### **w. Environmentally Superior Alternative**

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

Table V-1 on pages V-8 through V-12 of the Draft EIR provides a summary matrix that compares the impacts associated with the Project with the impacts of each of the analyzed alternatives. A more detailed description of the potential impacts associated with each alternative is provided above. Pursuant to CEQA Guidelines Section 15126.6(c), the analysis below addresses the ability of the Alternatives to “avoid or substantially lessen one or more of the significant effects” of the Project.

Alternative 1, the No Project/No Build Alternative, would avoid the Project’s significant and unavoidable impacts with respect to on-site noise during construction (Project-level), operational noise (cumulative), and freeway safety (Project-level and cumulative). Alternative 1 would eliminate all of the Project’s remaining less-than-significant impacts and less-than-significant impacts with mitigation as no changes to the existing conditions would occur. However, Alternative 1 would not meet any of the Project objectives or the Project’s underlying purpose to redevelop underutilized parcels into a high-density, infill development that improves the function, design, and economic vitality of the commercial corridors within the Central City North Community Plan area.

As stated above, the CEQA Guidelines require the identification of an Environmentally Superior Alternative other than a No Project Alternative. Accordingly, in accordance with the CEQA Guidelines, a comparative evaluation of the remaining alternatives indicates that Alternative 3, the Reduced Density Alternative Use Alternative, is the Environmentally Superior Alternative. This Alternative represents a reduced density development with residential uses instead of office uses in the Project’s initial phase. Alternative 3 would reduce, but not eliminate, the Project’s significant and unavoidable impacts with respect to on-site noise during construction (Project-level) and off-site noise during operation (cumulative). Alternative 3 would, however, avoid the Project’s significant and unavoidable impact (Project-level and cumulative) with respect to freeway safety. Impacts with respect to VMT would be greater than the Project but remain less



than significant. Impacts associated with the remaining environmental issues would be similar to or less than those of the Project.

As stated above, because less office square footage is proposed, Alternative 3 would meet most of the Project's objectives to a lesser extent than the Project. Specifically, Alternative 3 would not meet the underlying purpose of the Project, which is to redevelop underutilized parcels into a high-density, infill development that improves the function, design, and economic vitality of the commercial corridors within the Central City North Community Plan area, to the same extent as the Project.

Regarding the Project objectives, Alternative 3 would meet the following Project objective to the same degree as the Project as it would include land uses typical of urban development and building design, and would implement the same energy conservation and sustainability features:

Provide a sustainable building design that allows for the use of energy-efficient technology, thereby reducing the overall reliance on energy for lighting and cooling.

Alternative 3 would meet the remaining Project objectives, although to a lesser extent than the Project the Project due to the reduction in the overall amount of development, and the reduction in office uses:

- Promote Central City North Community Plan Objective 2-1 to conserve and strengthen viable commercial development in the community and to provide additional opportunities for new commercial development and services.
- Promote local, regional, and State land use and mobility objectives and reduce vehicle miles traveled (VMT) through infill development and providing jobs in proximity to transit and transportation infrastructure to encourage pedestrian activity.
- Create an interactive creative office campus with outdoor areas, shared amenities (including publicly accessible outdoor areas), and landscaping while retaining an existing historic building and a (non-historic) attached annex on-site.
- Create a pedestrian-friendly project by creating a street-level identity for the Project Site and improving the pedestrian experience through the introduction of commercial uses on the ground floor level and the incorporation of a paseo to connect the existing uses with the new development.

Support the growth of the City's economic base by creating a significant number of construction and permanent jobs.

## **X. SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES**

CEQA Guidelines Section 15126.2(d) indicates that an EIR should evaluate significant irreversible environmental changes that would be caused by implementation of a proposed project. As stated therein: "[u]ses of nonrenewable resources during the initial and continued phases of the project may be irreversible since a large commitment of such resources makes removal or nonuse thereafter unlikely. Primary impacts and, particularly, secondary impacts (such

as highway improvement which provides access to a previously inaccessible area) generally commit future generations to similar uses. Also irreversible damage can result from environmental accidents associated with a project. Irretrievable commitments of resources should be evaluated to assure such consumption is justified.”

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 discussed below and addressed in detail on pages VI-6 through VI-10 of the Draft EIR, the Project would not result in a large commitment of natural resources or in significant irreversible environmental changes.

In summary, and as further discussed in the Draft EIR (which discussion is incorporated herein by this reference), Project construction and operation would require the irreversible commitment of limited, slowly renewable, and non-renewable resources, which would limit the availability of these resources and the Project Site for future generations or for other uses. However, the consumption of such resources would not be substantial and would be consistent with regional and local growth forecasts and development goals for the area. The loss of such resources would not be highly accelerated when compared to existing conditions and such resources would not be used in a wasteful manner. Additionally, development of the Project would result in a commitment of the Project Site to office uses, ground floor retail and/or restaurant uses for the lifespan of the Project, a period likely to be at least several decades. While this would commit future generations to similar (urban) uses, the Project Site is located in an existing, highly urbanized area that has previously been committed to similar industrial and commercial uses. Therefore, although irreversible environmental changes would result from the Project: (1) such changes would be less than significant; (2) are consistent with the historic urban use of the Project Site, and will further land use planning goals of the City; and (3) the limited use of nonrenewable resources that would be required by Project construction and operation is justified in light of the benefits of the Project outlined above.

## **XI. GROWTH-INDUCING IMPACTS**

CEQA Guidelines Section 15126.2(e) 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. The Draft EIR fully considers these impacts on pages VI-10 through VI-13.

As more fully set forth in the Draft EIR, the Project would be consistent with the growth forecast for the City of Los Angeles Subregion and with policies to reduce urban sprawl, efficiently utilize existing infrastructure, reduce regional congestion, and improve air quality through the reduction of VMT. Furthermore, the Project would not extend roadway or utility infrastructure to undeveloped areas, reduce impediments to urban growth, or open undeveloped areas to urban growth. Therefore, Project growth-inducing impacts would be less than significant.

## **XII. ENERGY CONSERVATION**

The Project would be designed and constructed to incorporate features to support and promote environmental sustainability. Specifically, the Project would support environmental sustainability by incorporating sustainable building features and construction protocols required by the California Title 24 energy standards, the CALGreen Code, the City of Los Angeles Green Building Code, City of Los Angeles Green New Deal, the City's All-Electric Buildings Ordinance, as applicable, and the 2020–2045 RTP/SCS. The Project would also comply with the City's All-Electric Buildings Ordinance, as applicable. The Project represents an infill development located in close proximity to existing public transit and would utilize existing infrastructure to service the proposed uses. The Project also involves the reuse of certain existing buildings and facilities. Both in compliance with and, in some cases, in exceedance of regulatory requirements, a number of specific sustainable design components would be incorporated into the Project, including, but not limited to: Energy Star appliances; light-emitting diode lighting, low-flow fixtures, and drop irrigation that comply with the performance requirements specified in the Los Angeles Green Building Code.

## **XIII. STATEMENT OF OVERRIDING CONSIDERATIONS**

Pursuant to PRC Section 21081(a)(1)-(a)(2), and CEQA Guidelines Section 15092, the City finds that in approving the Project it has eliminated or substantially lessened all significant and potentially significant effects of the Project on the environment where feasible, as shown in Sections IV.A through IV.J.2 of the EIR. The City further finds that it has balanced the economic, legal, social, technological, and other benefits of the Project against the remaining unavoidable environmental risks in determining whether to approve the Project and has determined that those benefits outweigh the unavoidable environmental risks and that those risks are acceptable. The City makes this statement of overriding considerations in accordance with PRC Section 21081(a)(3) and (b) and CEQA Guidelines Section 15093 in support of approval of the Project. The City adopts each of the following factors in approving this Statement of Overriding Considerations, individually and collectively. Any one of these factors is entirely sufficient to support the City's approval of the Project. If any of these factors is determined to be insufficient, or lacking in substantial evidence, the City nevertheless adopts all other factors cited in this statement. Any one of the reasons for approval cited below is sufficient to support the City's approval of the Project. The substantial evidence supporting the various benefits can be found in the preceding findings, which are incorporated by reference into this Section XIII, and in the documents found in the Record of Proceedings, as defined in PRC Section 21167.6(e) and further specified in Section III of these findings.

The City has considered the information contained in and related to the EIR (the Draft EIR, Comments and Responses to those documents, text changes and other revisions included in the Final EIR, and all other public comments, responses to comments, accompanying technical

memoranda and staff reports, findings, and all other documents included in the record as described above). Pursuant to CEQA Guidelines section 15092, the City finds that in approving the Project it has eliminated or substantially lessened all significant and potentially significant effects of the Project on the environment where feasible as shown in the findings. As set forth in the findings, the Project will nevertheless result in the following significant and unavoidable impacts: (1) Project-level On-site construction noise impacts in the event that sensitive receptor R2 is completed and occupied prior to or during Project construction; (2) Cumulative Off-Site noise impacts during project operation; and (3) Project-level and cumulative transportation impacts relative to geometric design features (freeway safety).

The list of significant and unavoidable impacts set forth above is intended to be a comprehensive list of such impacts. In the event one or more significant and unavoidable impacts is not included in this list, the omission is inadvertent. The City adopts this Statement of Overriding considerations notwithstanding any such omission.

The City finds that it has balanced the economic, legal, social, technological and other benefits of the Project against these remaining significant and unavoidable environmental impacts in determining whether to approve the Project. The City has determined, and finds those benefits outweigh the impacts and that those impacts are acceptable. The City makes this statement of overriding considerations in accordance with PRC section 21081(a)(3), and CEQA Guidelines section 15093 in support of approval of the Project. Specifically, in the City's judgment, the benefits of the Project as approved outweigh the significant, unavoidable, adverse impacts and the proposed Project should be approved.

The Project has the following benefits:

- The Project will invest in the growth of the creative economy in the City of Los Angeles by preserving the Ford Factory building, occupied by the Warner Music Center, as an iconic example of creative office facilities integrated within the adaptive reuse of a historic resource.
- The Project will contribute to Los Angeles's status as a worldwide capital of innovation, helping meet both the existing and future demands for creative office spaces by providing the opportunity for more businesses and emerging industries to be present in the City and region, and creating a wide range of new professional, creative, entertainment, and construction jobs in the City.
- The Project will support the economic development goals of the City's General Plan Framework Element to establish a balance of land uses that provide for commercial development which meets the needs of local residents, sustains economic growth, and assures maximum feasible environmental quality through the development of a mix of integrated and supporting land uses within a single site. Specifically, the Project will sustain economic viability and growth by providing modern creative office space to meet the contemporary needs and changing demands of the City's office market while simultaneously generating tax and property revenues to the City.
- The Project will encourage strong and competitive commercial sectors that promote economic vitality and serve the needs of the Downtown community through well-designed, safe, and accessible areas, while preserving historic and cultural character. The Project will add a modern creative office tower to meet the contemporary needs

and changing demands of the City's industries while preserving the integrity of the Ford Factory building on-site. The Project will preserve all of the existing historic character-defining features of the Ford Factory and enhance its vitality with the introduction of additional floor area for complementary and symbiotic uses on-site.

- The Project will support the Transportation Element of the City's General Plan (Mobility Plan 2035) since the Project is ideally located in a Transit Priority Area and will help achieve the City's goal of reducing vehicle miles of travel associated with travel between homes and employment opportunities in the region. Further, the Project will develop an underutilized site in close proximity to multiple existing bus lines.
- The Project will improve the visual character and pedestrian environment along the Project Site and advance the City's transit-oriented development policies by replacing an underutilized site with a new multi-use project that provides active ground-level retail and restaurant uses.
- The Project will be consistent with California Title 24 energy standards, the CALGreen Code, the City of Los Angeles Green Building Code, City of Los Angeles Green New Deal, the City's All-Electric Buildings Ordinance, as applicable, and the 2020–2045 RTP/SCS by incorporating sustainable and green building design and construction to promote resource conservation.

#### **XIV. GENERAL FINDINGS**

1. The City of Los Angeles is the "Lead Agency" for the Project evaluated in the EIR. The City finds that the Draft EIR which was circulated for public review reflected its independent judgment. The City certifies that: (a) the EIR was prepared and completed in compliance with CEQA and the CEQA Guidelines, (b) the Final EIR was presented to the decision-making body of the lead agency, and that the decision-making body independently reviewed and considered the information contained in the final EIR prior to approving the Project, and (c) that the Final EIR reflects the independent judgment and analysis of the City.
2. The EIR evaluated the following potential Project and cumulative environmental impacts, as further described in these findings and the Draft EIR: air quality, cultural resources, energy, greenhouse gas emissions, land use and planning, noise, public services, transportation, tribal cultural resources, utilities and service systems, alternatives, and other CEQA considerations. Additionally, the EIR considered, in separate sections, Significant Irreversible Environmental Changes and Growth Inducing Impacts. The significant environmental impacts of the Project and the alternatives were identified in the EIR.
3. The City finds that the EIR provides objective information to assist the 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 periods and responds to comments made during the public review period.

4. Textual refinements were compiled and presented to the decision-makers for review and consideration. The City staff has made every effort to notify the decision-makers and the interested public/agencies of each textual change in the various documents associated with Project review. These textual refinements arose for a variety of reasons. First, it is inevitable that draft documents would contain errors and would require clarifications and corrections. Second, textual clarifications were necessitated to describe refinements suggested as part of the public participation process.
5. The City evaluated comments on environmental issues received from persons who reviewed the Draft EIR. In accordance with CEQA, the City 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 City reviewed the comments received and responses thereto and has determined that neither the comments received nor the responses to such comments add significant new information regarding environmental impacts to the Draft EIR. The Lead Agency has based its actions on full appraisal of all viewpoints, including all comments received up to the date of adoption of these findings, concerning the environmental impacts identified and analyzed in the EIR.
6. The Final EIR documents changes to the Draft EIR. Having reviewed the information contained in the Draft EIR, the Final EIR and the administrative record, as well as the requirements of CEQA and the CEQA Guidelines regarding recirculation of Draft EIRs, the City finds that there is no new significant impact, substantial increase in the severity of a previously disclosed impact, significant new information in the record of proceedings or other criteria under CEQA that would require recirculation of the Draft EIR. Specifically, the City finds that:
  - The Responses to Comments contained in Section II of the Final EIR fully considered and responded to comments claiming that the Project would have significant impacts or more severe impacts not disclosed in the Draft EIR. The Responses to Comments include substantial evidence that none of these comments provided substantial evidence that the Project would result in changed circumstances, significant new information, considerably different mitigation measures, or new or more severe significant impacts than were discussed in the Draft EIR.
  - The City has thoroughly reviewed the public comments received regarding the Project, and the Final EIR as it relates to the Project to determine whether under the requirements of CEQA, any of the public comments provide substantial evidence that would require recirculation of the EIR prior to its adoption and has determined that recirculation of the EIR is not required.
  - None of the information submitted after publication of the Final EIR, including testimony at the public hearing on the Project, constitutes significant new information or otherwise requires preparation of a supplemental or subsequent EIR. The City does not find this information and testimony to be credible evidence of a significant impact, a substantial increase in the severity of an impact disclosed

in the Final EIR or a feasible mitigation measure or alternative not included in the Final EIR.

- The mitigation measures identified for the Project were included in the Draft EIR and Final EIR. The final mitigation measures for the Project are described in the MMP. Each of the mitigation measures identified in the MMP is incorporated into the Project. The City finds that the impacts of the Project have been mitigated to the extent feasible by the mitigation measures identified in the MMP.
7. CEQA requires the Lead Agency approving a project to adopt an MMP or the changes to the project which it has adopted or made a condition of project approval in order to ensure compliance with the mitigation measures during project implementation. The mitigation measures included in the EIR as certified by the City and revised in the MMP as adopted by the City serve that function. The MMP includes all of the mitigation measures and PDFs adopted by the City in connection with the approval of the Project and has been designed to ensure compliance with such measures during implementation of the Project. In accordance with CEQA, the MMP provides the means to ensure that the mitigation measures are fully enforceable. In accordance with the requirements of PRC Section 21081.6 and CEQA Guidelines Section 15097, the City hereby adopts the MMP.
  8. In accordance with the requirements of PRC Section 21081.6 and CEQA Guidelines Section 15097, the City hereby adopts and incorporates each of the mitigation measures expressly set forth herein as conditions of approval for the Project. Without limiting the foregoing, this action shall satisfy, and shall be construed and implemented so as to satisfy in all respects the requirements of CEQA Guidelines Section 15091(d).
  9. The custodian of the documents or other materials which constitute the record of proceedings upon which the City decision is based is the City of Los Angeles, Department of City Planning, located at the City of Los Angeles, Figueroa Plaza, 221 North Figueroa Street, Suite 1350, Los Angeles, CA 90012.
  10. The City finds and declares that substantial evidence for each and every finding made herein is contained in the EIR, which is incorporated herein by this reference, or is in the record of proceedings in the matter.
  11. The City is certifying an EIR for, and is approving and adopting findings for, the entirety of the actions described in these Findings and in the EIR as comprising the Project.
  12. The EIR is a project EIR for purposes of environmental analysis of the Project. A project EIR examines the environmental effects of a specific project. The EIR serves as the primary environmental compliance document for entitlement decisions regarding the project by the City and the other regulatory jurisdictions.
  13. The City recognizes that minor revisions have been made to the Final EIR in order to clarify and/or amplify information in the Draft EIR and that additional evidence has been developed after publication of the Draft EIR. None of this information affects the

conclusions or results in substantive changes to the information presented in the Draft EIR or the significance of impacts as disclosed in the Draft EIR. The City finds that none of the public comments to the Draft EIR, nor subsequent public comments or other evidence in the record, nor any clarifications or revisions made in the EIR, include or constitute substantial evidence that would require recirculation of the EIR prior to its certification. There is no substantial evidence elsewhere in the record of proceedings that would require substantial revisions to the Final EIR prior to its certification. The EIR need not be recirculated prior to its certification.

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

In connection with the approval of VTTM No. 83382 (VTTM), 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.**

Section 66411 of the Subdivision Map Act (Map Act) establishes that local agencies regulate and control the design of subdivisions. Chapter 2, Article I, of the Map Act establishes the general provisions for tentative, final, and parcel maps. The subdivision and merger of land is regulated pursuant to Article 7 of the LAMC. The LAMC implements the goals, objectives, and policies of the General Plan through zoning regulations, including Specific Plans. The zoning regulations contained within the LAMC regulate, but are not limited to, the maximum permitted density, height, parking, and the subdivision of land.

Pursuant to LAMC Section 17.05 C, tentative maps are to be designed in conformance with the tract map regulations to ensure compliance with the various elements of the General Plan, including the Zoning Code. Additionally, the maps are to be designed in conformance with the Street Standards established pursuant to LAMC Section 17.05 B.

The Project Site is located within the Central City North Community Plan, which designates the Project Site for Heavy Industrial land uses and has a corresponding zone of M3. The Project Site is zoned M3-1-RIO (Heavy Industrial Zone, Height District 1, River Improvement Overlay), which is consistent with the land use designation. The Heavy Manufacturing land use designation allows for a wide range of industrial and commercial zones and the M3 Zone permits a variety of uses and intensities. Height District 1 does not impose a height limit but restricts FAR to 1.5:1. The RIO is a special use district that requires new projects to achieve points in three design categories: Watershed, Urban Design, and Mobility. The RIO also provides guidelines for new complete streets and includes a mobility strategy to ensure that the needs of pedestrians, bicyclists, transit riders, and vehicle drivers are considered when major projects or street improvements are undertaken. Further, the Project Site is subject to the Central City North Community Plan Area Footnote 6 which states, "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." The M3 Zone does not require any setbacks. The Project Site is located within the Los Angeles State Enterprise Zone but is not located within a specific plan area.



Under concurrent Case No. CPC-2021-2231-GPA-VZC-HD-VCU-ZV-SPR, the Applicant is requesting a General Plan Amendment to amend the Central City North Community Plan to re-designate Lot 1 of the Project Site from Heavy Industrial to Regional Center Commercial; a Vesting Zone and Height District Change from M3-1-RIO to C2-2-RIO for Lot 1 of the Project Site; a Vesting Conditional Use to allow Floor Area Ratio averaging across a Unified Development; a Zone Variance to permit a loading zone to be provided with vehicular access from a public street; and Site Plan Review for a project resulting in greater than 50,000 new square-feet of nonresidential floor area. The Project proposes a total of 450,599 square feet of new commercial uses consisting of 435,100 square feet of new office uses and 15,499 square feet of new retail and/or restaurant uses, while retaining 244,795 square feet of existing office use. The Project proposes a total of 695,394 square feet of uses on an approximately six-acre lot for a 6:1 FAR.

Contingent upon the approval of the Project's related entitlements, the vacation and merger 7<sup>th</sup> Place and the Easterly Public Alley into the site, and the re-subdivision of existing lots into four ground lots, the proposed subdivision would be consistent with the use and floor area permitted by the General Plan.

Pursuant to LAMC Section 17.06 B, a tentative map must be prepared by or under the direction of a licensed land surveyor or registered civil engineer and is required to contain information regarding the boundaries of the Project Site, as well as the abutting public rights-of-ways, hillside contours for hillside properties, location of existing buildings, existing and proposed dedication, and improvements of the tract map. The VTTM indicates the map number, notes, legal description, contact information for the owner, Applicant, and engineer, as well as other pertinent information as required by LAMC Section 17.06 B. Additionally, LAMC Section 17.15 B requires that vesting tentative maps provide the proposed building envelope, height, size, and number of units, as well as the approximate location of buildings, and driveways. While no residential units are proposed, the VTTM provides the building envelope, height, and approximate location of the building and driveways among other required map elements.

Therefore, as conditioned, the proposed map demonstrates compliance with LAMC Sections 17.05 C, 17.06 B, 17.15 B and would be consistent with the applicable General 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."

LAMC Section 17.05 enumerates design standards for a tentative map and requires that each map be designed in conformance with the Street Design Standards and in conformance with the General Plan. LAMC 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 map. The design and layout of the VTTM is consistent with the design standards established by the Subdivision Map Act and LAMC regulations.

As indicated in Finding (a), LAMC Section 17.05 C requires that the tentative map be designed in conformance with the zoning regulations of the Project Site. The Project Site is currently zoned M3-1-RIO (Heavy Industrial Zone, Height District 1, River Improvement Overlay). Under concurrent Case No. CPC-2021-2231-GPA-VZC-HD-VCU-ZV-SPR, the Applicant is requesting a General Plan Amendment to amend the Central City North Community Plan to re-designate Lot 1 of the Project Site from Heavy Industrial to Regional Center Commercial; and a Vesting Zone and Height District Change from M3-1-RIO to C2-2-RIO for Lot 1 of the Project Site.

Upon approval of the vacation and merger of 7<sup>th</sup> Place and the Easterly Public Alley into the site, and the re-subdivision of existing lots into four ground lots, the proposed subdivision would be consistent with the Zone and Height District. In addition, contingent upon the approval of the Project's related entitlements, the Project would be permitted a maximum FAR of 6:1, and the proposed subdivision would be consistent with the use and floor area permitted by the Zone and Height District.

The design and layout of the VTTM is also consistent with the design standards established by the Subdivision Map Act and Division of Land Regulations of the LAMC. The request for VTTM No. 83382 is for the merger and re-subdivision of the site into four ground lots, the merger and vacation of 7th Place and the Easterly Public Alley bisecting the site, as well as waivers of dedication and improvements along Violet Street, Santa Fe Avenue, and 7th Street, and a Haul Route for the export of up to 144,000 cubic yards of soil. The VTTM was distributed to and reviewed by the various City agencies of the Subdivision Committee, including, but not limited to, the Bureau of Engineering (BOE), Department of Building and Safety (LADBS), Grading Division and Zoning Division, Bureau of Street Lighting, Department of Recreation and Parks, that have the authority to make dedication, and/or improvement recommendations. Several public agencies found the subdivision design satisfactory, with imposed improvement requirements and/or conditions of approval. However, BOE reviewed the VTTM for compliance and recommended dedications and improvements to the public rights-of-ways along Violet Street, 7<sup>th</sup> Street, the Alley E/O Mateo Avenue (Westerly Public Alley), and Santa Fe Avenue in accordance with Industrial Collector Street, Industrial Local Street, Avenue II, Alley, and Avenue II Street standards of the Mobility Plan 2035, respectively. The merger and vacation of 7th Place and the Easterly Public Alley would allow for a development with a pedestrian paseo in the place of the public right-of-way and would support General Plan policies for pedestrian-focused design and mobility in the area. However, the requested waivers of dedication and improvements along Violet Street, Santa Fe Avenue, and 7th Street are not being approved, as the dedications and improvements are needed to widen sidewalk areas along the site, and to improve pedestrian access.

The LADBS – Grading Division reviewed the site grading and deemed it appropriate provided the Applicant shall, “Comply with any requirements with the Department of Building and Safety, Grading Division for recordation of the final map and issuance of any permit.” The Bureau of Street Lighting determined that if BOE requires street widening improvements, street lighting improvements shall include the construction of new

streetlights on Violet Street and 7<sup>th</sup> Place. All 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.

Therefore, as conditioned and in conjunction with the approval of the related entitlement requests, the design and improvements of the proposed subdivision would be consistent with the applicable General Plan.

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

The Project Site currently consists of lots totally approximately six acres and is developed with two existing offices and a warehouse. The request for VTTM No. 83382 is for the merger and re-subdivision of the site into four ground lots, the merger and vacation of 7th Place and the Easterly Public Alley bisecting the site, and a Haul Route for the export of up to 144,000 cubic yards of soil. With the approval of the proposed subdivision, the Project would include the demolition of all existing improvements excluding a 254,735 square-foot office, and construction of two new buildings with up to 604,182 square feet of new floor area on an approximately six-acre site. The Project would include a total of 906,595 square feet of floor area and be restricted to a maximum 6:1 FAR and building height of 292 feet.

There are a total of 28 non-protected trees on the Project Site, and 22 non-protected trees within the adjacent PROWs. A total of 11 non-protected trees would be removed as part of the Project, five of which are in the PROW. The removal of the street trees would be subject to the street tree replacement requirements of the City's Urban Forestry Division, subject to the approval of the Board of Public Works. A total of 59 trees would be planted as part of the Project, including six within the adjacent public rights-of-ways.

The Project Site is located within an urbanized area, has been previously developed, and is relatively flat throughout its entirety. The Project Site is not located in a specific plan area, Methane Zone, Very High Fire Hazard Severity Zone, Designated Hillside Area, Alquist Priolo Zone, Fault Rupture Study Area, Flood Zone, Landslide, Liquefaction, or Tsunami Inundation Zone.

As noted in the Conditions of Approval, the LADBS – Grading Division has deemed the Site appropriate provided the Applicant shall, “Comply with any requirements with the Department of Building and Safety, Grading Division for recordation of the final map and issuance of any permit.”

A Phase I Environmental Site Assessment (ESA) prepared for the Project included a database search, site visit, interview, and subsequent review of federal and State environmental databases, and found that development of the Project Site would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. In general, compliance with existing regulations, VTTM Conditions of Approval, and MMs identified in the EIR would ensure that the proposed development could be feasibly and safely constructed and operated on the site. In addition, prior to the issuance of any permits, the Project would be required to be reviewed and approved by LADBS and the Fire Department to ensure compliance with building, fire, and safety codes.

Therefore, as conditioned and in conjunction with the approval of the related entitlements and, as conditioned, the Project Site would 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 Project Site for Heavy Industrial land uses. The Project Site is zoned M3-1-RIO, which generally allows for manufacturing and commercial uses. Height District 1 does not impose a height limit but restricts the Site's FAR to 1.5:1. Further, the Project Site is subject to the Central City North Community Plan Area Footnote 6 which states, "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."

Under concurrent Case No. CPC-2021-2231-GPA-VZC-HD-VCU-ZV-SPR, the Applicant is requesting a General Plan Amendment to amend the Central City North Community Plan to re-designate Lot 1 of the Project Site from Heavy Industrial to Regional Center Commercial; and a Vesting Zone and Height District Change from M3-1-RIO to C2-2-RIO for Lot 1 of the Project Site. The VTTM No. 83382 is for the merger and re-subdivision of the site into four ground lots, and the merger and vacation of 7th Place and the Easterly Public Alley bisecting the site, and a Haul Route for the export of up to 144,000 cubic yards of soil. With the approval of the proposed subdivision, the Project would include the demolition of all existing improvements excluding a 254,735 square-foot office, and construction of two new buildings with up to 604,182 square feet of new floor area on an approximately six-acre site. The Project would include a total of 906,595 square feet of floor area and be restricted to a maximum 6:1 FAR and building height of 292 feet. Therefore, as conditioned, the proposed merger and re-subdivision of the Project Site into four ground lots for a new development would be consistent with these regulations.

The Project vicinity is characterized by a concentration of industrial, commercial, and recently developed residential uses. To the north of the Project Site across 7<sup>th</sup> Street are one-story restaurants, a one-story bakery, a one-story museum, and multi-story lofts. These parcels are designated Heavy Industrial land uses and zoned M3-1-RIO. To the east of the Project Site across Santa Fe Avenue are two-story cafes, a two-story hotel, two-story restaurants, a one-story coffee shop, and a one-story foundry. These parcels are designated for Heavy Industrial land use and zoned M3-1-RIO. To the south of the Project Site are a ground level parking lot, two story agricultural product wholesaler and market, and a one-story clothing store. These parcels are designated for Heavy Industrial land use and zoned M3-1-RIO. To the west of the Project Site across Mateo St. is a one-story general store and a one-story dog day care center. These parcels are designated for Heavy Industrial land use and zoned M3-1-RIO.

Upon approval of the entitlement requests, and as conditioned therein, the Project's proposed density is consistent with the general provisions and area requirements of the Planning and Zoning Code. The Project's floor area, density, and massing are appropriately scaled and situated given the existing uses in the surrounding area. The Site is a relatively flat infill lot in a developed urban area with adequate infrastructure; and the

area is easily accessible via improved streets and highways. 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 Project Site, as described in detail in the EIR, does not contain wetlands or riparian areas, does not have significant value as a wildlife habitat, and implementation of the Project would not harm protected species. The Project is situated in an established, fully developed commercial-industrial corridor, adjacent to an avenue, and nearby employment uses. The Project Site is currently comprised of 43 lots and currently improved with two warehouses, a parking garage, and an office building. The Project Site does not contain any natural open spaces with water courses such as streams or lakes within and adjacent to the Project Site, the Project Site and vicinity do not support any riparian or wetland habitat, as defined by Section 404 of the Clean Water Act.

Furthermore, the Project Site is not located in or adjacent to a Biological Resource Area as defined by the City, nor is the Project Site and immediately surrounding area within or near a designated Significant Ecological Area. The Project Site does not contain any natural open spaces, act as a wildlife corridor, migratory corridors, conflict with a Habitat Conservation Plan, nor possess any areas of significant biological resource value.

Regarding trees, the Project Site has been operating as an industrial use for decades and the Project vicinity is highly urbanized and does not support habitat for candidate, sensitive, or special status plant species. There are a total of 28 non-protected trees on the Project Site, and 22 non-protected trees within the adjacent public rights-of-ways. A total of 11 non-protected trees would be removed as part of the Project, five of which are in the PROW. The removal of the street trees would be subject to the street tree replacement requirements of the City's Urban Forestry Division, subject to the approval of the Board of Public Works. A total of 59 trees would be planted as part of the Project, including six within the adjacent public rights-of-ways. Therefore, no impacts to candidate, sensitive, or special status plant species would occur.

As noted above, the Project Site is presently improved with warehouse, office, and parking uses, and does not contain any natural open spaces, act as a wildlife corridor, contain riparian habitat, wetland habitat, or migratory corridors. The Project would not conflict with any protected tree ordinance or 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 LAMC (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 or flood hazard area and is not located on unsuitable soil conditions. As stated above, the Project Site is not located within

a Methane Zone and would not be required to comply with the LAMC methane seepage regulations for new projects.

Hazardous materials are not being used or generated by the existing on-site buildings. As part of the Phase I ESA, no recognized environmental conditions such as leaks, stains, spills, or distressed vegetation were observed or recorded on-site. In addition, no hazardous substances, drums, hazardous waste generation, petroleum products, or other chemical containers were observed.

Regarding seismic safety, with adherence to State and City building requirements, along with the recommendations included the LADBS Grading letter dated February 21, 2024, the subdivision and proposed improvements would not result in serious public health problems related to seismic safety. Furthermore, the Project Site is not located in a Very High Fire Hazard Severity Zone, Designated Hillside Area, Alquist Priolo Zone, Fault Rupture Study Area, Flood Zone, Landslide, Liquefaction, or Tsunami Inundation Zone.

Further, the Project can be adequately served by existing utilities, and the Applicant has paid, or committed to pay, all applicable in lieu fees. 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 meets Statewide Ocean discharge standards. The subdivision will be connected to the public sewer system and would have only a minor incremental increase on the effluent treated by the Hyperion Treatment Plant, which has adequate capacity to serve the project. Moreover, as required by LAMC Section 64.15, further detailed gauging and evaluation would be conducted as part of the required building permit process for the project, including the requirement to obtain final approval of an updated Sewer Capacity Availability Report demonstrating adequate capacity. In addition, Project-related sanitary sewer connections and on-site water and wastewater infrastructure will be designed and constructed in accordance with applicable Los Angeles Bureau of Sanitation (LASAN) and California Plumbing Code standards.

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 public streets and private properties that adjoin improved public streets designed and improved for the specific purpose of providing public access throughout the area. The Project Site does not adjoin or provide access to a public resource, natural habitat, public park, or any officially recognized public recreation area. No streams or rivers cross the Project Site. 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 would 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 VTTM No. 83382.