

FINDINGS

FINDINGS OF FACT (CEQA)

Mitigated Negative Declaration, Case No. ENV-2017-1706-MND, was prepared for the project and circulated on December 19, 2019. The IS/MND found the following potential negative impacts, but found that all could be reduced to less than significant:

- Aesthetics;
- Air Quality;
- Biological Resources;
- Cultural Resources;
- Geology and Soils;
- Green House Gas Emissions;
- Hazards and Hazardous Materials;
- Hydrology and Water Quality;
- Noise;
- Public Services;
- Tribal Cultural Resources; and
- Utilities and Service Systems

The Advisory Agency has reviewed the IS/MND No. ENV-2017-1706-MND, as circulated on December 19, 2019, all comments received, and the imposition of mitigation measures and the Mitigation Monitoring Program prepared for the IS/MND. The Advisory Agency finds that IS/MND tiers from the Warner Center 2035 Program EIR, No. ENV-2008-3471-EIR, SCH No. 1990011055 ("Warner Center PEIR") pursuant to CEQA Guidelines 15152 and 15168. This IS/MND analyzes potential environmental impacts that were not examined as significant effects on the environment in the Warner Center PEIR; or were susceptible to substantial reduction or avoidance by the choice of specific revisions in the project, by the imposition of conditions, or other means.

The Advisory Agency determines that revisions in the project were made and agreed to by the applicant before the proposed IS/MND was released for public review which would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur. The Advisory Agency finds that there is no substantial evidence, in light of the whole record before the agency, that the project as revised may have a significant effect on the environment and that the IS/MND reflects the independent judgment and analysis of the City. The Advisory Agency further finds mitigation measures have been made enforceable conditions on the project.

In accordance with Section 21081.6 of the Public Resources Code (AB3180), the Deputy Advisory Agency has assured that the above identified mitigation measures will be implemented by requiring reporting and monitoring as specified in **Condition No. 40**.

FINDINGS OF FACT (SUBDIVISION MAP ACT)

In connection with the approval of Vesting Tentative Tract Map No. VTT-74891 the Advisory Agency of the City of Los Angeles, pursuant to Sections 66473.1, 66474.60, .61 and .63 of the State of California Government Code (the Subdivision Map Act), makes the prescribed findings as follows:

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

The Land Use Element of the General Plan consists of the 35 Community Plans within the City of Los Angeles. The Community Plans establish goals, objectives, and policies for future developments at a neighborhood level. Additionally, through the Land Use Map, the Community Plan designates parcels with a land use designation and zone. The Land Use Element is further implemented through the Los Angeles Municipal Code (LAMC) and the Warner Center 2035 Specific Plan.

The proposed subdivision is located within the areas governed by the Canoga Park-Winnetka-Woodland Hills-West Hills Community Plan and the Warner Center 2035 Specific Plan (WC 2035 Plan). The General Plan Framework Element sets forth the long-term growth and development of the City of Los Angeles through its goals, objectives, and policies, which the City implements through its individual community plans and specific plans. The proposed Project includes a mix of buildings and uses that are consistent with the purposes, intent, and provisions of the General Plan, including the Community Plan, and the WC 2035 Plan. A review of the relevant and applicable General Plan goals, objectives, and policies is presented below.

General Plan Framework Element. The land use designation for the Project Site is Regional Center Commercial. Regional Centers, as defined in the Land Use Chapter (Chapter 3) of the Framework Element, "are intended to serve as the focal points of regional commerce, identity, and activity." Additionally, the definition in Chapter 3 describes Regional Centers as "contain[ing] a diversity of uses such as corporate and professional offices, retail commercial malls, government buildings, major health facilities, major entertainment and cultural facilities and supporting services. Region-serving retail commercial malls and retail services should be integrated where they complement and support the other uses in the Regional Center. The development of sites and structures integrating housing with commercial uses is encouraged in concert with supporting services, recreational uses, open spaces, and amenities."

The Framework Element goes on to further describe the physical characteristics of Regional Centers, including "Areas containing mid- and high-rise structures sited on large independent lots, set back from the property frontages (e.g., Warner Center and most of Century City). Though inhibited by the separation of structures, it is encouraged that buildings and sites be designed to improve pedestrian activity within the center."

Consistent with the definition and physical development for Regional Centers, the proposed Project is a mixed-use development on a 24-acre site that combines commercial office space, hotel, retail, restaurant, community space and multi-family (rental and ownership) housing in mid-rise and high-rise structures, with building setbacks that meet the applicable development regulations in the WC 2035 Plan, and provides pedestrian adapted pathways throughout the Project Site to maintain pedestrian connectivity between the new buildings and the adjacent properties and street frontages.

Goal 3F of the Framework Element is to provide "mixed-use centers that provide jobs, entertainment, culture and serve the region." In support of this Goal, Objective 3.10 is to "[r]einforce existing and encourage the development of new Regional Centers that accommodate a broad range of uses that serve, provide job opportunities, are accessible to the region, are compatible with adjacent land uses, and are developed to enhance urban lifestyles."

In conformance with this Goal and Objective, the Project redevelops the existing commercial office park with a mixed-use development that includes commercial office space, hotel, retail, restaurant, community space and multi-family housing uses. These

combined uses serve the overall goals of the WC 2035 Plan to establish Warner Center as the primary Regional Center in the West San Fernando Valley providing work, live, and play opportunities. The opportunity presented by the Project for future residents and workers to live and work in an urban setting that does not require a car to access many of the essential aspects of one's community will further the objectives of the WC 2035 Plan.

Goal 7G in the Economic Development Chapter (Chapter 7) of the Framework Element seeks "[a] range of housing options in the City." Objective 7.9 of this Goal is to "[e]nsure that the available range of housing opportunities is sufficient, in terms of location, concentration, type, size, price/rent range, access to local services and access to transportation, to accommodate future population growth and to enable a reasonable portion of the City's work force to both live and work in the City."

Consistent with this Goal and Objective, the proposed Project contains a range of housing opportunities from apartment to condominium units, including Work-Live Units. The mix of units includes floor plans ranging from studio to three-bedroom units, allowing for a diverse residential population.

The incorporation of ground floor retail and restaurant uses will provide residents access to local services within walking distance. The proximity of the Project to a number of local and regional transit stops will allow residents and workers alike to have meaningful access to transportation. The following local and regional bus lines are within convenient walking distance (approximately 1,500 feet) of the Project Site:

- Metro Local Line 244
- Metro Local Line 150
- Metro Local Line 161
- Metro Shuttle Line 601 (Warner Center Shuttle)
- Santa Clarita Transit Route 796/797
- Antelope Valley Transit Authority 787

The Project Site will also have access to the Orange Line. Metro Shuttle Line 601 (the Warner Center Shuttle) provides two stops located adjacent to and on the Project Site, one at the northwest intersection of Burbank Boulevard and De Soto Avenue, and the other on Warner Center Lane, just north of Burbank Boulevard. The shuttle runs through the Project Site along Warner Center Lane every ten minutes. The shuttle provides direct connection to and from the Metro Orange Line Canoga Station and throughout Warner Center, including direct connection to the Warner Center Towers, Warner Center Corporate Park, and Westfield Topanga, the Village and the Promenade. The Warner Center Shuttle also stops at the Warner Center Transit Hub at the intersection of Oxnard Street and Owensmouth Avenue.

The proximity of the Project to a variety of public transit options, both existing and proposed, will provide new residents and businesses with greater flexibility and quality of life choices. The Project will further the City's approach to "smart growth", as it expands employment, transportation access, housing type and size, and concentrates uses in an efficient manner to improve public health and quality of life overall. Given the Project's range of housing options and its proximity to local services and transportation, the Project is generally consistent with the Economic Development section of the Framework Element.

General Plan Housing Element. Goal 1 of the General Plan Housing Element is "Housing Production and Preservation." Objective 1.1 of this Goal is to "[p]roduce an

adequate supply of rental and ownership housing in order to meet current and projected needs." To implement this Goal and Objective, Policy 1.1.3 is to "[f]acilitate new construction and preservation of a range of different housing types that address the particular needs of the City's households" and Policy 1.1.4 is to "[e]xpand opportunities for residential development, particularly in designated Centers, Transit Oriented Districts and along Mixed-Use Boulevards". Similarly, Policy 1.3.5 of the Housing Element is to "[p]rovide sufficient land use and density to accommodate an adequate supply of housing units by type and cost within the City to meet the projections of housing needs, according to the policies and objectives of the City's Framework Element of the General Plan." Additionally, Goal 2 of the Housing Element is, "Safe, Livable, and Sustainable Neighborhoods", and in support of this Goal is Objective 2.2, to "[p]romote sustainable neighborhoods that have mixed-income housing, jobs, amenities, services and transit."

Consistent with these goals, objectives and policies, the Project is a mixed-use development containing much-needed housing with a variety of housing unit types (rental, including 10% workforce housing, and ownership) and sizes served by several transit options, as discussed above.

The Project includes a total of 1,009 residential units, with a mix of studio, one-, two- and three-bedroom units and Work-Live Units, as well as office, hotel, and other commercial (restaurant and/or retail) uses, as well as community space (to be completed in Phase VIII). The phased development of the Project will not displace any current residents or remove any existing housing stock since it will be built on land currently used for commercial uses. The Project will instead substantially increase the amount of available housing stock in the City of Los Angeles to address housing demand. Additionally, the Project encourages a more sustainable neighborhood that contains a mix of housing, job opportunities, commercial services, and amenities near public transit. Further, the Project will provide 10% of its rental units as workforce housing, meeting needs for affordable housing in the area.

The Project includes amenities including, but not limited to, several landscaped courtyards, swimming pool/spa facilities, recreation and fitness outlets, children's play areas, and dog runs, which will improve future residents' quality of life and reduce the need for additional public recreational resources. The Project's proximity to a variety of public transportation services will also increase the sustainability of this neighborhood, as it will allow future and current residents to utilize alternative modes of transportation. The availability of multiple modes of transportation will in turn reduce single- occupancy vehicle trips, and therefore, emissions of common air pollutants. The Project's concentration of a mix of uses, as well as proximity to a variety of existing commercial, retail, and service uses, will further reduce the need for automobile trips and improve the quality of life for residents and community members at large. In light of the Project's mixed-use program of commercial and residential uses located in close proximity to several modes of public transportation, the Project is consistent with the Housing Element's applicable goals, objectives, and policies.

General Plan Mobility Plan 2035. Policy 3.3, for Land Use Access and Mix, is to "[p]romote equitable land use decisions that result in fewer vehicle trips by providing greater proximity and access to jobs, destinations, and other neighborhood services." Policy 3.4, for Transit Services, is to "[p]rovide all residents, workers, and visitors with affordable, efficient, convenient, and attractive transit services." Mobility Plan 2035, which is the transportation element of the General Plan, encourages development that promotes concentrations of housing, jobs, and local services within close proximity of one another. The Project is consistent with the above policies of the Mobility Element, as it proposes

mixed-use residential and commercial buildings located in close proximity to one another as well as a variety of existing public transit lines and future transit opportunities. The Project will include 1,009 residential units, including Work-Live Units, and 1,140,746 square feet of office space in addition to several ground-floor commercial (restaurant, retail and/or office) uses, providing future residents, employees, and patrons from the broader Warner Center community access to a mixed land use that helps to minimize vehicular trips.

The Project will also be conditioned through the Project Permit Compliance entitlement to dedicate land along De Soto Avenue to complete a 56-foot half roadway, a 16-foot half parkway, and an eight (8)-foot half sidewalk, within a 68-foot half right-of-way and a 12-foot easement, consistent with the Warner Center 2035 Specific Plan standard for Major Highway Class I and the Mobility Plan standard for Modified Boulevard II. Also, the Project will be conditioned to dedicate land along Burbank Boulevard to complete a 35-foot half roadway, an eight (8)-foot half sidewalk, and an eight (8)-foot half parkway within a 45-foot half right-of-way and a six (6)-foot easement, consistent with the Warner Center 2035 Specific Plan standard for Secondary Highway and the Mobility Plan standard for Modified Avenue I. With the inclusion of a New Street, the Project will be conditioned such that the New Street meets the following standards: a minimum 64-foot right-of-way, including a maximum roadway width of 36 feet, a minimum paved sidewalk width of six (6) feet on each side of the roadway, and a minimum parkway width of eight (8) feet on each side of the roadway from the edge of the sidewalk to the edge of the roadway curb. There are controlled crosswalks with raised, enhanced paving, crosswalks, and crosswalks with enhanced paving located throughout the Project site, across Warner Center Lane as well as across Adler Drive, Commerce Drive, and Towncenter Drive (private driveways), depicted on Plan Sheet MP-23.

The Canoga Park-Winnetka-Woodland Hills-West Hills Community Plan. The Canoga Park-Winnetka-Woodland Hills-West Hills Community Plan (the "Community Plan") is part of the Land Use Element of the General Plan, with which the Project is consistent. The Project is consistent with the following relevant residential and commercial land use goals, objectives and policies identified in the Community Plan:

- Goal 1 - A safe, secure, and high quality residential environment for all economic, age, and ethnic segments of the Community Plan Area.
- Objective 1-1 - Achieve and maintain a housing supply sufficient to meet the diverse economic needs and current and projects population to the year 2010.
- Policy 1-1.1 - Maintain an adequate supply and distribution of multi-family housing opportunities in the Community Plan Area.
- Objective 1-2 - Reduce automobile trips in residential areas by locating new housing in areas offering proximity to goods, services, and facilities.
- Policy 1-2.1 - Locate higher residential densities near commercial centers and major bus routes where public service facilities, utilities and topography will accommodate development.
- Policy 1-2.2 - Encourage multiple family residential development in commercial zones.

The Project is consistent with these goals, objectives, and policies, as it includes multi-family units with a range of unit types from studio to three-bedroom floor plans, and includes apartments, condominiums and Work-Live Units as part of a larger, multi-phase, mixed-use development. The variety of housing type helps to provide housing that is accessible for a broad segment of the community. The Project's proximity to a multitude of public transportation options will further ensure the accessibility of such housing. In

addition, the location of housing within a mixed-use development will reduce the number of vehicle trips because goods, services, and amenities will be located immediately adjacent to and within walking distance of the residential buildings.

- Goal 2 - An economically vital commercial sector offering a diversity of goods and services to meet the needs of the community plan area. This means that commercial land use policies must support maximum efficiency and accessibility of commercial development while preserving the historic commercial and cultural character of the district.
- Objective 2-1 - Conserve and strengthen viable commercial development and encourage recycling of obsolete commercial development.

The Project includes the phased redevelopment of commercial structures built in the 1980s. The existing low-density commercial buildings and their age limit the Project Site's commercial vitality and fails to provide a diversity of goods and services that meet the needs of the community. Through the incorporation of mixed-use development and modern commercial spaces, the Project will better meet the needs of the Warner Center community and strengthen the economic viability of the commercial sector.

- Goal 5 - A community with sufficient open space in balance with new development to serve the recreational environment and health needs of the community.

The Project includes 121,683 square feet (2.79 acres) of Publicly Accessible Open Space (PAOS) for recreational opportunities, as well as common open space exclusively for the residential uses. Pedestrian Adapted Pathways (PAPs) are incorporated into the PAOS to provide both access to all of the project buildings and connectivity between De Soto Avenue and Burbank Boulevard. The incorporation of nine (9) focal points distributed throughout the Project Site will provide additional open and gathering spaces in the form of shaded seating areas for employees, residents, and visitors.

For these reasons, the Project is consistent with the applicable goals, objectives and policies in the Community Plan.

WC 2035 Plan. The Project is in compliance with the applicable development regulations and design guidelines in the WC 2035 Plan, as discussed in more detail below, which discussion is incorporated herein by this reference. The Project is consistent with the WC 2035 Plan and its vision, creating the desired urban center with a mix of land uses. The Project is a mixed-use development on a 24-acre property that combines commercial office space, hotel, retail, restaurant, community space and multi-family housing in mid-rise and high-rise structures, together with PAPs throughout the Project Site, which will be further reinforced through conditions of Project Permit Compliance to create pedestrian connectivity between the buildings and to the adjacent street frontages.

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

For purposes of a subdivision, design and improvement is defined by Section 66418 and 66419 of the Subdivision Map Act and LAMC Section 17.02. Design refers to the configuration and layout of the proposed lots in addition to the proposed site plan layout. Pursuant to Section 66427(a) of the Subdivision Map Act, the location of the buildings is not considered as part of the approval or disapproval of the map by the Advisory Agency. Easements and/or access and "improvements" refers to the infrastructure facilities serving the subdivision. LAMC Section 17.05 enumerates the design standards for a tract 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 requires that the tract map be designed in conformance with the zoning regulations of the project site.

The tract map was distributed to and reviewed by the various city agencies of the Subdivision Committee that have the authority to make dedication, and/or improvement recommendations. The Bureau of Engineering reviewed the tract map for compliance with the Street Design Standards. The Bureau of Engineering has recommended dedication and improvements, consistent with the standards of the WC 2035 Plan and the Mobility Plan. As conditioned, the design and improvements of the proposed subdivision are consistent with the applicable General Plan.

Further, the design of the proposed subdivision and the Project is consistent with the General Plan, Community Plan, and Specific Plan. As discussed in the prior finding, which is incorporated herein by this reference, the Project is consistent with the applicable goals, objectives, policies, regulations and guidelines in the General Plan, including the Community Plan, and the WC 2035 Plan. The balance of this finding sets forth additional details regarding the consistency of the Project with the applicable development regulations and design guidelines in the WC 2035 Plan.

The Project Site consists of multiple lots within the Commerce District established in the WC 2035 Plan. VTTM 74891 merges and re-subdivides the Project Site into eight lots, including one lot (Lot 5) that will be developed with 168 residential condominium units for condominium purposes. The Project is consistent with the development regulations for the Commerce District established in the WC 2035 Plan and other development regulations and design guidelines in the WC 2035 Plan. Some aspects of the WC 2035 Plan with which the Project is consistent include, but are not limited to, the following:

The Project includes multi-family residential, work-live, office, hotel, restaurant and retail uses as well as community space, consistent with the uses and development intensity permitted in the Commerce District under the WC 2035 Plan. As set forth in *Appendix A: Land Use Matrix* of the WC 2035 Plan, a variety of land uses are permitted in the Commerce District, including live/work units, multiple residential dwelling units, offices, restaurants and retail uses. A base maximum Floor Area Ratio (FAR) of 4.5:1 is permitted in the Commerce District. The Project includes 2,634,268 square feet of floor area on the 1,042,301-square foot Project Site (post anticipated dedications), for an overall FAR of 2.52:1.

With regard to height, the Project varies in height from 35 feet (2 stories) to 350 feet (24 stories). Projects within the Commerce District are permitted an unlimited building or structure height, subject to certain provisions that have been met.

With regard to setbacks, projects within the Commerce District are required to observe a front setback area of not less than 12 feet and not more than 15 feet. Projects not located on an Active Street Frontage, however, are permitted a front setback area of up to 20 feet. A minimum of 30% of the required setback area shall be landscaped. The Project includes front setback areas in compliance with those standards, except as described in DIR-2017-1708-SPP-1A regarding the setback for Lot 1. In addition, as shown in the plans for the Project, on Sheet L-01 (Ground Level Landscape Plan), the Project exceeds the minimum 30% landscaped front setback requirement, with 36,694 square feet (or 47%) of combined landscaping in the front setback areas (at project completion).

The Project complies with the applicable parking provisions set forth in WC 2035 Plan Section 6.2.3 and any applicable LAMC provisions, providing 1,627 residential parking spaces and 3,921 non-residential parking spaces. Parking is detailed in the Project Plans, Sheets MP-24, MP-25 and MP-26 (Phasing Diagrams). For each new building, all parking required for such building will be constructed simultaneously and on the same lot.

In accordance with the PAOS requirement in WC 2035 Plan Section 6.2.2.1, the Exception provision in Section 6.2.2.3.2 for Warner Center Lane, which will be improved as a "New Street," and the Incentivized Uses and Development Bonus, the Applicant proposes 121,683 square feet (2.79 acres) of PAOS for the Project, as detailed in the Project Plans, Sheet MP-22 (Publicly Accessible Open Space Diagram), in compliance with Warner Center standards.

The Project, as subdivided in the manner set forth in VTTM 74891, has been designed to comply with the applicable development regulations in the WC 2035 Plan, and the subdivision and improvements are otherwise consistent with the General Plan, including the Community Plan, and the WC 2035 Plan.

The Project has been further conditioned so that, in accordance with Warner Center 2035 Specific Plan Section 5.3.3.2.2, any changes to any phase of development which are not substantially compliant with approved plans, including changes to elevations, site plans, orientations, and other design features to a Multiple-Phase Project, shall require a modification to a Project Permit Compliance pursuant to the requirements of LAMC Section 11.5.7-O.

Additionally, pursuant to Warner Center 2035 Plan Section 6.1.2.2.10 regarding the anticipated extension of Variel Avenue from Califa Street to the north to Burbank Boulevard to the south, the Project is conditioned to design the driveway identified on plans as Adler Drive, along the west side of the Project site, to be directly accessible to Burbank Boulevard and to be built to a width of 28 feet, as proposed on Plan Sheet MP-30, in anticipation of the adjacent properties to the north and west being redeveloped, and allowing for an extension of Variel Avenue in a southerly direction to Burbank Boulevard. Additionally, there shall be a 10-foot parkway located to the west of Adler Drive, extending to the property line, as proposed by the applicant and depicted on Plan Sheet MP-30. The northern end of Adler Drive may be temporarily improved as private, park-like open space, as proposed by the applicant, until such time that the property to the north redevelops.

Should the properties to the north and west redevelop during the time frame in which the Warner Center 2035 Plan is in effect, the possibility remains that Variel Avenue may be extended from Califa Street in the north to Burbank Boulevard in the south. Should the properties not redevelop within that time frame, however, Adler Drive provides vehicular, as well as pedestrian connectivity on the eastern side of Adler Drive, from Burbank Boulevard to the northern property line of the site, consistent with the intent of the Warner Center 2035 Plan to break up large blocks with vehicular and pedestrian access.

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

The project site is a generally level, irregular-shaped site consisting of 1,062,923 gross square feet (24.40 acres) of lot area. The site is currently developed with 12 existing buildings with 340,339 total square feet of floor area.

The Project Site is physically suitable for the subdivision and improvements that comprise the proposed Project. The Project Site is not located in a Hillside area, a Very High Fire

Hazard Severity Zone, a Flood Zone, a Hazardous Waste Area, a Landslide Area, or a Methane Buffer Zone. The project site is located within 12.4 km of the Malibu Coast Fault, but is not located within the Alquist-Priolo Fault Zone. The subject site is, however, located within a State of California liquefaction seismic hazard zone.

Prior to the issuance of any permits, the project would be required to be reviewed and approved by the Department of Building and Safety and the Fire Department. The site is not identified as having hazardous waste or past remediation. The site is in Flood Zone X/Type C, which denotes areas an area of minimal hazard from the principal source of flood. There are currently no flood zone compliance requirements for construction in this zone. The site is not subject to the Specific Plan for the Management of Flood Hazards (floodways, floodplains, mud prone areas, coastal high-hazard and flood-related erosion hazard areas

The Department of Building and Safety, Grading Division recommends approval of VTT-74891 in the Soils Report Approval Letter issued for the Project, dated March 10, 2020, which states that the geotechnical reports referenced therein are acceptable for the purpose of the approval of VTTM 74891, provided the following conditions are complied with during site development: (1) no grading or building permits shall be issued based on the Soils Report Approval Letter and the reports referenced therein, and (2) that prior to the issuance of grading or building permits with respect to a project phase, a comprehensive soils report shall be submitted to the Grading Division for review and approval with respect to such project phase. The tract map thus will receive approval contingent on the satisfaction of the Department of Building and Safety, Grading Division prior to the recordation of each unit map and issuance of any grading or building permits.

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

The Project Site is physically suitable for the proposed density of development. The WC 2035 Plan regulates density for the Project Site, which is located within the Commerce District established in the WC 2035 Plan. The development standards for the Commerce District limits development through the establishment of a maximum floor area ratio (FAR). A maximum FAR of 4.5:1 is permitted on the Project Site, which is far greater than the 2.52:1 FAR proposed for the Project. A 4.5:1 FAR for the Project Site would allow for 4,690,355 square feet of floor area, while the Project consists of only 2,634,268 square feet of combined residential and non-residential floor area. As measured by the permitted and proposed FAR per zone, the proposed Project's intensity of development is physically suitable for the Project Site.

Furthermore, the Final Environmental Impact Report certified for the WC 2035 Plan analyzed the environmental impacts associated with allowable density for the WC 2035 Plan area, including the Project Site. Therefore, the long-term planning document for Warner Center, and its related environmental document, contemplated and allows the proposed density for the Project Site.

Finally, the tract map has been approved contingent upon the satisfaction of the Department of Building and Safety, Grading Division prior to the recordation of the map and issuance of any permits.

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

The proposed subdivision and related improvements will not likely cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat. The Project Site is located in an urbanized area of the City of Los Angeles, and is currently developed with buildings, paved surface parking lots, and landscaping. Given that the proposed subdivision is an urban infill development that would replace a property currently improved with commercial buildings and associated surface parking and landscaping, the Project will likely not cause any substantial environmental damage that would injure fish or wildlife or their habitat. Further, the Project has been analyzed for its effect on the environment and has been conditioned through Condition No. 40 containing Mitigation Measures AES-1 through U-15.

- (f) THE DESIGN OF THE SUBDIVISION OR TYPE OF IMPROVEMENTS IS NOT LIKELY TO CAUSE SERIOUS PUBLIC HEALTH PROBLEMS.

The design of the proposed subdivision and improvements will not likely cause serious public health problems. The proposed subdivision includes new multi-family apartment and condominium units and Work-Live Units, and will replace an existing auto-oriented commercial park with new commercial floor area occupied by office, retail, restaurant and hotel uses. The replacement of the existing development with a new development will not cause any serious public health problems.

The design of the Project furthers the intent of the WC 2035 Plan, which seeks to create an environment where there is a mix of uses. The Project has the potential to result in fewer vehicle trips, as homes, jobs, amenities and services will be located immediately adjacent to each other and the Project is proximately located next to several modes of public transportation. This is a potential benefit to the public health of the community in improving air quality.

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

The design of the proposed subdivision and proposed improvements will not conflict with easements for access through or use of the Project Site. The Project does not contemplate the removal or rerouting of any public streets. Warner Center Lane will be upgraded to meet the "New Street" design standards in the WC 2035 Plan, significantly improving the private street easement to provide public access to the Project.

VTTM 74891 shows all other public utility, sanitary sewer, flood control, street trees and lighting, and communications easements, and describes the status of each easement as to whether it will remain, be merged by the final map, or quitclaimed, as appropriate.

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

The design of the proposed subdivision will provide, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision. The Project will include features such as, but not limited to, building materials, architectural features (i.e., balconies), courtyards, and landscaping that will minimize glare and reflected heat, and will provide shade to reduce heat gain. Passive features are not contemplated at this time,

but the Project will comply with Title 24, Part 6 of the California Code of Regulations, which mandates many passive features that focus on promoting more energy-efficient buildings relating to building envelope, heating and cooling, water heating, and lighting restrictions. In, addition, the Project will comply with applicable provisions of the City's Green Building Code, which, among other things, are intended to improve the energy performance standards of new construction. Furthermore, in compliance with the WC 2035 Plan, the Project will be designed to meet the equivalent of a LEED (Leadership in Energy and Environmental Design) Silver rating.

These findings shall apply to both the tentative and final maps for Vesting Tentative Tract No VTT-74891.