

**CONDITIONS FOR EFFECTUATING (T)  
TENTATIVE CLASSIFICATION REMOVAL**

Pursuant to Section 12.32 G of the Municipal Code, the (T) Tentative Classification shall be removed by the recordation of a final parcel or tract map or by posting of guarantees through the B-permit process of the City Engineer to secure the following without expense to the City of Los Angeles, with copies of any approval or guarantees provided to the Department of City Planning for attachment to the subject planning case file.

Dedications/Improvements and Responsibilities/Guarantees.

Dedications and Improvements herein contained in these conditions which are in excess of street improvements contained in either the Mobility Element 2035 or any future Community Plan amendment or revision may be reduced to meet those plans with the concurrence of the Department of Transportation and the Bureau of Engineering:

1. As part of early consultation, plan review, and/or project permit review, the applicant/developer shall contact the responsible agencies to ensure that any necessary dedications and improvements are specifically acknowledged by the applicant/developer.
2. **Bureau of Engineering.** Street Dedications and Improvements shall be provided to the satisfaction of the City Engineer.
3. **Sewer.** Construction of necessary sewer facilities, or payment of sewer fees, shall be to the satisfaction of the City Engineer.
4. **Drainage.** Construction of necessary drainage and storm water runoff drainage facilities to the satisfaction of the City Engineer.
5. **Driveway/Parkway Area Plan.** Preparation of a parking plan and driveway plan to the satisfaction of the appropriate District Offices of the Bureau of Engineering and the Department of Transportation.
6. **Fire.** Incorporate into the building plans the recommendations of the Fire Department relative to fire safety, which includes the submittal of a plot plan for approval by the Fire Department either prior to the recordation of a final map or the approval of a building permit.
7. **Cable.** Make any necessary arrangements with the appropriate cable television franchise holder to assure that cable television facilities will be installed in City rights-of-way in the same manner as is required of other facilities, pursuant to Municipal Code Section 17.05 N to the satisfaction of the Department of Telecommunications.
8. **Recreation and Park Fees.** Payment of the Quimby fee shall be based on the C2 Zone and be paid prior to the recordation of Final Tract map. The application for Vesting Tentative Tract Map No. 74568 was deemed complete on November 1, 2016.
9. **Lighting.** Street lighting facilities shall be provided to the satisfaction of the Bureau of Street Lighting.
10. **Street Trees.** All trees in the public right-of-way shall be provided per the current Urban Forestry Division Standards.

Notice: Certificates of Occupancy for the subject property will not be issued by the City until the construction of all the public improvements (streets, sewers, storm drains, etc.), as required herein, are completed to the satisfaction of the City Engineer.

**CONDITIONS OF APPROVAL**

(As amended by the PLUM Committee on October 29, 2019)

Pursuant to LAMC Sections 12.24 W.1 and 16.05, the following conditions are hereby imposed upon the use of the subject property.

**Master Conditional Use Permit for Alcohol Conditions**

1. All other use, height and area regulations of the Municipal Code and all other applicable government/regulatory agencies shall be strictly complied with in the development and use of the property, except as such regulations are herein specifically varied or required.
2. The use and development of the property shall be in substantial conformance with the plot plan and floor plan submitted with the application and marked Exhibit A, except as may be revised as a result of this action.
3. All graffiti on the site shall be removed or painted over to match the color of the surface to which it is applied within 24 hours of its occurrence.
4. A copy of the first page of this grant and all Conditions and/or any subsequent appeal of this grant and its resultant Conditions and/or letters of clarification shall be printed on the building plans submitted to the Department of City Planning and the Department of Building and Safety for purposes of having a building permit issued at any time during the term of this grant.
5. The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the Zoning Administrator to impose additional corrective Conditions, if, in the Zoning Administrator's opinion, such Conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.
6. Authorized herein is the sale and dispensing and consumption of a full line of alcoholic beverages for on-site consumption, in conjunction with:
  - a. The 7,000 square-foot, ground floor restaurant in the new South Building;
  - b. The 2,400 square-foot, ground floor restaurant in the new South Building; and
  - c. The indoor/outdoor event space on the 4th level of the North Building, for a total of 15,145 square feet. Alcohol shall not be permitted on the 5<sup>th</sup> level of the event space in the North Building.
7. **Plan Approval (MPA) Requirement.** Each individual venue shall be subject to a Master Plan Approval (MPA) determination pursuant to Section 12.24-M of the Los Angeles Municipal Code in order to implement and utilize the Master Conditional Use authorization granted. The purpose of the Master Plan Approval determination is to review each proposed venue in greater detail and to tailor site-specific conditions of approval for each of the premises including but not limited to hours of operation, seating capacity, size, security, live entertainment, the length of a term grant and/or any requirement for a subsequent MPA application to evaluate compliance and effectiveness of the conditions of approval. The Zoning Administrator may impose more restrictive or less restrictive conditions on each individual tenant at the time of review of each Plan Approval application. A public hearing for any Master Plan Approval (MPA) request may be waived at the discretion of the Chief Zoning Administrator.

7. A camera surveillance system shall be installed and operating at all times to monitor the interior, entrance, exits and exterior areas, in front of and around the premises. Recordings shall be maintained for a minimum period of 30 days.
8. **STAR/LEAD Training.** Within the first six months of operation, all employees involved with the sale of alcohol shall enroll in the Los Angeles Police Department "Standardized Training for Alcohol Retailers" (STAR) or Department of Alcoholic Beverage Control "Licensee Education on Alcohol and Drugs" (LEAD) training program. Upon completion of such training, the applicant shall request the Police Department or Department of Alcoholic Beverage Control to issue a letter/certificate identifying which employees completed the training. Thereafter, STAR/LEAD training shall be conducted for all new hires within three (3) months of their employment.
9. The Applicant shall be responsible for monitoring both patron and employee conduct on the premises and within the parking areas under his/her control to assure such conduct does not violate applicable laws.
10. Loitering is prohibited on the premises or the area under the control of the applicant. "No Loitering or Public Drinking" signs shall be posted in and outside of the subject facility.
11. At least one on-duty manager with authority over the activities within the facility shall be on the premises during business hours. The on-duty manager's responsibilities shall include the monitoring of the premises to ensure compliance with all applicable State laws, Municipal Code requirements and the conditions imposed by the Department of Alcoholic Beverage Control (ABC) and the conditional use herein. Every effort shall be undertaken in managing the subject premises and any exterior area over which the building owner exercises control to discourage illegal and criminal activities.
12. The Applicant shall be responsible for maintaining the premises and adjoining sidewalk free of debris or litter.
13. An electronic age verification device shall be purchased and retained on the premises to determine the age of any individual and shall be installed on at each point-of-sales location. This device shall be maintained in operational condition and all employees shall be instructed in its use.
14. The two ground floor establishments within the South Building shall be maintained as a bona fide eating places (restaurants) with an operational kitchen and shall provide a full menu containing an assortment of foods normally offered in such restaurants. Food service shall be available at all times during operating hours. The establishment shall provide seating and dispense food and refreshments primarily for consumption on the premises and not solely for the purpose of food takeout or delivery.
15. No Conditional Use for dancing has been requested or approved herein. Dancing is prohibited without the subsequent approval of a Conditional Use for dancing.
16. The owner or the operator shall comply with California Labor Code 6404.5 which prohibits the smoking of tobacco or any non-tobacco substance, including from electronic smoking devices or hookah pipes, within any enclosed place of employment.
17. All deliveries shall be made in the rear parking area. No loading or unloading of deliveries shall be permitted along Maple Avenue and 7<sup>th</sup> Street.

18. Trash pick-up, compacting, loading and unloading and receiving activities shall be limited to 7:00 a.m. to 6:00 p.m. Monday through Friday and 10:00 a.m. to 4:00 p.m. on Saturday. No deliveries or trash pick-up shall occur on Sunday. Deliveries and trash pick-up shall be coordinated with vendors and trash companies so that these activities are not conducted within one-hour of the start time of (Jardin de la Infancia) School or within one hour of the end time of regular school hours.
19. The outside disposal of glass bottles and containers shall only occur between the hours of 7:00 a.m. to 6:00 p.m.
20. **MViP – Monitoring Verification and Inspection Program.** At any time, before, during, or after operating hours, a City inspector may conduct a site visit to assess compliance with, or violations of, any of the conditions of this grant. Observations and results of said inspection will be documented and used to rate the operator according to the level of compliance. If a violation exists, the owner/operator will be notified of the deficiency or violation and will be required to correct or eliminate the deficiency or violation. Multiple or continued documented violations or Orders to Comply issued by the Department of Building and Safety which are not addressed within the time prescribed therein, may result in denial of future requests to renew or extend this grant.
21. Within 30 days of the effective date of this grant, a covenant acknowledging and agreeing to comply with all the terms and conditions established herein shall be recorded in the County Recorder's Office. The agreement (standard master covenant and agreement form CP-6770) shall run with the land and shall be binding on any subsequent owners, heirs or assigns. The agreement with the conditions attached must be submitted to the Development Services Center or the BESt (Beverage and Entertainment Streamlined Program) for approval before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided to the Development Services Center or BESt (Beverage and Entertainment Streamlined Program) for inclusion in the case file.
22. Should there be a change in the ownership and/or the operator of the business, the property owner and/or the business owner or operator shall provide the prospective new property owner and the business owner or operator with a copy of the conditions of this action prior to the legal acquisition of the property and/or the business. Evidence that a copy of this determination including the conditions required herewith has been provided to the prospective property owner and/or business owner/operator shall be submitted to the Department of City Planning in a letter from the new property owner and/or business owner or operator indicating the date that the new property owner and/or business owner or operator/management began and attesting to the receipt of this approval and its conditions. The new property owner and/or business owner or operator shall submit this letter to the Department of City Planning within 30 days of the beginning day of his/her new operation of the establishment along with any proposed modifications to the existing floor plan, seating arrangement or number of seats of the new operation.
23. Should there be a change in the ownership and/or the operator of the business, the Zoning Administrator reserves the right to require that the new owner or operator file a Plan Approval application, if it is determined that the new operation is not in substantial conformance with the approved floor plan, or the operation has changed in mode or character from the original approval, or if documented evidence be submitted showing a continued violation(s) of any condition(s) of this grant resulting in a disruption or interference with the peaceful enjoyment of the adjoining and neighboring properties. The application, in association with the appropriate fees, and a 500-foot notification radius, shall be submitted to the Department of City Planning within 30 days of the date of legal

acquisition by the new owner or operator. The purpose of the plan approval will be to review the operation of the premise and establish conditions applicable to the use as conducted by the new owner or operator, consistent with the intent of the Conditions of this grant. Upon this review, the Zoning Administrator may modify, add or delete conditions, and if warranted, reserves the right to conduct this public hearing for nuisance abatement/revocation purposes.

24. The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the Zoning Administrator to impose additional corrective Conditions, if, in the Administrator's opinion, such Conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.
25. The Zoning Administrator reserves the right to require that the owner or operator file a Plan Approval application, if it is determined that the new operation is not in substantial conformance with the approved floor plan, or the operation has changed in mode or character from the original approval, or if documented evidence be submitted showing a continued violation(s) of any condition(s) of this grant resulting in a disruption or interference with the peaceful enjoyment of the adjoining and neighboring properties. The application, in association with the appropriate fees shall be submitted to the Department of City Planning within 30 days of the date of legal acquisition by the new owner or operator. The purpose of the plan approval will be to review the operation of the premise and establish conditions applicable to the use as conducted by the new owner or operator, consistent with the intent of the Conditions of this grant. Upon this review, the Zoning Administrator may modify, add or delete conditions, and if warranted, reserves the right to conduct this public hearing for nuisance abatement/revocation purposes, pursuant to LAMC Section 12.27.1.
26. **Prior to the effectuation of this grant**, a covenant acknowledging and agreeing to comply with all the terms and conditions established herein shall be recorded in the County Recorder's Office. The agreement (standard master covenant and agreement form CP-6770) shall run with the land and shall be binding on any subsequent owners, heirs or assigns. The agreement with the conditions attached must be submitted to the Department of City Planning for approval before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided for inclusion in case file. Fees required per LAMC Section 19.01 E.(3) for Monitoring of Conditional Use Permits and Inspection and Field Compliance Review of Operations shall be paid to the City prior to the final clearance of this condition. Failure to record a covenant acknowledging and agreeing to comply with all the terms and conditions of the approved grant will result in non-effectuation of said grant.

#### **Site Plan Review Conditions**

27. **Site Development.** The Applicant shall submit a revised Exhibit A which incorporates parking podiums, fully screened on all sides, to the satisfaction of the Department of City Planning (DCP). Revised Plans shall be stamp-dated upon approval by DCP staff.
28. **Development Services Center.** Prior to sign-off on building permits by the Department of City Planning's Development Services Center for the project, the Department of City Planning's Major Projects Section shall confirm, via signature on the plans, that the project's building plans substantially conform to the conceptual plans stamped as Exhibit A, as approved by the City Planning Commission.

Note to Development Services Center: The plans presented to, and approved by, the City Planning Commission (CPC) included specific architectural details that were significant to the approval of the project. Plans submitted at plan check for condition clearance shall include a signature and date from Major Projects Section planning staff to ensure plans are consistent with those presented at CPC.

29. **Event Space.** The following event space areas shall, collectively, be limited to a maximum of 125 attendees at all times:
  - a. Fourth Floor: 5,660 square feet Event Space (interior);
  - b. Fourth Floor: 9,485 square feet Event Space Open Terrace; and
  - c. Fifth Floor: 6,150 square feet Event Space Terrace.
30. **Mural.** The proposed murals for the North Building, located on the ground floor frontages of Maple Avenue and Wall Street, as shown in the Exhibit A, dated July 25, 2019, shall be:
  - a. Subject to the approval of the Department of Cultural Affairs pursuant to Section 14.4.20 and 22.11;
  - b. Not count toward the 1 percent requirement for the public art fund; and
  - c. Maintained in good condition for the life of the Project. All graffiti on the site shall be removed or painted over to match the color of the surface to which it is applied within 24 hours of its occurrence.
31. **Signage.** Prior to the issuance of a Certificate of Occupancy or a signage permit, whichever is first, a detailed master signage plan shall be submitted to Major Projects staff for review with compliance with the Downtown Design Guidelines. An approved master signage plan shall be maintained in the administrative file.
32. **Parking.**
  - a. **Vehicle Parking.** The minimum number of residential and commercial automobile parking spaces shall be provided as required by LAMC Section 12.21 A.4(a), (i), and (p). Thirty percent of the required automobile parking for commercial uses and 15 percent of the of the required automobile parking for residential uses may be replaced by bicycle parking at a ratio of one vehicle parking space for every four bicycle parking spaces provided.
  - b. **Unbundled Parking.** Residential parking shall be unbundled from the cost of the rental units, with the exception of parking for Restricted Affordable Units.
  - c. **Electric Vehicle Parking.** The project shall include at least 50 percent of the total provided parking spaces capable of supporting future electric vehicle supply equipment (EVSE). Plans shall indicate the proposed type and location(s) of EVSE and also include raceway method(s), wiring schematics and electrical calculations to verify that the electrical system has sufficient capacity to simultaneously charge all electric vehicles at all designated EV charging locations at their full rated amperage. Plan design shall be based upon Level 2 or greater EVSE at its maximum operating ampacity. Five percent of the total provided parking spaces will be further provided with EV chargers to immediately accommodate electric vehicles within the parking areas. When the application of either the required **20 percent** or 5 percent results in a

fractional space, round up to the next whole number. A label stating "EV CAPABLE" shall be posted in a conspicuous place at the service panel or subpanel and next to the raceway termination point.

- d. **Bicycle Parking.** Bicycle parking shall be provided consistent with Ordinance No. 182,386, effective at the time the application was deemed complete.
- e. Prior to the issuance of a building permit, the driveway and parking plan shall be submitted for review and approval to the Department of Transportation.

**33. Parking Podium.**

- a. Any above grade parking structure shall be designed to be utilized and easily repurposed to other uses, including gallery or event spaces.
- b. Entrances, elevators and stairs for parking structures shall be easily accessible and highlighted architecturally.
- c. The height of the parking level shall have sufficient clearance to be adaptable to non-parking uses. Once converted, the building shall permit a minimum floor to ceiling height of nine feet for commercial uses and eight feet for residential uses.
- d. Parking structures or that portion of a building or structure that is used for parking at grade or above grade shall be designed to minimize vehicle headlight and parking structure interior lighting impacts ("spillover") on adjacent streets and properties.

**34. Public Paseo.** The public paseo shall in substantial conformance with Sheet L1.10 as shown on Exhibit A, dated July 25, 2019.

- a. The paseo shall remain be open and accessible to the public from 6:00 a.m. to 10:00 p.m., seven (7) days a week. No motorized vehicles shall be permitted, except for emergency vehicles used during an emergency.
- b. The paseo area will be maintained in good condition for the life of the Project.
- c. Any special events within the paseo shall obtain a Temporary Special Event (TSE) Permit from the Los Angeles Department of Building and Safety (LADBS).

**35. Landscaping.** Prior to the issuance of a building permit, a landscape and irrigation plan shall be submitted to the Department of City Planning for approval. The landscape plan shall be in substantial conformance with the landscape plan stamped Exhibit A. Minor deviations from the requirements provided below may be permitted by the Department of City Planning to permit the existing landscaping conditions provided that the plantings are well established and in good condition.

**36. Trees.** The Applicant shall provide a minimum of 81 trees on-site and/or in the parkway, to the satisfaction of Urban Forestry.

**a. Tree Wells.**

- i. The minimum depth of tree wells shall be as follows:
  - 1. Minimum depth for trees shall be 42 inches.
  - 2. Minimum depth for shrubs shall be 30 inches.

3. Minimum depth for herbaceous plantings and ground cover shall be 18 inches.
    4. Minimum depth for an extensive green roof shall be three inches.
  - ii. The minimum amount of soil volume for tree wells shall be based on the size of the tree at maturity as follows:
    1. 600 cubic feet for a small tree (less than 25 feet tall at maturity).
    2. 900 cubic feet for a medium tree (25-40 feet tall at maturity).
    3. 1,200 cubic feet for a large tree (more than 40 feet tall at maturity).
  - b. Any trees that are required pursuant to LAMC Section 12.21 G and are planted on any podium or deck shall be planted in a minimum three-foot planter.
  - c. New trees planted within the public right-of-way shall be spaced not more than an average of 30 feet on center, unless otherwise permitted by the Urban Forestry Division, Bureau of Public Works.
- 37. Stormwater/Irrigation.** The project shall implement on-site stormwater infiltration as feasible based on the site soils conditions, the geotechnical recommendations, and the City of Los Angeles Department of Building and Safety Guidelines for Storm Water Infiltration. If on-site infiltration is deemed infeasible, the project shall analyze the potential for stormwater capture and reuse for irrigation purposes based on the City Low Impact Development (LID) guidelines.
- 38. Trash/Storage.**
  - a. All trash collection and storage areas shall be located on-site and not visible from the public right-of-way.
  - b. Trash receptacles shall be stored in a fully enclosed building or structure, constructed with a solid roof, at all times.
  - c. Trash/recycling containers shall be locked when not in use.
- 39. Lighting.**
  - a. Outdoor lighting shall be designed and installed with shielding, such that the light source cannot be seen from adjacent residential properties, the public right-of-way, nor from above.
  - b. Areas where nighttime uses are located shall be maintained to provide sufficient illumination of the immediate environment so as to render objects or persons clearly visible for the safety of the public and emergency response personnel.
  - c. All pedestrian walkways, storefront entrances, and vehicular access ways shall be illuminated with lighting fixtures.
  - d. Lighting fixtures shall be harmonious with the building design. Wall mounted lighting fixtures to accent and complement architectural details at night shall be installed on the building to provide illumination to pedestrians and motorists.
- 40. Glare.** The exterior of the proposed structure shall be constructed of materials such as, but not limited to, high-performance and/or non-reflective tinted glass (no mirror-like tints)

or films) and pre-cast concrete or fabricated wall surfaces to minimize glare and reflected heat.

41. **Reflectivity.** Glass used in building façades shall be non-reflective or treated with a non-reflective coating in order to minimize glare from reflected sunlight.
42. **Construction Generators.** The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices. On-site power generators shall either be plug-in electric or solar powered.
43. **Sustainability.**
  - a. The project shall comply with the Los Angeles Municipal Green Building Code, Section 99.05.211, to the satisfaction of the Department of Building and Safety.
  - b. **Solar Power.** The project shall provide a minimum of 20 kilowatts of solar power. Solar panels may be installed on all rooftop areas and/or rooftop decks or parking lots with the exception of areas occupied by rooftop mechanical equipment.
44. **Mechanical Equipment.** Any structures on the roof, such as air conditioning units and other equipment, shall be fully screened from view of any abutting properties and the public right-of-way. All screening shall be setback at least five feet from the edge of the building.
45. **Utilities.** All utilities shall be fully screened from view of any abutting properties and the public right-of-way.
46. **Signage.** There shall be no off-site commercial signage on construction fencing during construction.
47. Prior to the issuance of the building permit, a copy of the letter of decision for Case No.VTT-74568 shall be submitted to the satisfaction of the Development Services Center.

### **Environmental Conditions**

48. **Mitigation Monitoring Program.** The project shall be in substantial conformance with the mitigation measures in the attached MMP and stamped Exhibit B and attached to the subject case file. The implementing and enforcing agencies may determine substantial conformance with mitigation measures in the MMP. If substantial conformance results in effectively deleting or modifying the mitigation measure, the Director of Planning shall provide a written justification supported by substantial evidence as to why the mitigation measure, in whole or in part, is no longer needed and its effective deletion or modification will not result in a new significant impact or a more severe impact to a previously identified significant impact.

If the project is not in substantial conformance to the adopted mitigation measures or MMP, a modification or deletion shall be treated as a new discretionary action under CEQA Guidelines, Section 15162(c) and will require preparation of an addendum or subsequent CEQA clearance. Under this process, the modification or deletion of a mitigation measure shall not require a Zone Change unless the Director of Planning also finds that the change to the mitigation measures results in a substantial change to the project or the non-environmental conditions of approval.

- 49. Mitigation Monitor.** During the construction phase and prior to the issuance of building permits, the applicant shall retain an independent Construction Monitor (either via the City or through a third-party consultant), approved by the Department of City Planning, who shall be responsible for monitoring implementation of project design features and mitigation measures during construction activities consistent with the monitoring phase and frequency set forth in this MMP.

The Construction Monitor shall also prepare documentation of the applicant's compliance with the project design features and mitigation measures during construction every 90 days in a form satisfactory to the Department of City Planning. The documentation must be signed by the applicant and Construction Monitor and be included as part of the applicant's Compliance Report. The Construction Monitor shall be obligated to immediately report to the Enforcement Agency any non-compliance with the mitigation measures and project design features within two businesses days if the applicant does not correct the non-compliance within a reasonable time of notification to the applicant by the monitor or if the non-compliance is repeated. Such non-compliance shall be appropriately addressed by the Enforcement Agency.

- 50. Tribal Cultural Resource Inadvertent Discovery.** In the event that objects or artifacts that may be tribal cultural resources are encountered during the course of any ground disturbance activities<sup>1</sup>, all such activities shall temporarily cease on the Project Site until the potential tribal cultural resources are properly assessed and addressed pursuant to the process set forth below:

- Upon a discovery of a potential tribal cultural resource, the project Permittee shall immediately stop all ground disturbance activities and contact the following: (1) all California Native American tribes that have informed the City they are traditionally and culturally affiliated with the geographic area of the proposed project; (2) and the Department of City Planning at (213) 473-9723.
- If the City determines, pursuant to Public Resources Code Section 21074 (a)(2), that the object or artifact appears to be tribal cultural resource, the City shall provide any effected tribe a reasonable period of time, not less than 14 days, to conduct a site visit and make recommendations to the Project Permittee and the City regarding the monitoring of future ground disturbance activities, as well as the treatment and disposition of any discovered tribal cultural resources.
- The project Permittee shall implement the tribe's recommendations if a qualified archaeologist, retained by the City and paid for by the project Permittee, reasonably concludes that the tribe's recommendations are reasonable and feasible.
- The project Permittee shall submit a tribal cultural resource monitoring plan to the City that includes all recommendations from the City and any effected tribes that have been reviewed and determined by the qualified archaeologist to be reasonable and feasible. The project Permittee shall not be allowed to recommence ground disturbance activities until this plan is approved by the City.
- If the project Permittee does not accept a particular recommendation determined to be reasonable and feasible by the qualified archaeologist, the project Permittee may request mediation by a mediator agreed to by the Permittee and the City who has the requisite professional qualifications and experience to mediate such a dispute. The project Permittee shall pay any costs associated with the mediation.

---

<sup>1</sup> Ground disturbance activities shall include the following: excavating, digging, trenching, plowing, drilling, tunneling, quarrying, grading, leveling, removing peat, clearing, pounding posts, augering, backfilling, blasting, stripping topsoil or a similar activity

- The project Permittee may recommence ground disturbance activities outside of a specified radius of the discovery site, so long as this radius has been reviewed by the qualified archaeologist and determined to be reasonable and appropriate.
- 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.
- Notwithstanding the above, any information determined to be confidential in nature, by the City Attorney's office, shall be excluded from submission to the SCCIC or the general public under the applicable provisions of the California Public Records Act, California Public Resources Code, and shall comply with the City's AB 52 Confidentiality Protocols.

**51. Archaeological Resources Inadvertent Discovery.** In the event that any subsurface cultural resources are encountered at the project site during construction or the course of any ground disturbance activities, all such activities shall halt immediately, pursuant to State Health and Safety Code Section 7050.5. At which time the applicant shall notify the City and consult with a qualified archaeologist who shall evaluate the find in accordance with Federal, State, and local guidelines, including those set forth in the California Public Resources Code Section 21083.2 and shall determine the necessary findings as to the origin and disposition to assess the significance of the find. If any find is determined to be significant, appropriate avoidance measures recommended by the consultant and approved by the City must be followed unless avoidance is determined to be unnecessary or infeasible by the City. If avoidance is unnecessary or infeasible, other appropriate measures (e.g., data recovery, excavation) shall be instituted.

**52. Paleontological Resources Inadvertent Discovery.** In the event that any prehistoric subsurface cultural resources are encountered at the project site during construction or the course of any ground disturbance activities, all such activities shall halt immediately, at which time the applicant shall notify the City and consult with a qualified paleontologist to assess the significance of the find. In the case of discovery of paleontological resources, the assessment shall be done in accordance with the Society of Vertebrate Paleontology standards. If any find is determined to be significant, appropriate avoidance measures recommended by the consultant and approved by the City must be followed unless avoidance is determined to be unnecessary or infeasible by the City. If avoidance is unnecessary or infeasible, other appropriate measures (e.g., data recovery, excavation) shall be instituted.

### **Administrative Conditions**

**53. Approval, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, review or approval, plans, etc., as may be required by the subject conditions, shall be provided to the Planning Department for placement in the subject file.

**54. Code Compliance.** Area, height and use regulations of the zone classification of the subject property shall be complied with, except where herein conditions are more restrictive.

**55. Covenant.** Prior to the issuance of any permits relative to this matter, an agreement concerning all the information contained in these conditions shall be recorded in the County Recorder's Office. The agreement shall run with the land and shall be binding on

any subsequent property owners, heirs or assign. The agreement must be submitted to the Planning Department for approval before being recorded. After recordation, a copy bearing the Recorder's number and date shall be provided to the Planning Department for attachment to the file.

56. **Definition.** Any agencies, public officials or legislation referenced in these conditions shall mean those agencies, public officials, legislation or their successors, designees or amendment to any legislation.
57. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Planning Department and any designated agency, or the agency's successor and in accordance with any stated laws or regulations, or any amendments thereto.
58. **Building Plans.** Page 1 of the grants and all the conditions of approval shall be printed on the building plans submitted to the City Planning Department and the Department of Building and Safety.
59. **Project Plan Modifications.** Any corrections and/or modifications to the project plans made subsequent to this grant that are deemed necessary by the Department of Building and Safety, Housing Department, or other Agency for Code compliance, and which involve a change in site plan, floor area, parking, building height, yards or setbacks, building separations, or lot coverage, shall require a referral of the revised plans back to the Department of City Planning for additional review and final sign-off prior to the issuance of any building permit in connection with said plans. This process may require additional review and/or action by the appropriate decision-making authority including the Director of Planning, City Planning Commission, Area Planning Commission, or Board.
60. **Indemnification and Reimbursement of Litigation Costs.** The Applicant shall do all of the following:
  - (i) Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of, in whole or in part, the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void, or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions, or to claim personal property damage, including from inverse condemnation or any other constitutional claim.
  - (ii) Reimburse the City for any and all costs incurred in defense of an action related to or arising out of, in whole or in part, the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages, and/or settlement costs.
  - (iii) Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the Applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than \$50,000. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).
  - (iv) Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the

deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).

- (v) If the City determines it necessary to protect the City's interest, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

The City shall notify the applicant within a reasonable period of time of its receipt of any action and the City shall cooperate in the defense. If the City fails to notify the applicant of any claim, action, or proceeding in a reasonable time, or if the City fails to reasonably cooperate in the defense, the applicant shall not thereafter be responsible to defend, indemnify or hold harmless the City.

The City shall have the sole right to choose its counsel, including the City Attorney's office or outside counsel. At its sole discretion, the City may participate at its own expense in the defense of any action, but such participation shall not relieve the applicant of any obligation imposed by this condition. In the event the Applicant fails to comply with this condition, in whole or in part, the City may withdraw its defense of the action, void its approval of the entitlement, or take any other action. The City retains the right to make all decisions with respect to its representations in any legal proceeding, including its inherent right to abandon or settle litigation.

For purposes of this condition, the following definitions apply:

"City" shall be defined to include the City, its agents, officers, boards, commissions, committees, employees, and volunteers.

"Action" shall be defined to include suits, proceedings (including those held under alternative dispute resolution procedures), claims, or lawsuits. Actions includes actions, as defined herein, alleging failure to comply with any federal, state or local law.

Nothing in the definitions included in this paragraph are intended to limit the rights of the City or the obligations of the Applicant otherwise created by this condition.

## FINDINGS

(As modified by the City Planning Commission on August 8, 2019)

### General Plan/Charter Findings

#### 1. General Plan Land Use Designation.

The Project Site is located within the Central City Community Plan, which was last updated by the City Council on January 8, 2003. The subject property is comprised of three contiguous lots, totaling approximately 168,296 square feet (3.86 acres) in size. The Community Plan currently designates the Project Site for Light Industrial land uses, corresponding to the MR2 and M2 Zones. The Site is presently zoned M2-2D, consistent with the range of zones under the land use designation.

As proposed, the General Plan Amendment would re-designate the Project Site from Light Industrial to Community Commercial land uses, and remove the Community Plan Footnote No. 2 from the subject property to allow Height District No. 2 in lieu of the underlying Height District No. 2D. In addition, as recommended, a Vesting Zone Change and Height District Change would modify the existing zoning from M2-2D to (T)(Q)C2-2D. The proposed Community Commercial land use designation corresponds to the CR, C2, C4, RAS3, and RAS4 Zones and permits Height District No. 2, pursuant to Community Plan Footnote No. 4. Thus, the recommended (T)(Q)C2-2D Zone would be consistent with the adoption of the proposed land use designation and in substantial conformance with the purpose, intent, and provisions of the General Plan as it is reflected within the Central City Community Plan.

#### 2. General Plan Text.

The Los Angeles General Plan sets forth goals, objectives and programs that guide both citywide and community specific land use policies. The General Plan is comprised of a range of State-mandated elements, including, but not limited to, Land Use, Transportation, Noise, Safety, Housing and Conservation. The City's Land Use Element is divided into 35 community plans that establish parameters for land use decisions within those sub-areas of the City. The project is in compliance with the following Elements of the General Plan: Framework Element, Housing Element, Mobility Element, Health and Wellness Element and the Land Use Element – Central City Community Plan.

#### Framework Element

The Framework Element was adopted by the City of Los Angeles in December 1996 and re-adopted in August 2001. It establishes the City's long-range comprehensive growth strategy and provides guidance on citywide polices, objectives, and goals regarding such issues as land use, housing, urban form, neighborhood design, open space, economic development, transportation, infrastructure, and public services. Below is an analysis of the Project's consistency with the objectives and policies of the Framework Element as described below.

#### Chapter 3: Land Use

The Land Use Chapter of the Framework Element identifies objectives and supporting policies relevant to the Project Site. Those objectives and policies seek, in part, to encourage the development of commercial and residential uses and structures that integrate housing units with commercial uses. And The Project supports and will be generally consistent with the General Plan Framework Land Use Chapter as it

accommodates development of residential and commercial uses in accordance with the applicable policies of the Central City Community Plan. Specifically, the Project will comply with the Downtown Center based on the following goals, objective and policies, as set forth in the General Plan Framework Land Use Chapter:

**Goal 3A:** *A physically balanced distribution of land uses that contributes towards and facilitates the City's long-term fiscal and economic viability, revitalization of economically depressed areas, conservation of existing residential neighborhoods, equitable distribution of public resources, conservation of natural resources, provision of adequate infrastructure and public services, reduction of traffic congestion and improvement of air quality, enhancement of recreation and open space opportunities, assurance of environmental justice and a healthful living environment, and achievement of the vision for a more livable city.*

**Objective 3.1:** *Accommodate a diversity of uses that support the needs of the City's existing and future residents, businesses, and visitors.*

**Objective 3.2:** *Provide for the spatial distribution of development that promotes an improved quality of life by facilitating a reduction of vehicular trips, vehicle miles traveled, and air pollution.*

**Policy 3.2.3:** *Provide for the development of land use patterns that emphasize pedestrian/bicycle access and use in appropriate locations.*

**Objective 3.4:** *Encourage new multi-family residential, retail commercial, and office development in the City's neighborhood districts, community, regional, and downtown centers as well as along primary transit corridors/boulevards, while at the same time conserving existing neighborhoods and related districts.*

**Policy 3.4.1:** *Conserve existing stable residential neighborhoods and lower-intensity commercial districts and encourage the majority of new commercial and mixed-use (integrated commercial and residential) development to be located (a) in a network of neighborhood districts, community, regional, and downtown centers, (b) in proximity to rail and bus transit stations and corridors, and (c) along the City's major boulevards, referred to as districts, centers, and mixed-use boulevards, in accordance with the Framework Long-Range Land Use Diagram.*

The Project proposes to expand and redevelop the existing Flower Market facility between Maple Avenue and Wall Street, south of 7th Street, while maintaining a portion of the existing wholesale market. The existing property consists of two buildings, the North Building and the South Building, both with rooftop parking. The Project proposes to maintain and renovate the North Building and its rooftop parking and demolish the South Building as part of development of a new mixed-use building with one level of subterranean parking. The new South Building will be comprised of 323 residential units, of which 32 units will be set aside for Moderate Income households; 64,363 square feet of office space; 4,385 square feet of retail space; 63,785 square feet of wholesale space and storage; 13,420 square feet of food and beverage space; and 21,295 square feet of event space. The Flower Market would continue to operate in the existing North Building during and after the redevelopment.

As proposed, the Project includes a mix of uses that will provide housing and employment opportunities within ¼ mile of 28 bus lines, which provide service to regional centers such as Century City, Santa Monica, Burbank, Long Beach, Montebello, and Hawthorne, as well

as to major transit stations, including Union Station and 7<sup>th</sup> / Metro Center Station, establishing and concentrating a balance of land uses in an area near public transit.

The Project would support the reduction of vehicle trips, vehicle miles travelled, and air pollution by concentrating ample opportunities for residents, employees, and visitors to use public transit and to walk to other commercial, entertainment, and financial/office centers near the Project Site in Downtown Los Angeles, in a developed urban area with access to transit. Furthermore, the Project would provide 356 long-term bicycle spaces and 58 short-term bicycle spaces for residents, employees and visitors. The Project will also create a pedestrian-friendly environment via a public paseo that will connect Maple Avenue and Wall Street through a creative open space for pedestrians. The Project, therefore, will improve access and create a safe and convenient street environment for customers, residents, and employees in the area, while also promoting the use of and access for bicycles.

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

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

As previously described, the Proposed Project will redevelop the South Building with high-density residential uses and neighborhood-serving commercial amenities meant to attract residents, workers, and visitors in an established residential and mixed-use part of Downtown Los Angeles, while preserving and continuing the existing Flower Market operations within the existing North Building during and after the redevelopment.

While the Project's initiated General Plan Amendment from Light Manufacturing to Community Commercial, and recommended Vesting Zone Change and Height District Change from M2-2D to (T)(Q)C2-2D Zone will convert the existing industrial land use designation and zoning to allow for a mix of residential, commercial and office uses, it also retains the Flower Market as an industrial use which is beneficial to the long-term economic vitality of the area.

The Downtown Los Angeles' Flower District is one of the largest in the United States, and serves as a local and regional economic driver. Preserving this use in conjunction with a new mixed-use development consisting of wholesale trade, retail, restaurant, office, and residential uses will improve Central City's competitiveness as a location for offices, business, retail, and industry while providing housing in proximity of jobs and existing services. The Project will help sustain the economic viability of the Southern California Flower Market, as well as provide a balance of jobs and housing, clustering development so as to create an activity center and provide for the efficient provision of infrastructure. At the same time, maintaining the existing use of the wholesale flower market will allow the market to remain in the original location and continue operation without disruption.

In addition, the Project will comply with the Industrial Land Use policies based on the following goals, objective and policies, as set forth in the General Plan Framework Land Use Chapter:

***Goal 3J: Industrial growth that provides job opportunities for the City's residents and maintains the City's fiscal viability.***

**Objective 3.14:** *Provide land and supporting services for the retention of existing and attraction of new industries.*

**Policy 3.14.2:** *Provide flexible zoning to facilitate the clustering of industries and supporting uses, thereby establishing viable "themed" sectors (e.g., movie/television/media production, set design, reproductions, etc.).*

**Policy 3.14.4:** *Limit the introduction of new commercial and other non-industrial uses in existing commercial manufacturing zones to uses which support the primary industrial function of the location in which they are located.*

**Policy 3.14.6:** *Consider the potential re-designation of marginal industrial lands for alternative uses by amending the community plans based on the following criteria:*

- a. Where it can be demonstrated that the existing parcelization precludes effective use for industrial or supporting functions and where there is no available method to assemble parcels into a unified Site that will support viable industrial development;*
- b. Where the size and/or the configuration of assembled parcels are insufficient to accommodate viable industrial development;*
- c. Where the size, use, and/or configuration of the industrial parcels adversely impact adjacent residential neighborhoods;*
- d. Where available infrastructure is inadequate and improvements are economically infeasible to support the needs of industrial uses;*
- e. Where the conversion of industrial lands to an alternative use will not create a fragmented pattern of development and reduce the integrity and viability of existing industrial areas;*
- f. Where the conversion of industrial lands to an alternative use will not result in an adverse impact on adjacent residential neighborhoods, commercial districts, or other land uses;*
- g. Where it can be demonstrated that the reduction of industrial lands will not adversely impact the City's ability to accommodate sufficient industrial uses to provide jobs for the City's residents or incur adverse fiscal impacts; and/or*
- h. Where existing industrial uses constitute a hazard to adjacent residential or natural areas.*

The General Plan Amendment allows for a mix of uses while serving the underlying purpose of allowing the Flower Market to remain competitive and economically viable, keeping that industrial use from leaving the Central City area. The retention of the existing industrial use on the Site is accomplished by redesignating the land use from Light Industrial to Community Commercial. The Project provides new uses that support the primary industrial uses of sites by renovating the Flower Market facilities, enhancing walkability with the public paseo and sidewalk improvements, and creating a more secure and inviting environment with a variety of uses that will encourage a 24-hour Downtown.

The Project will make the existing industrial use (Southern California Flower Market) more economically feasible, and will have a positive impact on the City's ability to accommodate the industrial employment of the Southern California Flower Market.

The definition of Industrial land use calls for "a future planning study" before industrial land is converted to non-industrial use. This is satisfied in two ways. First, the entire project approval process, including the CEQA process, the entitlement process, and the various points therein for public comment form a planning study themselves. Second, the City's Industrial Land Use Policy memo, published in January, 2008, identified the Project Site as an "Industrial Mixed Use" district, where the staff directions include "allow industrial and commercial uses that support growth of Fashion and Flower districts. Allow Adaptive reuse and live/work conversions in multi-story buildings with heights greater than three (3) stories, only when ground floor is designated for industrial or Fashion/Flower District related use." The Project is consistent with these directions in that the flower market use will be preserved and continue to operate within the North Building, with residential units being planned in a multi-story tower over commercial uses that directly support the Flower District.

#### Chapter 4: Housing

The Project will be consistent with the relevant goals and objectives of the Framework Element (Chapter 4), including the following:

**Goal 4A:** *An equitable distribution of housing opportunities by type and cost accessible to all residents of the City.*

**Objective 4.1:** *Plan the capacity for and develop incentives to encourage production of an adequate supply of housing units of various types within each City subregion to meet the projected housing needs by income level of the future population to the year 2010.*

**Objective 4.2:** *Encourage the location of new multi-family housing development to occur in proximity to transit stations, along some transit corridors, and within some high activity areas with adequate transitions and buffers between higher-density developments and surrounding lower-density residential neighborhoods.*

As proposed, the Project will provide housing for a mix of income levels that includes studio units, varying from two to four habitable rooms, as determined by LADBS. Of the 323 residential units proposed, 32 units will be reserved for Moderate Income households, with the remainder rented at market rate. In addition, the Project Site is in proximity to public transit with connections and access to jobs, entertainment, and amenities within nearby Downtown neighborhoods and the Greater Los Angeles region.

#### Chapter 7: Economic Development Chapter

The Project's consistency with the relevant goals, objectives, and policies in the of the Framework Element (Chapter 7), is provided below:

**Goal 7B:** *A City with land appropriately and sufficiently designed to sustain a robust commercial and industrial base.*

**Objective 7.2:** *Establish a balance of land uses that provides for commercial and industrial development which meets the needs of local residents, sustains economic growth, and assures maximum feasible environmental quality.*

**Policy 7.2.2:** *Concentrate commercial development entitlements in areas best able to support them, including community and regional centers, transit stations and mixed-use corridors. This concentration prevents commercial development from encroaching on existing residential neighborhoods.*

**Policy 7.2.6:** *Concentrate office development in regional mixed-use centers, around transit stations, and within community centers.*

**Policy 7.2.8:** *Retain the current manufacturing and industrial land use designations, consistent with other Framework Element policies, to provide adequate quantities of land for emerging industrial sectors.*

The Project proposes to expand and redevelop the Southern California Flower Market, while maintaining existing wholesale market. As mentioned above, preserving this use in conjunction with a new mixed-use development consisting of wholesale trade, retail, restaurant, office, and residential uses will improve the Central City's competitiveness as a location for offices, business, retail, and industry. As proposed, the Project includes a mix of uses that will provide housing and employment opportunities within ¼ mile of 28 bus lines, which provide service to regional centers such as Century City, Santa Monica, Burbank, Long Beach, Montebello, and Hawthorne, as well as to major transit stations, including Union Station and 7<sup>th</sup> / Metro Center Station, establishing and concentrating a balance of land uses in an area near public transit. The General Plan Amendment to allow for a mix of uses serving the underlying purpose of allowing the Flower Market to remain competitive and economically viable, keeping that industrial use from leaving the Central City area. While the Project is not consistent with **Policy 7.2.8**, which speaks to retaining the current manufacturing and industrial land use designations, the Project is retaining the existing industrial use, and is being implemented in an area where similar uses currently exist, and which satisfies numerous other policies with the provision of new housing, office and commercial uses, and updated/renovated industrial uses within proximity to transit.

**Goal 7C:** *A City with thriving and expanding businesses.*

**Objective 7.3:** *Maintain and enhance the existing businesses in the City.*

**Policy 7.3.2:** *Retain existing neighborhood commercial activities within walking distance of residential areas.*

**Policy 7.3.3:** *Prioritize the retention and renewal of existing industrial businesses.*

The Project will be consistent with the above goals, objectives and policies because it will facilitate the retention of the Flower Market as an industrial use in the Central City area while expanding business opportunities to the Flower District in the form of new office and commercial while also providing new restaurant uses that can serve both the residents and the industrial/commercial patrons and workers. The Flower Market is currently experiencing deteriorating sales due to the increase in wholesale and retail flower shops in the Project area over the last 15 years and the competition of other retailers, resulting in a decline in the number of vendors in the Flower Market. To remain economically competitive, the Flower Market must reduce its wholesale footprint and become more efficient by updating its operating systems and supplementing operations with mixed use

components. By allowing the Project to upgrade this existing facility so it can remain competitive and economically viable, the Proposed Project will not only preserve an existing industrial use in the Central City area, but also establish a balance of land uses that will include 64,363 square feet of office space, 4,385 square feet of retail space, and 63,785 square feet of wholesale space and storage, in addition to residential, restaurant, and event space uses in the Center City area. Therefore, the Project will allow the Center City area to retain the Flower Market as an industrial use, in addition to helping the Flower Market remain competitive and economically viable.

**Goal 7G:** *A range of housing opportunities in the City.*

**Objective 7.9:** *Ensure 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.*

**Policy 7.9.2:** *Concentrate future residential development along mixed-use corridors, transit corridors and other development nodes identified in the General Plan Framework Element, to optimize the impact of City capital expenditures on infrastructure improvements.*

The Proposed Project will provide a mix of uses, including housing, local retail, and office space that will provide new housing and employment opportunities for a community within ¼ mile of 28 bus lines, which provide service to regional centers such as Century City, Santa Monica, Burbank, Long Beach, Montebello, and Hawthorne, as well as to major transit stations, including Union Station and 7<sup>th</sup> / Metro Center Station. The Project, therefore, will establish and concentrate a balance of land uses in an area near public transit.

In addition, the Project is voluntarily setting aside 32 units for Moderate Income households. By enabling the construction of a supply of housing in proximity to jobs and services, the Proposed Project would be consistent with the above listed goals, objectives and policies of the Framework Element.

#### Citywide Commercial Design Guidelines

The Proposed Project complies with the applicable Citywide Commercial Design Guidelines, which were created to carry out common design objectives that maintain neighborhood form and character while promoting design excellence and creative infill development solutions for Pedestrian-Oriented, Commercial and Mixed-Use projects. The Commercial Citywide Design Guidelines are intended to address some of the most common, overarching challenges in planning commercial developments, such as: considering neighborhood context and linkages in building and site design; employing high quality architecture to define the character of commercial districts; augmenting the streetscape environment with pedestrian amenities; minimizing the appearance of driveways and parking areas; including open space to create opportunities for public gathering; and improving the streetscape by reducing visual clutter.

The Project provides transparent ground floor, street-facing storefronts and entryways that provide shelter and promote an active street presence by pedestrians, in conjunction with a public paseo that will connect Maple Avenue and Wall Street by creating flexible open space for pedestrians that is open to the sky and will allow pedestrian circulation at the

ground level through the new South Building. The Project will also result in improvements to 7<sup>th</sup> Street and Maple Avenue which will include full-width concrete sidewalks and tree wells. The Project includes shade trees and landscaping along the street. Social and community spaces would include an outdoor garden on the second floor, a recreation room, group gathering areas, outdoor viewing terraces and decks, as well as smaller, more intimate spaces. The landscaping for the Project Site would include both native and adaptive native plant materials. Thus, the Project would enhance the pedestrian experience with landscaping and other improvements, resulting in a safe and comfortable walking environment for area residents and visitors.

The Project also implements varied materials would provide horizontal and vertical articulation that break up the building planes and reduce the visual mass of the building. Variety in massing is provided through a saw-tooth edge (the residential unit patios), which is created by varying the perimeter of the concrete floor plates. A continuous street wall is created in the lower two and three floors, which step back from the street edge as one enters the public paseo. The Project includes one subterranean and two above-grade levels on the 2<sup>nd</sup> and 3<sup>rd</sup> floors within the new South Building; and three above-grade levels on the 2<sup>nd</sup> and 3<sup>rd</sup> floors with rooftop parking on the 4<sup>th</sup> floor, within the renovated North Building. Parking on the second level of the South Building will be lined with residential units. All other podium parking will be screened with a combination of aluminum and perforated metal panels.

### **Housing Element**

The Housing Element 2013-2021 was adopted on December 3, 2013 and identifies the City's housing conditions and needs, and establishes the goals, objectives and policies that are the foundation of the City's housing and growth strategy. The proposed project would be in conformance with the objectives and policies of the Housing Element as described below.

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

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

**Policy 1.1.2:** *Expand affordable rental housing for all income groups that need assistance.*

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

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

**Objective 1.3:** *Forecast and plan for changing housing needs over time in relation to production and preservation needs.*

**Policy 1.3.5:** *Provide sufficient land use and density to accommodate an adequate supply of housing units by type and cost within the City to meet the*

*projections of housing needs, according to the policies and objectives of the City's Framework Element of the General Plan.*

The Proposed Project would allow for the expansion and redevelopment of the existing Southern California Flower Market, resulting in a new, 15-story, mixed-use development measuring 205 feet in height, comprised of 323 residential units, of which 32 units will be set aside for Moderate Income households; 64,363 square feet of office space; 4,385 square feet of retail space; 63,785 square feet of wholesale space and storage; 13,420 square feet of food and beverage space; and 21,295 square feet of event space in place of the South Building; while the Flower Market would continue to operate in the existing North Building during and after the redevelopment. The Project Site is located within 0.6 miles from the Pershing Square Metro Rail Station (Red/Purple lines), 0.7 miles from the 7<sup>th</sup> and Metro Center Rail Station (Red/Purple, Blue/Expo lines), and 1.2 miles from Pico Metro Rail Station (Blue/Expo lines) and Little Tokyo Metro Rail Station (Gold line). These subway lines provide access to the other transit lines operated by Metro. The Project Site is also served by two major transportation corridors (Main Street and 7th Street) that provide substantial public transit opportunities and facilities, including the Metro bus lines (51, 52, 60, 351, 760) on 7th Street, (16, 17, 316, 20, 28, 35, 38, 351, 68) on Maple Avenue, (51, 52, 35) on San Pedro Street, 66 on 8th Street, and the LADOT DASH E on Los Angeles and 8th. As proposed, the Project would accommodate various income levels (Moderate Income and Market Rate) and unit types (a mix of studio units varying from two to four habitable rooms that would act as flex joint live/work units), within a major commercial and employment center. In addition, the Project Site is located in proximity to several existing and proposed residential developments providing a range of housing types, including market rate, affordable, live/work, condominium, and apartment units. Immediately to the west across Maple Avenue is a surface parking lot, retail, galleries, and four residential developments, the Santee Village (nearly 400 units), the Santee Court (238 units), the Garment Lofts (77 units) and the Textile Building Lofts (77 units) fronting on Los Angeles Street and 8th Street. The Proposed Project would contribute to the evolution of the surrounding area into a residential, commercial, and mixed-use area, and serve as a transition between the residential and commercial uses of the Historic Core at the north/west and the industrial uses at the south/east.. The General Plan Amendment to Community Commercial in conjunction with the recommended Vesting Zone Change and Height District Change to (T)(Q)C2-2D will allow for the establishment of residential uses on a Site that is compatible with the existing surrounding residential development while providing neighborhood-serving ground floor commercial uses and preserving the existing industrial use.

**Goal 2:** *A City in which housing helps to create safe, livable and sustainable neighborhoods.*

**Objective 2.1:** *Promote safety and health within neighborhoods.*

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

**Policy 2.2.3:** *Promote and facilitate a jobs/housing balance at a citywide level.*

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

***Policy 2.4.2:*** *Develop and implement design standards that promote quality residential development.*

***Objective 2.5:*** *Promote a more equitable distribution of affordable housing opportunities throughout the City.*

***Policy 2.5.1:*** *Target housing resources, policies and incentives to include affordable housing in residential development, particularly in mixed use development, Transit Oriented Districts and designated Centers.*

***Policy 2.5.2:*** *Foster the development of new affordable housing units citywide and within each Community Plan area.*

The initiated General Plan Amendment, and requested Vesting Zone Change and Height District Change would allow for the development of an integrated mixed-use Project that would result in new mixed-income housing coupled with new job-producing uses including office space and commercial opportunities while preserving an existing industrial use. As a mixed-use development, the Project provides for activity and natural surveillance during and after commercial business hours. The ground floor commercial uses would activate the streets, while the residential units are oriented outward, providing eyes on the street during all hours of the day to create a safer environment for residents, workers, and visitors to the area. The design of the proposed development employs character-defining features to reflect a consistent architectural style, including unobstructed building entrances and architectural variations, and follows urban design principles that improve the appearance and quality of housing in the area. By locating high density residential and commercial components uses near transit, while preserving a long-standing industrial use, the project would allow more future residents to live in close proximity to their place of employment by providing connections to employment and amenities not only within Downtown Los Angeles, but also the Greater Los Angeles region, thereby facilitating a jobs/housing balance.

In addition, the Proposed Project would enhance livability of the Flower District by upgrading the quality of development and the public realm through the improvement of public streets and by creating a pedestrian friendly, landscaped public right-of-way. A recovery of the public right-of-way would allow widening of the sidewalk on Maple Avenue and 7th Street. Street trees would be planted and a public paseo would connect the primary entrances of each street-level tenant that would not have frontage along the street. The Project would also replace existing aging facilities with an attractive, visually compatible, and appropriately-scaled mixed-use development.

Lastly, the Project provides housing at various income levels (Moderate Income and Market Rate) that would be transit and pedestrian accessible. Residents may access other parts of Downtown and the Metro Rail system by walking to the Metro Rail Red Line or using Metro Rapid Bus, local bus lines or the DASH Route E bus line, benefiting from the opportunity to forego the use of the automobile while offering opportunities to commute to jobs in a major employment center. Furthermore, the Project's proximity to other employment centers as well as a variety of existing dining, shopping and entertainment options would encourage the use of public transit and/or non-motorized transportation.

### **Mobility Element**

The Mobility Element 2035 (Mobility Element), adopted in September 2016, guides development of a citywide transportation system with the goal of ensuring the efficient movement of people and goods and recognizes that primary emphasis must be placed on

maximizing the efficiency of existing and proposed transportation infrastructure through advanced transportation technology, reduction of vehicle trips, and focused growth in proximity to public transit. The Mobility Plan 2035 includes goals that define the City's high-level mobility priorities and sets forth objectives and policies to establish a citywide strategy to achieve long-term mobility and accessibility within the City of Los Angeles. The Proposed Project would be in conformance with following objectives and policies of the Mobility Element as described below.

### Chapter 2: World Class Infrastructure

***Policy 2.3:*** Recognize walking as a component of every trip, and ensure high-quality pedestrian access in all site planning and public right-of-way modifications to provide a safe and comfortable walking environment.

The Project would provide Flower District residents, workers and visitors with a combination of ground floor retail and restaurant uses in addition to the usage of an inviting public paseo that will connect Maple Avenue and Wall Street by creating flexible open space for pedestrians that is open to the sky and will allow pedestrian circulation at the ground level through the new South Building. The Project is also required to improve the 7<sup>th</sup> Street and Maple Avenue with full-width concrete sidewalks and tree wells. The landscaping for the Project Site would include both native and adaptive native plant materials. Thus, the Project would enhance the pedestrian experience with landscaping and other improvements, resulting in a safe and comfortable walking environment for area residents and visitors.

### Chapter 3: Access for All Angelenos

***Policy 3.1:*** Recognize all modes of travel, including pedestrian, bicycle, transit, and vehicular modes - including goods movement - as integral components of the City's transportation system.

***Policy 3.3:*** Promote Equitable land use decisions that result in fewer vehicle trips by providing greater proximity and access to jobs, destinations, and other neighborhood services.

***Policy 3.5:*** Support "first-mile, last-mile solutions" such as multi-modal transportation services, organizations, and activities in the areas around transit stations and major bus stops (transit stops) to maximize multi-modal connectivity and access for transit riders.

***Policy 3.8:*** Provide bicyclists with convenient, secure and well-maintained bicycle parking facilities.

The Project would provide all residents, workers and visitors with affordable, convenient and attractive services by encouraging pedestrian movement with a combination of retail and restaurant uses on the ground floor and a public paseo. The Project's proximity to the Pershing Square Metro Rail Station (Red/Purple lines), 7<sup>th</sup> and Metro Center Rail Station (Red/Purple, Blue/Expo lines), Pico Metro Rail Station (Blue/Expo lines) and Little Tokyo Metro Rail Station (Gold line), in addition to other transit lines operated by Metro, will reduce vehicular trips to and from the project, vehicle miles traveled, and will result in improved air quality. In addition, the Project will include large, glazed commercial frontages which will encourage pedestrian activity within an active wholesale commercial district through pedestrian-friendly design. By locating high density residential and commercial components near transit, the project would allow more future residents to live in proximity to their place of employment while having access to new and existing

commercial, retail, and restaurant uses. Last, the Project proposes to provide 356 long-term bicycle parking spaces which will be located with the subterranean parking level in the new South Building; and 58 short-term bicycle parking spaces which will be located on the ground level within the paseo/plaza areas, thereby supporting “first-mile, last-mile solutions”, enabling residents, workers, visitors, and patrons improved access to and from the Project Site.

#### Chapter 5: Clean Environments and Healthy Communities

**Policy 5.4:** *Continue to encourage the adoption of low and zero emission fuel sources, new mobility technologies, and supporting infrastructure.*

As conditioned, a minimum of 20 percent of the parking provided is required to be pre-wired for the future installation of electric vehicle charging stations and five percent of the spaces are required to be equipped with electric vehicle charging stations. In addition, the Project is conditioned to provide a minimum amount of solar energy generation to minimize dependence on fossil fuel energy sources.

#### Health and Wellness Element

Adopted in March 2015, the Plan for a Healthy Los Angeles lays the foundation to create healthier communities for all Angelenos. As the Health and Wellness Element of the General Plan, it provides high-level policy vision, along with measurable objectives and implementation programs, to elevate health as a priority for the City’s future growth and development. Through a new focus on public health from the perspective of the built environment and City services, the City of Los Angeles will strive to achieve better health and social equity through its programs, policies, plans, budgeting, and community engagement. The Proposed Project is consistent with the following goals, objectives and policies:

#### Chapter 2: A City Built for Health

**Policy 2.2:** *Promote a healthy built environment by encouraging the design and rehabilitation of buildings and sites for healthy living and working conditions, including promoting enhanced pedestrian-oriented circulation, lighting, attractive and open stairs, healthy building materials and universal accessibility using existing tools, practices, and programs.*

The Project will provide public open space and improve pedestrian circulation around and through the building via a public paseo that will connect Maple Avenue and Wall Street. The public paseo will be open to the sky, and create a flexible open space for the public which also allows pedestrian circulation at the ground level through the new South Building. The public paseo will be a social space able to host a variety of uses including outdoor dining, outdoor flower market vendors, seating, bike parking, and neighborhood circulation to and from the adjacent spaces, all positioned to activate the space, which will make a positive contribution to the neighborhood where there is currently a lack of public open space in the immediate vicinity. A larger sidewalk area will be provided and used for amenities such as additional outdoor seating via benches and/or temporary movable tables and chairs, kiosks, and a proposed Metro Bike Share Station, all of which will make the area a community-oriented focal point. The Project will also include open space in the form of extensively landscaped residential amenity decks.

#### Chapter 5: An Environment Where Life Thrives

***Policy 5.1:*** Reduce air pollution from stationary and mobile sources; protect human health and welfare and promote improved respiratory health.

***Policy 5.7:*** Promote land use policies that reduce per capita greenhouse gas emissions, result in improved air quality and decreased air pollution, especially for children, seniors and other susceptible to respiratory diseases.

The Project will result in the creation of new housing coupled with new office and commercial uses while rehabilitating an existing industrial use within proximity of public transit. Future visitors, employees, and residents of this Project, as well as people who already live and work in the area, will be able to take advantage of the Project's mix of land uses which include wholesale, retail, office, and residential within proximity to transit to serve their daily needs. Dining, entertainment, and other amenities, such as amenity decks, lounge areas, and a recreation room, will encourage and allow for socializing on-site. The Project's proximity to 7th / Metro Center and Pershing Square Metro Stations and other transit options will encourage residents, patrons and visitors to use public transportation or walk, thus reducing air pollution and greenhouse gas emissions that would otherwise be caused by vehicle trips. The Project's public paseo and ground floor commercial uses, within proximity to the above-referenced transit options, will sustain street level interest and promote pedestrian activity with linkages to the transit network.

#### **Land Use Element - Central City Community Plan**

The development of the project represents an opportunity to achieve the overarching goals of the Central City Community Plan, which include strengthening the commercial base in Downtown Los Angeles and facilitating the expansion of housing choices in order to attract new and diverse households. The proposed development furthers the following Community Plan objectives and policies:

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

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

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

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

***Objective 3-1:*** To strengthen, retain and expand the existing industrial base as well as attract new industries to the Central City Area.

***Policy 3-1.2:*** Encourage development and public improvements in the Fashion District and South Markets area that enhance the pedestrian environment, improves pedestrian circulation within the area and provides pedestrian linkages to other downtown activity centers.

***Objective 11-6:*** To accommodate pedestrian open space and usage in Central City.

The Project Site is located within the South Markets District of the Central City Community Plan. This area is considered a hub for garment sales and manufacturing, the produce industry, the flower wholesale industry, toy industry, and serves as a major distribution area for the city. In recent years, applications and/or conversions for new mixed-use developments containing office, live/work, residential, and commercial uses have been steadily rising as the City facilitates the growing need for new residential units and office space in all areas of the Central City Community Plan. A key residential goal of the Central City Community Plan is the provision of new housing to satisfy the varying needs and desires of all economic segments of the community. The Project would provide needed housing to meet continuing demand in Los Angeles. As proposed, the Project would accommodate various income levels (Moderate Income and Market Rate) and unit types (a mix of studio units varying from two to four habitable rooms, as determined by LADBS), within a major employment center. The Project will add new land uses that are compatible with the adjacent commercial and residential neighborhoods, such as the Historic Core and South Park. The location of the Project is advantageous for future residents due to the proximity to significant regional employment centers such as the Financial District, the Civic Center, the Fashion District, and the Arts District.

The Downtown Los Angeles' Flower Market is one of the largest wholesale flower distributors in the United States, and serves as a local and regional economic driver. The Project the Project will maintain wholesale industries by allowing the Flower Market to upgrade its existing facility so it can remain competitive and economically viable, consequently strengthening the economic viability of existing industrial uses in the South Markets area. To achieve that goal, the Project, with its mix of uses and dramatically improved physical facilities, will provide housing opportunities for those who choose to live in the Flower District and will continue to improve the jobs/housing ratio, respond to market demands, and maintain the viability of industrial lands as the space needs of manufacturers evolve.

The Project will also create a pedestrian-friendly environment by maintaining a strong street wall with storefronts and a flower-themed mural along Maple Avenue, and providing a public paseo that will connect Maple Avenue and Wall Street through a creative open space for pedestrians. The public paseo and right-of-way improvements will improve pedestrian circulation within the area while providing new pedestrian linkages to other downtown activity centers and encouraging the use of pedestrian open space in the Central City. The Project, therefore, will improve access and create a safe and convenient street environment for customers, residents, and employees in the area.,

For the reasons summarized above, the Project will be consistent with that applicable objective, policy, and program related to industrial uses by helping the Central City retain and update the existing Flower Market as an industrial use in the area.

3. **The Sewerage Facilities Element** of the General Plan will not be affected by the recommended action. While the sewer system might be able to accommodate the total flows for the Proposed Project, further detailed gauging and evaluation may be needed as part of the permit process to identify a specific sewer connection point. If the public sewer has insufficient capacity then the developer will be required to build sewer lines to a point in the sewer system with sufficient capacity. A final approval for sewer capacity and connection permit will be made at that time. Ultimately, this sewage flow will be conveyed to the Hyperion Treatment Plant, which has sufficient capacity for the project.

4. **Charter Finding – City Charter Finding 555.** The General Plan may be amended in its entirety, by subject elements or parts of subject elements, or by geographic areas, provided that the part or area involved has significant social, economic or physical identity.
- a. **Amendment in Whole or in Part.** The General Plan Amendment before the City Planning Commission represents an Amendment in Part of the Central City Community Plan, representing a change to the social, physical and economic identity of Project Site, which is currently designated as Light Industrial and zoned M2-2D. The Project's initiated General Plan Amendment from Light Industrial to Community Commercial, and recommended Vesting Zone Change and Height District Change from M2-2D to (T)(Q)C2-2D will allow for a mix of residential, commercial and office uses, while retaining the Flower Market as an industrial use.

The Project Site is significant in economic and physical identity because it occupies nearly an entire City block currently used as a wholesale market and is comprised of three lots totaling approximately 168,577 square feet of lot area (3.87 acres). It is located in the Fashion District, which includes the Flower District, within the Central City Community Plan area. The Flower District is a neighborhood of Downtown Los Angeles that has historically been characterized by flower and plant wholesale and distribution uses, and is an important part of the City's physical identity. The Project Site is in proximity to warehousing uses, including produce, fish, and food processing, wholesale flower sales, a toy import-export industry, and a mixture of other commercial and residential uses. The surrounding environment is characterized by mix of parking lots, warehouses, retail, and commercial uses; and, more recently, with residential uses. Additionally, the Project Site is located within a Transit Priority Area, and located within 0.5 miles for the Pershing Square Metro Rail Station (Red/Purple lines), 0.6 miles from the 7th / Metro Rail Station (Red/Purple, Blue/Expo lines) and 0.9 miles from the Pico Metro Rail Station (Blue/Expo lines) and Little Tokyo Metro Rail Station (Gold line). The Project represents an opportunity to provide new housing for a mix of incomes and neighborhood-serving commercial uses in an area evolving to include more commercial, residential, and mixed-use developments. The Project Site's proximity to public transportation options will help the City achieve land use goals of increasing density near transit and promoting the use of public transit by residents, employees, and visitors to the Project Site. The Project appropriately locates needed residential density near several transit options providing access to jobs, entertainment, and services within Downtown and the Greater Los Angeles region, creates new commercial uses for the neighborhood, promotes pedestrian activity in the general vicinity, and provides a community gathering point with new recreational and open space amenities available to residents and the surrounding community that align with the social identity of the surrounding area.

The Project Site has its own significant social and economic identity as the epicenter of the Flower District. Socially, the Project Site has served as a catalyst for development of Southern California's horticultural industry. Over the years, the Flower District has grown to include other floral operations and related businesses in the immediate vicinity. The Project Site is currently developed as the Southern California Flower Market, one of the largest wholesale flower facilities in the country, comprised of the South Building, constructed in 1962; and the North Building, constructed in 1981. The General Plan Amendment will allow the Project Site to contribute a mix of commercial, residential, retail, and restaurant uses to strengthen the economic identity of the surrounding area, which currently includes parking lots, warehouses, retail and commercial uses, and residential uses from low-rise to medium-rise buildings.

Economically, preserving the existing Southern California Flower Market use, and, consequently the vitality of the Flower District, will help the City remain competitive in a growing and competitive global flower market. The Amendment will allow the Flower Market to remain economically viable and to physically remain within the City boundaries. In addition, the Amendment will allow new development to bring a mix of uses including housing, office, and commercial, all of which will result in an active street life in an area that is in proximity to the City's Historic Core and South Park residential communities, while also allowing retaining and strengthening an existing industrial use.

The Proposed Project includes the maintenance and renovation of the North Building and its rooftop parking; and the demolition and redevelopment of the South Building as a new mixed-use development comprised of office, retail space, wholesale space and storage, food and beverage space and event space. The increased commercial activity in the area will incentivize local spending and activity, create a pedestrian-oriented shopping area and community, and increase convenience for local residents, workers, and visitors of the neighborhood.

The Proposed Project will preserve an industrial use on the Project Site thereby contributing to the conservation of the significant economic identity of the Flower District while introducing new commercial and residential uses thereby contributing to the significant social and physical identity of the changing district. Therefore, staff recommends that the General Plan be amended in part through the Central City Community Plan as the Proposed Project will contribute to and strengthen an area which has significant social, economic or physical identity.

- b. Initiation of Amendments.** In compliance with this sub-section, on October 26, 2016, the City Council adopted a motion introduced by Councilmember Jose Huizar (14th District) instructing the Department of City Planning to initiate proceedings for the General Plan Amendment. By that initiation, the City Council confirmed that the City's Planning staff would ensure a comprehensive review of the request.
- c. Commission and Mayoral Recommendations.** The noticing and hearing requirements of the General Plan Amendment were satisfied, pursuant to LAMC Section 12.32 C.3. An initial public hearing was scheduled, duly noticed, and held in City Hall on May 3, 2019. A Limited Public Hearing was scheduled and duly noticed for the City Planning Commission meeting on July 11, 2019; and then re-scheduled and duly noticed for the City Planning Commission meeting scheduled for August 8, 2019. The City Planning Commission shall make its recommendation to the Mayor upon a recommendation of approval, or to the City Council and the Mayor upon a recommendation of disapproval.

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

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

expiration of their time to act, the Council shall adopt or reject the proposed amendment by resolution within the time specified by ordinance.

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

5. **Charter Finding – City Charter Finding 556.** When approving any matter listed in Section 558, the City Planning Commission and the Council shall make findings showing that the action is in substantial conformance with the purposes, intent and provisions of the General Plan. If the Council does not adopt the City Planning Commission's findings and recommendations, the Council shall make its own findings.

The Project Site is located within the Central City Community Plan, which is one of 35 Community Plans comprising the Land Use Element of the General Plan. The Community Plan designates the Project Site with the Light Industrial land use designation, with corresponding zones of MR2 and M2. The Site is presently zoned M2-2D and is thus consistent with the land use designation.

As proposed, the General Plan Amendment would re-designate the Project Site from Light Industrial to Community Commercial land uses and would remove the Community Plan Footnote No. 2 from the subject property to allow Height District No. 2, in lieu of the underlying Height District No. 2D; in conjunction with the recommended Vesting Zone Change and Height District Change from M2-2D to (T)(Q)C2-2D. The proposed Community Commercial land use designation corresponds to the CR, C2, C4, RAS3, and RAS4 Zones and permits Height District No. 2, pursuant to Community Plan Footnote No. 4. Thus, the recommended (T)(Q)C2-2D Zone would be consistent with the adoption of the General Plan Amendment.

Additionally, the legal standard that governs whether a project will be consistent with applicable land use policies is whether it will be in harmony with the applicable land use plan. State law does not require an exact match between a proposed subdivision and the applicable general plan. To be consistent with a general plan, a project must be compatible with the objectives, policies, general land uses, and programs specified in the applicable plan, meaning, the project must be in agreement or harmony with the applicable plan. Moreover, an action, program, or project is consistent with the general plan if, considering all its aspects, it will further the objectives and policies of the general plan and not obstruct their attainment.

As detailed in Finding No. 2 above, the initiated General Plan Amendment complies with Los Angeles City Charter Section 556 in that it is in substantial conformance with the purposes, intent and provision of the General Plan and its elements, including the Framework Element, Housing Element, Mobility Element, Health and Wellness Element and the Land Use Element – Central City Community Plan, as the Project would increase housing choices at varying income levels and different unit types; introduce new land uses while preserving the existing Flower Market use; improve the jobs/housing ratio and economic vitality of the South Markets District, while maintaining a safe and clean environment for Downtown employees and residents; and enhance the pedestrian

environment by activating ground floor uses and would provide a public paseo that will encourage the use of public open space, all within proximity to transit.

6. **Charter Finding – City Charter Finding 558.** The proposed Amendment to the Central City Community Plan will be in conformance with public necessity, convenience, general welfare and good zoning practice, as described below.

The initiated Amendment to the Central City Community Plan would re-designate the Project Site from Light Industrial to Community Commercial land uses which would allow for the expansion and redevelopment of the existing Southern California Flower Market, a long-standing economic driver in the Flower District, resulting in a new, 15-story, mixed-use development measuring 205 feet in height, comprised of 323 residential units, of which 32 units will be set aside for Moderate Income households; 64,363 square feet of office space; 4,385 square feet of retail space; 63,785 square feet of wholesale space and storage; 13,420 square feet of food and beverage space; and 21,295 square feet of event space in place of the South Building; while the Flower Market would continue to operate in the existing North Building during and after the redevelopment.

Public Necessity. On April 8, 2015, Mayor Eric Garcetti released the City's first-ever Sustainable City pLAN. The pLAN is both a roadmap to achieve back to basics short-term results while setting the path to strengthen and transform our City in the decades to come. In it, the Mayor set forth a goal of creating 100,000 new housing units by 2021. The subject property is currently designated and zoned for Light Industrial, which prohibits residential uses. The Project Site is located in proximity to several existing and proposed residential developments providing a range of housing types, including market rate, affordable, live/work, condominium, and apartment units. Immediately to the west across Maple Avenue is a surface parking lot, retail, galleries, and four residential developments, the Santee Village (nearly 400 units), the Santee Court (238 units), the Garment Lofts (77 units) and the Textile Building Lofts (77 units) fronting on Los Angeles Street and 8th Street. The Proposed Project would contribute to the evolution of the surrounding area into a residential, commercial, and mixed-use area. The General Plan Amendment to Community Commercial in conjunction with the recommended Vesting Zone Change and Height District Change to (T)(Q)C2-2D will allow for the establishment of residential uses on a Site that is compatible with the existing surrounding residential development while providing neighborhood-serving ground floor commercial uses and preserving the existing industrial use. The Proposed Project would serve as a transition between the residential and commercial uses of the Historic Core at the north/west and the industrial uses at the south/east. The Proposed Project would provide 323 new housing units for a mix of incomes, including a voluntary set-aside 32 units for Moderate Income households, without the direct displacement of any existing housing units. Furthermore, the Project includes both private and public amenities that would improve the quality of life for existing and future residents.

Approval of the initiated General Plan Amendment from Light Industrial to Community Commercial would allow the Proposed Project to contribute to help alleviate the City's housing shortage by providing a mixed-income, mixed-use residential development, thus serving to address the City's housing shortage and need for affordable housing. In addition, the Proposed Project would make more efficient use of land by adding density without removing the existing Flower Market use. Locating both a greater residential density and neighborhood-serving commercial uses along major bus routes such as 7th Street, San Pedro Street and 8th Street would also greatly benefit the residents in offering efficient transit alternatives and contribute to building the critical mass necessary to support a more efficient regional transit system. The Proposed Project would accommodate projected population growth in the area, while being compatible with its

surrounding uses. Accordingly, the initiated General Plan Amendment would be in conformity with public necessity.

Convenience. Approval of the initiated General Plan Amendment from Light Industrial to Community Commercial would facilitate the redevelopment of the existing Southern California Flower Market with a new mixed-use development, while retaining and expanding the wholesale flower market use, on a Site that is proximate to public transit options. The Project density and scope are appropriate for the Site and the surrounding properties, as it locates needed residential density near several transit options that afford easy access to employment centers, entertainment, and services, creates new commercial uses for the neighborhood, promotes pedestrian activity in the general area, and provides a community gathering point with new recreational and open space amenities available to residents and the surrounding community. Accordingly, the initiated General Plan Amendment would result in a project that would provide a convenience to the Flower District and the City as a whole.

General Welfare. Approval of the initiated General Plan Amendment from Light Industrial to Community Commercial would allow the development of a mixed-use building containing office, commercial, and residential uses while preserving an industrial use. As discussed above, the area is served by transit that would afford residents access to jobs, entertainment, and services within Downtown and the Greater Los Angeles region. As an infill development project, the initiated Amendment, will allow a residential development at a higher density near transit while providing neighborhood-serving commercial opportunities for future Project residents and the existing surrounding neighborhood; encourage mixed-use development that would allow a smoother transition between the commercial and residential uses of the north/west and the predominantly industrial and live/work uses to the southeast; and increase the City's housing stock, while maintaining the jobs-rich Flower Market use. Additionally, the Proposed Project would activate and enhance the aesthetic character of an infill Site in an area serviced by transit. The Proposed Project includes 323 new housing units for a mix of incomes, including a voluntary set-aside of 32 units for Moderate Income households, without the direct displacement of any existing housing units. The Project that will further promote foot traffic through the use of a strong street wall, with storefronts and a flower-themed mural along Maple Avenue, and will include a public paseo that will connect Maple Avenue and Wall Street through a creative open space for pedestrians, in pair with higher density living, and comfortable transitions to the neighboring residences. The existing buildings at the Project Site are generally in poor condition and in need of substantial maintenance and repair. The General Plan Amendment allows for the development of the Proposed Project, which will add a residential and office component to the Project Site, which will enable the renovation and maintenance of the existing buildings, and will allow the Flower Market to continue being a regional economic drive for the City of Los Angeles. Accordingly, the proposed General Plan Amendment would be in conformity with general welfare.

Good Zoning Practices. Approval of the initiated General Plan Amendment from Light Industrial to Community Commercial would extend the existing Community Commercial land use designation west of Maple Avenue to a significant portion of the block (1.68 acres) bounded by 7<sup>th</sup> and Wall Streets, and Maple Avenue. The Project Site has a land use designation of Light Industrial and is zoned M2-2D. The General Plan Amendment will allow for a mixed-income, mixed-use development to further complement the surrounding neighborhood, such as the Santee Village (nearly 400 units), the Santee Court (238 units), the Garment Lofts (77 units) and the Textile Building Lofts (77 units) fronting on Los Angeles Street and 8th Street; the several parcels directly across Maples Avenue to the northwest of the subject property designated for Community Commercial land uses and zoned C2-2D, similar to the subject request; as well as with future proposed development

on neighboring properties, including two new housing projects currently under construction that are adjacent to the Project Site. At the northeast corner of 7th Street and Wall Street, a six-story apartment building is under construction that would include 99 residential units. At the northwest corner of 7th Street and Wall Street, a seven-story mixed-use building is under construction that would include a medical clinic and 55 residential units. Another project was recently approved at 554 South San Pedro Street, which would consist of two mixed-use towers (12- and 18-story towers), which would include 378 supportive and affordable housing units. And last, a project was approved for the construction of 435 residential units in a tower at the southwest corner of 7th Street and Maple Avenue. In addition, most parcels west of Los Angeles Street are zoned and designated for commercial land uses. Therefore, the Project would also be compatible with other proposed nearby developments on neighboring properties.

A new paseo will also connect to the existing Flower Market neighborhood to the east and the existing transit stops and surrounding residential developments. The paseo will be open to the public and will provide a social space that can host a variety of uses including outdoor dining, outdoor flower vendors, seating, bike parking, and neighborhood circulation to and from the adjacent spaces, all positioned to activate the space. The sidewalks will be widened along Maple Avenue and used for amenities such as additional trees, seating, kiosks, and a proposed Metro Bike Share Station. The Project's location, near bus stops by 7<sup>th</sup>, 8<sup>th</sup>, and San Pedro Streets and 0.7 miles from the Pershing Square Metro Station and the land use mix give residents and employees the choice to not drive at all or park only once. In addition, existing uses within walking distance include San Julian Park, art galleries, fitness gyms, an elementary school, theaters, museums, retail stores, and restaurants. Building 323 new residential units in this vicinity will significantly increase the livability, and takes into account anticipated population growth and integrated land use with transportation planning.

Given the uses surrounding the Project Site, the Project's proposed General Plan Amendment from industrial to commercial land use and zoning designations will not lead to impermissible spot zoning. The Project Site is adjacent to properties zoned and designated for residential uses just to the north and northeast of the Project Site, and adjacent to properties zoned and designated for commercial uses just to the west and northwest of the Project Site. There is one out-parcel carved out of the Project Site along Wall Street, close to 7th Street, that the Project applicant does not own and will not be subject to the Project's requested entitlements. That parcel will remain zoned as M2 for industrial uses, consistent with the adjacent industrial uses east of the Project Site along Wall Street and further southeast.

As proposed, the Project would not only provide new housing for a mix of incomes, but would offer amenities that would improve the quality of life for existing and future residents as well as the surrounding community. The General Plan Amendment will result in a project that sets a good example for future projects seeking to introduce new uses as it will also retain an industrial use on the site. Such projects will conform to good planning practices because they will be required to provide much-needed residential units with commercial land uses on the ground level. While the Project sustains the historic use of the Southern California Flower Market, it also adds density by adding residential units and offices and promotes a more walkable lifestyle by locating office, commercial, and residential uses within proximity of transit and existing job centers and services. Furthermore, the Project's will also be compatible with surrounding uses based on its consistency with the applicable development standards in the Central City Community Plan, as discussed in Finding No. 2. Therefore, the initiated General Plan Amendment to Community Commercial would be consistent with nearby commercially-designated land uses and zones, would facilitate the ongoing transformation of the area into a mixed-use

district and would be in conformity with good zoning practices and development patterns in the immediate area.

### **Entitlement Findings**

#### **7. Vesting Zone Change, Height District Change, and “T” and “Q” Classification Findings.**

- a. Pursuant to Section 12.32 C of the Los Angeles Municipal Code (LAMC), and based on these findings, the recommended action is deemed consistent with public necessity, convenience, general welfare and good zoning practice.

Public Necessity. The subject property is currently designated and zoned for Light Industrial, which prohibits residential uses. The Project Site is located in close proximity to several existing and proposed residential developments providing a range of housing types, including market rate, affordable, live/work, condominium, and apartment units. Immediately to the west across Maple Avenue is a surface parking lot, retail, galleries, and four residential developments, the Santee Village (nearly 400 units), the Santee Court (238 units), the Garment Lofts (77 units) and the Textile Building Lofts (77 units) fronting on Los Angeles Street and 8th Street. The Proposed Project would contribute to the evolution of the surrounding area into a residential, commercial, and mixed-use area. The recommended Vesting Zone Change and Height District Change to (T)(Q)C2-2D will allow the establishment of residential uses on a Site that is compatible with the existing surrounding residential development while providing neighborhood-serving ground floor commercial uses and preserving the existing light industrial use. In fact, the Proposed Project would serve as a transition between the residential and commercial uses of the Historic Core at the north/west and the industrial uses at the south/east. The Proposed Project would provide 323 new housing units for a mix of incomes, including a voluntary set-aside of 32 units for Moderate Income households, without the direct displacement of any existing housing units. Furthermore, the Project includes both private and public amenities that would improve the quality of life for existing and future residents.

Approval of the requested Vesting Zone Change and Height District Change from M2-2D to the recommended (T)(Q)C2-2D would allow the Proposed Project to contribute to help alleviate the City’s housing shortage by providing a mixed-income, mixed-use residential development, thus serving to address the City’s housing shortage and need for affordable housing. In addition, the Proposed Project would make more efficient use of land by adding density without removing the existing Flower Market use. Locating both a greater residential density and neighborhood-serving commercial uses along major bus routes such as 7th Street, San Pedro Street and 8th Street would also greatly benefit the residents in offering efficient transit alternatives and contribute to building the critical mass necessary to support a more efficient regional transit system. The Proposed Project would accommodate projected population growth in the area, while being compatible with its surrounding uses. Accordingly, the proposed Vesting Zone Change and Height District Change would be in conformity with public necessity.

Convenience. Approval of the requested Vesting Zone Change and Height District Change from M2-2D to the recommended (T)(Q)C2-2D would facilitate the redevelopment of an the existing Southern California Flower Market with a new mixed-use development, while retaining and expanding the wholesale flower market use, on a Site that is proximate to mass transit options. The Project density and

scope are appropriate for the Site and the surrounding properties, as it locates needed residential density near several transit options that afford easy access to employment centers, entertainment, and services, creates new commercial uses for the neighborhood, promotes pedestrian activity in the general area, and provides a community gathering point with new recreational and open space amenities available to residents and the surrounding community. Accordingly, the proposed General Plan Amendment would be in conformity with convenience.

General Welfare. Approval of the requested Vesting Zone Change and Height District Change from M2-2D to the recommended (T)(Q)C2-2D would allow the development of an infill Site in an area evolving with more development of commercial and residential uses where previously warehouse and light industrial uses were located. As discussed above, the area is served by transit that would afford residents access to jobs, entertainment, and services within Downtown and the Greater Los Angeles region. As an infill development project, the requested Vesting Zone Change and Height District Change will allow a residential development at a higher density near transit while providing neighborhood-serving commercial opportunities for future Project residents and the existing surrounding neighborhood; encourage mixed-use development that would allow a smoother transition between the commercial and residential uses of the north/west and the predominantly industrial and live/work uses to the southeast; and increase the City's housing stock, while minimizing any burden placed upon the existing infrastructure. Additionally, the Proposed Project would activate and enhance the aesthetic character of an infill Site within a transit-rich neighborhood. The Proposed Project includes 323 new housing units for a mix of incomes, including a voluntary set-aside of 32 units for Moderate Income households, without the direct displacement of any existing housing units. The Project that will further promote foot traffic through the use of a strong street wall, with storefronts and a flower-themed mural along Maple Avenue, and a public paseo that will connect Maple Avenue and Wall Street through a creative open space for pedestrians, in pair with higher density living, and comfortable transitions to the neighboring residences. The existing buildings at the Project Site are generally in poor condition and in need of substantial maintenance and repair. Adding the residential and office component to the Project will enable the renovation and maintenance of the existing buildings, as well as it will allow the Flower Market to continue being a regional economic drive for the City of Los Angeles. Accordingly, the proposed General Plan Amendment would be in conformity with general welfare.

Good Zoning Practices. The Project Site has a land use designation of Light Industrial and is zoned M2-2D. The Vesting Zone Change and Height District Change conform with good planning practices in that the proposed C2 Zone (Commercial Zone) with Height district 2 would be compatible with the proposed land use designation of Community Commercial, and also with the commercial zones west and northwest of the Project, and the residential zones north and northeast of the Project. The proposed designation would then be compatible with the market-driven and government-initiated transitions within the area.

The Project would also be compatible with the surrounding neighborhood because it is located at the upper edge of the Downtown industrial neighborhood, which allows the Project to serve as a transition from the City's South Markets area to the Historic Core and South Park areas. The Project Site is an important part of the City's urban fabric that will help weave the adjacent industrial, commercial, and residential neighborhoods. The Project would, therefore, be compatible with the existing residential uses near the Project Site, as well as with future proposed development

on neighboring properties. For example, there are two housing projects under construction adjacent to the Project Site. At the northeast corner of 7th Street and Wall Street, a six-story apartment building is under construction that would include 99 residential units. At the northwest corner of 7th Street and Wall Street, a seven-story mixed-use building is under construction that would include a medical clinic and 55 residential units. Another project was recently approved at 554 S. San Pedro Street, which would consist of two mixed-use towers (a 12-story tower and 18-story tower), which would include 378 supportive and affordable housing units. The Project would also be compatible with other proposed nearby developments on neighboring properties. A project was approved for the construction of 435 residential units in a tower at the southwest corner of 7th Street and Maple Avenue.

As proposed, the Project would not only provide new housing for a mix of incomes, but would provide amenities that would improve the quality of life for existing and future residents. The redevelopment of the Project Site proposed to preserve the existing Flower Market use while also redeveloping the Site to include 323 residential units, of which 32 units will be set aside for Moderate Income households; 64,363 square feet of office space; 4,385 square feet of retail space; 63,785 square feet of wholesale space and storage; 13,420 square feet of food and beverage space; and 21,295 square feet of event space, will assist in the transformation of the area into a more walkable and vibrant neighborhood in close proximity to public transit. As such, the Vesting Zone Change and Height District Change would be consistent with good zoning practices and development patterns in the immediate area.

**b. “T” and “Q” Classification Findings.**

Per LAMC Section 12.32 G.1 and 2, the current action, as recommended, has been made contingent upon compliance with new “T” and “Q” conditions of approval imposed herein for the Proposed Project. The “T” Conditions are necessary to ensure the identified dedications, improvements, and actions are undertaken to meet the public’s needs, convenience, and general welfare served by the actions required. These actions and improvements will provide the necessary infrastructure to serve the proposed community at this site. The “Q” conditions that limits the scale and scope of future development on the Site are also necessary to protect the best interests of and to assure a development more compatible with surrounding properties and the overall pattern of development in the community, to secure an appropriate development in harmony with the General Plan, and to prevent or mitigate the potential adverse environmental effects of the subject recommended action.

**c. “D” Limitation Findings.**

Per LAMC Section 12.32 G.4, the current action has been made with the recommended imposition of a “D” or development limitation imposed herein for the Proposed Project. The “D” Limitation is necessary to protect the best interests of and assure a development more compatible with the surrounding property or neighborhood; secure an appropriate development in harmony with the objectives of the General Plan; and to prevent or mitigate potentially adverse environmental effects of the Height District establishment or change.

The Project includes an amendment to the Central City Community Plan to re-designate the Site from Light Industrial to Community Commercial land use, and remove Footnote No. 2 to allow for an FAR increase to 3.9:1, in lieu of the 3:1 FAR otherwise permitted for Height District 2D; in conjunction with a Vesting Zone

Change and Height District Change from M2-2D to, as recommended, (T)(Q)C2-2D. The proposed "D" limitation would limit the building to 205 feet in height and a maximum FAR of 3.9:1, as shown in Exhibit A. Without the limitation, the C2-2 Zone would permit a maximum 6:1 FAR with no height limitation, which would lead to a taller, bulkier and potentially incompatible building with the surrounding properties. The imposed "D" limitation would ensure that the proposed development is physically compatible with the surrounding properties. Although the height of the proposed structure would be taller than the immediately surrounding buildings, comprised of low-rise to medium-rise buildings physically separated from the Project Site by secondary, collector, and local streets, the development would fit within the range of other residential and mixed-use building heights in Downtown.

The proposed limitations would permit the development of the Project, which as described above, would promote the objectives of the General Plan and Central City Community Plan. As such, the "D" Limitations would protect the best interest of and assure a development that is compatible with the surrounding property or neighborhood and secure an appropriate development in harmony with the objectives of the General Plan.

#### **8. Master Conditional Use Permit Findings (Alcohol).**

The Project proposes up to four separate restaurant spaces, for a total of 13,420 square-foot of restaurant uses and an indoor/outdoor event space for a total of 21,295 square feet. Three restaurant spaces will be located within the new mixed-use building (South Building). The fourth restaurant space currently exists within the North Building but will be demolished and redeveloped in the South Building. The addition of new event space will be located on the 4<sup>th</sup> and 5<sup>th</sup> (rooftop) levels of the North Building.

The Project Applicant is requesting a Master Conditional Use Permit (MCUP) to allow for the sale and dispensing of a full-line of alcoholic beverages within two ground floor restaurants within the South Building, that comprise 2,400 square-foot and 7,000 square-foot tenant spaces, for a total of 9,400 square feet; and the indoor/outdoor event space on the 4th level *only* of the North Building, for a total of 15,145 square feet. It should be noted that the third restaurant space in the South Building (Poppy + Rose) currently has an approval for the sale and dispensing of beer and wine for on-site consumption under Case No. ZA-2016-4717-CUB; however the Applicant has not requested that this restaurant be included in the MCUP request and has been advised that a new CUP would be required should this tenancy want to reinstate their rights to the sales and service of alcohol.

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

The Project includes the expansion and redevelopment of the existing Southern California Flower Market and will result the introduction of new office, commercial, and residential uses while preserving a long-established industrial use on the site. The existing property consists of two buildings, the North Building and the South Building. The North Building will be maintained and renovated, while the South Building will be demolished in order to allow for the development of a new mixed-use development consisting of wholesale trade, retail, restaurant, office, and residential uses. The Flower Market would continue to operate in the existing North Building during and after the redevelopment.

The Project Applicant is requesting a Master Conditional Use Permit (MCUP) to allow for the sale and dispensing of a full-line of alcoholic beverages within two ground floor restaurants within the South Building, that comprise 2,400 square-foot and 7,000 square-foot tenant spaces, for a total of 9,400 square feet; and the indoor/outdoor event space on the 4th level of the North Building, for a total of 15,145 square feet.

The Project is located in the Fashion District (which includes the Flower District and is referred to as the South Markets District within the Central City Community Plan), an urban area where nearby residents and employees that are within walking distance will be able to take advantage of the proposed neighborhood services. The Project Site is located northeast of the South Park Neighborhood, west of the Arts District, and four blocks east of the Broadway Theater District; and is surrounded by a mix of parking lots, warehouses, retail, and some commercial and residential uses contained in structures ranging from low-rise to medium-rise buildings, which are physically separated from the Project Site by secondary, collector, and local streets. Immediately to the west across Maple Avenue is a surface parking lot, retail, galleries, and four residential developments, the Santee Village (nearly 400 units), the Santee Court (238 units), the Garment Lofts (77 units) and the Textile Building Lofts (77 units) fronting on Los Angeles Street and 8th Street. To the immediate east is another flower wholesale market, the Los Angeles Flower Market. To the north of the Site across 7th Street there is a school (Jardin de la Infancia School), some retail uses, and a building with County services and a five-story parking structure. To the south of the Project Site, both next to the Site and across 8th Street, are retail uses.

The proposed restaurants and event space would provide a service amenity in an area that is developed with a number of businesses and residences, but currently has a minimal number of restaurants and outdoor and indoor event spaces. The proposed restaurants will operate as bona-fide restaurants with the sale of alcoholic beverages incidental to food service. The proposed event space will introduce a new gathering area for special events and will help to activate the Project Site and surrounding area. Additionally, the addition of restaurant uses and an indoor/outdoor event space will result in a development provides an amenity to the existing business and residents in the area as well as the projected growth in Downtown Los Angeles.

Due to the Site's proximity to South Park, the Arts District, and other Downtown neighborhoods, the ability to order alcoholic beverages in conjunction with food service will allow for the on-site restaurants to compete with the other establishments Downtown which also has quality restaurants serving alcohol, including the City Market Mixed-Use Project that contains 945 residential units, 210 hotel rooms, 294,641 square feet of commercial office uses, 224,862 square feet of retail uses (including restaurants, bars, event space, wholesale uses, and a cinema), and a 312,112 square-foot corporate/ education campus.

The offering of food and alcohol in conjunction with the proposed uses will be a benefit as an amenity to current and future residents and visitors by reducing the need to travel to other areas for dining experiences and will also serve as an attraction and amenity to future residents and guests, as many large residential projects are in development in proximity.

As such, the service of alcoholic beverages within a maximum of three (3) venues as part of a mixed-use development will enhance the built environment in the

surrounding neighborhood or will perform a function or provide a service that is essential or beneficial to the community, city or region.

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

The Project Site is located within the Central City Community Plan area, at the western edge of the South Markets District. The Site is currently developed with two buildings, the North Building (206,517 square feet) and the South Building (185,111 square feet). The Project Applicant proposes to maintain and renovate the North Building and demolish and redevelop the South Building with a new mixed-use development consisting of wholesale trade, retail, restaurant, office, and residential uses. The South Building would be 15 stories, comprised of a 12-story residential tower over three stories of office, retail, restaurant, wholesale flower market, and parking, measuring 205 feet in height. The development program would consist of 323 residential units, of which 32 units will be set aside for Moderate Income households; 64,363 square feet of office space; 4,385 square feet of retail space; 63,785 square feet of wholesale space and storage; 13,420 square feet of food and beverage space; and 21,295 square feet of event space. The Flower Market would continue to operate in the existing North Building during and after the redevelopment.

As previously described, the Project is located in the Fashion District (which includes the Flower District and is referred to as the South Markets District within the Central City Community Plan), and is surrounded by a mix of parking lots, warehouses, retail, and some commercial and residential uses contained in structures ranging from low-rise to medium-rise buildings. To the immediate east is another flower wholesale market, the Los Angeles Flower Market. To the north of the Site across 7th Street there is a school (Jardin de la Infancia School), some retail uses, and a building with County services and a five-story parking structure. To the south of the Project Site, both next to the Site and across 8th Street, are retail uses.

The proposed service of a full line of alcoholic beverages for the two restaurant uses and event space, will provide a place for residents and visitors to eat, drink, socialize and shop. The ground floor restaurant uses will be desirable to the public convenience and welfare because the Project is near multi-family residential (including the Santee Village, the Santee Court, the Garment Lofts and the Textile Building Lofts), educational uses (Fashion Institute of Design and Merchandising is approximately one mile southwest of the Site), and commercial uses (including various retail stores also located in the Fashion District, Flower District, and Historic Core), in addition to many new residential and mixed-use developments currently under construction in the area, as previously described in the previous Finding. The proposed restaurants, retail, and event spaces are located in convenient locations that residents, visitors, and employees can patronize by walking, biking or public transit.

The redevelopment of the Site will further activate the street with new ground floor dining and commercial uses, with residential units oriented outward, thereby providing a 24-hour presence and more eyes on the street to create a safer environment. Movable kiosks, new street trees, and a public paseo that will be open from 6:00 am to 10:00 pm, seven (7) days a week, accessible from Maple Avenue will help activate the sidewalk during the day and evening hours. The Project locates

residential density and new commercial uses near several transit options that afford easy access to employment centers, entertainment, and services; promotes pedestrian activity in the general area; and provides a community gathering point with new recreational and open space amenities available to residents and the surrounding community. The sale and dispensing of alcoholic beverages would be an incidental amenity for patrons of the operations of the proposed restaurants and event space which would provide an additional amenity for those who are employed or visiting the downtown area.

The Master Conditional Use Permit provides an umbrella entitlement with general conditions that apply to the two subject restaurant spaces in the South Building and the event space in the North Building. These conditions include, but are not limited to, security measures such as a camera surveillance system and appropriate lighting in the evening hours, hours of operation, prohibition of after-hours use, except routine clean-up, and of dancing and adult entertainment. In addition, all music, sound or noise which is under the control of the Project Applicant shall be in compliance with the Citywide Noise Ordinance. Further, loitering is prohibited on and around the premises, the Project Applicant will be required to maintain the premises and sidewalk in good condition. These conditions would be supplemented by more specific conditions designed to address the characteristics of each individual establishment a Plan Approval which will be required, prior to the effectuation of the approval for each respective tenancy identified above, where more specific physical and operational restrictions. Under these Plan Approvals, the Zoning Administrator and LAPD have the opportunity to comment and recommend any conditions, including the maximum number of indoor seats, as determined by the Department of Building and Safety.

The sale of alcohol is regulated by the State of California through the issuance of an Alcohol Beverage Control (ABC) license. Thus, as conditioned, combined with the enforcement authority of ABC and LAPD, the approval for the sale of alcohol will not be detrimental to the public health, safety and welfare.

- c. **The project substantially conforms with the purpose, intent and provisions of the General Plan, the applicable Community Plan, and any applicable Specific Plan.**

The Project Site is located within the Central City Community Plan area, which designates the Project Site for Light Industrial land uses corresponding to the MR2 and M2 Zones. The Site is zoned M2-2D, which is consistent with its current land use designation. Under the subject case, a General Plan Amendment from a Light Industrial to the Community Commercial land use designation has been initiated, in addition to the removal of the Community Plan Footnote No. 2 from the Site to allow Height District No. 2 on the Site in lieu of the underlying Height District No. 2D; and a Vesting Zone Change and Height District Change to change the zoning from M2-2D to the recommended (T)(Q)C2-2D. The proposed Community Commercial land use designation corresponds to the CR, C2, C4, RAS3, and RAS4 Zones and permits Height District No. 2, pursuant to Community Plan Footnote No. 4. Thus, the proposed C2-2 Zone would be consistent with the proposed Plan Amendment. The C2 Zone allows for restaurants and events spaces and the service of alcoholic beverages through a Conditional Use approval.

The Central City Community Plan text is silent with regards to alcohol sales. In such cases, the decision-maker must interpret the intent of the Community Plan. The

proposed request for the sale of a full line of alcoholic beverages in conjunction with the restaurant uses and event space is consistent with the following Community Plan objectives, including:

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

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

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

The Project is a mixed-use development that will provide wholesale trade, retail, restaurant, office, and residential uses and would be located in an area with a mix of parking lots, warehouses, retail, and some commercial and residential uses. The Community Plan encourages new uses, which strengthen the economic base and promote land uses that address the needs of all downtown visitors, while retaining the existing industrial base and attracting new industries to the area.

The Project promotes land uses that will improve the area's competitiveness, address the needs of workers, residents, and visitors to downtown, provide a mix of uses which result in a 24-hour downtown environment, and retain the existing industrial base. The sale of a full-line of alcoholic beverages, in conjunction with the operations of the proposed restaurant uses and event space, would be an added amenity for residents and patrons of the Project.

The approval of the requested Master Conditional Use Permit would thus further the Downtown neighborhood's role as a major population, employment and entertainment center and will result in a development that addresses the needs of the existing business and residents in the area as well as the projected growth in downtown Los Angeles. Therefore, the Project substantially conforms with the purposes, intent and provisions of the General Plan and the Community Plan.

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

The Project Site is located in the Fashion District/South Markets District which, in conjunction with the Arts District and South Park, has created a vibrant mix of day-time and night-time uses for the local community. The Project will provide additional amenities to support the growing residential population as well as improve the existing environment by providing a larger variety of dining options and will attract additional visitors and residents to the area.

The Project includes wholesale trade, retail, restaurant, office, and residential uses as well as a paseo and plaza area. The new additional residents associated with the Project will improve the pedestrian experience and increase safety as there will be more active streets during extended hours of the day and night. The Project will also improve the aesthetic of this block and will preserve the existing land use while also renovating the North Building, and construct a new South Building, as well as improving the safety of the area.

Diversity amongst uses is common in the surrounding area and while there are residential uses near the subject site, the proposed establishments open to the public serving alcoholic beverages will be part of a controlled and monitored operation. In addition, numerous conditions have been imposed to ensure that the use is integrated into the community as well as to protect community members from adverse potential impacts. As part of the required Plan Approvals, additional conditions may be recommended for consideration by the California Department of Alcoholic Beverage Control that regulate the sale of alcoholic beverages to prevent adverse impacts to the neighborhood. Other conditions imposed will maintain the order and ensure cleanliness of the project and its surroundings. Thus, the proposed restaurant and event space operations as it relates to the sale and dispensing of alcoholic beverages would not adversely affect the welfare of the pertinent community.

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

According to the California State Department of Alcoholic Beverage Control licensing criteria, there are one on-site and zero off-site licenses allocated to the subject Census Tract Number 2260.02, based on a population of 1,604. Within the subject Census Tract, there are currently 28 active licenses, including 18 on-site and 10 off-site licenses. The number of existing on-site licenses within the census tract where the Project Site is located exceeds ABC guidelines.

Concentration can be undue when the addition of a license will negatively impact a neighborhood. Concentration is not undue when the approval of a license does not negatively impact an area, but rather such a license benefits the public welfare and convenience. The Site is located within the CCCP and is located northeast of the South Park neighborhood and west of the Arts District. The area is developed with a diverse range of a mix of parking lots, warehouses, retail, and some commercial and residential uses contained in structures ranging from low-rise to medium-rise buildings. In active commercial areas where there is a demand for licenses beyond the allocated number, the Department of Alcoholic Beverage Control (ABC) has recognized that high activity retail and commercial centers are supported by a significant and growing employee, visitor, and resident population in the area. The ABC has discretion to approve an application if there is evidence that normal operations will not be contrary to the public welfare and will not interfere with the quiet enjoyment of property by residents in the area. Negative impacts commonly associated with the sale of alcoholic beverages, such as criminal activity, public drunkenness, and loitering are mitigated by the imposition of conditions requiring responsible management and deterrents against loitering, public drinking, driving under the influence, and public drunkenness. As conditioned, allowing the sale of a full line of alcoholic beverages in conjunction with the proposed restaurants and the event space for on-site consumption is not undue or anticipated to create a law enforcement issue. Consequently this approval will not result in an undue concentration of premises selling and dispensing of a full-line of alcoholic beverages.

According to statistics provided by the LAPD's Central Vice Unit within Crime Reporting District No. 176, which has jurisdiction over the Project Site, a total of 540 crimes were reported in 2018 (176 Part I and 364 Part II crimes), compared to the Citywide Average of 185 crimes for the and the High Crime Reporting District Average of 222 crimes. Alcohol related Part II Crimes reported include Narcotics (41), Liquor Laws (102), Public Drunkenness (29), Disturbing the Peace (1), Disorderly Conduct (69), Gambling (0), DUI related (1), and other offenses (44). These numbers do not reflect the total number of arrests in the subject reporting district over the accountable year. Arrests for this calendar year may reflect crimes reported in previous years. As such, the restaurant uses and event space in conjunction with the sale and dispensing of a full-line of alcoholic beverages will be compatible with the surrounding development and will not adversely affect the welfare of the surrounding community.

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

The Project Site is surrounded by a mix of parking lots, warehouses, retail, and some commercial and residential uses, which are physically separated from the Project Site by secondary, collector, and local streets. Immediately to the west across Maple Avenue is a surface parking lot, retail, galleries, and four residential developments, the Santee Village (nearly 400 units), the Santee Court (238 units), the Garment Lofts (77 units) and the Textile Building Lofts (77 units) fronting on Los Angeles Street and 8th Street. To the immediate east is another flower wholesale market, the Los Angeles Flower Market. To the north of the Site across 7th Street there is a school (Jardin de la Infancia School), some retail uses, and a building with County services and a 5-floor parking structure. To the south of the Project Site, both next to the Site and across 8th Street, there are retail uses.

The following sensitive uses are located within 1,000 feet of the Project Site:

- Jardin de la Infancia School (307 East 7th Street)
- Jesus Love World Mission (700 South San Pedro Street)
- Central City Community Church (419 East 6th Street)

The proposed restaurant uses and event space are located within proximity of sensitive uses, including a school. The Site is located within a commercial corridor along Maple Avenue and in the Downtown Center (as classified by the City's General Plan Framework Element, which has long been a center for cultural and entertainment facilities, professional offices, and high-rise residential towers. As mentioned previously, the proposed two restaurant and event space operations as it relates to the sale and dispensing of alcoholic beverages have been properly conditioned as to not adversely affect the welfare of the pertinent community. With the conditions referenced herein, the impacts of the on-site consumption and dispensing of a full-line of alcoholic beverages would be reduced and not detrimentally affect nearby residentially zoned or developed communities and other sensitive uses within the area.

### Site Plan Review Findings.

- a. **The project is in substantial conformance with the purposes, intent and provisions of the General Plan, applicable community plan, and any applicable specific plan.**

The Project proposes to expand and redevelop the existing Flower Market facility while maintaining the existing wholesale market. The existing property consists of two buildings, the North Building and the South Building, both with rooftop parking. The Project proposes to maintain and renovate the North Building and its rooftop parking and demolish the South Building as part of development of a new mixed-use building with one level of subterranean parking. The new mixed-use development will be comprised of 323 residential units, of which 32 units will be set aside for Moderate Income households; 64,363 square feet of office space; 4,385 square feet of retail space; 63,785 square feet of wholesale space and storage; 13,420 square feet of food and beverage space; and 21,295 square feet of event space. The Flower Market would continue to operate in the existing North Building during and after the redevelopment.

As discussed in Finding No. 2, the recommended project would be consistent with the purposes, intent and provisions of the General Plan and its elements, including the Framework Element, Housing Element, Mobility Element, Health and Wellness Element and the Land Use Element – Central City Community Plan, as it would provide mixed-income housing opportunities, supporting the City's desire for more affordable housing options by voluntarily reserving 32 units for Moderate Income households; is located in proximity to several mass transit options, including fixed rail stations and several bus routes, ideal for those wishing to live in the urban environment of Downtown Los Angeles and in close proximity to employment centers; and would increase housing choices for Downtown employees and residents, promote joint live/work housing, maintain a safe and clean environment, support the neighborhood with retail services needed for area residents, workers, and visitors, and activate the streets with more pedestrians while bringing improvements to the Fashion District, while strengthening the commercial base in Downtown Los Angeles and facilitating the expansion of housing choices in order to attract new and diverse households.

In addition, the Project would generally be consistent with the standards and guidelines in the Downtown Design Guide, as it provides a new mixed-use development consisting of wholesale trade, retail, restaurant, office, event space, and residential uses. The Project will be served by two major transportation corridors (Main Street and 7th Street) that provide substantial public transit opportunities, including Metro Rail stations, bus lines and LADOT DASH E. Further, the Project has been designed with open space, landscaping, outdoor recreation amenities, and articulated building elevations in furtherance of the Design Guide standards. The Project's proposed uses were considered with respect to light and ventilation, with each dwelling having access to the Project's open space.

The Project will retain an existing two-story concrete industrial building (the North Building), covering approximately 50 percent of the Project Site. The Project Site's older concrete structure (the South Building) would be removed for a new paseo, one level of subterranean parking, additional above-grade parking, and a new residential tower. The proposed paseo is a connector both to the existing Flower Market neighborhood to the east and the existing transit stops and surrounding residential developments. The paseo, will be open to the public from 6:00 am to 10:00 pm, seven

(7) days a week, and act a social space that would be able to host a variety of uses including outdoor dining, outdoor flower vendors, seating, bike parking, and neighborhood circulation to and from the adjacent spaces, all positioned to activate the space. Due to previous street-widening requirements along Maple Avenue, and that the existing North Building would remain in its current location, a larger sidewalk area is provided and will be used for amenities such as additional trees, seating, kiosks, and a proposed Metro Bike Share Station.

Based on its design and proposed amenities, the Project meets several goals listed throughout the Design Guide, including the following: (i) street wall massing and articulation that help define the pedestrian environment at street level (Chapter 4 goals); (ii) parking access provided mid-block (Chapter 5 goals); (iii) building massing that is broken into a series of appropriately scaled buildings with passageways between buildings and residential unit spacing that provides distance between windows for appropriate line-of-sight (Chapter 6 goals); (iv) providing publicly accessible open space and a paseo, lined with commercial uses, providing pedestrian linkages between streets (Chapter 7 goals); (v) providing visual articulation and variation to enrich the pedestrian experience and contribute to the quality and definition of the street wall (Chapter 8 goals); (vi) building on and connecting to existing elements of the existing wholesale flower market to contribute to the civic and cultural life of downtown (Chapter 12 goals).

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

The Project Site is located within the Central City Community Plan Area and Fashion District neighborhood of Downtown Los Angeles, which is characterized by wholesale and warehousing uses, including produce, fish, and food processing, the Flower Market, a toy import-export industry, and a mixture of other commercial and residential uses. The surrounding area is currently developed with a mix of parking lots, warehouses, retail, and some commercial and residential uses contained in structures ranging from low-rise to medium-rise buildings, which are physically separated from the Project Site by secondary, collector, and local streets. Immediately to the west across Maple Avenue is a surface parking lot, retail, galleries, and four residential developments, the Santee Village (nearly 400 units), the Santee Court (238 units), the Garment Lofts (77 units) and the Textile Building Lofts (77 units) fronting on Los Angeles Street and 8th Street. To the immediate east is another flower wholesale market, the Los Angeles Flower Market. To the north of the Site across 7th Street there is a school (Jardin de la Infancia School), some retail uses, and a building with County services and a 5 floor parking structure. To the south of the Project Site, both next to the Site and across 8th Street, there are retail uses. The Flower Market is a cultural institution for the City of Los Angeles. Operating as a wholesale flower market, it has limited hours of operation and is located adjacent to existing residential uses at the upper edge of the downtown industrial neighborhood. This location will help weave the adjacent industrial, commercial and residential neighborhoods.

#### Height

The new mixed-use development will consist of wholesale trade, retail, restaurant, office, and residential uses. The new Flower Market building (in place of the existing south building) would be 15 stories (comprised of a 12-story residential tower, over three stories of office, retail, restaurant, wholesale flower market, and parking) and 205

feet in height. The development program would consist of 323 residential units, of which 32 units will be set aside for moderate income households; 64,363 square feet of office space; 4,385 square feet of retail space; 63,785 square feet of wholesale space and storage; 13,420 square feet of food and beverage space; and 21,295 square feet of event space. The Flower Market would continue to operate in the existing north building during and after the redevelopment.

Although the height of the proposed structure would be taller than the immediately surrounding buildings, the development would fit within the range of other residential and mixed-use building heights in Downtown. Furthermore, the project has been designed to be sensitive to existing surrounding development: the five-story podium is of similar massing and height at street level to the surrounding buildings, while the residential tower has been setback from the streets in order to concentrate the height of the building on the interior of the site. As such, approval of the proposed project would enable the development and use of the site for residential and commercial purposes consistent with the scale of existing and future proposed developments within the surrounding neighborhood.

#### Bulk & Mass

The surrounding area is currently developed with a mix of parking lots, warehouses, retail, and some commercial and residential uses contained in structures ranging from low-rise to medium-rise buildings, which are physically separated from the Project Site by secondary, collector, and local streets. The Project will retain an existing two-story concrete industrial building, covering approximately 50 percent of the Site, utilizing building reuse and the Flower Market's goal of continuous operation through construction. The older concrete structure to the south will be removed for a new paseo, one level subterranean parking garage, additional above-grade parking and a new residential tower containing 323 units of housing in a 15-story tower, to create a 24/7 livable, walkable community with a mixture of uses and open space. The residential tower is positioned in the center of the Site and is angled to both capitalize on views from within the Site and to provide Site lines beyond this Site for the adjacent high-rise buildings in the vicinity. Variety in massing is provided through a saw-tooth edge (the residential unit patios), which is created by varying the perimeter of the concrete floor plates. A continuous street wall is created in the lower two and three floors, which step back from the street edge as one enters the public paseo. The only additional breaks in the street wall are for parking garage entries, one existing and two new.

#### Parking

The Project proposes a total 180,071 square feet of office, retail, restaurant, wholesale flower market uses, thereby requiring 180 businesses, industrial, warehouse, retail and commercial parking spaces, pursuant to LAMC Sections 12.21 A.4(i) and (p). The Project proposes to provide parking consistent with the parking demand study, or approximately 681 parking spaces, comprised of 330 residential, and up to 351 commercial parking spaces, which would be accommodated in a subterranean level in the new South Building and above-grade parking in both the new South Building and the existing North Building. The project also includes immediate installation of Electric Vehicle (EV) charging stations for 5 percent of the total proposed parking spaces and wiring for future installation of EV charging stations for 20 percent of the total proposed parking spaces.

The Project includes one subterranean and two above-grade levels on the 2<sup>nd</sup> and 3<sup>rd</sup> floors within the new South Building; and three above-grade levels on the 2<sup>nd</sup> and 3<sup>rd</sup> floors with rooftop parking on the 4<sup>th</sup> floor, within the renovated North Building. Parking

on the second level of the South Building will be lined with residential units. All other podium parking will be screened with a combination of aluminum and perforated metal panels. An existing loading dock with parking area is also located to the north of the existing North Building and can be accessed from both Maple Avenue and Wall Street. Operating hours for the loading dock would be 24 hours per day, seven days per week. However, most deliveries will be made by bob-tail trucks and vans and occur Monday, Wednesday and Friday between 12:30 am to 3:00 am.

#### Landscaping

The Project includes shade trees and landscaping along the street. Social and community spaces would include an outdoor garden on the second floor, a recreation room, group gathering areas, outdoor viewing terraces and decks, as well as smaller, more intimate spaces. The landscaping for the Project Site would include both native and adaptive native plant materials. Pursuant to LAMC Section 12.21 G.2(a)(3), the Project includes 323 live/work units and is therefore required to provide a total of 81 trees on-site. As currently proposed, the Project provides 76 trees; however, as conditioned, the Project shall to provide 81 trees throughout the site.

#### Trash Collection

As conditioned, all trash and recycling areas shall be enclosed and not visible from the public right-of-way.

#### Lighting & Building Signage

Lighting will be provided per LAMC requirements. The project would add new residential dwelling units and commercial uses that would include similar lighting effects as provided from the existing adjacent residential and commercial land uses. As conditioned, night lighting for the project would be provided to illuminate building vehicular and pedestrian entrances, the pedestrian paseo on the west side of the project, signs, and security. Lighting would be low-level and ground- and/or building-mounted fixtures. Additionally, the project is required to install pedestrian and streetlights to the satisfaction of the Bureau of Street Lighting as part of its right-of-way improvements. Additionally, because the project is located adjacent to residential uses, the project has been designed and conditioned to further protect adjacent uses from lighting related impacts, including requirements for outdoor lighting to shine downward, be installed with shielding, and be directed onto the project site, so that the light source does not directly illuminate any adjacent properties or the above night skies. Above-grade parking levels are designed with exterior screening and paneling to minimize potential glare of headlights and light spillover.

Signage for mixed-use developments typically includes building address identification, commercial retail, wayfinding, and security markings. While no signage has been proposed as part of the project work scope at this time, all future signage will be required to comply with the LAMC. In addition, the Project has been conditioned so that there shall be no off-site commercial signage on construction fencing during construction.

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

- c. **That any residential project provides recreational and service amenities in order to improve habitability for the residents and minimize impacts on neighboring properties.**

The Project will improve habitability for its residents by placing residents in proximity to on-site recreational and retail amenities. Based on the number of units and the mix of size/type varying from one to three habitable rooms, as determined by LADBS, 33,025 square feet of open space is required, and a total of 34,865 square feet of residential common open space (which meets the minimum dimensional requirements per LAMC Section 12.21 G) is provided, as shown in the table below.

<b>Open Space Provided</b>			
<b>Location</b>	<b>Use</b>	<b>Amount<sup>2</sup></b>	<b>Total</b>
Ground Floor	Public Paseo	6,898 sf	6,898 sf
4 <sup>th</sup> Floor	Terrace	11,920 sf	19,225 sf
	Recreation Room	7,305 sf	
5 <sup>th</sup> Floor	Terrace	8,742 sf	8,742 sf
<b>Total Open Space Provided</b>			<b>34,865 sf</b>

In addition to usable open spaces within the residential portion of the development, the Project offers retail and restaurant opportunities at the ground level as well as movable and fixed outdoor furniture such that residents of the Project will be able to enjoy both the public retail amenities and the private residential amenities. This Project will include approximately 149,482 square feet of commercial amenity uses, including office and art production, retail, restaurants and an event space. Residents of the mixed-use Project will be able to dine on-site, buy items at the specialty stores, and use the public spaces during hours of operation.

Residents will have exclusive access to amenity decks on the fourth and fifth floors of the residential building, along with a common space area on fourth floor. All the decks will include outdoor seating, trees and some landscaping in planters. The Project will also provide a new outdoor garden (second floor) along with a new event space on the 4th floor of the existing building. The event space will have access to two terraces, one on the fourth and one on the fifth floor at the top of the event space. Additionally, the Project will include a public paseo that connects Maple Avenue and Wall Street and an open flower walk (with the residential entry) that are interconnected and furnished with temporary movable chairs and tables and creates flexible open space for pedestrians. A bike storage room will be located at the new South Building and stations will be located inside the public paseo and the flower walk and in front of the North Building on Maple Avenue. The residential and commercial amenities are wholly within the Project Site, and are not expected to impact neighboring properties. Conversely, the Project will ultimately benefit the surrounding neighborhood because it is subject to Section 12.33 of the Los Angeles Municipal Code, which will require a parks and recreation fee of more than \$1.8 million (based on 323 residential units), which can be used to develop or program neighborhood and community parks.

<sup>2</sup> These include square footages of areas which meet the minimum dimensional requirements for common open space pursuant to LAMC Section 12.21 G. The actual square footage of these spaces may be larger.

The proposed paseo will serve as a connector both to the existing Flower Market neighborhood to the east and the existing transit stops and residential uses further south on 8th Street. The paseo, open to the public, will be a social space which will be able to host a variety of uses including outdoor dining, outdoor flower market vendors, seating, bike parking and neighborhood circulation to and from the adjacent spaces, all positioned to activate this space. A lobby provides private access to the residential tower. Due to previous street-widening requirements along Maple Avenue, and the fact that the existing North Building will remain in its current location, a larger sidewalk area is provided and will be used for amenities such as additional trees, seating, kiosks and a proposed Metro Bike Share Station. By combining design, density, the multi-generational Flower Market and ground floor public space for the community, the Project Site will greatly add to the livability of Los Angeles for generations to come.

As proposed, the project will be providing open space in excess of what is required by the LAMC and has programmed the open space to take into consideration the varying recreational needs of the future residents. Therefore, the project has provided recreational and service amenities to improve the habitability for its residents and minimize impacts on neighboring properties.

### **Environmental Findings**

(As amended by the PLUM Committee on October 29, 2019)

#### I. INTRODUCTION

The City of Los Angeles (the "City") has evaluated the environmental impacts of implementation of the Southern California Flower Market Project by preparing an environmental impact report (EIR) (Case Number ENV-2016-3991-EIR / (State Clearinghouse No. 2017051068). The EIR was prepared in compliance with the California Environmental Quality Act of 1970, Public Resources Code Section 21000 et seq. (CEQA) and the California Code of Regulations Title 15, Chapter 6 (the "CEQA Guidelines"). The findings discussed in this document are made relative to the conclusions of the EIR.

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

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

- 1) Changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant impacts as identified in the EIR.
- 2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been, or can or should be, adopted by that other agency.

- 3) Specific economic, legal, social, technological, other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the EIR.

(CEQA § 21081[a]; see also CEQA Guidelines §15091[a].)

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. Although Section 15091 of the CEQA Guidelines does not require findings to address environmental impacts that an EIR identifies as merely “potentially significant,” these Findings nevertheless cover all categories identified in the Final EIR for the purpose of better understanding the full environmental scope of the Project. For each of the significant impacts associated with the Project, either before or after mitigation, the following sections are provided:

- (1) Description of Significant Effects – A specific description of the environmental effects identified in the EIR;
- (2) Project Design Features, if any – Identified project design features that are a part of the Project (numbering of the features corresponds to the numbering in the Draft EIR);
- (3) Mitigation Measures, if any – Identified mitigation measures or actions that are required as part of the Project (numbering of the mitigation measures corresponds to the Mitigation Monitoring and Reporting Program, which is included as Section 4.0 of the Final EIR);
- (4) Finding – One or more of the three specific findings in direct response to CEQA Section 21081 and CEQA Guidelines Section 15091;
- (5) Rationale for Finding – A summary of the reasons for the finding(s); and,
- (6) References – A notation on the specific section in the Draft EIR, which includes the evidence and discussion of the identified impact.

CEQA Section 21061.1 defines “feasible” to mean “capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors.” CEQA Guidelines Section 15364 adds another factor: “legal” considerations. (See also *Citizens of Goleta Valley v. Board of Supervisors* [Goleta II] (1990) 52 Cal.3d 553, 565.)

The concept of “feasibility” also encompasses the question of whether a particular alternative or mitigation measure promotes the underlying goals and objectives of a project (*City of Del Mar v. City of San Diego* [1982] 133 Cal.App.3d 410, 417 [City of Del Mar]). “[F]easibility’ under CEQA encompasses “desirability” to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, and technological factors.” (*Ibid.*; see also *Sequoyah Hills Homeowners Assn. v. City of Oakland* [1993] 23 Cal.App.4th 704, 715 [Sequoyah Hills].)

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

The EIR did not identify any significant and unavoidable effects that may occur as a result of the Project, but nevertheless, in accordance with the provisions of the Guidelines presented above, the City hereby adopts these findings set forth in this document as part of the approval of the

Project. These findings constitute the City's best efforts to set forth the evidentiary and policy bases for its decision to approve the Project in a manner consistent with the requirements of CEQA. These findings are not solely informational, but constitute a binding set of obligations that come into effect with the City's approval of the Project.

The findings and determinations contained herein are based on the competent and substantial evidence, both oral and written, contained in the entire record relating to the Project and the EIR. The findings and determinations constitute the independent findings and determinations by the City in all respects and are fully and completely supported by substantial evidence in the record as a whole.

Although the findings below identify specific sections within the EIR in support of various conclusions reached below, the City incorporates by reference and adopts as its own, the reasoning and analysis set forth in the entire EIR and thus relies on that reasoning, even where not specifically mentioned or cited below, in reaching the conclusions set forth below, except where additional evidence is specifically mentioned. This is especially true with respect to the City's approval of all mitigation measures recommended in the EIR and the reasoning set forth in responses to comments in the EIR. The City further intends that if these findings fail to cross-reference or incorporate by reference any other part of these findings, any finding required or permitted to be made by this City with respect to any particular subject matter of the Project must be deemed made if it appears in any portion of these findings or findings elsewhere in the record. The entire EIR, comments and responses to comments, and all appendices are hereby fully incorporated herein by this reference.

The record of proceedings includes the 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 a part of the record supporting these Findings of Fact:

- All Project plans and application materials, including supportive technical reports;
- The Draft EIR and Appendices (September 2018) and Final EIR and Appendices (April 2019), Errata (July, August and October 2019, with Associated Appendices), and all documents relied upon or incorporated therein by reference;
- The Mitigation Monitoring Program (MMP) prepared for the Project;
- The City of Los Angeles General Plan and related EIR;
- 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, 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;
- 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 Public Resources Code Section 21167.6(e).

Pursuant to CEQA Section 21081.6(a)(2) and CEQA Guidelines Section 15091(e), the documents and other materials that constitute the record of proceedings upon which the City has based its decision are located in and may be obtained from the Department of City Planning, as the custodian of such documents and other materials that constitute the record of proceedings, located at 221 N. Figueroa Street, Suite 1350, Los Angeles, CA 90012.

## II. ENVIRONMENTAL DOCUMENTATION BACKGROUND

**Notice of Preparation.** In compliance with CEQA Guidelines §15375 and §15082, the City published the Notice of Preparation (the “NOP”), which was sent to responsible agencies and interested parties for a 30-day review period starting on May 22, 2017, identifying the scope of the environmental issues. The NOP is included in Appendix B to the Draft EIR, and the responses to the NOP from agencies and interested parties are included in Appendix C to the Draft EIR.

**Public Scoping Meeting.** In compliance with CEQA Guidelines §15206 and §15082(c)(1), as a project of regional significance, a Public Scoping Meeting was held on June 8, 2017 at the Southern California Flower Market, 742 Maple Avenue, Los Angeles, CA, 90014 from 5:00 p.m. to 7:00 p.m. to give the public the opportunity to provide comments as related to the Project and the issues the public would like addressed in the EIR. The meeting was held in an open house or workshop format and provided interested individuals, groups, and public agencies the opportunity to view materials, ask questions, and provide oral and written comments to the City regarding the scope and focus of the Draft EIR. During the NOP comment period or at the scoping meeting, the City received comments from seven agencies (California Department of Transportation (Caltrans), Los Angeles County Clerk, City of Los Angeles-Bureau of Sanitation, City of Los Angeles-Fire Department, Metro (Los Angeles County Metropolitan Transportation Authority), Native American Heritage Commission, and South Coast Air Quality Management District (SCAQMD)) and from two organizations (American Florists Exchange and Laborers International Union of North America-Local Union 300). The letters and comments received during the NOP comment period are included in Appendix C of the Draft EIR.

**Draft EIR.** The Draft EIR was distributed for public review (including the State Clearinghouse) on September 20, 2018 for a 45-day review period with the comment period expiring on November 5, 2018. A Notice of Availability (NOA) was distributed to interested parties that informed them of where they could view the document and how to comment. The Draft EIR was available to the public at the Department of City Planning. A copy of the document was also posted online at

[https://planning.lacity.org/eir/SoCal\\_FlowerMarket/Deir/DEIR%20SCFM%20Project.html](https://planning.lacity.org/eir/SoCal_FlowerMarket/Deir/DEIR%20SCFM%20Project.html).

Notices were filed with the County Clerk on September 20, 2018. The Draft EIR evaluated in detail the potential environmental effects of the Project. The Draft EIR also analyzed the effects of three alternatives to the Project, as described below. These included a No Project (No Build) Alternative, No Project (Existing Zoning) Alternative, and Reduced Density/Reduced Height Alternative.

**Notice of Completion.** A Notice of Completion was sent with the Draft EIR to the Governor’s Office of Planning and Research State Clearinghouse on September 20, 2018, and notice was provided in newspapers of general and/or regional circulation.

**Final EIR.** A total of 15 comment letters were received by the close of the public comment period. The specific and general responses to comments are in Section 2 (Responses to Comments) of the Final EIR. Responses to public agency comments were distributed to those public agencies on April 12, 2019. A letter from Los Angeles County Metropolitan Transportation Authority (Metro) was received after the close of the comment period and, as a courtesy, has been responded to in a separate attachment to the environmental file.

The Final EIR was distributed on April 12, 2019. The Final EIR has been prepared by the City in accordance with CEQA and the CEQA Guidelines. The City has relied on Section 15084(d)(3) of the CEQA Guidelines that allows contracting with another entity, public or private, to prepare the EIR. The City has reviewed drafts of all portions of the EIR and subjected them to its own

review and analysis. The Final EIR that was released for public review reflected the independent judgment of the City.

Errata. Following publication of the Final EIR, the City prepared three Errata to the Final EIR, dated and posted on the Department of City Planning website on July 26, 2019, August 7, 2019, and October 18, 2019, respectively, which are hereby incorporated by reference in full to address minor changes and refinements to the Project Description, Section 4.C (Air Quality), Section 4.E (Geology and Soils) Mitigation Measure E-1, Section 4.I (Noise), and Project Design Feature L-1. Specifically, the Project Description has been refined to clarify the actual square footage of the area dedicated to the proposed Event Space use, where previously it had referenced the *building floor area* dedicated to the proposed Event Space. The Project Description has also been revised to describe, more fully, the work scope of the North Building, specifically the construction of a four-story parking building over the existing loading area, and 5,710 square feet of restaurant and office space. Section 4.C (Air Quality) was revised to analyze haul truck trips to the Chiquita Canyon landfill rather than the closed Manning Pit. Section 4.E (Geology and Soils) was revised to include an updated 2019 Geotechnical Investigation providing detailed recommendations related to the activities taking place within the North Building. In addition, clarifying language regarding the Department of Building and Safety, Grading Division's review of the Geotechnical Investigation prepared by Geocon West, Inc. was added to Mitigation Measure E-1; and updated to refer to the 2019 Geotechnical Investigation. Section 4.I (Noise) was revised to include an analysis of construction noise at the Textile Building Lofts. Last, clarifying language was added regarding coordination with the Los Angeles County Metropolitan Transportation Authority (Metro) and other public transit agencies to ensure that disruptions to the transit network are minimized was added to PDF L-1.

All of the information added to the Final EIR, pursuant to the Errata, merely clarifies, corrects, adds to, or makes insignificant modifications to information in the Draft and Final EIR. The Errata do not change any of the basic findings or conclusions of the Final EIR, does not constitute "significant new information" pursuant to CEQA Guidelines Section 15088.5(a), and does not require recirculation of the Draft EIR. These Errata, combined with the Draft EIR dated April 2017, the comments received on the Draft EIR and the City's responses to them, and a list of persons, organization and public agencies commenting on the Draft EIR, comprise the Final EIR.

**Certification.** On June 3, 2019, the Advisory Agency approved the Tract Map and certified the EIR, and certified, pursuant to Section 15090(a) of the CEQA Guidelines, that the Final EIR had been completed in compliance with CEQA; reflects the City's independent judgment and analysis; and has been present to the decision-making body, which reviewed and considered the information in it before approving the Project. However, this decision was subsequently appealed, and upheld by the City Planning Commission on August 8, 2019..

### III. DESCRIPTION OF THE PROJECT

The Project Site is located at 709-765 S. Wall Street (with additional addresses at 306326 E. 7th Street and 750-752 S. Maple Avenue) within the Central City Community Plan (CCCP) area in the City. The Project Site's main address is 755 Wall Street, and the address of the Project Site's current parking structure is 742 Maple Avenue. The Project Site is located in the Los Angeles Flower District, which generally is focused along 8th Street. Major highways serving the Project area include the Santa Monica Freeway (I-10) (one mile to the south) and the Interstate Highway 110 (one mile to the west). The CCCP area is approximately 2 miles wide and 2 miles long. The CCCP area is in the Downtown section of Los Angeles, and is bounded by Sunset Boulevard/Cesar Chaves Avenue to the north; Alameda Street to the east; the Santa Monica Freeway (Interstate 10) to the south; and the Interstate Highway 110 to the west. The eastern

edge of the CCCP area is on the eastern edge of downtown Los Angeles, while the western edge abuts the western side of downtown Los Angeles.

The Project Site is approximately 168,296 square feet (or approximately 3.86 acres). The Project Site consists of one city block, with the exception of three interior parcels and three parcels to the south. The Project Site is zoned M2-2D (light Industrial, Height District 2 with Development Limitation) and is designated Light Manufacturing in the Central City Community Plan. The Project Site is also located within the Los Angeles State Enterprise Zone and the Greater Downtown Housing Incentive Area. The Project Site is also located within a Transit Priority Area, as defined by public Resources Code Section 21099 and City of Los Angeles ZI No. 2452.

The objectives of the Project are as follows:

- Redevelop the existing Southern California Flower Market, including the adaptive reuse of the northerly building to continue to include the wholesale flower market uses, as well as the addition of new parking, commercial space, and residential uses, to provide an economically sustainable development of complementary uses.
- Capitalize on a smart growth opportunity by intensifying a currently underutilized site with residential and commercial uses near public transit lines (Metro Rail and Bus).
- Create a connected pedestrian friendly environment along Maple Avenue and Wall Street that is readily accessible to future residents and guests, as well as patrons of the Southern California Flower Market.
- Contribute housing opportunities towards the City's Regional Housing Needs Assessment (RHNA) allocation.
- Create a range of construction and permanent jobs.
- Develop residential and commercial uses that generate local tax revenues, and generate residents who support local businesses.
- Provide an infill development in an existing urban area to reduce "greenfield" development and urban sprawl, in furtherance of City goals and policies to reduce vehicle miles traveled (VMT) and to reduce pollutant emission and greenhouse gas emissions.

#### IV. ENVIRONMENTAL IMPACTS FOUND NOT TO BE SIGNIFICANT OR LESS THAN SIGNIFICANT

Impacts of the Project that were determined to be less than significant in the EIR (including as a result of implementation of project design features) and that require no mitigation are identified below. The impact area and the appropriate section number follow the impact area title and numbering conventions used in the EIR.

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

##### A. 4.B Aesthetics

On February 10, 2016, the City circulated Zoning Information File No. 2452 to clarify the locations of transit priority areas within the City, and reaffirm that aesthetic impacts shall not be considered a significant impact on the environment when the provisions of SB 743 apply (refer to Appendix M of this Draft EIR). Specifically, Zoning Information File No. 2452 states that visual resources, aesthetic character, shade and shadow, light and glare, and scenic vistas or any other aesthetic impact, as defined in the City's CEQA Threshold Guide, shall not be considered an impact for infill projects within transit priority areas pursuant to CEQA. A map of transit

priority areas is attached to Zoning Information File No. 2452, included in Appendix M to the Draft EIR. As shown on that map, the Project Site is within a transit priority area.

Thus, the Project's aesthetic (and parking) impacts are not considered significant impacts on the environment pursuant to Public Resources Code Section 21099. Therefore, an assessment of the Project's potential aesthetics impacts is not required. However, solely for informational purposes, this section provides an analysis of impacts and evaluates those impacts against the City's significance thresholds for such impacts applicable to areas of the City not designated as a transit priority areas.

### **1. Scenic Vistas**

The Project would not result in any impacts related to scenic vistas. The Project would be 15 stories and approximately 205 feet in height. Although the Project would increase building heights on the Project Site when compared to the existing buildings on the Project Site, it would not affect any existing scenic vistas as there are no dominant scenic features that would be obstructed by development of the Project when viewed from this location.

Typically, a significant impact would occur if a proposed project introduces incompatible visual elements within a field of view containing a scenic vista or substantially blocks a scenic vista. As described in the City of Los Angeles CEQA Thresholds Guide, panoramic views or vistas provide visual access to a large geographic area, for which the field of view can be wide and extend into the distance. Panoramic views are usually associated with vantage points looking out over a section of urban or natural area, which provide a geographical orientation not commonly available. Examples of panoramic views might include an urban skyline, valley, mountain range, the ocean, or other water bodies. The Project Site is in an urbanized portion of Los Angeles, and topographically relatively flat. Near the Project Site, ground-floor views are primarily limited to those of highly urban land uses, including warehouse, retail, commercial, and residential land uses, as well as surface parking lots, roadways, signage, and other utility infrastructure. Due to topography, vegetation, and development, medium and long-distance views are not available from the Project Site area. Also, the Project Site is not visible within any scenic views.

No mitigation measures are required, as no significant impacts associated with scenic vistas have been identified.

### **2. Scenic Resources**

The Project would not result in any impacts related to scenic resources. The Project does not contain any rock outcroppings or historic buildings, nor are there any recognized scenic resources present within the immediate area.

No mitigation measures are required, as no significant impacts associated with scenic resources have been identified.

### **3. Visual Character**

The Project would not result in less than significant impacts related to visual character. With respect to construction activities at the Project Site, the construction activities would be mostly visible from the surrounding uses. Construction activities would vary on a weekly basis, depending on the number of workers and construction trucks needed for activities during each time period. Temporary fencing installed around the Project Site during construction would partially shield views of construction activities and equipment. While construction activities would be visible from adjacent public and private vantage points, changes to the Project Site's appearance would be

temporary in nature and would not rise to a level of a change that would substantially degrade the existing visual character.

With respect to the Project's operations, the L.A. CEQA Thresholds Guide defers to the Los Angeles Municipal Code, community plans, and other applicable local land use plans for specific guidelines and requirements related to aesthetics. Under the L.A. CEQA Thresholds Guide, aesthetic impact assessments should generally address the issue of visual contrast, or the degree to which elements of the environment differ visually. Overall, development surrounding the Project area includes various land uses (warehouse, retail, commercial, multi-family residential, and parking), building heights, build dates, and architecture, including new construction in a contemporary design as well as buildings that are decades older and represent the architectural styles of former times. Other prominent features in the Project area include building and street lighting, and roadway utility infrastructure.

With respect to the Project's height, massing, and design, the maximum height of the Project would be 15 stories (approximately 205 feet in height). While the Project would increase building heights on the Project Site when compared to the Project Site's existing buildings, the Project would not be out of proportion with respect to some of the other structures in the general vicinity and in the greater downtown area. The Project's design is intended to reflect the nature of the existing uses. The existing North Building would be renovated and the façade would be covered by a flower-themed mural. The proposed public, open-to-the-sky paseo/plaza would allow pedestrian routes to converge in a covered, public passage between the two buildings that incorporates the residential entry together with access to the flower market. Storefront glazing would be used for the retail and the restaurants along the sidewalk to enhance the appearance of the stores, sustain street level interest, and promote pedestrian traffic.

The new South Building would be designed as three vertically terraced structures in order to provide visual separation and to soften the impact of the buildings height in relation to surrounding structures. The Project's irregular geometry is also intended to soften the impact of the Project's mass and height. The building is designed to be compatible with the surrounding neighborhood.

With respect to the landscaping design, a total of 12 street trees would be removed as part of the Project. The Project would provide replacement trees in accordance with the City's requirements, which includes a 2:1 ratio. The Project's landscape design will create a pedestrian-friendly environment that includes shade trees and landscaping along the street. The Project's landscaping would include both native and adaptive native plant materials. Neither the existing development on the Project Site nor the surrounding developments along Wall Street, Maple Avenue, and 7th Street offer comparable amounts of landscaping and open space as would be provided with the Project.

No mitigation measures are required, as no significant impacts associated with visual character have been identified.

#### **4. Light and Glare**

The Project would not result in significant impacts related to light and glare. The Project Site is located in a highly-urbanized area of the City. Land uses in the immediate Project Site area include warehouse, retail, commercial, and multi-family residential land uses, in addition to surface parking lots. All of these land uses produce light and glare (e.g., indoor/outdoor lighting, windows, light-colored surfaces, etc.) typical of such uses in an urban area.

The Project would maintain and renovate the existing North Building, and would construct a new mixed-use building as the South Building. The Project would include interior and exterior lighting that complies with the LAMC provision that requires minimizing the effect of the new sources of

lighting. Specifically, LAMC Section 91.6205 requires that new lighting sources not exceed 1.0 foot-candle of new light spillover at residential property lines. Pursuant to that section, no substantial changes in nighttime illumination would occur that would adversely affect nighttime views in the area and prevent spillover lighting. The Project would also be required to use non-reflective glass pursuant to LAMC Section 93.0117. The Project would not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

No mitigation measures are required, as no significant impacts associated with light and glare have been identified.

## 5. Shade or Shadow

For informational purposes, under the L.A. CEQA Thresholds Guide, a shadow impact is considered significant if shadow-sensitive uses would be shaded by project-related structures for more than three hours between the hours of 9:00 AM and 3:00 PM Pacific Standard Time (between late October and early April), or for more than four hours between the hours of 9:00 AM and 5:00 PM Pacific Daylight Time (between early April and late October). In determining the effects of shading, the locations of sensitive uses (such as residential uses and recreational areas) in the surrounding area are identified and the shading effects are considered according to standard criteria. Impacts are determined according to the proposed building heights and distance from the light obstructing structures to the sensitive use. The Project's surrounding uses include:

- Immediately to the west across Maple Avenue is a surface parking lot, retail, galleries, and four residential developments (Santee Village—nearly 400 units, the Santee Court—238 units, the Garment Lofts—77 units, and the Textile Building Lofts—77 units) fronting Los Angeles Street and 8th Street. The Santee Court building contains a rooftop pool, which is considered a sensitive receptor as it relates to shade and shadow.
- To the north of the Project Site across 7th Street there is a school (Jardin de la Infancia School), some retail uses, and a building with County services and a five floor parking structure. There is a restaurant across 7th street, which includes an outdoor dining area that would be considered a sensitive receptor as it relates to shade and shadow.
- To the immediate east across Wall Street is another flower wholesale market, the Los Angeles Flower Market, which also includes an array of solar panels on the rooftops of the buildings. The solar panels on the roof of the Los Angeles Flower Market building would be considered a sensitive receptor as it relates to shade and shadow.
- To the south of the Project Site (both adjacent to the Project Site and across 8th Street) are retail uses.

As illustrated and summarized in Section 4.B of the Draft EIR, from early April to late October (Summer shadows), the Project would cast shadows to the west, shading a small portion of a commercial building and surface parking uses. At 12:00 PM (1 PM PST), the Project would cast shadows to the north and east, which would only fall on the Project Site. At 4 PM (5 PM PDT) on the summer solstice, the Project would cast shadows to the east, shading a portion of two commercial buildings and surface parking. One of the buildings that would be partially shaded at 5 PM is the Los Angeles Flower Market, which contains solar panels on the rooftops of its buildings. However, no shadow-sensitive uses would be shaded for more than four hours on the summer solstice. This impact would be less than significant under the City's significance thresholds.

As illustrated and summarized in Section 4.B of the Draft EIR, from late October to early April (Winter shadows), the longest shadows of the year occur during the winter solstice, with peak shadows occurring shortly after sunrise and before sunset. At 9 AM on the winter solstice, the Project would cast shadows to the east, shading a portion of the commercial and mixed-use

buildings located across Maple Avenue, and also shading some surface parking uses. At 12 PM on the winter solstice, the Project would cast shadows to the north, primarily shading surface parking uses and a small portion of a commercial building located across Maple Avenue. At 3 PM on the winter solstice, the Project would cast shadows to the northwest, shading commercial buildings located across 7th Street. No shadow-sensitive uses would be shaded for more than three hours on the winter solstice. The impact would be less than significant under the City's significance thresholds.

No mitigation measures are required, as no significant impacts associated with shade or shadows have been identified.

## **6. Cumulative Impacts**

The geographic context for the analysis of cumulative impacts related to visual character of the surrounding area and its aesthetic impact includes the cumulative development projects located within view of the Project Site. There are 178 related projects within the general vicinity of the Project Site. Most of those related projects would not be visible from the Project following development due to both distance and intervening structures. As with the Project, the related projects are subject to applicable development standards and environmental review. Development of the related projects is expected to occur in accordance with adopted plans and regulations, which would result in individual review of the visual character of each project, to ensure consistency and design standards are compatible with existing land uses. The related projects would also be required to submit a landscape plan to the City for review and approval. Therefore, although development of the Project in combination with the related projects would result in a general intensification of land uses in an already urbanized area of the City, the development would not combine with the Project to generate a significant cumulative impact with respect to scenic vistas, views, or visual character.

With respect to light and glare, the Project's development in combination with the related projects would result in an intensification of land uses in an already urbanized area of the City that currently maintains an elevated level of ambient light and glare. Due to its scale in relation to existing development in the area, light generated from the interior of the Project could potentially be seen from more distant areas around the Project Site. The Project and related projects would continue to contribute to ambient light levels within the surrounding area. However, the Project area is a heavily urbanized area and the presence of additional nighttime illumination resulting from the Project and related projects would not represent an alteration to the existing nighttime visual environment. Additionally, the potential increase in nighttime light resulting from the Project would not be bright enough to substantially affect nearby sensitive uses. Also, none of the related projects would be located close enough to the Project to result in shading of the same off-site areas as the Project.

Also, because the Project falls within the applicable definitions in SB 743, the Project would not have the potential to contribute to any cumulative aesthetic impacts.

No mitigation measures are required, as no significant impacts associated with cumulative impacts related to aesthetics have been identified.

### **B. 4.C AIR QUALITY**

#### **1. Air Quality Plan Consistency**

The Project would be consistent with the South Coast Air Quality Management District's ("SCAQMD") Air Quality Management Plan ("AQMP"). The AQMP focuses on achieving clean air standards while accommodating population growth forecasts by the Southern California

Association of Governments (“SCAG”). SCAG’s growth forecasts from the 2016 Regional Transportation Plan (“RTP”)/Sustainable Communities Strategy (“SCS”) are largely built of local growth forecasts from local governments like the City of Los Angeles. The 2016 RTP/SCS accommodates 4,609,400 persons, 1,690,300 households, and 2,169,100 jobs by 2040. The Project would add a residential population of approximately 885 people to the Project Site, representing 0.27 percent of the forecasted growth between 2020 and 2025 and 0.14 percent of the forecasted growth between 2020 and 2040. The Project’s housing units would represent approximately 0.19 percent of forecasted growth between 2020 and 2035 in the City and 0.14 percent between 2020 and 2040. The Project’s employment would represent approximately 0.75 percent of the forecasted growth between 2020 and 203 in the City and 0.19 percent between 2020 and 2040. Thus, the Project would marginally increase the population in the South Coast Air Basin, but the Project’s population growth falls within the forecasted growth for the City. The Project does not conflict with the growth assumptions in the AQMP and the Project’s potential impacts are considered less than significant.

The Project would also be consistent with the Air Quality Element of the City’s General Plan. The City’s General Plan Air Quality Element identifies 30 policies that outline specific strategies to advance the City’s clean air goals. As further summarized in Table 4.C-6 of the Draft EIR, the Project is consistent with all of the Air Quality Element policies that apply to the Project. Those applicable policies include; (1) minimizing particulate emissions from construction sites (Policy 1.3.1); (ii) minimizing particulate emissions from unpaved roads and parking lots (Policy 1.3.2); (iii) utilizing compressed work weeks and flextime, telecommunications, carpooling, public transit, and improving walking/bicycle related facilities to reduce vehicle trips as an employer and encourage the private sector to do the same (Policy 2.1.1); (iv) facilitating and encouraging the use of telecommunications in both public and private sectors to reduce work trips (Policy 2.1.2); (v) discouraging single-occupant vehicle use through measures such as market incentive strategies, trip reduction plans and ridesharing subsidies (Policy 2.2.1); (vi) managing traffic congestions during peak hours (Policy 3.2.1); (vii) coordinating with regional agencies on implementation of strategies for the integration of land use transportation and air quality policies (Policy 4.1.1); (viii) ensuring that project level review and approval of land use development remains at the local level (Policy 4.1.2); (ix) improving accessibility for the City’s residents to places of employment, shopping centers, and other establishments (Policy 4.2.2); (x) ensuring that new development is compatible with pedestrians, bicycles, transit, and alternative fuel vehicles; (xi) requiring that air quality impacts be a consideration in the review and approval of all discretionary projects (Policy 4.2.4); (xii) emphasizing trip reduction, alternative transit and congestion management measures for discretionary projects (Policy 4.2.5); and (xiii) supporting the development and use of equipment powered by electric or low-emitting fuels (Policy 5.3.1). The Project will be consistent with those policies for several reasons, including—(i) the project will follow best practices related to particulate emissions as required by SCAQMD Rule 403 for fugitive dust and through implementation of Mitigation Measure C-1; (ii) the project will not include the development of any unpaved roads or parking lots; (iii) the Project is located in an urban area with significant infrastructure to facilitate alternative transportation modes; (iv) future employers at the Project Site can implement telecommunications strategies that can help reduce traffic congestion and air pollution; (v) the Project will provide residents with proximate access to jobs, shopping, and other uses as an infill, mixed-use development; (vi) the Project is being entitled and reviewed by the City, which coordinates with regional agencies to implement strategies related to air quality; (vii) and the Project will incorporate the State’s Green Building Standards Code and City’s Green Building Code. Based on the Project’s consistency with all applicable Air Quality Element policies, Project impacts related to General Plan consistency would be less than significant.

No mitigation measures are required, as no significant impacts associated with consistency with air quality plans have been identified.

## **2. Air Quality Standards – Operational Emissions**

With respect to regional emissions, the Project would contribute operational emissions to the region primarily from motor vehicles associated with the Project. The Project could add up to 3,127 net vehicle trips to and from the Projects Site on a peak weekday at the start of operations in 2022. However, as summarized in Table 4.C-9 in the Draft EIR, operational emissions would not exceed SCAQMD's regional significance thresholds for VOC, NO<sub>x</sub>, CO, PM<sub>10</sub>, or PM<sub>2.5</sub> emissions. As a result, the Project's operational impacts on regional air quality are considered less than significant.

With respect to localized air quality impacts the Project would emit minimal emissions of NO<sub>2</sub>, CO, PM<sub>10</sub>, and PM<sub>2.5</sub> from area and energy sources on-site. As summarized in Table 4.C-9 in the Draft EIR, the localized emissions would not approach the SCAQMD's localized significance thresholds that signal when there could be human health impacts at nearby sensitive receptors during long-term operations. The Project's operational impacts on localized air quality are therefore considered less than significant.

No mitigation measures are required, as no significant impacts associated with air quality standards during the Project's operations have been identified.

### **3. Sensitive Receptors – Operational Emissions**

Sensitive receptors in the vicinity of the Project Site include: (i) Santee Court Apartments located at 716 South Los Angeles Street, approximately 240 feet north of the Project Site; (ii) Ballington Plaza Apartments, located at 622 Wall Street, approximately 440 feet east of the Project Site; (iii) Jardin de la Infancia, located at 307 7th Street, approximately 475 feet east of the new construction of the south tower mixed-use development and 220 feet from the North Building renovations; and (iv) Star Apartments, located at 240 East 6th Street, approximately 700 feet northeast of the Project Site.

The Project would generate on-going emissions on-site from area and energy sources that would generate negligible pollutant concentrations of CO, NO<sub>2</sub>, PM<sub>2.5</sub>, or PM<sub>10</sub> at nearby sensitive receptors. While long-term operations of the Project would generate traffic that produces off-site emissions, these would not result in exceedances of CO air quality standards at roadways in the area due to three key factors. First, CO hotspots are extremely rare and only occur in the presence of unusual atmospheric conditions and extremely cold conditions, neither of which applies to the Project area. Second, auto-related emission of CO continue to decline because of advances in fuel combustion technology in the vehicle fleet. Third, the Project would not contribute to the levels of congestion that would be needed to produce the amount of emissions needed to trigger a potential CO hotspot. Specifically, traffic levels of service at 12 intersections studies in the Project Site vicinity would not be significantly impacted by traffic volumes from the Project under existing 2022 horizon scenarios. Air quality impacts related to sensitive receptors during the Project's operation would be less than significant.

No mitigation measures are required, as no significant impacts associated with air quality impacts related to sensitive receptors during the Project's operations have been identified.

### **4. Toxic Air Contaminants**

The Project would not result in any substantial emissions of toxic air contaminants (TACs) during the construction or operations phase. During construction, the primary air quality impacts would be associated with the combustion of diesel fuels, which produce exhaust-related particulate matter that is considered a TAC by the California Air Resources Board (CARB) based on chronic exposure to these emissions. However, construction activities would not produce chronic, long-term exposure to diesel particulate matter. During longterm project operations, the Project does not include typical sources of acutely and chronically hazardous TACs such as industrial

manufacturing processes and automotive repair facilities. As a result, the Project would not create substantial concentrations of TACs. In addition, the Office of Environmental Health Hazard Assessment (OEHHA) guidance concerning toxic air contaminants is intended to implement the Air Toxics “Hot Spots” Information and Assessment Act (AB 2588) and establishes protocols for analysis but does not establish when projects must prepare an HRA. AB 2588 delegates to SCAQMD (as the local air district) the task of determining when a project must prepare a Health Risk Assessment (HRA). The SCAQMD recommends that health risk assessments be conducted for substantial sources of diesel particulate emissions (e.g., truck stops and warehouse distribution facilities) and has provided guidance for analyzing mobile source diesel emissions. The Project would not generate a substantial number of truck trips and would not emit substantial DPM. Based on the limited activity of TAC sources, the Project would not warrant the need for a health risk assessment associated with on-site activities under SCAQMD’s guidance. In addition, the Project does not qualify as a “facility” subject to AB 2588. The AB 2588 program, per SCAQMD guidance, applies to stationary sources permitted through the New Source Review program or other applicable entitlement rules and regulations. The Project would not include any stationary sources of air pollutant emissions as defined by applicable regulations. In addition, based on a screening assessment of the potential for human health impacts from temporary emissions of diesel particulate matter from construction activities associated with the Project on sensitive receptors that gauged the approximate quantity, volume, and toxicity of TACs associated with the Project’s construction activities, a health risk assessment was not deemed necessary for the Project based on the lack of substantial evidence that the Project would result in any potentially significant impacts related to TACs. Therefore, Project impact’s related to TACs would be less than significant.

No mitigation measures are required, as no significant impacts associated with toxic air contaminants have been identified.

#### **5. Cumulative Impacts – AQMP Consistency, Operational Impacts, Sensitive Receptors, Odors**

With respect to AQMP consistency, cumulative development is not expected to result in a significant impact in terms of conflicting with, or obstruction implementation of the 2016 AQMP. Growth considered to be consistent with the AQMP would not interfere with its attainment because the growth is included in the projections utilized in the formulation of the AQMP. As long as growth in the Basin is within projections for growth identified in the 2016 RTP/SCS, implementation of the AQMP will not be obstructed by such growth. This is not considered to be cumulatively considerable. The Project’s effect on population growth would be consistent with the growth projection of the AQMP. Therefore, the Project’s contribution to the cumulative impact to the AQMP would not be cumulatively considerable and, therefore would be less than significant.

With respect to cumulative operational impacts, the Project would not produce cumulatively considerable emission of non-attainment pollutants at the regional or local level. SCAQMD’s regional and local thresholds address cumulative impacts because they include other projects and background concentrations, and emission rates are established so they would not cumulatively exceed the most stringent ambient air quality standards. Because the Project’s air quality impacts would not exceed the SCAQMD’s operational thresholds of significance, the Project’s impacts with respect to cumulative emissions of non-attainment pollutants is considered to be less than significant. The Project’s localized emissions of PM10 and PM2.5 would be minimal. Existing land uses in the area include land uses that do not produce substantial emissions of localized non-attainment pollutants. Therefore, long-term operation of the Project would not result in a cumulatively considerable net increase of any non-attainment criteria pollutant.

With respect to cumulative impacts related to odors, the Project would increase the density of residential and commercial land uses to the area, but would not result in activities that create objectionable odors. The Project would not include any land uses typically associated with unpleasant odors and local nuisances. The SCAQMD would enforce any regulations relating to restaurants, such as Rule 1174 that controls VOC emissions from barbecue charcoal, Rule 1153 that addresses commercial bakery ovens, and Rule 1138 that governs char-broiler emissions from restaurants. SCAQMD regulations that govern nuisances would regulate any occasional odors associated with on-site uses. As a result, any cumulative odor impacts from the Project would be less than significant.

No mitigation measures are required, as so significant impacts associated with the Project's cumulative air quality impacts during operations have been identified.

#### C. 4.D CULTURAL RESOURCES

Under the CEQA Guidelines (Appendix G), a project could have a significant environmental impact related to cultural resources if a project would: (a) cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines section 15064.5; (b) cause a substantial adverse change in the significance of an archeological resource pursuant to section 15064.5; (c) directly or indirectly destroy a unique paleontological resource or site or unique geologic feature; or (d) disturb any human remains, including those interred outside of formal cemeteries. The City's CEQA Threshold Guide states that a project would normally have a significant impact on a historical resource if it would result in a substantial adverse change in the significance of the historical resource. The test for determining whether a proposed project will have a significant impact on an identified historical resource is whether the project will alter in an adverse manner the physical integrity of the historical resource such that it would no longer be eligible for listing in the National or California Registers or other landmark programs such as the list of Los Angeles Historic-Cultural Monuments.

#### Project Design Features

The Project would incorporate the following Project Design Features for cultural resources related to archeological and paleontological resources. No mitigation measures are required for potential impacts to those resources, as the Project's impacts to those resources will be less than significant. However, incorporation of the following Project Design Features will further ensure the Project's impacts to those resource will remain less than significant.

- D-1** Prior to Project construction, the prime contractor and any subcontractor(s) will be advised of the legal and/or regulatory implications of knowingly destroying cultural resources or removing artifacts, human remains, bottles, and other cultural materials from the Project Site. In addition, in the event that buried archaeological resources are exposed during Project construction, work within 50 feet of the find will stop until a professional archaeologist, meeting the standards of the Secretary of the Interior, can identify and evaluate the significance of the discovery and develop recommendations for treatment, in conformance with California Public Resources Code Section 21083.2. However, construction activities could continue in other areas of the Project Site. Recommendations could include preparation of a Treatment Plan, which could require recordation, collection and analysis of the discovery; preparation of a technical report; and curation of the collection and supporting documentation in an appropriate depository. Any Native American remains will be treated in accordance with state law.
  
- D-2** The prime contractor and any subcontractor(s) will be advised of the legal and/or regulatory implications of knowingly destroying paleontological or unique geologic

resources or sites from the Project Site. In addition, in the event that paleontological resources or sites, or unique geologic features are exposed during Project construction, work within 50 feet of the find will stop until a professional paleontologist, can identify and evaluate the significance of the discovery and develop recommendations for treatment. However, construction activities could continue in other areas of the Project Site. Recommendations could include a preparation of a Treatment Plan, which could require recordation, collection, and analysis of the discovery; preparation of a technical report; and curation of the collection and supporting documentation in an appropriate depository. Any paleontological resources or sites, or unique geologic features will be treated in accordance with State law.

### **1. Historical Resources**

The Project would have less than significant impacts related to historical resources. The Flower Terminal building is not currently designated or listed under any national, state, or local landmark programs. An expert evaluated the Flower Terminal building on the Project Site for eligibility as a potential historic resource, as summarized in the historic report included in Appendix F-1 of the Draft EIR. The report concluded that the property is ineligible for designation at the national, state, and local levels through survey evaluation. Therefore, the property is not a historical resource subject to CEQA. Accordingly, Project impacts related to historical resources would be less than significant.

No mitigation measures are required, as no significant impacts associated with historical resource have been identified. Further, the Project will incorporate a public history program to commemorate the significance of the Southern California Flower Market in the history of the wholesale cut flower industry, and the important role Japanese Americans played in the commercial and industrial history of Los Angeles. No further study is required.

### **2. Archeological Resources**

Historic development of the Project Site may have removed or destroyed any archaeological resources that could have occurred at the Project Site. However, it is possible that unknown archaeological resources could exist at the Project Site. In addition, the Project requires excavation for one level of subterranean parking. According to a records search conducted with the South Central Coastal Information Center (SCCIC) (refer to Appendix F-2 of the Draft EIR), the archaeological sensitivity of the Project Site is unknown. However, given the long history of Project Site, buried resources may be present. As such, the Project will incorporate Project Design Feature D-1 to ensure potential impacts remain less than significant. Under Project Design Feature D-1, prior to Project construction, the prime contractor and any subcontractor(s) shall be advised of the legal and/or regulatory implications of knowingly destroying cultural resources or removing artifacts, human remains, bottles, and other cultural materials from the Project Site. In addition, in the event that buried archaeological resources are exposed during Project construction, work within 50 feet of the find shall stop until a professional archaeologist, meeting the standards of the Secretary of the Interior, can identify and evaluate the significance of the discovery and develop recommendations for treatment, in conformance with California Public Resources Code Section 21083.2. However, construction activities could continue in other areas of the Project Site. Recommendations could include preparation of a Treatment Plan, which could require recordation, collection and analysis of the discovery; preparation of a technical report; and curation of the collection and supporting documentation in an appropriate depository. Any Native American remains shall be treated in accordance with state law. Through compliance with these requirements, potential Project impacts to unknown archaeological resources would be less than significant.

No mitigation measures are required, as so significant impacts associated with archeological resources have been identified.

### **3. Paleontological Resources**

A records search was conducted with the Los Angeles County Natural History Museum (LACNHM) to determine the likelihood for unique paleontological resources to occur at the Project Site (refer to Appendix F-3 of the Draft EIR). According to the LACNHM, there are no vertebrate fossil localities that lie directly within the Project Site boundaries. However, the LACNHM is aware of localities nearby from the same sedimentary deposits that occur subsurface in the Project area. As such, there is a possibility for unknown paleontological resources could be encountered during the Project's excavation phase. Accordingly, the Project will incorporate Project Design Feature D-2 to ensure potential impacts remain less than significant. Under Project Design Feature D-2, prior to Project construction, the prime contractor and any subcontractor(s) shall be advised of the legal and/or regulatory implications of knowingly destroying paleontological or unique geologic resources or sites from the Project Site. In addition, in the event that paleontological resources or sites, or unique geologic features are exposed during Project construction, work within 50 feet of the find shall stop until a professional paleontologist, can identify and evaluate the significance of the discovery and develop recommendations for treatment. However, construction activities could continue in other areas of the Project Site. Recommendations could include a preparation of a Treatment Plan, which could require recordation, collection, and analysis of the discovery; preparation of a technical report; and curation of the collection and supporting documentation in an appropriate depository. Any paleontological resources or sites, or unique geologic features shall be treated in accordance with State law. Through compliance with these requirements, potential Project impacts to unknown paleontological resources or sites, or unique geologic features would be less than significant.

No mitigation measures are required, as so significant impacts associated with paleontological resources have been identified.

### **4. Human Remains**

A sacred lands file (SLF) search was conducted with the Native American Heritage Commission to determine the likelihood for human remains to occur at the Project Site (refer to Appendix F-4 of the Draft EIR). The results of the sacred land file search were negative, and no human remains are known to exist at the Project Site. However, in accordance with the State's Health and Safety Code Section 7050.5, in the event of discovery or recognition of any human remains at the Project Site, no further excavation or disturbance of the Site or any nearby area reasonably suspected to overlie adjacent remains shall occur until the Los Angeles County Coroner has determined, in accordance

with Chapter 10 (commencing with Section 27460) of Part 3 of Division 2 of Title 3 of the Government Code, that the remains are not subject to the provisions of Section 27491 of the Government Code or any other related provisions of law concerning investigation of the circumstances, manner, and cause of any death, and the recommendations concerning the treatment and disposition of the human remains have been made to the person responsible for the excavation, or to his or her authorized representative, in the manner provided in Section 5097.98 of the Public Resources Code. The Coroner shall make his or her determination within two working days from the time the person responsible for the excavation, or his or her authorized representative, notifies the Coroner of the discovery or recognition of the human remains. If the Coroner determines that the remains are not subject to his or her authority and if the coroner recognizes the human remains to be those of a Native American, or has reason to believe that they are those of a Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission. Through compliance with this regulation, potential Project impacts to human remains would be less than significant.

No mitigation measures are required, as so significant impacts associated with human remains have been identified.

## **5. Cumulative Impacts**

Some of the related projects could result in significant impacts on historical resources. However, the Project would not result in indirect or direct impacts to any significant historical resources. Therefore, the Project would not have the potential to contribute toward any significant cumulative impacts related to historical resources. Impacts related to archeological and paleontological resources, and human remains are site-specific and are assessed on a site-by-site basis. All development in the City that involves ground-disturbing activities are required to implement the existing state and City regulations related to the discovery of archeological and paleontological resource's, and human remains. Through compliance with existing requirements, cumulative impacts related to cultural resources would be less than significant.

No mitigation measures are required, as so significant impacts associated with cumulative impacts related to cultural resources have been identified.

### **D. 4.E GEOLOGY AND SOILS**

#### **1. Strong Seismic Ground Shaking**

A significant impact may occur if a project represents an increased risk to public safety or destruction of property by exposing people, property or infrastructure to seismically induced ground shaking hazards that are greater than the average risk associated with locations in the southern California region. Southern California is an active seismic region (UBC Seismic Zone IV). Although the Project Site is not within an Alquist-Priolo Zone, as with all properties in the seismically active southern California region, the Site is susceptible to ground shaking during a seismic event. The main seismic hazard affecting the Project Site is moderate to strong ground shaking on one of the local regional faults. As the Site is located in a seismically active region, the Project would conform to all applicable provisions of the City Building Code, California Building Code, and the UBC with respect to new construction. Adherence to current building codes and engineering practices would ensure that the Project would not expose people, property or infrastructure to seismically induced ground shaking hazards that are greater than the average risk associated with locations in the southern California region and would minimize the potential to expose people or structures to substantial risk, loss, or injury. Therefore, no impacts related to seismic ground shaking would occur.

No mitigation measures are required, as so significant impacts associated with seismic ground shaking have been identified.

#### **1. Liquefaction**

The Project Site is not identified by ZIMAS or the State Seismic Hazard Zone Map as being within a liquefaction zone. In addition, the City of Los Angeles Seismic Safety Element does not identify the Project Site as being located within a potentially liquefiable area. Therefore, the potential for liquefaction to occur at the Project Site is considered low, and Project development at this location would constitute a less than significant impact.

No mitigation measures are required, as so significant impacts associated with liquefaction have been identified.

#### **2. Subsidence**

There is little or no potential for ground subsidence due to withdrawal of fluids or gases at the Project Site. Therefore, no impact with respect to subsidence would occur.

No mitigation measures are required, as so significant impacts associated with subsidence have been identified.

### **3. Substantial Erosion or Loss of Topsoil**

A significant impact may occur if a project exposes large areas to the erosional effects of wind or water for a protracted period of time. The Project Site is located in an urbanized portion of Los Angeles and is completely paved and developed. Any topsoil that may exist on the Site was previously blended with other on-site soils during previous site preparation/grading activities. As such, development of the Project would not result in substantial loss of topsoil.

Construction activities such as grading and excavation could create the potential for soil erosion. The potential for soil erosion on the site is low due to the generally level topography of the site and the presence of existing off-site drainage facilities. Project construction would require the removal of existing pavement and grading earth and excavation. Conformance with City Building Code Sections 91.7000 through 91.7016, which include construction requirements for grading, excavation, and use of fill, would reduce the potential for wind or waterborne erosion.

In addition, the Los Angeles Building Code requires an erosion control plan to be reviewed by the Department of Building and Safety prior to construction if grading exceeds 200 cubic yards and occurs during the rainy season (between November 1 and April 15). If grading occurs during the rainy season, the Project will prepare an erosion control plan and will comply with its provisions, as applicable. As the Project would comply with all mandatory Code requirements, Project impacts related to soil erosion during construction would be minimal and less than significant. The potential for soil erosion during Project operation would be relatively low due to the urban nature of the Project area and the generally level topography of the Project Site. The Project would develop the entire site with new buildings, paving, landscaping, and surface treatments. Therefore, impacts would be considered less than significant.

No mitigation measures are required, as so significant impacts associated with substantial erosion or the loss of topsoil have been identified.

### **4. Expansive Soil**

The soils encountered at the lowest subterranean levels during the site exploration are primarily granular in nature and are considered to be "non-expansive." Such soils are not subject to measures to mitigate expansive soils, and no impact would occur.

No mitigation measures are required, as so significant impacts associated with expansive soil have been identified.

### **5. Cumulative Impacts**

Geotechnical impacts related to future development in the City would involve hazards related to site-specific soil conditions, erosion, and ground-shaking during earthquakes. The impacts at each site would be specific to that site and its users and would not be common or contribute to (or shared with, in an additive sense) the impacts on other sites and would not thereby, together with the Project, create an impact that is cumulatively considerable. None of the cumulative projects has elements or activities that would cause or accelerate geologic hazards off-site that would

contribute to increased geological hazards on the Project Site. In addition, the design and construction of the Project and the cumulative projects shall conform to the Uniform Building Code seismic standards as approved by the Department of Building and Safety. In addition, development on each site would be subject to uniform site development and construction standards that are designed to protect public safety, which includes a geotechnical report. Therefore, incremental impacts related to geology and soils would not be cumulatively considerable.

No mitigation measures are required, as so significant impacts associated with cumulative impacts related to geology and soils have been identified.

#### E. 4.F GREENHOUSE GAS EMISSIONS

Under the CEQA Guidelines (Appendix G), a project could have a significant impact if it would: (a) generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment; or (b) conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases. Neither the SCAQMD nor the City has adopted a quantitative threshold to evaluate a project's GHG impacts for land use projects (such as the Project). In the absence of any adopted, quantitative threshold, the Project would not have a significant effect on the environment if it is found to be consistent with the applicable regulatory plans and policies to reduce GHG emissions, including: (i) Executive Orders S-3-05 and B-30-15; (ii) AB 32 Scoping Plan; (iii) SCAG's 2016-2040 Regional Transportation Plan/Sustainable Communities Strategy; (iv) City of Los Angeles Mobility 2035 Plan; (v) City of Los Angeles ClimateLA Implementation plan; and (vi) City of Los Angeles Green Building Ordinance.

#### Project Design Feature

The Project will incorporate the following Project Design Feature related to potential GHG impacts. No mitigation measures are required for potential impacts to GHGs, as the Project's impacts to GHGs will be less than significant. However, incorporation of the following Project Design Feature will further ensure the Project's impacts to GHGs will remain less than significant.

**F-1** The Project would include a number of Project design features (PDFs) that implement an array of strategies that address most of the source categories identified by the State for potential GHG reductions. These include:

- Renovation of a two-story 206,517-square-foot concrete building in lieu of being removed for new construction. This move results in a building with a lower embodied energy than new construction.
- Designing the residential tower to both provide views and limit heat gain through shading or other devices.
- Construction debris will be recycled with a target rate of 90 percent.
- Pollution control will occur during construction by limiting dust and moisture build up.
- All adhesives, coatings, paint and other finishes installed in interior spaces will be low- or no-VOC (volatile organic compounds).
- Electric Vehicle charging spots will be provided (no less than 3 percent of the total number of parking spaces provided).
- Bicycle parking will be provided (both short-term and long-term) to encourage tenants to utilize alternative modes of transportation.

- Building will be provided with conduit and rooftop space for a potential photovoltaic solar panel array and will have a 'cool roof' to reduce the heat island effect.
- Majority of the landscape will be drought tolerant and low-water use type. The irrigation design will be water-conserving type with moisture sensors.
- All plumbing fixtures will be low-flow or ultra-low flow. Building will be designed to be 'grey-water ready'.
- If carpet is provided, it will meet the Carpet and Rug Institute's Green Label Plus Program or be Greenguard certified.
- Resilient flooring provided will meet UL Greenguard Gold or other green certification program.
- All composite wood products will meet the low VOC limits specified by the California Air Resources Board.
- Educational materials will be provided for the residential tenant occupants that include:
  - Information from local utility, water and water recovery providers on methods to further reduce resource consumption, including recycle programs and locations.
  - Information on-site on public transportation and/or carpool options available in the area.

### 1. Consistency Analysis

The Project would have less than significant impacts related to GHG emissions. For informational purposes and to support the City's consistency analysis, estimated GHG emissions for the Project were quantified. The Project's construction would emit GHG emissions through the combustion of fossil fuels by heavy-duty construction equipment and through vehicle trips generated by construction workers and vendors traveling to and from the Project Site. Those emissions are summarized in Table 4.F-4 of the Draft EIR and are further incorporated in the assessment of long-term operational impacts by amortizing them over a 30-year period (pursuant to guidance from the State and SCAQMD).

GHG emissions were calculated for long-term operations. The estimates also accounted for emissions reductions that will result from the Project's commitments and regulatory changes that will reduce GHG emissions. The Draft EIR compared the Project's GHG emissions to the emissions that the Project would have generated in the absence of any GHG reduction measures (the No Action Taken or "NAT" Scenario). As summarized in Table 4.F-5 of the Draft EIR, the Project's emissions and its associated CARB 2020 NAT scenario are estimated to be 8,720 and 13,030 MTCO<sub>2</sub>e per year, respectively, which shows the Project would reduce emissions by 33 percent from CARB's 2020 NAT scenario. The proposed Project would represent a net 6,512 metric ton increase in annual emissions when accounting for existing emissions from existing development that would be removed as part of the Project. CO<sub>2</sub> estimates from mobile sources are likely much greater than the emissions that would actually occur because the methodology used assumes that all emissions sources are new sources and that emissions from those sources are 100 percent additive to existing conditions. The NAT scenario was provided in the Draft EIR for informational purposes and to support the City's evaluation of the Project's consistency with applicable GHG reduction plans and policies. The Draft EIR's analysis included potential emissions under the NAT scenario and from the Project at build-out based on actions and mandates expected to be in force in 2020. Early-action measures identified in CARB's Climate Change Scoping Plan that have not yet been approved were not credited in that analysis. By not speculating on potential regulatory conditions, the analysis took a conservative approach that likely overestimated the Project's GHG emissions at build-out.

The Project is subject to a number of regulations that directly or indirectly reduce climate change-related emissions. Those measures include following:

- Stationary and area sources. Emissions from small on-site sources are subject to specific emission reduction mandates and/or are included in the State's Cap and Trade program.
- Transportation. Both construction and operational activities from the Project Site would generate transportation-related emissions from combustion of fossil fuels that are covered in the State's Cap and Trade program.
- Energy Use. Both construction and operational activities from the Project Site would generate energy-related emissions that are covered by the State's renewable portfolio mandates, including SB 350, which requires that at least 50 percent of electricity generated and sold to retail customers from renewable energy sources by December 31, 2030.
- Building structures. Operational efficiencies will be built into the Project that reduce energy use and waste, as mandated by CALGreen building codes.
- Water and wastewater use. The Project would be subject to drought-related water conservation emergency orders and related State Water Quality Control Board restrictions.
- Major appliances. The Project would include major appliances that are regulated by California Energy Commission requirements for energy efficiency.
- Solid waste management. The Project would be subject to solid waste diversion policies administered by CalRecycle that reduce GHG emissions.

The Project will also implement Project Design Feature F-1, which includes strategies that address most of the source categories identified by the State for potential GHG reductions.

While the Project would contribute to cumulative increases in GHG emissions over time in the absence of policy intervention, the Project would be consistent with a number of relevant plans and policies that govern climate change.

*Executive Orders S-03-05 and B-30-15.* The Project is consistent with the State's Executive Orders S-3-05 and B-30-15, which are orders from the State's Executive Branch for the purpose of reducing GHG emissions. These strategies call for developing more efficient land-use patterns to match population increases, workforce, and socioeconomic needs for the full spectrum of the population. The Project includes elements of smart land use as it is a mixed-used development located in an urban infill area well-served by transportation infrastructure that includes robust public transit provided by Metro.

Statewide efforts are underway to facilitate the State's achievement is 2050 GHG emissions goals and it is reasonable to expect the Project's emissions profile to decline as the regulatory initiatives identified by CARB in the First Update are implemented, and other technological innovations occur. Stated differently, the Project's emissions total at build-out presented in this analysis represents the maximum emissions inventory for the Project as California's emissions sources are being regulated (and foreseeably expected to continue to be regulated in the future) in furtherance of the State's environmental policy objectives. The Project's GHG emissions will likely decrease over time (e.g., emissions from vehicles traveling to and from the Project Site will decrease as fuel efficiency improves, energy-related emissions will decrease as energy sources increasingly comply with the State's renewable energy portfolio mandates). As such, given the reasonably anticipated decline in Project emissions once fully constructed and operational, the Project is consistent with the Executive Order's horizon-year goal.

Many of the emission reduction strategies recommended by CARB would serve to reduce the Project's post-2020 emissions level to the extent applicable by law and help lay the foundation "...for establishing a broad framework for continued emission reductions beyond 2020, on the path to 80 percent below 1990 levels by 2050," as called for in CARB's First Update to the AB 32 Scoping Plan. As such, the Project's post-2020 emissions trajectory is expected to follow a declining trend, consistent with the 2030 and 2050 targets and Executive Order S-3-05 and B-30-15.

*AB 32 Scoping Plan.* As further summarized in Table 4.F-7 of the Draft EIR, the Project will be consistent with the applicable GHG reduction strategies from the AB 32 Scoping Plan. Those strategies include: (i) maximizing energy efficiency building and appliance standards and pursuing additional efficiency efforts; (ii) achieving 33 percent renewable energy mix statewide; (iii) installing solar-electric capacity under California's existing solar programs; (iv) expanding the use of green building practices to reduce the carbon footprint of California's new and existing inventory of buildings; (v) reducing methane emissions at landfills by increasing waste diversion and composting; and (vi) continue efficiency programs and use cleaner energy sources to move and treat water. The Project will be consistent with those strategies in part by being designed to meet Cal Green Building standards, including photovoltaic solar panels, utilizing energy from the Los Angeles Department of Water and Power (which has goals to diversify its portfolio of energy sources), having a minimal impact on solid waste facilities, and using water-efficient landscaping. The Project would be consistent with all feasible and applicable strategies recommended in the AB 32 Scoping Plan.

*SCAG'S RTP/SCS.* As further summarized in Table 4.F-8 of the Draft EIR, the Project would be consistent with the applicable actions and strategies in the SCAG 2016-2040 RTP/SCS. The applicable land use strategies include: (i) reflect the changing population demands by increasing the housing supply at a variety of affordability levels; (ii) focus on new growth around transit; (iii) plan for growth around livable corridors; (iii) provide more options for short vehicle trips; and (iv) protect natural and farm lands. The Project will be consistent with those land use strategies because it will include residences that will add to the City's housing supply, the Project consist of an infill development near transit facilities, the Project will help further the jobs/housing balance objectives that can improve the use of electric vehicles for short trips, and the Project will help reduce demand for growth in urbanizing areas that threaten greenfields and open space. The applicable transportation strategies include: (i) manage congestion; through programs like the Congestion Management Program, Transportation Demand management, and Transportation Systems Management strategies. The Project will be consistent with that strategy because it is an infill development that will minimize congestion impacts due to its proximity to public transit and general density of population and jobs. The applicable technological innovation and 21st century transportation strategies include: (i) promoting zero-emissions vehicles; and (ii) promoting neighborhood electric vehicles. The Project will be consistent with those strategies by including pre-wiring for electric vehicle charging infrastructure. Also, the Project will be consistent with applicable post-2020 GHG reduction goals for the state that are addressed in SCAG's RTP/SCS. SCAG's RTP/SCS provides strategies to reduce emissions from transportation sources pursuant to California's long-term climate policies, including SB 375. Through its reductions strategies, the 2016-2040 RTP/SCS will meet or exceed the SB 375 targets for 2020 and 2035. Specifically, through its reduction strategies, the 2016-2040 RTP/SCS would result in an estimated 8-percent decrease in GHG emissions per capita by 2020 over 2005 levels, 18-percent decrease in GHG emissions per capita by 2035 over 2005 levels, and 21-percent decrease in GHG emissions per capita by 2040 over 2005 levels. Therefore, the 2016-2040 RTP/SCS is expected to help achieve the State's GHG emission reduction goals past the year 2020, and the Project is consistent with the applicable 2016-2040 RTP/SCS strategies.

*City of Los Angeles Mobility 2035 Plan.* The City's Mobility 2035 Plan includes key policy initiatives that link land use and transportation and targeting GHG through a more sustainable

transportation system. The Project is fully consistent with those general objectives, including the most relevant strategy Program No. D7, which calls for the development of GHG tracking program that would quantify reductions in GHGs from reductions in vehicle miles traveled.

*City of Los Angeles ClimateLA Plan.* The Project's construction is consistent with the ClimateLA Plan's applicable goals and strategies. With regard to transportation, the Project is consistent with the Plan's focus on reducing emissions from private vehicle use. The Project's infill location with immediate access to significant public transit, pedestrian, and bicycle facilities results in a transit-oriented development that would reduce dependence on vehicles. Further, the mixed-use nature of the Project is consistent with the Plans' land use policies that promote high density near transportation, transit-oriented development, and making underutilized land available for housing and mixed-use development, especially near transit.

To reduce emissions from energy usage, the Project would be consistent with "ClimateLA" and its focus on increasing the amount of renewable energy provided by the Los Angeles Department of Water and Power; presenting a comprehensive set of green building policies to guide and support private sector development; and helping citizens to use less energy. Both construction and operational activities from the Project Site would generate energy-related emissions that are reduced by the State's renewable portfolio mandates, including SB 350, which requires that at least 50 percent of electricity generated and sold to retail customers come from renewable energy sources by December 31, 2030.

With regard to water, the Project would be consistent with reducing water from growth through water conservation and recycling; reducing per capita water consumption by 20 percent; and implementing the City's water and wastewater integrated resources plan that will increase conservation, and maximize the capture and reuse of storm water. Specifically, the Project would be subject to drought-related water conservation emergency orders and related State Water Quality Control Board restrictions, as well as CALGreen and City Green Building Code that call for water-conserving fixtures and processes.

With regard to waste, the Project would be consistent with the "ClimateLA" goal of reducing or recycling 70 percent of trash by 2015. Operational efficiencies will be built into the Project that reduce energy use and waste, as mandated by the City's Green Building Code and CALGreen building code. With regard to ongoing operations, the Project would be subject to solid waste diversion policies administered by CalRecycle that reduce GHG emissions.

With regard to open space and greening, the Project would not interfere with "ClimateLA" and its focus on creating 35 new parks; revitalizing the Los Angeles River to create open space opportunities; planting one million trees throughout the City; identifying opportunities to "daylight" streams; identifying promising locations for stormwater infiltration to recharge groundwater aquifers; and collaborating with schools to create more parks in neighborhoods.

*City of Los Angeles Green Building Ordinance.* The Project would comply with mandatory measures under the Green Building Ordinance that would help reduce GHG emissions. Those measures include providing on-site bicycle parking spaces and increasing energy efficiency on the Project Site. The Project would also comply with the Green Building Ordinance's standards that require design, construction, maintenance, and operation of the Project to occur at a level that would be consistent with Leadership in Energy and Environmental Design (LEED) basic certification, reduce emissions beyond the No Action Taken Scenario, and are consistent with the AB 32 Scoping Plan's recommendation for communities to adopt building codes that go beyond the state's codes.

In sum, given the Project's consistency with the above-listed GHG reduction strategies, the Project would be consistent with the applicable State, regional, and local GHG reduction

strategies. Taken together, those strategies encourage providing recreational, cultural, and a range of shopping, entertainment and services all within a relatively short distance; providing employment near current and planned transit stations and neighborhood commercial centers; and supporting alternative fuels and electric vehicles. Given that the Project would generate GHG emissions that are less than significant, and given that GHG emission impacts are cumulative in nature, the Project's incremental contribution to cumulatively significant GHG emissions would be less than cumulatively considerable, and impacts would be less than significant.

No mitigation measures are required, as so significant impacts associated with greenhouse gas emissions have been identified.

## **2. Cumulative Impacts**

The emission of GHGs by a single project into the atmosphere is not itself necessarily an adverse environmental effect. Rather, it is the increased accumulation of GHGs from more than one project and many sources in the atmosphere that may result in global climate change. Currently, there are no applicable CARB, SCAQMD, or City significance thresholds or specific reduction targets, and no approved policy or guidance to assist in determining significance at the project or cumulative levels.

No mitigation measures are required, as so significant impacts associated with cumulative impacts related to greenhouse gas emissions have been identified. Additionally, there is currently no generally accepted methodology to determine whether GHG emissions associated with a specific project represent new emissions or existing, displaced emissions. Therefore, consistent with CEQA Guidelines Section 15064h(3), the City as Lead Agency has determined that the Project's contribution to cumulative GHG emissions and global climate change would be less than significant if the Project is consistent with the applicable regulatory plans and policies to reduce Greenhouse Gas Emissions: Executive Orders S-3-05 and B-30-15, AB 32, the 2016-2040 RTP/SCS, the City of Los Angeles Green Building Ordinance, and the City of Los Angeles Mobility 2035 Plan. As summarized above, the Project is consistent with those applicable GHG reduction plans and policies. The NAT comparison demonstrates the efficacy of the measures contained in those policies. In the absence of adopted standards and established significance thresholds, and given this consistency, it is concluded that the Project's impacts are cumulatively less than significant.

No mitigation measures are required, as so significant impacts associated with cumulative impacts related to greenhouse gas emissions have been identified.

## **F. 4.G HAZARDS AND HAZARDOUS MATERIALS**

### **1. Transport, Use, Storage, Disposal, and/or Emissions of Hazardous Materials**

The Project's impacts related to the transport, use, storage, disposal, and/or emission of hazardous materials would be less than significant.

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

Any emissions from the use of such materials during construction would be minimal and localized to the Project Site. Construction of the Project would be required to comply with applicable regulations concerning the exposure of hazardous substances to rainfall and runoff (General Stormwater Permit for Construction Activities), as well as the applicable federal and state regulations governing transport, storage, and use of hazardous materials (RCRA Title 49 of the CFR, the California Vehicle Code, and the California Health and Safety Code), and applicable provisions of the LAMC. Thus, Project construction would not expose persons to substantial risks resulting from the release of hazardous materials or exposure to health hazards in excess of regulatory standards. Therefore, Project impacts associated with the potential release of hazardous substances during construction of the Project would be less than significant.

The Project's operation would include the continuation of wholesale flower sales at the Project Site, and would add multi-family residential, retail, restaurant, and office uses, to the Site, which would involve the limited use of hazardous materials. Operation of the proposed residential uses would likely involve the use and storage of small quantities of potentially hazardous materials in the form of cleaning solvents, paints, and pesticides for landscaping. Hazardous materials to be used, stored, and disposed of by the Project's commercial uses would vary depending on the specific commercial use, but could include cleaning solvents, waxes, dyes, toners, paints, bleach, grease, and petroleum products. With implementation of hazardous waste reduction efforts on-site (i.e., the City's Green Building Ordinance and through source reduction, recycling, on-site treatment, etc.), as well as the proper treatment and disposal of such wastes at licensed resource recovery facilities, the Project would not generate significant amounts of hazardous wastes. Therefore, Project impacts related to the use of hazardous materials during operation of the Project would be less than significant.

The transport of hazardous materials and wastes (i.e., paints, adhesives, surface coatings, cleaning agents, fuels, and oils) would occur in accordance with federal and State regulations, including RCRA, Title 49 of the CFR, the California Vehicle Code, and the California Health and Safety Code. In accordance with such regulations, the transport of hazardous materials and wastes would only occur with transporters who have received training and appropriate licensing. Additionally, hazardous waste transporters would be required to complete and carry with him/her a hazardous waste manifest. Placarding of vehicles carrying hazardous materials would also occur in accordance with Title 49 of the CFR. Therefore, there would be no impact resulting from the transport of hazardous materials to the Project Site.

Compliance with applicable City, State, and federal regulations related to the handling, storage, transport, and disposal of hazardous materials and waste during operation of the Project would ensure that no significant hazard to the public or the environment occurs. Therefore, Project impacts would be less than significant.

No mitigation measures are required, as no significant impacts associated with the transport, use, storage, disposal, and/or emissions of hazardous materials have been identified.

#### **1. Upset Conditions Involving the Release of Hazardous Materials**

Impacts related to the potential to upset conditions involving the release of hazardous materials would be less than significant. A Phase I Environmental Site Assessment was prepared for the Project Site in December 2016 and attached as Appendix H to the Draft EIR. The Phase I concluded the Project Site is not contaminated with any hazardous waste.

With regards to asbestos, due to the age of the Project Site buildings, asbestos-containing materials (ACMs) are likely present. The identified suspect ACMs would need to be sampled to confirm the presence or absence of asbestos prior to any renovation or demolition activities to

prevent potential exposure to workers and/or building occupants. Asbestos removal is controlled by federal regulations and the SCAQMD. In general, asbestos removal is a low risk operation. When following asbestos-related regulations, the possibility of exposure to airborne asbestos fibers from asbestos removal projects is limited. In accordance with the EPA's NESHAP regulation and the SCAQMD, all materials, which are identified as ACMs, would be removed by a trained and licensed asbestos abatement contractor. Prior to issuance of any demolition permit, the applicant would provide a letter to the Department of Building and Safety from a qualified asbestos abatement consultant that no ACMs are found to be present. If ACMs are found to be present, they would be abated in compliance with SCAQMD Rule 1403, as well as other State and federal rules and regulations, including CAL-OSHA Asbestos for the Construction Industry Standard, EPA rules and regulations, and industry standards. Provided that the removal and disposal of ACMs from the Project Site follows the various required guidelines described above, hazardous materials impacts relative to exposure of workers and others to asbestos would be less than significant.

With respect to lead-based paint (LBP), all painted surfaces in the Project Site buildings were observed in good condition. However, due to the age of the structures, there is a potential for LBP to be present. Demolition of the existing structures on the Project Site could therefore release LBP containing materials present in the structure into the environment. Exposure of workers and others to LBP during demolition of the Project Site structures would be a potentially significant impact. In order to ensure minimal exposure to workers and others, LBP found in the buildings shall be removed and disposed of as recommended by a qualified Department of Health Services lead consultant and in accordance with applicable federal, state, and local regulations. Regulations that would be followed during demolition include Construction Safety Orders 1532.1 (pertaining to lead) from Title 8 of the California Code of Regulations, and lead exposure guidelines provided by the U.S. Department of Housing and Urban Development (HUD). Provided that abatement rules and regulations are followed as necessary, hazardous materials impacts to sensitive receptors and workers caused by exposure to lead-paint would be less than significant.

With respect to polychlorinated biphenyls (PCBs), it is possible that fluorescent lighting ballasts contain small quantities of PCBs, which are currently regulated as hazardous waste in California. Any potential PCBs should be handled by a qualified electrician where removal or replacement is necessary. Provided that existing regulations are followed to dispose of any PCBs, the Project's impacts would be less than significant.

With respect to radon, based on information provided in the Phase I Site Assessment and Preliminary Site Assessment (Appendix H to the Draft EIR), the radon gas infiltration risk for the property is very low. Therefore, Project impacts related to radon would be less than significant.

No mitigation measures are required, as no significant impacts related to upset conditions involving the release of hazardous materials have been identified.

## **2. Emit Hazardous Materials Near Schools**

The Project Site is located within 500 feet of the Jardin de la Infancia School. The Project would use, at most, minimal amounts of hazardous materials for routine cleaning and maintenance that would be contained, stored, and used in accordance with manufacturers' instructions and handled in compliance with applicable standards and regulations. Further, the Project would not result in any significant impacts related to upset conditions. Additionally, the Project Applicant would be required to comply with existing regulations pertaining to ACMs, LBP, and PCB to ensure that these hazardous materials would not pose a significant risk to the environment. Therefore, Project impacts related to emitting hazardous materials near schools would be less than significant.

No mitigation measures are required, as no significant impacts related to emitting hazardous materials near schools have been identified.

### **3. Listed Site Pursuant to Government Code Section 65962.5**

California Government Code Section 65962.5 requires various state agencies, including but not limited to, DTSC and the SWRCB, to compile lists of hazardous waste disposal facilities, unauthorized releases from underground storage tanks, contaminated drinking water wells and solid waste facilities where there is known migration of hazardous waste and submit such information to the Secretary for Environmental Protection on at least an annual basis. The Project Site is not included on any list compiled pursuant to Government Code Section 65962.5. Thus, construction and operation of the Project would not create a significant hazard to the public or the environment, as a result of being on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. Therefore, no impacts related to this issue would occur.

No mitigation measures are required, as no significant impacts related to a listed site pursuant to Government Code section 65962.5 have been identified.

### **4. Emergency Response/Evacuation Plan**

The Project's impacts related to the implementation of or physical interference with an adopted emergency response plan or emergency evaluation plan would be less than significant. The Project could require temporary roadway lane closures during construction. However, prior to the issuance of a building permit, the Project Applicant would be required by the LAFD and the City of Los Angeles Department of Building and Safety to develop an emergency response plan for the Project in consultation with the LAFD. The emergency response plan shall include but not be limited to the following: mapping of emergency exits, evacuation routes for vehicles and pedestrians, location of nearest hospitals, and fire departments. Preparation and implementation of the Project-specific emergency response plan would ensure that Project impacts related to emergency response/evacuation would be less than significant.

No mitigation measures are required, as no significant impacts associated with emergency response or evaluation plans have been identified.

### **5. Cumulative Impacts**

The geographic extent of the Project's environmental impacts is limited to the Project Site and would not contribute to any other potential environmental impact that may occur beyond the Project Site boundaries. All related projects would be subject to discretionary or ministerial review by their respective jurisdictions, which would be responsible for assessing potential hazards risks associated with those related projects, and if necessary, the applicants of those projects would be required to implement measures appropriate for the type and extent of hazardous materials present and the land use proposed to reduce the risk associated with the hazardous materials to an acceptable level. The Project would not result in any significant impacts related to hazards and hazardous materials. Therefore, no significant cumulative impacts related to hazards and hazardous materials would occur.

No mitigation measures are required, as no significant impacts associated with cumulative impacts related to hazards and hazardous materials have been identified.

## **G. 4.H LAND USE AND PLANNING**

### **1. Consistency with Applicable Plans, Policies, and Regulations**

The Project would be consistent with applicable land use plans, policies and regulations. The legal standard that governs consistency determinations with applicable land use plans states that a project must only be in “harmony” with the applicable land use plan to be consistent with that plan. (*Sequoyah Hills Homeowners Assn. v. City of Oakland* (1993) 23 Cal.App.4th 704, 717-18.) In addition, “state law does not require an exact match between a proposed subdivision and the applicable general plan.” (*Id.* at p. 717.) To be “consistent” with a general plan, a project must be “compatible with the objectives, policies, general land uses, and programs specified in the applicable plan,” meaning, the project must be “in agreement or harmony with the applicable plan.” (*Id.* at pp. 717-18.) A project is “consistent with the general plan if, considering all its aspects, it will further the objectives and policies of the general plan and not obstruct their attainment.” (*Friends of Lagoon Valley v. City of Vacaville* (2007) 154 Cal.App.4th 807, 817.)

As summarized in Table 4.H-1 of the Draft EIR, the Project will be consistent with all of the 16 applicable policies of SCAG’s 2008 RCP. Those policies include policies related to land use and housing, open space and habitat, water, energy, and solid waste. Specifically, the 2008 RCP includes policies for local governments to provide new housing that incorporates green building measures, promote infill development and revitalize existing communities, and promote water-efficient and energy-efficient land use and development. The Project will be consistent with those policies, as it will provide new housing, including 10% of its units for Moderate Income households, as an infill, mixed-use development. The Project will also comply with CalGreen requirements of the California Building Code and will be consistent with the LA Green Building Code, which is designed to reduce the Project’s energy and water use, reduce waste, and reduce the carbon footprint.

As summarized in Table 4.H-2 of the Draft EIR, the Project will also be consistent with all of the four applicable policies of SCAG’s RTP/SCS, which focuses on transportation investments in the SCAG region. Those policies and goals include maximizing mobility and accessibility for all people and goods in the region, protecting the environmental and health of the region’s residences by improving air quality and encouraging active transportation, encouraging energy efficiency, and encouraging land use and growth patterns that facilitate transit and non-motorized transportation. The Project will be consistent with those goals by reducing vehicle miles traveled by providing a higher density infill development close to public transit, providing approximately 414 bicycle parking spaces, and by complying with CalGreen requirements of the California Building Code and the City’s Green Building Ordinance to reduce the Project’s energy and water use, reduce waste, and reduce its carbon footprint.

As described further in Table 4.H-3 of the Draft EIR, the Project would also be consistent with all four applicable land use policies of the City’s General Plan Framework Element. Those policies include promoting development that integrates housing with commercial uses at appropriate locations, promoting development that emphasizes pedestrian/bicycle access, and preserving existing stable residential neighborhoods and encouraging new development in proximity to transit and along the City’s major boulevards. The Project will be consistent with those policies by constructing an infill development that will provide housing and employment opportunities, as well as commercial uses, and serve current residents in the Project area and future residents at the Project Site in close proximity to public transit. The Project will also be pedestrian friendly, creating flexible open space for pedestrians and offering retail and restaurant opportunities at the ground level. The Project will also provide bicycle parking to encourage bicycle use.

As described further in Table 4.H-4 of the Draft EIR, the Project will also be consistent with the twelve applicable land use policies in the City’s General Plan Health and Wellness Element. Those policies include, but are not limited to, promoting healthy communities, incorporating a health perspective into land use, increasing the availability of and access to affordable goods and services that promote health and healthy environments, promoting a healthy built environment by

encouraging the design and rehabilitation of buildings and sites for healthy living and working conditions, promoting infrastructure improvements that support active transportation, promoting the development of new and innovative active spaces, and reducing air pollution from stationary and mobile sources. The Project will be consistent with those policies by constructing infill development that includes redevelopment of the Project Site, with new housing, commercial, and open space in close proximity to transit. The Project's provision of open space amenities, including social and community spaces, a recreation room, and outdoor garden, and other outdoor gathering areas would provide opportunities for Project residents and visitors to engage in physical activity.

As described further in Table 4.H-5 of the Draft EIR, the Project will also be consistent with the 11 applicable land use policies in the City's Housing Element. Those policies include, but are not limited to, expanding affordable home ownership opportunities, facilitating new construction and preservation of a range of different housing types, encouraging the integration of housing and other compatible land uses, facilitating a reduction in water and energy consumption and reduction of waste in construction and building operations, and promoting the preservation of neighborhood character in balance with facilitating new development. The Project would be consistent with those policies by providing 323 new residential units, which would supply housing for small households comprised of one or two persons as well as for larger households. The Project will also voluntarily provide 10% of its units for Moderate Income households. The Project will also develop such housing near public transit, and will include a mix of wholesale, trade, retail, food and beverage, office, and residential uses. The Project will also be consistent with the City's Green Building Code, which will encourage water and energy efficiency and waste reduction.

The Project will also be consistent with the City's Mobility Plan 2035 Element of the General Plan, which guides development of a citywide transportation system with the goal of ensuring the efficient movement of people and goods. The Project will advance specific policies related to facilitating walking, bicycles, and fewer vehicle trips by allowing mixed-use development in close proximity to two major transportation corridors. The Project will also develop wholesale uses, residential, office, restaurant and retail uses on the same Project Site, and will promote pedestrian activity and circulation and create direct pedestrian connections between the new Project and the City's public transportation infrastructure.

As described further in Table 4.H-6 of the Draft EIR, the Project will also be consistent with the eight applicable land use policies in the Central City Community Plan. Those policies include, but are not limited to, maintaining zoning standards that promote housing and limit ancillary commercial uses to meet the needs of the neighborhood, guard against the loss of low income housing units, maintaining a safe and attractive environment, attracting businesses that build on existing strengths of the area, and supporting the growth of neighborhoods with small, local retail services. The Project will be consistent with those policies, as it will provide an infill development that includes redevelopment of the Project Site. The Project will maintain the existing wholesale flower market, and will add retail, restaurant, office, and residential uses to serve the neighborhood and in close proximity to transit.

The Project will also be consistent or partially consistent with the goals, objectives, and policies in the City's General Plan related to industrial uses and economic development. For example, Chapter 3 of the General Plan's Framework Element states that "[i]t is the intent of the General Plan Framework Element to preserve industrial lands for the retention and expansion of existing and attraction off new industrial uses that provide job opportunities for the City's residents. As indicated in the Economic Development Chapter of the Framework Element, some existing industrially zoned lands may be inappropriate for new industries and should be converted for other land uses. Where such lands are to be converted, their appropriate use shall be of the subject of future planning studies." The Project will be consistent with that intent, as it will facilitate the retention of the Flower Market as an industrial use in the Central City area. The

Flower Market is currently experiencing deteriorating sales due to the increase in wholesale and retail flower shops in the Project area over the last 15 years and the competition from big-box retailers (including Costco and Target). The number of vendors in the Flower Market has shrunk over the last 15 years. To remain economically competitive, the Flower Market must shrink its wholesale footprint and become more efficient by updating its operating systems and supplementing operations with mixed use components. By allowing the Project applicant to upgrade its existing facility so it can remain competitive and economically viable, the City will facilitate the retention of that industrial use in the Central City area.

The Project's proposed General Plan Amendment from "Light Manufacturing" to "Community Commercial" and Vesting Zone Change from M2-2D to C2-2 zone will convert the Project Site from its existing industrial land use designation and zoning to allow for a mix of other land uses. The City finds that the conversion of the existing industrially zoned Project Site to allow for the mix of uses will help the Central City retain the Flower Market as an industrial use and will keep the Flower Market from moving its operations to a cheaper industrial area elsewhere in the region. Further, as the City studied in the Draft and Final EIR, the conversion of the Project Site's existing industrial uses to allow for a different mix of uses will be consistent with the City's General Plan, as the Project will be in agreement and harmony with the Plan and will further the General Plan's applicable objectives and policies. Whether the re-designation of industrial uses on the Project Site will displace other industrial uses that may have otherwise made use of the Project Site (other than the Flower Market) and whether that displacement would lead to environmental impacts is too speculative for the City to evaluate at this time. (CEQA Guidelines, §§ 15064, 15145.)

The Project will also be consistent or partially consistent with the relevant goals, objectives, and policies in the Economic Development Chapter of the General Plan (Chapter 7), including the following:

- Goal 7B – A City with land appropriately and sufficiently designed to sustain a robust commercial and industrial base.
  - Objective 7.2: Establish a balance of land uses that provides for commercial and industrial development which meets the needs of local residents, sustains economic growth, and assures maximum feasible environmental quality.
    - Policy 7.2.2: Concentrate commercial development entitlements in areas best able to support them, including community and regional centers, transit stations and mixed-use corridors. This concentration prevents commercial development from encroaching on existing residential neighborhoods.
    - Policy 7.2.6: Concentrate office development in regional mixed-use centers, around transit stations, and within community centers.
    - Policy 7.2.: Encourage new commercial development in proximity to rail and bus transit corridors and stations.
    - Policy 7.2.8: Retain the current manufacturing and industrial land use designations, consistent with other Framework Element policies, to provide adequate quantities of land for emerging industrial sectors.
    - Policy 7.2.9: Limit the redesignation of existing industrial land to other land uses except in cases where such redesignation serves to mitigate existing land use conflicts, and where it meets the criteria spelled out in Policy 3.14.6 of Chapter 3: Land Use.

The Project will be consistent with Goal 7B, Objective 7.2, and Policies 7.2.2, 7.2.6, and 7.2.7 by establishing a balance of land uses that will include 64,363 square feet of office space, 4,385 square feet of retail space, and 63,785 square feet of wholesale space and storage. The project will also include residential, restaurant, and event space uses. With that mix of uses, the Project will provide housing and employment opportunities to the community within ¼ mile of 28 bus

lines, which provide service to regional centers such as Century City, Santa Monica, Burbank, Long Beach, Montebello, and Hawthorne, as well as to major transit stations, including Union Station and 7<sup>th</sup> Street / Metro Center Station. The Project, therefore, will establish a balance of land uses and will concentrate those uses in an area near public transit. The Project will be partially consistent with Policies 7.2.8 and 7.2.9 because the Project will redesignate existing industrial land to other land uses to allow for the mix of uses proposed by the Project. However, as summarized above, the Project will allow the Flower Market to remain competitive and economically viable, and will keep that industrial use from leaving the Central City area.

- Goal 7C – A city with thriving and expanding businesses.
  - Objective 7.3 – Maintain and enhance the existing businesses in the City.
    - Policy 7.3.1: Maintain the Downtown regional core as the preeminent center for office development in the City, the metropolitan area, and the region. Maintenance of this status is key to the City’s economic and fiscal strength during the transition to a more service oriented economy.
    - Policy 7.3.2: Retain existing neighborhood commercial activities within walking distance of residential areas.
    - Policy 7.3.3: Prioritize the retention and renewal of existing industrial businesses.
    - Policy 7.3.8: Assist existing industries located in Los Angeles with their expansion plans and/or relocation efforts to find suitable industrial sites in the City.

The Project will be consistent with Goal 7C, Objective 7.3, and Policies 7.3.1, 7.3.2, and 7.3.3 by providing a mix of uses, including residential, industrial, and office space in the Center City area. The Project will allow the Center City area to retain the Flower Market as an industrial use, and the Project will allow the Flower Market to remain competitive and economically viable.

- Goal 7G – A range of housing opportunities in the City.
  - Objective 7.9 – Ensure 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.
    - Policy 7.9.1: Promote the provision of affordable housing through means which require minimal subsidy levels and which, therefore, are less detrimental to the City’s fiscal structure.
    - Policy 7.9.2: Concentrate future residential development along mixed-use corridors, transit corridors and other development nodes identified in the General Plan Framework Element, to optimize the impact of City capital expenditures on infrastructure improvements.

The Project will be consistent with Goal 7G, Objective 7.9, and Policies 7.9.1 and 7.9.2, as the Project will provide new residential units within ¼ mile of 28 bus lines and close to Metro stations. The Project will set aside 10% of its residential units as affordable units for Moderate Income households.

In addition, the Project will also be consistent with applicable objectives and standards in the Central City Community Plan related to maintaining wholesale industries by updating outdated facilities, improving access, improving parking, and enhancing the pedestrian environment. The Project provides housing opportunities for those who choose to live in the Flower District and meets the intent of Objective 3-2, which is to “study the possibility of development artist-in-residence district in industrial areas,” to continue to improve the jobs/housing ratio, respond to

market demands, and maintain the viability of industrial lands as the space needs of manufacturers evolve. The Project's residential units will be loft style.

The Community Plan also states that the economic vitality of the South Markets is essential to the revitalization and prosperity of the rest of Downtown, and the Project could help anchor and bring identity to the concentration of unique regional markets associated with wholesale industries of Downtown. The Community Plan further explains that although the area is generally prospering, there is strong competition from other areas. To retain existing industry and attract new ones, the Community Plan states that Downtown must become more competitive with other localities and provide a safe and clean environment. To achieve that goal, the Community Plan sets forth Objective 3-1, which states the objective to "strengthen, retain and expand the existing industrial base as well as attract new industries to the Central City area." The Community Plan also includes Policy 3-1.1, which states "[m]aintain and expand the toy, garment, small electronics, and other import/export wholesale industries" and includes the program to "[u]pdate existing, outdated industrial facilities and to improve access, loading and parking in the industrial area and support improvements that will implement the Alameda Corridor Project. Expand safe, convenient, and affordable parking for employees and customers."

For the reasons summarized above, the Project will be consistent with that applicable objective, policy, and program related to industrial uses by helping the Central City retain and update the existing Flower Market as an industrial use in the area. The Project will allow the Project applicant to upgrade its existing facility so it can remain competitive and economically viable and remain in the City. The Project will also create a pedestrian-friendly environment, maintaining strong street wall, with storefronts and a flower-themed mural along Maple Avenue, and a public paseo that will connect Maple Avenue and Wall Street through a creative open space for pedestrians. The Project, therefore, will improve access and expand a safe, and convenient street environment for customers, residents, and employees in the area.

As described further in the CEQA findings for air quality, the Project would also be consistent with the SCAQMD Air Quality Management Plan. Additionally, as described further in the CEQA findings for transportation/traffic, the Project would be consistent with the Congestion Management Plan (CMP). Given the Project's consistency with the applicable policies in the applicable land use plans as described above, the Project's impacts related to consistency with land use plans will be less than significant.

With respect to zoning and land use, the Project Site is zoned M2-2D (Light Industrial, Height District 2 with Development Limitation) and the current land use designation is Light Manufacturing. As proposed, the Project is currently inconsistent with the existing zoning and land use designation. Therefore, as part of the Project, the Applicant is seeking a Vesting Zone Change from M2-2D to C2-2 and a General Plan Amendment from Light Manufacturing to Community Commercial, which would permit development of the Project as proposed. The approval of the Vesting Zone Change and General Plan Amendment would be in conformance with public necessity and convenience, general welfare, and good planning practices. The Project serves to address the City's housing shortage and need for affordable housing, and will increase the livability of the neighborhood by providing a mix of land uses in proximity to public transit. The Project will also maintain the Flower Market at its current location, preserve and create jobs, and will help revitalize two traditionally retail-oriented streets—7th Street and Maple Avenue. The Project would have jobs-producing components—wholesale, retail, office, restaurants and would provide additional amenities for the neighborhood. With approval of the requested discretionary actions, the Project would conform to the zoning and land use designation for the Project Site, and the Project's impacts would be less than significant.

In addition, the Project is requesting a General Plan Amendment (GPA) from “Light Manufacturing” to “Community Commercial.” The General Plan amendment is for a proper area in the City pursuant to Los Angeles City Charter Section 555 because the amendment is for an area that has a “significant social, economic, or physical identity.” The Project Site has its own significant social identity because the Project constitutes the epicenter of the Flower District and the success of the Project Site as a flower market could help the City maintain its position in the competitive global flower market. The Project Site also has a significant social identity because the Flower Market on the Project Site can remain competitive and continue to operate as an industrial use, while also serving as a transition area from the City’s South Markets area to the Historic Core and South Park areas at the upper edge of the Downtown industrial neighborhood. The Project Site also has a significant economic identity, as development of the area will dictate whether it will be financially feasible for the Flower Market to continue to operate. The Project Site has a significant economic identity because it is in a unique position to bring more density and street life to an area in close proximity to the City’s Historic Core and South Park residential communities, while also allowing retaining and strengthening an existing industrial use.

The Project Site also has a significant physical identity because changing its land use designation will help the Project Site stimulate the neighborhood’s revitalization with new development. The Project Site can bring more density and street life to an area in close proximity to the City’s historic core, downtown, and South Park residential communities. The Project Site also has a significant physical identity, as the Project site is 3.87 acres in size and is located in the Flower District. The Flower District has grown to be an important part of the City’s identity. The Project Site is also located in the Greater Downtown Housing Incentive Area and the Los Angeles State Enterprise Zone Program Area. In addition, the Project Site is located within a Transit Priority Area as defined by CEQA Section 21099 and the City of Los Angeles ZI No. 2452, and is located within 0.6 miles of the Pershing Square Metro Rail Station (Red/Purple lines), 0.7 miles from the 7th and Metro Rail Station (Red/Purple, Blue/Expo lines), and 1.2 miles from the Pico metro Rail Station (Blue/Expo lines) and Little Tokyo Metro Rail Station (Gold line). The Project site’s proximity to so many public transportation options will help the City achieve land use goals of increasing density near transit and promoting the use of public transit by residents, employees, and visitors to the Project Site.

The Project Site’s significant social, economic, and physical identity is also apparent from analyzing the Project Site in the context of the transitioning area surrounding the Project Site. With respect to the social identity, the Flower District around the Project Site has grown to include other floral operations and related businesses in the immediate area. The Flower District has served as a catalyst for development of Southern California’s horticultural industry. Economically, the vitality of the Flower District will help the City remain competitive in a growing global flower market. The area surrounding the Project Site also has a significant physical identity, as the area is currently in transition and is increasingly supporting a robust variety of mixed uses. Uses surrounding the Project site include parking lots, warehouses, retail and commercial uses, and residential uses from low-rise to medium-rise buildings. The General Plan Amendment will help the Project Site contribute to a mix of commercial, residential, retail, and restaurant uses to the surrounding project area.

No mitigation measures are required, as no significant impacts related to consistency with applicable land use plans, policies, and regulations have been identified.

## **2. Compatibility**

The CEQA Guidelines do not include significance thresholds relating to a project’s compatibility with surrounding land uses, except not to physically divide an existing community. However, the City’s CEQA Threshold Guide addresses land use compatibility. The Project Site is surrounded by a mix of parking lots, warehouses, retail, and some commercial and residential uses

contained in structures ranging from low-rise to medium-rise buildings, which are physically separated from the Project Site by secondary, collector, and local streets. Surrounding residential uses in close proximity to the Project Site include the Santee Village (nearly 400 units), the Santee Court (238 units), the Garment Lofts (77 units), and the Textile Building Lofts (77 units). The Project would provide residential uses that are consistent with other residential developments in the area, and that would also complement the area's commercial uses, and which would provide another residential option for those who work in downtown and would like to live close to work. The Project also proposes neighborhood-serving commercial uses that would provide shopping and dining options for the residents of the Project and also those who live, work, and spend time in the Project area. The Project would expand and redevelop the existing wholesale flower market, which would be compatible with other wholesale flower sales that take place in the Los Angeles Flower District, of which the Project Site is a part. For these reasons, Project impacts with respect to land use compatibility would be less than significant.

The Project would also be compatible with the surrounding neighborhood because it is located at the upper edge of the Downtown industrial neighborhood, which allows the Project to serve as a transition from the City's South Markets area to the Historic Core and South Park areas. The Project Site is an important part of the City's urban fabric that will help weave the adjacent industrial, commercial, and residential neighborhoods. The Project would, therefore, be compatible with the existing residential uses near the Project Site, as well as with future proposed development on neighboring properties. For example, there are two housing projects under construction adjacent to the Project Site. At the northeast corner of 7th Street and Wall Street, a six-story apartment building is under construction that would include 99 residential units. At the northwest corner of 7th Street and Wall Street, a seven-story mixed-use building is under construction that would include a medical clinic and 55 residential units. Another project was recently approved at 554 S. Pedro Street, which would consist of two mixed-use towers (a 12-story tower and 18-story tower), which would include 378 supportive and affordable housing units. The Project would also be compatible with other proposed nearby development on neighboring properties. A project was approved for the construction of 435 residential units in a tower at the west corner of 7th Street and Maple Avenue.

In addition, the Project will be compatible with surrounding uses given its consistency with the applicable design guidelines governing the Project area. The Project is located within the boundaries of the Downtown Design Guide: Urban Design Standards and Guidelines ("Design Guide") in the Flower District/South Markets Neighborhood. The Design Guide encourages Downtown Los Angeles to develop as a more livable and sustainable community. The Central City Community Plan (Chapter V) states that standards in the Design Guide for South Markets help create a street-oriented component of the Flower Market, including flower shops, restaurants and shops. The Community Plan further states the Design Guide should create a street identity for the Flower Market on both Seventh and Eighth Streets and establish streetscaping and façade improvement programs making areas more inviting for retail customers.

The Project would generally be consistent with the standards and guidelines in the Design Guide, and it incorporates specific design elements to satisfy the intent of the Design Guide. For example, Section 2 of the Design Guide includes the following overarching goal for a livable and sustainable Downtown—"to promote a more livable Downtown, projects must address a mix of housing, employment, retail, and entertainment opportunities supplemented by a rich network of transit options, gathering spaces, and recreation areas, and address sustainability at multiple levels." The Project will be consistent with that goal by providing a new mixed-use development consisting of wholesale trade, retail, restaurant, office, event space, and residential uses. The Project will be served by two major transportation corridors (Main Street and 7th Street) that provide substantial public transit opportunities, including Metro bus lines and LADOT DASH E. The Project is also located close to Metro Rail stations. Further, the Project has been designed

with open space, landscaping, outdoor recreation amenities, and articulated building elevations in furtherance of the Design Guide standards. The Project's proposed uses were considered with respect to light and ventilation, with each dwelling having access to the Project's open space.

The Project will also be consistent with Section 2.B of the Design Guide, which states, "[w]herever possible, existing structures should be adaptively re-used and integrated into new projects to retain the architectural fabric of Downtown." The Project will retain an existing two-story concrete industrial building (the North Building), covering approximately 50 percent of the Project Site. The Project Site's older concrete structure (the South Building) would be removed for a new paseo, one level of subterranean parking, additional above-grade parking, and a new residential tower. The proposed paseo is a connector both to the existing Flower Market neighborhood to the east and the existing transit stops and surrounding residential developments. The paseo, open to the public, is a social space that would be able to host a variety of uses including outdoor dining, outdoor flower vendors, seating, bike parking, and neighborhood circulation to and from the adjacent spaces, all positioned to activate the space. Due to previous street-widening requirements along Maple Avenue, and that the existing North Building would remain in its current location, a larger sidewalk area is provided and will be used for amenities such as additional trees, seating, kiosks, and a proposed Metro Bike Share Station.

Based on its design and proposed amenities, the Project meets several goals listed throughout the Design Guide, including the following: (i) street wall massing and articulation that help define the pedestrian environment at street level (Chapter 4 goals); (ii) parking access provided mid-block (Chapter 5 goals); (iii) building massing that is broken into a series of appropriately scaled buildings with passageways between buildings and residential unit spacing that provides distance between windows for appropriate line-of-sight (Chapter 6 goals); (iv) providing publicly accessible open space and a paseo, lined with commercial uses, providing pedestrian linkages between streets (Chapter 7 goals); (v) providing visual articulation and variation to enrich the pedestrian experience and contribute to the quality and definition of the street wall (Chapter 8 goals); (vi) building on and connecting to existing elements of the existing wholesale flower market to contribute to the civic and cultural life of downtown (Chapter 12 goals).

Additionally, the Project's design layout utilizes a centralized floorplate, ringed with units facing out to meet both neighborhood design goals and to meet sustainability goals, including the following: (i) allows other adjacent buildings to have views over and through the Project Site; (ii) enables units to have light, ventilation, and city views; (iii) limits the shading of other adjacent buildings; (iv) provides for a building with varying height levels and articulation in lieu of a wide building at one height and allows for the conservation of the existing north concrete building, which cannot structurally accommodate several additional floors stacked above it.

The Project's will also be compatible with surrounding uses based on its consistency with the applicable development standards in the Central City Community Plan, as summarized above.

Given the uses surrounding the Project Site, the Project's proposed amendment to the General Plan and zone change to change the Project Site's industrial land use and zoning designations to commercial uses will not lead to impermissible spot zoning. The Project's General Plan Amendment and zone change will not lead to a small parcel of land that is subject to more or less restrictive zoning than surrounding properties. The Project Site will not be an island of commercial land use designation and zoning, but will be connected on some sides by like zones and land use designations. As shown in Figure 3-3 of the Draft EIR, the Project Site is adjacent to properties designated for residential uses just to the northeast of 7th Street. As shown in Figure 3-4 of the Draft EIR, the Project Site is also adjacent to properties zoned for commercial and residential uses to the northeast of 7th Street. There is one out parcel carved out of the

Project Site along Wall Street, close to 7th Street, that the Project applicant does not own and will not be subject to the Project's requested Zone Change. That parcel will remain zoned as M2 for industrial uses, consistent with the adjacent industrial uses east of the Project Site along Wall Street and further southeast. For all the reasons stated above, therefore, situated at the upper edge of the Downtown industrial neighborhood, the Project will serve as a transition from the City's South Markets area to the Historic Core and South Park areas.

No mitigation measures are required, as no significant impacts associated with land use compatibility have been identified.

### **3. Cumulative Impacts**

Cumulative land use impacts could occur if any of the related projects would result in incompatible land uses, or result in land uses that are inconsistent with adopted land use plans when combined with the impacts of the Project. Given the built-out conditions of the greater Los Angeles region, including the Project area, cumulative development likely would convert existing underutilized properties in the Los Angeles area to revitalized higher-density developments to respond to the need for housing, sources of employment, and associated retail land uses. The Project would implement important local and regional goals and policies for the Los Angeles area, which would assist the City in achieving short- and long-term planning goals and objectives related to reducing urban sprawl, efficiently utilizing existing infrastructure, reducing regional congestion, and improving air quality through the reduction of VMT, while helping the City meet its housing needs. Likewise, future development associated with the related projects would support the furtherance of the buildout of Los Angeles and the surrounding area. This is consistent with SCAG and other regional policies for promoting more intense land uses adjacent to transit stations and job centers, providing a variety of housing options, and increasing the number of retail and commercial uses. Further, all related projects in the City would be subject to the same local development and mitigation standards as the Project. Therefore, cumulative impacts related to land use and planning would be less than significant.

No mitigation measures are required, as no significant impacts associated with cumulative impacts related to land use and planning have been identified.

## **H. 4.1 NOISE**

### **1. Operational Noise**

During operations, the Project would produce noise from both on- and off-site sources. The on-site sources include noise from mechanical equipment. Regulatory compliance with LAMC Section 112.02 will ensure that noises from sources such as heating, ventilation, and air conditioning (HVAC) do not increase ambient noise levels at neighboring occupied properties by more than 5 dBA. Given that regulatory compliance, the high ambient noise levels in the Project's vicinity, and distances to receptors, the relatively quiet operation of modern HVAC systems, and the Project's own height, the on-site noise from the mechanical equipment will be less than significant. Other on-site sources of noise include the noise generated by the proposed commercial and office uses. Most of that noise would be internal and audibility would be confined to within the Project itself. The addition of the Project's commercial and office uses would not substantially alter the noise profile of the Project's surrounding environment. The continuation of the existing Flower Market operations would not constitute a change to the environment.

With respect to deliveries, the Project's deliveries and loading/unloading activities would be confined to the proposed loading dock area, which would be located similarly to the existing loading dock area. As the Project would generally maintain the same level of retail and

commercial space, deliveries and general loading/unloading activities would not change substantially in terms of frequency, duration, and setbacks from noise receptors (the nearest of which is the Textile Building Lofts). Business hours for the Flower Market would remain the same as the current operating hours. The Project would retain the three existing loading bays, but it would remove 19 parking spaces for large trucks that are currently underutilized. Remaining parking spaces would be reconfigured within the same existing area. Therefore, there would be no substantial change to the local noise environment as a result of the Project's proposed loading dock area. The Project could also reduce deliver-related noise levels at the Jardin de la Infancia School, as the Project's proposed restaurant and office space fronting 7th Street would break the line-of-sight between the school and the Project and reduce delivery-related noise levels at the school.

For the Project's new residential land uses, noise from recurrent activities (e.g., conversation, consumer electronics, dog barking) and non-recurrent activities (e.g., social gatherings) at the Project Site could be audible to receptors passing by the site. Residential noise from the Project likely would not be audible at the location of the closets noise-sensitive receptor and would not result in noticeable increase in noise levels. Operational noises related to the proposed onsite parking would include intermittent noise events such as door slamming and vehicle engine start-ups. The new parking uses would not be capable of substantially elevating ambient noise levels at any nearby receptors. In addition, the Project would comply with the California Building Code, which establishes a requirement for interior noise levels of 45 dB in residential (habitable) rooms. Therefore, the Project would also comply with Policy P12 of the Noise Element, as it establishes the same requirement as the California Building Code.

The majority of the Project's operational noise impacts would be from off-site mobile sources associated with its net new daily trips. The noise impact of the additional vehicle trips was modeled using the Federal Highway Administration's Traffic Noise Model 2.5. Based on that analysis, the Project-related traffic would have a negligible impact on roadside ambient noise levels in the Project's vicinity. 24-hour CNEL impacts would similarly be minimal, far below the City's Thresholds Guide criteria for significant operational noise impacts.

The Project's operational noise impacts from on-site and off-site sources would be less than significant.

No mitigation measures are required, as no significant impacts associated with operational noise have been identified.

## **2. Operational Vibration**

During the Project's operations, there would be no significant stationary sources of ground-borne vibration, such as heavy equipment or industrial operations. Operational ground-borne vibration in the Project Site's vicinity would be generated by its related vehicle travel on local roadways. However, road vehicles rarely create vibration levels perceptible to humans unless road surfaces are poorly maintained and have potholes or bumps. Project-related traffic would expose nearby land uses and other sensitive receptors to vibrations far below levels associated with human annoyance of land-use disruption. The Project's long-term vibration impacts would be less than significant.

No mitigation measures are required, as no significant impacts associated with operational vibration have been identified.

## **3. Cumulative Impacts – Operations**

The majority of the Project's long-term noise would come from traffic traveling to and from the Project Site. This addition of future traffic from any new developments in the Project Site area and overall ambient traffic growth would elevate ambient noise levels surrounding local roadways. However, the Project's individual contribution to permanent off-site ambient noise level increases would be minimal. Future roadside ambient noise levels would not increase by 3 dBA to or within their respective "Normally Unacceptable" or "Clearly Unacceptable" noise categories, or by 5 dBA or greater overall. Therefore, Project's cumulative operational noise impact would be less than significant.

No mitigation measures are required, as no significant impacts associated with cumulative impacts related to operational noise have been identified.

## I. 4.J POPULATION AND HOUSING

### 1. Construction

The construction activities associated with the Project would create temporary construction-related jobs. Yet the work requirements of most construction activities are highly specialized, so that construction workers remain at a job site only for the time in which their specific skills are needed to complete a particular phase of the construction process. Construction workers would not be anticipated to relocate their residence to the Project area and would not induce substantial population growth and/or require permanent housing. Therefore, the Project's population growth impacts related to construction activities would be less than significant.

No mitigation measures are required, as no significant impacts related to population and housing during the Project's construction have been identified.

### 2. Operation

Impacts related to population and housing would be less than significant. The Project includes the expansion and redevelopment of the existing Flower Market facility, including 323 residential units, 64,363 square feet of office space, 4,385 square feet of retail space, 63,785 square feet of wholesale space and storage, 13,420 square feet of food and beverage space, and 21,295 square feet of event space. Based on the 2020 persons-per-household rate for the City of 2.74 persons per household, the Project would add a residential population of approximately 885 people to the Project Site. The Project would also generate approximately 700 employees. The total number of employees on-site at a given time would be reduced per shifts or other operational needs.

The Project's residential population would represent approximately 1.31 percent of the forecasted growth between 2020 and 2035 in the Community Plan area and 1.01 percent of the forecasted growth between 2020 and 2040. The Project's housing units would represent approximately 0.82 percent of forecasted growth between 2020 and 2040. The Project's employment would represent approximately 3.78 percent of the forecasted growth between 2020 and 2035 in the Community Plan area and 2.88 percent between 2020 and 2040. The Project's population growth would fall within the forecasted growth for the Community Plan area, and the Project would not represent substantial or significant growth as compared to the projected growth of the Community Plan area.

The Project's residential population would represent 0.27 percent of the forecasted growth between 2020 and 2035 in the City and 0.14 percent of the forecasted growth between 2020 and 2040. The Project's housing units would represent approximately 0.19 percent of the forecasted growth between 2020 and 2035 in the City and 0.14 percent between 2020 and 2040. The Project's employment would represent approximately 0.8 percent of the forecasted growth

between 2020 and 2035 in the City and 0.20 percent between 2020 and 2040. The Project would not represent substantial or significant growth as compared to projected growth for the City.

With respect to infrastructure, the Project Site is located in an urbanized area of the City and developed with the Southern California Flower Market. Development of the Project would connect to the existing infrastructure currently being used by the existing uses on the Project Site. Operation of the Project would not induce substantial growth through the introduction of new and/or an extension of existing roadways and/or utility infrastructure. The Project would not accelerate development in an undeveloped area.

No mitigation measures are required, as no significant impacts related to population and housing have been identified.

### **3. Cumulative Impacts**

The related projects analyzed for cumulative impacts include the development of approximately 46,851 dwelling units in the City. With the Project, the number of cumulative housing units would be approximately 47,174 cumulative housing units for the City (generating approximately 129,257 cumulative residents, based on the City's average household size of 2.74 persons per unit). The cumulative residential population would represent approximately 39.3 percent of the forecasted growth between 2020 and 2035 in the City and 20.9 percent of the forecasted growth between 2020 and 2040. Cumulative housing units would represent approximately 27.6 percent of forecasted growth between 2020 and 2035 in the City and 20.1 percent between 2020 and 2040. Cumulative population growth would fall within the forecasted growth for the City, and cumulative development would not represent substantial or significant growth as compared to projected growth for the City. Additionally, the Project's housing and population growth would be consistent with the anticipated growth from the Community Plan area and the City. The Project would not create unplanned growth, and impacts related to population and housing would be less than significant. Whether the related projects would result in unplanned growth, the Project would not have the potential to contribute to any potential cumulative impact.

No mitigation measures are required, as no significant impacts associated with cumulative impacts related to population and housing have been identified.

## **J. 4.K.1 PUBLIC SERVICES-FIRE PROTECTION**

### **1. Construction**

The Project's impacts related to fire protection during the Project's construction would be less than significant. The Project's construction activities may temporarily increase demand for fire protection and emergency medical services. Construction activities may also cause the occasional exposure of combustible materials, such as wood, plastics, sawdust, coverings and coatings, to heat sources from machinery and equipment sparking, exposed electrical lines, welding activities, and chemical reactions in combustible materials and coatings. To comply with California Department of Industrial Relations (Cal-OSHA) and Fire and Building Code requirements, construction managers and personnel would be trained in fire prevention and emergency response, and fire suppression equipment specific to construction would be maintained on-site. Project construction would comply with all applicable codes and ordinances related to the maintenance of mechanical requirement, handling and storage of flammable materials, and cleanup of spills of flammable materials. Based on compliance with those regulations, such impacts during construction would be less than significant.

a. The Project's construction activities also have the potential to affect fire protection services, such as emergency vehicle response times, by adding construction traffic to the street network and by necessitating partial lane closures during street improvements and utility installations. Those impacts are considered to be less than significant because general "good housekeeping" procedures employed by construction contractors and work crews would minimize potential hazards, and partial lane closures would not significantly affect emergency vehicles.

b. Additionally, a Construction Traffic Management Plan (CTMP), adopted as Project Design Feature L-1, will include traffic management strategies for the Project's construction to address potential delays in emergency response times. The CTMP would outline and dictate how construction operations would be carried out, and would identify specific actions to reduce effects on the surrounding community. Overall, construction is not considered to be a high-risk activity, and the LAFD is equipped and prepared to deal with construction-related traffic and fires should they occur.

c. No mitigation measures are required, as no significant impacts associated with fire protection during the Project's construction have been identified.

## 2. Operation

a. The Project's impacts related to fire protection during operations are less than significant. The Project's development could result in an increased need for fire protection and emergency medical services at the Project Site.

b. With respect to fire flow, the Water Operations Division of the LADWP would perform a detailed fire flow study at the time of permit review to ascertain whether further water system or site-specific improvements would be necessary. Hydrants, water lines, and water tanks would be installed per Division 7, Section 57.09.06 of the Fire Code requirements. The LAFD would review the plans for compliance with applicable Los Angeles Fire Code, California Fire Code, City of Los Angeles Building Code, and National Fire Protection Association standards, ensuring that the Project would not create any undue fire hazard. Therefore, fire protection services would be adequate and the associated impact would be less than significant.

c. With respect to response distance and time, the nearest fire station with an engine and truck company is Station No. 9, approximately 0.1 miles away. Additional fire stations are within 2.0 miles (Stations Nos. 10, 4, and 3). Given the close proximity of the closest fire station with an engine and the fire sprinkler system incorporated into the proposed buildings, Project impacts related to response distance and time would be less than significant.

d. With respect to emergency access, the LAFD will review the project plans for compliance with the Los Angeles Fire Code, California Fire Code, City of Los Angeles Building Code, and National Fire Protection Association standards. The Project would also include an emergency response plan that would address the mapping of emergency exits, evaluation routes for vehicles and pedestrians, and the locations of nearest hospitals and fire departments. With compliance with applicable provisions of the Fire Code, Project impacts on emergency access would be less than significant.

e. Overall, the Project would not result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, or the need for new or physically altered governmental facilities, in order to maintain acceptable service ratios, response times, or other performance objectives for fire protection, and Project impacts would be less than significant.

f. No mitigation measures are required, as no significant impacts associated with fire protection during the Project's operations have been identified.

### **3. Consistency with Los Angeles Fire Protection and Prevention Plan and Central City Plan**

a. The Project would not conflict with, or impede implementation of, any of the policies or goals related to fire protection described in the Los Angeles Fire Protection and Prevention Plan, or the Central City Community Plan. The Project, through the generation of revenue into the City's General Fund, would help the LAFD achieve progress toward its goal of ensuring adequate fire facilities and protective services for existing and future population and land uses. Although the Project would increase the demand for fire protection in the vicinity of the Project Site, the Project would not create the need for new or expanded facilities, in part, because the infill location of the Project Site does not represent a new area of development in Los Angeles that would exceed the response distance to a fire station. In addition, the Project would contribute tax revenue to the City's General Fund. For all of these reasons, the Project would help to maintain adequate fire protection facilities and services, and impacts would be less than significant.

b. No mitigation measures are required, as no significant impacts associated with the consistency of the Los Angeles Fire Protection and Prevention Plan and Central City Plan have been identified.

### **4. Cumulative Impacts**

a. Implementation of the Project in conjunction with the related projects would increase demand for fire protection services based on an increase in residential population. Due to the geographic scope of the related projects' locations, some would be served by additional LAFD stations other than those serving the Project. Cumulative development required the LAFD to continually evaluate the need for new or physically altered facilities in order to maintain adequate service ratios. Each of the related projects would be subject to the requirements of the Los Angeles Fire Code and would be required to consult with LAFD and LADWP during the design phase to establish fire flow requirements for the proposed land uses. Any LAFD or LADWP-required upgrades to the water distribution systems serving the cumulative projects would be addressed for each individual project in conjunction with their project approvals. Any related projects further than the response distance requirements permit will also be required to incorporate fire sprinklers as well as meet other requirements that may be stipulated by the LAFD on a project-by-project basis. If any of the related projects creates demand on fire protection staffing, equipment, or facilities such that a new station would be required, potential environmental impacts would be addressed in conjunction with the environmental review for that specific project. The Project's contribution to these impacts is not cumulatively considerable.

b. No mitigation measures are required, as no significant impacts associated with cumulative impacts related to fire protection have been identified.

#### **K. 4.K.2 PUBLIC SERVICES-POLICE**

##### **Project Design Feature**

The Project will incorporate the following Project Design Feature related to police protection public services during construction. No mitigation measures are required for potential impacts to police protection public services during construction, as the Project's impacts to those services will be less than significant. However, incorporation of the following Project Design Feature will further ensure the Project's impacts to police services during construction will remain less than significant.

**K-1** During construction, the Project Applicant will implement appropriate temporary security measures, including perimeter fencing, lighting, and security patrols during non-construction hours (e.g. nighttime hours, weekends, and holidays).

## 1. Construction

There is potential for the Project's construction to create an increase in demand for police protection services. However, the Project would provide security on the Project Site as needed and appropriate during the phases and course of the construction process through implementation of Project Design Feature K-1. The security would include perimeter fencing, lighting, and security guards, thereby reducing the demand for LAPD services. The specific type and combination of construction site security features would depend on the phase of construction. The Construction would also be carefully phased so that the Flower Market can continue to operate without interruption, which would further reduce the need for law enforcement during construction.

Minor traffic delays due to potential lane closures could occur during the Project's construction. However, impacts to police response times are considered to be less than significant because emergency access would be maintained during construction through marked emergency access points approved by LAPD, construction impacts are temporary in nature and do not cause lasting effects, and partial lane closures would not significantly affect emergency vehicles. Drivers of emergency vehicles normally have a variety of options for avoiding traffic, such as using their sirens to clear a path of travel or driving in lanes of opposing traffic.

Construction of the Project would not be expected to affect the LAPD's ability to respond to emergencies to the extent that there would be a need for any additional new or expanded police facilities, in order to maintain acceptable service ratios, response times, or other performance objectives of the LAPD, Project construction impacts on police services would be less than significant.

No mitigation measures are required, as no significant impacts associated with police protection during the Project's construction have been identified.

## 2. Operation

The Project would result in an increased need for police protection services at the Project Site. The additional approximately 885 residents would require approximately 7 additional officers to maintain the same current officer-to-resident ratio of 1 officer per 108 residents. The addition of 7 officers to maintain the existing ratio represents a 2 percent increase over existing staffing levels. That is a negligible change that is not enough to require the construction of additional police facilities.

The Project would also include security features within the parking facilities and exterior building areas such as appropriate lighting and gated access. By providing natural surveillance (visibility from streets and sidewalks) and natural access control (landscaping buffers and other distinctions between public and private spaces), the Project can be designed to reduce crime. The Project's lighting and landscaping design would ensure high viability and the Project would provide for on-site security measures and controlled access systems for residents and tenants to minimize the demand for police protection services. The Project would also feature perimeter lighting to supplement the street lighting, parking structure access control, and residential units access control. The Project would also provide the LAPD with a diagram of each portion of the Project Site, showing access routes and additional access information as requested by LAPD, to facilitate police response. The Project's direct minimal population increase and associated demand for police services, along with the provision of on-site security features, coordination with LAPD and incorporation of crime prevention features would not require the provision of new or physically altered police stations in order to maintain acceptable service ratios or other performance objectives for police protection. Impacts would be less than significant.

No mitigation measures are required, as no significant impacts associated with police protection during the Project's operation have been identified.

### **3. Consistency with Applicable Land Use Plans**

The Project would not conflict with, or impede implementation of, any of the policies or goals related to police protection described in the Framework Element of the General Plan or Central City Community Plan. The Project, through the generation of revenue into the City's General Fund, would help the LAPD achieve progress toward its goal to ensure adequate police facilities and protective services for existing and future population and land uses. Although it would increase the demand for police protection in the vicinity of the Project Site, the Project would not create the need for new or expanded facilities. For all of these reasons, the Project would help to maintain adequate police protection facilities and services. Impacts would be less than significant.

No mitigation measures are required, as no significant impacts associated with police protection and consistency with applicable security policies in land use plans have been identified.

### **4. Cumulative Impacts**

Implementation of the Project in conjunction with the related projects would increase demand for police protection services based on an increase in resident population. As with the Project, the related projects would be required to incorporate appropriate safety features into the design and construction of their respective projects to minimize the potential for crime and to maximize safety, ultimately minimizing the need for police protection services. Any new or expanded police station would be funded via existing mechanisms (e.g., property and sales tax revenue) to which the Project and related projects would contribute. Each of the related projects would be individually subject to LAPD review, and would be required to comply with all applicable safety requirements of the LAPD and the City of Los Angeles in order to adequately address police protection service demands. The Project would not have a cumulatively considerable impact on police services.

No mitigation measures are required, as no significant impacts associated with cumulative impacts related to police protection have been identified.

#### **L. 4.K.3 PUBLIC SERVICES-SCHOOLS**

##### **1. Operational Impacts**

The estimated increase in the number of residents (323 housing units, 885 residents) and employees (700 employees) from the Project and the resulting potential need to enroll any school-aged children into LAUSD schools would increase demands for school services. Based on LAUSD demographic analysis, the Project would result in approximately 414 additional LAUSD students (237 elementary students, 58 middle school students, and 119 high school students). Those estimates are conservative, as they do not account for the possibility that some of the Project's future residents may already reside within the service boundaries of the LAUSD and are currently enrolled in schools near the Project Site. LAUSD projects that in five years, of the schools that may serve the Project Site, 9th Street Elementary and Adams Middle School are projected to be over capacity. With the addition of Project-generated students to potential/eligible school enrollments, 9th Street Elementary would operate over capacity by 57 students and Adams middle would operate over capacity by 26 students. The number of project-generated students that would actually attend the LAUSD schools serving the Projects Site may be less than the students calculated because the analysis does not account for options that allow students to receive education elsewhere, such as through private school, home schools, or magnet schools.

The Project will be required to pay school facilities fees pursuant to SB 50, which would be used to construct facilities. SB 50 amended Government Code Section 65995(a) to provide that only those fees expressly authorized by Education Code Section 17620 or Government Code Sections 65970 and following may be levied or imposed in connection with or made conditions of any legislative or adjudicative act by a local agency involving planning, use, or development of real property. Subdivision (h) of section 65995 declares that the payment of the development fees authorized by Education Code Section 17620 is "full and complete mitigation of the impacts of any legislative or adjudicative act . . . on the provision of adequate school facilities." Therefore, mandatory compliance with the provisions of SB 50 regarding payment of school fees is deemed to provide full and complete mitigation of school facilities impacts and no further mitigation is required. Thus, with payment of the SB 50 fees, the Project's impact would be less than significant.

The Project would also not conflict with, or impeded implementation of, any of the policies or goals related to schools described in the Framework Element of the City's General Plan or Central City Community Plan. The Project, through the payment of fees, would help the LAUSD achieve progress toward its goal to ensure adequate school facilities for existing and future population.

No mitigation measures are required, as no significant impacts associated with schools have been identified.

## **2. Cumulative Impacts**

Implementation of the Project in conjunction with the related projects would generate students based on an increase in dwelling units on non-residential uses. Depending on their location, the related projects in the City would be served by a variety of LAUSD schools located in the area. Like the Project, the related projects would be required to comply with SB 50, which is deemed to provide full and complete mitigation of school facilities impacts. The Project would not have a cumulatively considerable impact to schools.

No mitigation measures are required, as no significant impacts associated with cumulative impacts related to schools have been identified.

## **M. 4.K.4 PUBLIC SERVICES-RECREATION AND PARKS**

### **1. Project Impacts**

The Project would generate approximately 885 residents and approximately 700 employees. Employees generated by the Project would not typically enjoy long periods of time during the workday to visit parks and/or recreational facilities and would therefore not contribute to the future demand on park services. The City's standard ratio of neighborhood and community parks to population is four acres per 1,000 persons, and the City's standard ratio of regional parks to population is four acres per 1,000 persons. Based on the combined neighborhood and community parkland per population ratio of four acres per 1,000 persons, the Project would generate demand for approximately 3.52 acres of new neighborhood and community parkland. Based on six acres of regional parkland near 1,000 residents, the Project would generate an additional demand for approximately 5.29 acres of regional parkland. Thus, total demand based on the population generation is approximately 8.81 total acres of new parks (neighborhood/community + regional) and recreational facilities.

The increased residential population in a currently underserved area would potentially increase the demand on existing parks and recreational facilities unless the Project includes features that would otherwise reduce or offset the additional demand for such services. The Project is required

by law to provide 33,025 square feet of residential open space, but the Project would provide approximately 49,930 square feet of open space. The demand for new parks and recreational facilities would not constitute a potentially significant impact to parks and recreational facilities because the Project includes features, such as a public paseo and other publicly accessible areas that would otherwise reduce or offset the additional demand for recreation and park services. Additionally, the Project would be subject to the applicable LAMC requirements that are intended to reduce the increased demands that are created by residential development project, including payment of the swelling unit construction tax imposed by LAMC Section 21.10.2 and/or the Quimby Act parkland dedication requirements or in-lieu fees as set forth in LAMC Section 17.12 and Section 12.33. Project features (public space, pedestrian plaza, and open space) and compliance with regulatory requirements would ensure that the Project's impacts are less than significant.

The Project also would not conflict with, or impeded implementation of, any of the policies or goals related to parks described in the Framework Element of the General Plan or Central City Community Plan.

No mitigation measures are required, as no significant impacts associated with parks have been identified.

## **2. Cumulative Impacts**

Implementation of the Project in conjunction with the related projects would increase demand for parks based on an increase in resident population. It is estimated that the cumulative projects together with the Project would generate approximately 129,257 residents and 47,174 housing units in the City of Los Angeles. The increase in residential population by the cumulative projects would increase the demand for parks and recreation facilities. This increase in the cumulative residential population of the area is estimated to generate a need for 517.02 acres of additional community/neighborhood park area and 775.54 acres of regional park area (Project + cumulative projects) (per the Public Recreation Plan ratio for neighborhood parks).

Like the Project, each related project must comply with the City's Quimby Ordinance and/or Dwelling Unit Construction Tax payment. General Fund revenues from those related projects can also be used by the City to help meet its target parkland planning ratios in order to satisfy the needs of existing and future development. Compliance with the City's Quimby Ordinance and/or Dwelling Unit Construction Tax payment would mitigate potential park and recreational facility impacts associated with the construction of those projects. The fees are established to be proportionate to a project's demand for recreation and park facilities, as the demands for such facilities are primarily based on residential population of a given area. Under CEQA Guidelines section 15130(a)(3), a project's contribution to cumulative impacts is less than cumulatively considerable if the project is required to implement or fund its fair share of a mitigation measure designed to alleviate a cumulative impact. The Project's impacts would not be considered cumulatively considerable, as the fees are mandatory and proportionate based on the Project's residential density. The Project's cumulative impacts would, therefore not be cumulatively considerable.

No mitigation measures are required, as no significant impacts associated with parks have been identified.

## **N. 4.K.5 PUBLIC SERVICES-LIBRARIES**

### **1. Project Impacts**

The Project would generate approximately 885 residents and approximately 700 employees. Employees generated by the Project's office, retail, and commercial uses would not typically enjoy long periods of time during the workday to visit libraries during work hours, as they are more likely to use libraries near their homes during non-work hours.

The Project is served by five library branches in the Downtown Los Angeles area. The City considers project features that may reduce demand for library services. It is likely that residents of the Project would have individual access to internet service, which provides information and research capabilities that studies have shown to reduce demand at physical library locations. Also, with interlibrary programs available to the public in which one can request materials from other libraries in the district, it is not anticipated that the Project would result in substantial adverse physical impacts associated with the provision of new or physically altered library facilities to maintain acceptable service ratios or other performance objectives for library services. An additional library branch is only recommended when a community reaches a population of 90,000. The LAPL does not make targeted projections, but rather uses the most recent Census figures to determine if a branch should be constructed. The LAPL has confirmed that there are no planned improvements to add capacity through expansion of any identified branch or build any new libraries in the area. A new branch would not occur, and the Project's impacts to library services would be less than significant.

The Project would also not conflict with, or impeded, implementation of, any of the policies or goals related to libraries described in the Los Angeles General Plan Framework, Los Angeles Public Library Strategic Plan 2007-2010, and Central City Community Plan. The Project, through the generation of tax revenue into the City's General Fund, would help the LAPL achieve Objective 9.21 to ensure library services for residents and businesses, and further progress toward achieving Goal 1 that people of all ages will be served by all libraries.

No mitigation measures are required, as no significant impacts associated with libraries have been identified.

## **2. Cumulative Impacts**

Implementation of the Project in conjunction with the related projects would increase demand for library services based on an increase in resident population. Depending on their location, the related projects would also be served by the same libraries as the Project. However, the projected increase in demand for library facilities from the related projects would be spread among the libraries that are within two miles of all the cumulative projects. The LAPL has confirmed that there are no planned improvements to add capacity either through expansion of any identified branch or the building of any new libraries in the area. However, cumulative tax revenue generated by the related projects will help the LAPL achieve progress toward its goal of ensuring adequate library facilities and service, including new libraries or expansion of existing libraries. The Project's impacts related to libraries are not considered to be cumulatively considerable.

No mitigation measures are required, as no significant impacts associated with cumulative impacts related to libraries have been identified.

### **O. 4.L TRANSPORTATION/TRAFFIC**

The California Natural Resources Agency adopted revisions to the CEQA Guidelines that became effective on December 28, 2018, including revisions to the Guidelines' Appendix G – Environmental Checklist Form. Specifically with respect to traffic and transportation impacts, the Appendix G Environmental Checklist was revised to incorporate CEQA Guidelines Section 15064.3, which requires lead agencies to consider vehicle miles traveled (VMT) when evaluating

traffic impacts by July 1, 2020. While lead agencies may elect to use Section 15064.3 and a VMT analysis immediately, until July 1, 2020, lead agencies are not required to do so. As of the time the environmental review was conducted and publicly circulated for the Project, the City had not yet adopted a VMT methodology to address that revision to the Appendix G Checklist Question. Therefore, for this Project, the City continues to evaluate traffic impacts based on LADOT's adopted methodology under its Transportation Impact Study Guidelines, which requires use of level of service (LOS) to evaluate a project's potential traffic impacts.

### Project Design Feature

The Project would incorporate the following Project Design Feature. The City's analysis of the Project's potential traffic impacts accounts for incorporation of Project Design Feature L-1. Measures provided in the Construction Traffic Management Plan in Project Design Feature L-1 constitute best management practices that the City widely employs for all development projects that could affect traffic and roadways during construction. As permitted under CEQA, the City will design the specific Construction Traffic Management Plan measures to fit the environmental conditions during the Project's construction phase. Project Design Feature L-1 lists the specific elements that the City must consider when formulating the detailed Construction Traffic Management Plan.

**L-1 Construction Traffic Management Plan.** A detailed Construction Traffic Management Plan, including street closure information, detour plans, haul routes, and staging plans would be prepared and submitted to the City, including its Department of Transportation, for review and approval. The Construction Traffic Management Plan would formalize how construction would be carried out and identify specific actions that would be required to reduce effects on the surrounding community. The Construction Traffic Management Plan shall be based on the nature and timing of specific construction activities and other projects in the vicinity, and will include the following elements as appropriate:

- Providing for temporary traffic control during all construction activities within public rights-of-way to improve traffic flow on public roadways (e.g., flagmen);
- Scheduling of construction activities to reduce the effect on traffic flow on surrounding arterial streets;
- Coordinate with public transit agencies, including LADOT and Metro, to provide advanced notifications of any temporary transit stop relocations, to ensure continued access to the bus stop directly adjacent to the site on 7<sup>th</sup> Street and Maple Avenue, and to follow all safety-required procedures required by the concerned agency;
- Rerouting construction trucks to reduce travel on congested streets to the extent feasible;
- Prohibiting construction-related vehicles from parking on surrounding public streets;
- Providing safety precautions for pedestrians and bicyclists through such measures as alternate routing and protection barriers;
- Accommodating all equipment on-site; and
- Obtaining the required permits for truck haul routes from the City prior to issuance of any permit for the Project.
- Providing off-site truck staging in a legal area furnished by the construction truck contractor. Haul trucks would be radioed in from the off-site staging area to minimize queuing along streets in the immediate vicinity of the Project Site.
- Ensuring that access will remain unobstructed for land uses in proximity to the Project Site during Project construction.

#### 1. Construction Traffic

Construction of the Project is anticipated to begin in the last quarter of 2020. The Project is anticipated to be completed in 2022. The construction is anticipated to involve five key phases that could affect traffic: (1) demolition – 4 months; (2) site preparation – 1 month; (3) grading – 3 months; (4) construction – 2 years; and (5) paving. Hauling activity is expected to occur during all phases of the Project. Up to 140 haul trucks per day are anticipated on peak haul days. Hauling hours are anticipated to be 7:00 AM to 4:00 PM. There are two haul route options identified in the EIR for the Project. The Project is also expected to generate vendor equipment and delivery truck trips during construction and is expected to generate up to 12 vendor trucks per day on peak activity days. The number of construction workers would vary throughout the construction period. The demolition, site preparation, and grading is expected to involve a maximum of 10 workers on site on a daily basis. The Construction and paving is expected to have a total of 60 workers on a peak day. The influx of material and equipment could create less than significant impacts on the adjacent roadway network based on the following considerations: (a) there may be intermittent periods when large numbers of material deliveries are required, such as when concrete trucks will be needed for the parking garage and the buildings; (b) some of the materials and equipment could require the use of large trucks (18-wheelers), which could create additional congestion on the adjacent roadways; and (c) delivery vehicles may need to park temporarily on adjacent roadways such as Maple Avenue and Wall Street as they deliver their items. However, significant impacts are not anticipated.

With respect to temporary traffic impacts, impacts during construction will be less than significant. Temporary street closures or closures of two or more traffic lanes are not anticipated. The streets affected by any temporary lane or sidewalk closures are local and collector streets (7th Street, Wall Street, Maple Avenue). The Level of Service at affected intersections is currently LOS A, and LOS during cumulative conditions would be at LOS A for all affected intersections, except for the intersection of Maple Avenue & 7th Street, which would operate at LOS B in the PM peak hour under cumulative conditions. None of the affected streets directly lead to freeway on- or off-ramps or other state highways. Worksite traffic control plans would be prepared for any temporary lane closures in accordance with applicable City and U.S. Department of Transportation Manual on Uniform Traffic Control Devices guidelines. Parking lanes and travel lanes are not anticipated to be closed on 7th Street and are not anticipated to impact the fire station located on 7th Street and San Julian Street. Temporary encroachment onto 7th Street may occur, but is not expected to impact emergency services as there is enough right of way to maintain current number of lanes. Closures to the sidewalk are anticipated for no longer than three months during off-site utility connection and for sidewalk improvement along 7th Street, Maple Avenue, and Wall Street. The sidewalk on the north side of 7th Street, west side of Maple Avenue, and east side of Wall Street would be open and pedestrians are anticipated to use this as a detour throughout construction. Sidewalk and lane closures are not anticipated along 8th Street. Impacts related to temporary loss of access will be less than significant. Blockage of existing vehicle or pedestrian access to parcels fronting the construction area is not anticipated. Pedestrian and vehicular access to nearby businesses will remain open during the construction period.

Impacts related to the temporary loss of bus stops or rerouting of bus lines will be less than significant. Bus stops are located along 7th Street and 8th Street. Construction may affect the bus stop on 7th Street at Maple. However, there is an alternative bus stop on 7th Street at San Pedro that is within a quarter mile and serves the same routes as the 7th street location.

Impacts related to the temporary loss of on-street parking will be less than significant. A total of 19 metered parking spaces along Maple Avenue and Wall Street will be restricted throughout construction. Additionally, on-street loading areas would be restricted during construction. Numerous local, express, rapid, and shuttle bus options are available within  $\frac{1}{4}$  mile of the Project Site, including Metro, LADOT, and G-Trans.

A construction period trip generation analysis was conducted for each phase of construction to estimate daily, morning, and evening peak-hour passenger care equivalent trips. Table 4.L-7 of the Draft EIR shows a summary of construction period trip generation under each phase of construction. At any given time, the peak construction activity is estimated to generate fewer daily and peak-hour trips than are projected for the Project once it is completed and occupied.

No mitigation measures are required, as no significant impacts associated with traffic impacts during construction have been identified.

## **2. Operational Traffic – Intersection LOS**

Trip generation rates from Trip Generation, 9th Edition (Institute of Transportation Engineers) (ITE) were used to estimate the number of trips associated with the Project and are presented in Table 4.L-8 of the Draft EIR. Trip reductions were applied to the standard ITE rates to account for internal trip capture, transit credits, and pass-by trips. The Project would generate an estimated net increase of 3,127 daily trips, including 236 trips (141 inbound/95 outbound) during the AM peak hour and 332 trips (171 inbound/160 outbound) during the PM peak hour. The distribution of estimated Project trips is illustrated in Figure 4.L-4 of the Draft EIR.

The Project's projected traffic estimated and assigned to the twelve study intersections in the EIR's Traffic Study (Appendix K-1 to the Draft EIR) was added to the existing traffic volumes at those twelve intersections to estimate existing plus Project traffic volumes, summarized in Table 4.L-9 of the Draft EIR. All twelve signalized intersections in the Traffic Study would operate at LOS A or better during both peak hours with the exception of San Pedro Street & 7th Street, which is expected to operate at LOS B in the PM peak hour. Based on the City's impact criteria, the Project would not result in significant impacts under Existing Plus Project traffic conditions at any of the study intersections.

No mitigation measures are required, as no significant impacts associated with operational traffic related to intersection level of service have been identified.

## **3. Los Angeles County Congestion Management Program Facilities**

The Project will not have significant impacts related to the Los Angeles County Congestion Management Program (CMP). None of the study area intersections in the Traffic Study is a CMP arterial monitoring location. The CMP arterial monitoring station closest to the Project Site is located at Wilshire Boulevard & Alvarado Street, approximately 2.0 miles west of the Project Site. Based on the Project trip distribution and trip generation, the Project would not add 50 peak-hour vehicle trips through the CMP arterial monitoring system. Project trips are anticipated to disperse among the transportation network due to the extended distance between the Project Site and the monitoring station.

With respect to freeway monitoring stations, based on the Project distribution patterns and the mainline screening analysis, a maximum of 5.3 percent of Project traffic is expected to travel through any of the four monitoring stations. The Project is estimated to result in a maximum increase of 8 trips in the morning peak hour and 16 trips in the evening peak hours at the CMP freeway monitoring stations. Because fewer than 150 trips would be added during the AM or PM peak hours in either direction at any of the freeway segments in the vicinity of the study area, no further analysis of the freeway monitoring locations is required for CMP purposes and no significant impacts would occur.

No mitigation measures are required, as no significant traffic impacts related to the Los Angeles County Congestion Management Program have been identified.

#### **4. Caltrans Facilities**

LADOT determined as part of the Traffic Study MOU for the Project (refer to Appendix A to the Traffic Study, included in Appendix K to the Draft EIR), that the Project would not meet the criteria for requiring freeway impact analysis. Therefore, Project impacts related to Caltrans facilities would be less than significant.

No mitigation measures are required, as no significant impacts related to Caltrans facilities have been identified.

#### **5. Design Hazards**

The Project does not include development of any new roadways or intersections. The Project would have three driveways: (1) a full-access driveway on Wall Street; and (2) two full-access driveways on Maple Avenue. A LOS analysis was conducted to evaluate the ability of the Project access plan to accommodate the anticipated traffic levels at the driveway access points. As shown in Table 4.L-10 of the Draft EIR, the driveways are projected to operate at acceptable LOS (LOS D or better) under Existing Plus Project (2016) and Future Plus Project (2022) conditions. All ingress/egress points associated with the Project would be designed and constructed in accordance with the requirements of the City's Department of Building and Safety, the City's Department of Public Works, and LADOT. Therefore, Project impacts related to roadway hazards would be less than significant.

No mitigation measures are required, as no significant impacts related to transportation and traffic impacts related to design hazards have been identified.

#### **6. Emergency Access**

All ingress/egress associated with the Project would be designed and constructed in conformance with all applicable City Building and Safety Department, Bureau of Engineering, and LAFD standards and requirements for design and construction. Prior to issuance of a building permit, the Applicant would be required to submit a parking and driveway plan to the Bureau of Engineering and the Department of Transportation for approval that provides code-required emergency access. Therefore, the Project would not result in significant impacts related to emergency access.

No mitigation measures are required, as no significant impacts related to emergency access have been identified.

#### **7. Regional Transit Facilities**

Potential increases in transit persons generated by the Project were estimated according to the 2010 CMP methodology. The Project is served by a high level of public transit, including by various Metro, DASH, LADOT Commuter Express bus routes providing service within  $\frac{1}{4}$  mile of the study area. The Project would generate an estimated increase of 56 transit trips during the AM peak hour and 80 transit trips during the PM peak hour. Given the frequency of the transit service in close proximity to the Project Site, the incremental transit riders resulting from the Project are not anticipated to result in a significant impact on the transit lines serving the area.

No mitigation measures are required, as no significant impacts related to regional transit facilities have been identified.

#### **8. Cumulative Impacts**

To evaluate the potential impacts of the Project on future (Year 2022) conditions, estimates of future traffic conditions in the area both without and with Project traffic were developed. Estimates of traffic growth were developed for the study area to forecast future conditions without the Project, which included traffic increases as a result of both regional ambient traffic growth and traffic generated by specific developments (related projects) in the vicinity of the Project Site. The projected traffic volumes were identified as Future Base conditions in the Draft EIR. Based on historic trends and at the direction of LADOT, it was established that an ambient growth factor of 1.0 percent per year should be applied to adjust the existing base year traffic volumes to reflect the effects of regional growth and development by year 2022. Projected traffic from a total of 178 related projects in the study area was also included in the Future Base conditions, as summarized in Table 4.L11 of the Draft EIR. Using estimated trip generation and trip distribution patterns, traffic generated by the related projects was assigned to the street network.

Table 4.L-12 of the Draft EIR summarizes the future LOS for Future Year 2022 Base Traffic Conditions without the Project. All of the twelve signalized intersections analyzed for impacts are projected to operate at LOS C or better during the morning and afternoon peak hours under Future Base conditions (without Project). Table 4.L-12 of the Draft EIR also summarizes the Future Base Conditions plus the Project (Future year 2022 Plus Project conditions). Those conditions show all of the twelve signalized intersections analyzed for impacts are projected to operate at LOS C or better during the morning and afternoon peak hours under Future (year 2022) plus Project conditions. Based on the City's significance criteria, the Project would not result in significant impacts under Future (year 2022) plus Project conditions. Cumulative impacts would be less than significant.

No mitigation measures are required, as no significant impacts associated with cumulative impacts related to traffic have been identified.

## P. 4.N UTILITIES AND SERVICE SYSTEMS

### Wastewater

#### 1. Construction

During construction, a negligible amount of wastewater would be generated by construction employees, and no new connections to the public sewer system would be required for the construction employees. The limited potential impacts on sewer facilities would not cause an increase in flows beyond the available capacity of the existing conveyance and treatment systems. On-site construction-related impacts related to wastewater would be less than significant.

Off-site construction for sewer connection and related infrastructure upgrades for the Project, if required, would not be expected to create a significant impact to the physical environment because: (1) existing service would not be disrupted; (2) replacement of the sewer lines, if required, would be within public and private rights-of-way; and (3) the existing infrastructure would be replaced with improved infrastructure in areas that have already been significantly disturbed. The replacement or addition of infrastructure could potentially result in temporary lane closures and delays, however, implementation of the Construction Traffic Management Plan under Project Design Feature L-1 would facilitate the flow of traffic during potential off-site wastewater upgrade activities near the Project Site. Off-site construction-related impacts related to wastewater would be less than significant.

No mitigation measures are required, as no significant impacts during construction associated with utilities and service systems related to wastewater have been identified.

## 2. Operation

It is estimated that the Project would generate a net total of approximately 79,487 gallons per day (gpd) of wastewater. The wastewater generated by the Project would be similar to other residential and commercial uses in the area. No industrial discharge into the wastewater or drainage system would occur. The Hyperion Treatment Plan (HTP) system complies with the state's wastewater treatment requirements, and the Project's wastewater generation is well within the existing HTP capacity. Therefore, the Project would not exceed the wastewater treatment requirements of Los Angeles Water Quality Control Board (LAWQCB). No impacts related to wastewater treatment requirements would occur.

The Project Site is also currently developed and adequately served by the existing wastewater conveyance system. As part of the building permit process, the City would confirm and ensure that there is sufficient capacity in the local and trunk lines to accommodate the Project's wastewater flows. The permit process will require further gauging and evaluation to identify the specific sewer connection points. If the local public sewer has insufficient capacity, the Project will be required to build sewer lines to a point in the sewer system that has sufficient capacity. The Project will also pay any required sewer connection fees. Wastewater from the Project would be conveyed to the Hyperion Treatment Plant, which has a remaining treatment capacity of approximately 175 million gallons per day. The Project's estimated net increase in wastewater of 0.08 million gallons per day over the existing Project Site uses represents a negligible portion of the remaining capacity at the Hyperion Treatment Plant.

In sum, the Project would not result in the potential expansion of existing facilities, the construction of which would cause significant environmental effects or substantially or incrementally exceed the future scheduled capacity of any one treatment plant by generating flows greater than those anticipated in the City's Wastewater Facilities Plan or General Plan and its amendments. The Project also would not exceed applicable wastewater treatment requirements and would not require the construction of new storm water drainage facilities or expansion of existing facilities.

No mitigation measures are required, as no significant impacts during operation associated with utilities and service systems related to wastewater have been identified.

## 3. Cumulative Impacts

The same sewer system that serves the Project would serve the cumulative projects. The cumulative projects in combination with the Project would generate approximately 11.63 million gallons per day of wastewater, with the Project accounting for approximately 0.68 percent of that projected increase in wastewater. As part of the building permit process for each cumulative project, the City would confirm and ensure that there is sufficient capacity in the local and trunk lines to accommodate wastewater flows. If the public sewer has insufficient capacity, the developer of a cumulative project would be required to build sewer lines to a point in the sewer system with sufficient capacity. Each cumulative project would also pay any required sewer connection fees. The cumulative sewage generation would be well within the design capacity of the HTP, representing approximately 6.6 percent of the remaining capacity. The Project's incremental effect on cumulative impacts to wastewater treatment capacity would not be cumulatively considerable.

No mitigation measures are required, as no significant impacts related to cumulative impacts for wastewater have been identified.

## Water

### 1. Construction

Construction activities such as soil watering (i.e. for fugitive dust control), clean up, masonry, painting, and other related activities would consume water. The construction activities requiring water would not create substantial water demand and would not be expected to have an adverse impact on available water supplies or existing water distribution systems.

Hydrants, water lines, and water tanks would be installed per Fire Code requirements for the Project. Water main and other infrastructure upgrades would not be expected to create a significant impact to the physical environment because any disruption of service would be of a short-term nature, replacement of the water mains would be within public and private rights-of-way, and the existing infrastructure would be replaced with larger infrastructure in areas that have already been significantly disturbed.

As part of the building permit process, the City would confirm that there is sufficient capacity in the existing water supply infrastructure to accommodate the Project's water needs. If a deficiency or service problem is discovered during the permitting process that prevents the Project from providing an adequate level of service, the Project will fund the required upgrades to adequately serve the Project. Construction impacts on water supply would be less than significant.

No mitigation measures are required, as no significant impacts during construction associated with utilities and service systems related to water have been identified.

## **2. Operation**

The Project is estimated to consume a total of approximately 0.08 million gallons per day of water. This is a conservative estimate as the estimate does not take credit for the existing uses. The Los Angeles Aqueduct Filtration Plant (LAAFP) has the capacity to treat and convey an additional 125 million gallons per day of water. The Project's net increase of 0.08 million gallons per day represents a negligible portion of LAAFP's available capacity. The Project would also comply with the Los Angeles Green Building Code. Given the incremental increase in water consumption and the Project's compliance with the Green Building Code, the Project would not require or result in the construction of new water treatment facilities. The Project Site is within LADWP's service area. Generally, projects that conform to the demographic projections from SCAG's Regional Transportation Plan (RTP) and are located in the City's service area are considered to have been included in LADWP's water supply planning efforts. The Project is within the RTP's projections and is in the service area, and is therefore included in LADWP's water supply planning efforts. The Project's impacts related to water consumption would be less than significant.

No mitigation measures are required, as no significant impacts during operation associated with utilities and service systems related to water have been identified.

## **3. Cumulative Impacts**

The cumulative projects, in combination with the Project, would demand approximately 12.47 million gallons per day of water, with the Project accounting for approximately 0.66 percent of that projected increase. The cumulative projects will be served by the same system (LADWP) as the Project. The water requirement for any cumulative project that is consistent with the City's General Plan has been taken into account in the planned growth of the water system. Also, any cumulative project that conforms to the demographic projections from SCAG's Regional Transportation Plan (RTP) and is located in the service area is considered to have been included in LADWP's water supply planning efforts so that the projected water supplies would meet projected demands. Similar to the Project, each cumulative project would be required to comply with City and State water code and conservation programs for both water supply and infrastructure. Cumulative

projects that propose changing the zoning or other characteristics beyond what is within the General Plan would be required to evaluate the change under CEQA. Future development projects within the LADWP service area would be subject to the locally mandated water conservation programs, and citywide water conservation efforts would also be expected to partially offset the cumulative demand for water. The LADWP undertakes expansion or modification of water service infrastructure to serve future growth in the City as required in the normal process of providing water service. For those reasons, cumulative impacts related to water service would be less than significant.

No mitigation measures are required, as no significant impacts related to cumulative impacts for water supply have been identified.

## **Solid Waste**

### **1. Construction**

The Project is estimated to generate a total of approximately 16,012 tons of solid waste during demolition and 1,405 tons of solid waste over the construction period, for a total of 17,417 tons of solid waste. The demolition and construction debris would primarily be classified as inert waste and would be recycled in accordance with Ordinance 181,519 at one of the City certified construction and demolition waste processor facilities. The facilities serving Los Angeles have a remaining daily intake capacity of 14,920 tons per day and would have adequate capacity to accept the Project's demolition and construction waste. Through compliance with applicable state and City regulations and contracting with approved waste haulers, the Project would achieve, at a minimum, the required 70 percent source reduction and recycling rate. Recycling facilities would be available to receive the recyclable construction waste. With implementation of existing regulatory standards that require recycling of most of the Project's construction solid waste, short-term construction impacts to landfills and solid waste services would be less than significant.

No mitigation measures are required, as no significant impacts during construction associated with utilities and service systems related to solid waste have been identified.

### **2. Operation**

During operation, the Project would generate an estimated net total of approximately 2.4 tons per day of solid waste. That is a conservative estimate, as it does not take credit for the existing uses and does not account for the effectiveness of recycling efforts. The Sunshine Canyon Landfill would have adequate capacity to accommodate the Project's solid waste. Additionally, pursuant to AB 939, each city and county in the state must divert 50 percent of its solid waste from landfill disposal through source reduction, recycling, and composting. The City is on track toward its goal to achieve a 90 percent diversion by 2025. The Project would not require new or expanded landfill capacity. Therefore, impacts related to solid waste would be less than significant.

No mitigation measures are required, as no significant impacts during operation associated with utilities and service systems related to solid waste have been identified.

### **3. Cumulative Impacts**

The cumulative projects, in combination with the Project, would generate approximately 349 tons per day of operational solid waste. The Project accounts for approximately 0.69 percent of that projected increase. Similar to the Project, the cumulative projects would participate in regional source reduction and recycling programs pursuant to AB 939, which would further reduce the amount of solid waste to be disposed of at landfills. The facilities service the Project area would

have adequate capacity to accommodate the solid waste generated by the cumulative development. The cumulative projects would also be required to participate in regional source reduction and recycling programs pursuant to AB 939, which would further reduce the amount of solid waste to be disposed of at the landfills serving the Project area. Cumulative development would not create the need for new or expanded landfills, and cumulative impacts related to solid waste service would be less than significant.

No mitigation measures are required, as no significant impacts related to cumulative impacts for solid waste have been identified.

#### 4.N.4 ENERGY CONSERVATION AND INFRASTRUCTURE

##### 1. Construction

LADWP would supply electricity during construction, when needed, via existing on-site connections. During construction, small quantities of electricity would be necessary to serve activities associated with construction trailers, power tools, and lighting. Overall, construction activities would be limited. Construction equipment would be turned off when not in use and the Project's construction activities would not create electrical system capacity problems or result in the construction of new or expanded electricity facilities. The Project would connect to the existing electrical grid and any construction would be confined to the Project Site. As a result, the Project's short-term demand for electricity during construction would not result in a wasteful or inefficient use of energy.

During construction, natural gas would not typically be consumed on the Project Site. Natural gas consumed on-site would be limited to the minor amounts of natural gas released during installation, and if necessary, the upgrade of the natural gas infrastructure that currently serves the Project Site. Prior to operation, the Project would connect to the existing natural gas lines on the Project Site. Any extension of the existing natural gas facilities would comply with the Southern California Gas Company design and sizing requirements and would result in minimal amounts of natural gas being released.

With respect to petroleum-based fuel demand, heavy duty construction equipment needed to complete demolition, site clearing, and grading would include diesel fueled haul trucks, excavators, skid steer loaders, tractors, and water trucks. The use of haul trucks with double trailers would be used to increase the overall average capacity per trip, which would minimize the total number of trips and fuel required to transport the debris. A majority of the heavy duty construction equipment needed during construction would be diesel fueled, including air compressors, concrete pumps, forklifts, lifts, welders, backhoes, dozers, forklifts, lifts, loaders, and rollers. Construction equipment fuels would be provided by local or regional suppliers and vendors. Idling restrictions and the use of newer engines and equipment would result in less fuel combustion and energy consumption. Fuel would also be consumed by construction worker vehicles traveling to and from the Project Site. Based on a study by Caltrans on statewide average fuel economy for all vehicle types, fuel consumed by the Project's worker, vendor, and haul trips represents approximately 0.0016 percent of the statewide gasoline consumption. In general, while construction activities would consume petroleum-based fuels, consumption of such resources would be temporary and would cease upon the completion of construction. Trucks would also be turned off when not in use, in accordance with the City's "no idling" regulations. As a result, the Project's short-term demand for petroleum-based fuel during construction would not result in a wasteful or inefficient use of energy.

In sum, the Project's construction would not result in the inefficient consumption of energy resources.

No mitigation measures are required, as no significant impacts related to the inefficient consumption of energy resources during construction have been identified.

## 2. Operation

With respect to electricity demand, the Project's on-site electricity demand would be approximately 4,257,322 kilowatt-hours/year, which represents approximately 0.02 percent of LADWP's forecasted 2022-2023 electricity demand. Further, the Project's estimated electricity consumption relies on usage rates that do not account for the Project's energy conservation features or updates to the Los Angeles Building Code, nor does the estimate account for the electricity that is currently used on-site. LADWP would have adequate generation supply capacity to serve the Project, and the Project would not require the acquisition of additional electricity supplies beyond those that exist and are anticipated by LADWP. The Project would also be subject to Title 24 requirements of the California Code of Regulations (CalGreen) and would be subject to the regulations included in the City's Green Building Code. The Project's long-term demand for electricity during its operational phase would not result in a wasteful or inefficient use of energy.

With respect to natural gas, the Project is estimated to demand approximately 1,817,921 cubic feet/month of natural gas. That is a conservative estimate that does not account for demand of existing uses. The Project's estimated natural gas consumption also relies on rates that do not account for the Project's energy conservation features or updates to the Los Angeles Building code. The Project's estimated demand represents approximately 0.002 percent of Southern California Gas Company's estimated 2022 peak demand. Southern California Gas Company undertakes expansion and/or modification of the natural gas infrastructure to serve future growth within its service area as part of its process of providing service. The Project Applicant would be responsible for paying connection costs to connect its on-site service meters to existing infrastructure. Therefore, Project long-term demand for natural gas during the Project's operational phase would not result in a wasteful or inefficient use of energy.

With respect to petroleum-based fuel demand, the Project's proximity to multiple public transit stops as well as to local Metro bus lines would provide future residents, employees, and visitors with alternative modes of transportation to and from the Project Site, reducing vehicle miles traveled. Transportation fuels (primarily gasoline and diesel) would be provided by local or regional suppliers and vendors. Project-related vehicles would require a fraction of the state's total transportation fuel consumption. Based on the Project's estimated vehicle miles traveled, the Project's required fuel would represent approximately 0.0026 percent of the 2012 statewide gasoline consumption. Further, to the extent visitors to the Project Site may use alternative-fueled, electric, or hybrid vehicles to access the Project Site, the Project's consumption of gasoline and diesel may be further reduced. The Project's long-term demand for petroleum during operations would not result in a wasteful or inefficient use of energy.

No mitigation measures are required, as no significant impacts related to the inefficient consumption of energy resources during operation have been identified.

## 3. Cumulative Impacts

Construction of the related projects would not result in the inefficient consumption of energy resources. Similar to the Project, compliance with the existing anti-idling and emissions regulations would result in efficient use of construction-related energy and the minimization or elimination of wasteful and unnecessary energy consumption. Idling restrictions and the use of newer engines and equipment would result in less fuel combustion and energy consumption, as would the use of haul trucks with larger capacities.

During operation, cumulative projects in combination with the Project would demand approximately 501,359,223 kilowatt-hours/year of electricity, with the Project accounting for approximately 0.8 percent of that projected increase in electricity demand. The cumulative increase represents approximately 2.1 percent of LADWP's 2022-2023 forecasted electricity demand. The cumulative projects would consume approximately 239,579,352 cubic feet per month of natural gas. That estimated use represents approximately 0.28 percent of Southern California Gas Company's 2022 peak demand. Natural gas demand associated with the Project would account for less than one percent of the cumulative natural gas demand increase. Those natural gas rates do not account for energy reduction features employed by the Project or cumulative projects. Each of the related projects would be evaluated within its own context with consideration of energy conservation features that could alleviate natural gas demand. All forecasted growth would also incorporate design features and energy conservation measures, including those specified under Title 24 of the California Code of Regulations and the City's Green Building Code. Cumulative development would not result in wasteful or inefficient use of energy.

No mitigation measures are required, as no significant impacts related to cumulative impacts for the inefficient consumption of energy resources have been identified.

#### V. ENVIRONMENTAL IMPACTS FOUND LESS THAN SIGNIFICANT AFTER MITIGATION

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

##### A. 4.C AIR QUALITY

#### 1. Description of Effects

##### i. Air Quality Standards – Construction Emissions, Regional

Construction-related emissions were estimated using SCAQMD's CalEEMod 2016.3.2 model using assumptions from the Project Applicant. The proposed construction schedule is estimated to last approximately 36 months, with the following phases: (i) demolition, months 1-4; (ii) site preparation, month 5; (iii) grading, months 6-8; (iv) building construction, months 9-33; (v) paving, months 32-33; and (vi) architectural coatings, months 31-36. Construction emissions are largely from the substantial use of construction equipment that could be operating concurrently during the construction phases. In addition to the construction-related emissions from the use of equipment, supplemental analysis was conducted to evaluate regional emissions from haul trips during construction. Haul trips would occur during the demolition and removal of existing improvements from the Project Site, as well as for the export of 50,000 cubic yards of soil during the grading phase. Besides the demolition and grading phases, no substantive hauling of material is expected. Because air quality impacts during construction are evaluated in large part on daily estimates of emissions, the assessment of grading and demolition activities would represent the worst-case scenario for off-site haul-related emissions. The haul trip analysis assumed that the haul trips would all travel to the Chiquita Canyon Landfill (40 miles from the Project Site one-way). During construction, the Project would not produce VOC, CO, SO<sub>x</sub>, PM<sub>10</sub>, or PM<sub>2.5</sub> emissions in excess of the SCAQMD's regional thresholds. However, NO<sub>x</sub>

emissions during the grading and building phases would exceed the regional threshold for that ozone precursor. Therefore, without mitigation, the Project's construction-related regional emissions impact would be significant.

ii. Air Quality Standards – Construction Emissions, Localized

The Project would not produce emissions in excess of SCAQMD's recommended localized standards of significance for CO and PM10 during construction. However, construction activities could produce NO2 and PM2.5 emissions that exceed localized thresholds recommended by the SCAQMD, primarily from vehicle exhaust and fugitive dust emissions from off-road construction vehicles during the grading and site preparation phases. Without mitigation, the Project's construction-related localized emission impact would be significant.

iii. Sensitive Receptors – Construction Emissions

Sensitive receptors in the vicinity of the Project Site include: (i) Santee Court Apartments located at 716 South Los Angeles Street, approximately 240 feet north of the Project Site; (ii) Ballington Plaza Apartments, located at 622 Wall Street, approximately 440 feet east of the Project Site; (iii) Jardin de la Infancia, located at 307 7th Street, approximately 475 feet east of the new construction of the south tower mixed-use development and 220 feet from the North Building renovations; and (iv) Star Apartments, located at 240 East 6th Street, approximately 700 feet northeast of the Project Site.

Nearby receptors could be exposed to substantial concentrations of localized pollutants NO2 and PM2.5 from construction of the Project. Specifically, without mitigation, construction activities would exceed SCAQMD Localized Significance Threshold (LST) LST thresholds for NO2 and PM2.5 and represent a potentially significant impact. LST thresholds represent the maximum emissions from a project that will not cause or contribute to an exceedance of the most stringent applicable ambient air quality standard.

iv. Cumulative Impacts – Construction

SCAQMD recommends that any construction-related emission and operational emissions from individual development projects that exceed the project-specific mass daily emissions thresholds identified above also be considered cumulatively considerable. SCAQMD neither recommends quantified analyses of the emission generated by a set of cumulative development projects nor provides thresholds of significance to be used to assess the impacts associated with these emissions. A project's construction impacts, therefore, could be considering cumulatively considerable if it substantially contributes to cumulative air quality violations when considered other projects that may undertake concurrent construction activities.

The Project's construction would contribute to cumulatively emission of any non-attainment regional pollutants. For regional ozone precursors, the Project would exceed SCAQMD mass emission thresholds for ozone precursors NOx during construction. Therefore, construction emissions impacts on regional criteria pollutant emission would be considered potentially significant. When considering local impacts, cumulative construction emissions are considered when projects are within close proximity of each other that could result in larger impacts on local sensitive receptors. Construction of the Project itself could produce cumulatively considerable emissions of localized nonattainment pollutants NO2 and PM2.5, as the anticipated emission would exceed LST thresholds set by SCAQMD. This is considered a potentially significant impact.

178 related projects were identified by the Project's traffic study as projects in the study area. If any of these related projects in the more immediate vicinity of the Project Site were to construct concurrently with the Project, localized CO, PM2.5, PM10, and NO2 concentrations at nearby sensitive receptors would be further increased.

With respect to sensitive receptors, the Project could produce NO<sub>x</sub> and PM<sub>2.5</sub> emissions that exceed the SCAQMD's screening thresholds of significance. These mass emissions could result in concentrations of NO<sub>2</sub> and PM<sub>2.5</sub> that could produce substantial pollutant concentrations at downwind receptors.

## 2. Project Design Features

No Project Design Features are proposed for Air Quality impacts (construction).

## 3. Mitigation Measures

**C-1** All off-road construction equipment greater than 50 hp shall meet USEPA Tier 4 emission standards to reduce NO<sub>x</sub> and PM<sub>2.5</sub> emissions at the Project Site. In addition, all construction equipment shall be outfitted with Best Available Control Technology devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations. At the time of mobilization of each applicable unit of equipment, a copy of each unit's certified tier specification, BACT documentation, and CARB or SCAQMD operating permit shall be provided.

## 4. Finding

With respect to the Project's air quality impacts related to construction, the City finds that with incorporation of MM C-1 "changes or alternations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR." (CEQA Guidelines Section 15091(a)(1); Public Resources Code Section 21081(a)(1).)

### Rationale for Finding

With implementation of MM C-1, the Project's air quality impacts during construction, including construction impacts related to regional and local emissions, sensitive receptors, and cumulative impacts, would be less than significant.

With respect to the Project-specific impacts during construction, MM C-1 calls for the use of readily-available construction equipment that uses EPA-certified Tier 4 engines to reduce combustion-related NO<sub>2</sub> and PM<sub>2.5</sub> emissions. As summarized in Table 4.C-10 of the Draft EIR, with implementation of MM C-1, the Project's emissions of NO<sub>x</sub> and PM<sub>2.5</sub> would not exceed SCAQMD's significance thresholds. Therefore, the Project's regional and localized construction-related emissions impacts would be less than significant. Further, the emissions shown in Table 4.C-10 of the Draft EIR do not take into account application of SCAQMD's Rule 403, which calls for Best Available Control Measures (BACM) that include watering portions of the site that are disturbed during grading activities and minimizing the tracking of dirt onto local streets, which would further reduce the Project's construction emissions.

With respect to cumulative impacts during construction, application of LST thresholds to each related project in the local area would help ensure that each related project does not produce localized hotspots of CO, PM<sub>2.5</sub>, PM<sub>10</sub>, and NO<sub>2</sub>. Any projects that would exceed LST thresholds (after mitigation) would perform dispersion modeling to confirm whether health-based air quality standards would be violated. The SCAQMD's LST thresholds recognize the influence of a receptor's proximity, setting mass emissions thresholds for PM<sub>10</sub> and PM<sub>2.5</sub> that generally double with every doubling of distance. Mitigation Measure C-1 would require the use of cleaner off-road construction equipment. This measure could similarly be implemented at other

construction sites for any related projects. Thus, construction of the Project would not have any considerable contribution to cumulative impacts on pollutant concentrations at nearby receptors with implementation of MM C-1.

With respect to cumulative impacts to sensitive receptors during construction, implementation of MMC C-1 would help reduce localized emission of NO<sub>2</sub> and PM<sub>2.5</sub>. As such, sensitive receptors near the Project Site would not be exposed to substantial pollutant concentrations and any impacts must be considered less than significant.

## **5. Reference**

For a complete discussion of the Project's air quality impacts, see Chapter 4.C- Air Quality of the Draft EIR, as well as any relevant corrections and additions and responses to comments related to air quality in the Final EIR.

### **B. 4.E GEOLOGY AND SOILS**

#### **1. Description of Effects**

##### **i. Soils**

A significant impact may occur if the Project is built in an unstable area without proper site preparation or design features to provide adequate foundations for the project buildings. Construction activities associated with the Project must comply with the City's Building Code, which is designed to assure safe construction, including building foundation requirements appropriate to site conditions. The Project Site is not at risk for landslides, as the site is relatively level with very little elevation change.

Up to six feet of existing artificial fill was encountered during the site investigation, likely to be the result of past grading and construction activities on the Project Site. Deeper fill may exist in other areas of the site that were not directly explored. The demolition of existing structures on the Project Site will likely disturb the upper few feet of soil. The existing fill, in present condition, is not suitable for direct support of proposed foundations or slabs. The existing fill and site soils are suitable for re-use as engineered fill provided the recommendations in the Geotechnical Investigation (as provided in MM E-1) on grading are followed. Excavations for the subterranean level are anticipated to penetrate through the existing artificial fill and expose undisturbed alluvial soil throughout the excavation bottom.

The in-situ soils can be excavated with moderate effort using conventional excavation equipment. Due to the granular nature of the soils, moderate to excessive caving is anticipated in unshored excavations. Casing may be required during shoring pile installation, and formwork may be required to prevent caving of shallow spread foundation excavations. Implementation of the recommendations contained in the Geotechnical Investigation (as provided in MM E-1) would ensure that Project impacts with respect to soils and soil stability would be less than significant.

ii. Groundwater

Groundwater was not encountered during site exploration and the current local groundwater table is sufficiently deep that it is not expected to be encountered during construction. However, local seepage could be encountered during excavation of the subterranean level, particularly if conducted during the rainy season. It is not uncommon for groundwater levels to vary seasonally or for groundwater seepage conditions to develop where none previously existed, especially in impermeable fine-grained soils which are heavily irrigated or after seasonal rainfall. In addition, recent requirements for stormwater infiltration could result in shallower seepage conditions in the immediate site vicinity. Proper surface drainage of irrigation and precipitation is necessary to avoid localized groundwater seepage impacts. Implementation of the recommendations for drainage in the "Surface Drainage" section of the Geotechnical Investigation (as set forth in MM E-1) would reduce this potential impact to less than significant.

iii. Fault Rupture

The Project would comply with the CGS Special Publications 117, Guidelines for Evaluating and Mitigating Seismic Hazards in California (1997), which provides guidance for the evaluation and mitigation of earthquake-related hazards, and with the seismic safety requirements in the UBC and the LAMC. Further, the Project would comply with the City of Los Angeles Building Code, which contains construction requirements to ensure that structures are built to a level such that they can withstand acceptable seismic risk. Therefore, via compliance with existing regulations and implementation of Mitigation Measure E-1, the Project would not expose people or structures to substantial adverse effects associated with fault rupture, and no impact would occur.

## 2. Project Design Features

No Project Design Features are proposed for impacts related to geology and soils.

## 3. Mitigation Measures

E-1 The Project shall comply with the recommendations found on pages 10 through 42 of the Geotechnical Investigation, Southern California Flower Mart Proposed Mixed-Use Development, 747 & 755 South Wall Street, Los Angeles, California, prepared by Geocon West, Inc., September 2019 (included as Attachment 1 to Erratum No. 3, October 2019), and as may be amended and supplemented to the satisfaction of the Department of Building and Safety, Grading Division.

## 4. Finding

With respect to the Project's potentially significant impacts related to geology and soils, the City finds that with incorporation of MM E-1 "changes or alternations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR." (CEQA Guidelines Section 15091(a)(1); Public Resources Code Section 21081(a)(1).)

## 5. Rationale for Finding

With implementation of MM E-1, the Project's impacts related to geology and soils, including impacts related to soils, ground water, and fault rupture, would be less than significant.

Compliance with MM E-1 will ensure that the Project will follow the recommendations in the Geotechnical Investigation as set forth in the report attached as Appendix G to the Draft EIR.

Compliance with those recommendations will ensure that the Project's impacts related to soils and soil stability, groundwater, and fault rupture are less than significant.

## 6. Reference

For a complete discussion of the Project's geology and soils impacts, see Chapter 4.E-Geology & Soils of the Draft EIR, as well as any relevant corrections and additions and responses to comments related to geology and soils in the Final EIR and Errata.

### C. 4.1 NOISE

#### 1. Description of Effects

##### i. Construction Noise

During construction, on-site activities would include the use of heavy equipment such as excavators, loaders, scrapers, graders, and similar tractor or dozer-type vehicles. Smaller equipment such as forklifts, skid steer loaders, trenchers, generators, and various powered hand tools would also be used. Off-site secondary noises could be generated by sources such as construction worker vehicles, vendor deliveries, and haul trucks. Noise impacts were modeled using noise reference levels of excavators and front-end loaders. Those vehicles commonly operate in tandem, and have the greatest potential to cause sustained and significant noise impacts at nearby receptors. The impacts of other construction equipment and vehicles would be neither as loud nor as extensive over the duration of the Project's grading or other phases. As summarized in Table 4.1-6 of the Draft EIR, the Santee Court Apartments could experience construction-related noise increases in excess of 5 dBA as a result of the Project's construction. The Project's construction noise levels from powered equipment would also exceed the 75 dBA limit set forth by Section 112.05 of the LAMC, which regulates construction noise levels in or within 500 feet from residential zones. Therefore, without mitigation the Project's construction-related noise impacts would be significant.

For off-site construction-related noise impacts, grading activities would necessitate up to approximately 140 haul trips per workday to export excavated soils from the Project Site to a regional landfill. While this vehicle activity would marginally increase ambient noise levels along the haul route, it would not be expected to significantly increase ambient noise levels by 5 dBA or greater at any noise sensitive land use. Therefore, off-site construction noise impacts related to haul trips would be less than significant.

##### ii. Construction Vibration

The Project's construction would require equipment such as excavators, scrapers, graders, auger drill rigs, and haul trucks. Auger drill rigs and large dozer type equipment such as excavators, scrapers, and graders operating within 7.5 feet of structures consisting of masonry walls could exceed those structures' 0.3 in/sec vibration threshold. Smaller construction equipment such as skid steer loaders would have to operate within 3.5 feet of these structures to be considered potentially hazardous, and loaded delivery and haul trucks would have to operate within 6 feet.

A commercial building with masonry construction located at 769 Wall Street could experience groundborne vibrations in excess of the 0.3 in/sec vibration threshold for masonry structures. The equations for the prediction of groundborne vibration can greatly overestimate vibration levels at distances nearer than 10 feet, and even so, all construction activities beyond 7.5 feet from this receptor would not be estimated to generate groundborne vibration levels in excess of 0.3 inches per second. Nevertheless, without mitigation, this impact is conservatively

considered significant. Sensation Flowers, which abuts the Project Site, would not be expected to experience significantly considerable vibration impacts as a result of the Project. The North Building that this receptor abuts would be maintained and renovated. Work related to the North Building would not require the types of heavy-duty construction equipment capable of generating excessive groundborne vibrations. Nevertheless, without mitigation, this impact is conservatively considered to be significant.

iii. **Cumulative Impacts – Construction Noise**

Construction activities would temporarily increase ambient noise levels at nearby receptors. Any other future developments that are built concurrently with the Project could further contribute to these temporary increases in ambient noise levels. Three such developments were identified within the vicinity of the Project and its receptors: a project located at 701 S. Maple Avenue; one located at 649 S. Wall Street; and another located at 717 Maple Avenue. It is possible that construction noises from these projects and the Proposed Project could cumulatively increase temporary noise levels at nearby sensitive receptors to above the L.A. CEQA Thresholds Guide's 5 dBA construction noise threshold should the construction of all projects overlap. Without mitigation, this impact would be potentially significant.

**2. Project Design Features**

No Project Design Features are proposed for noise or vibration impacts.

**3. Mitigation Measures**

To ensure that the Project's construction-related noise levels do not exceed 75 dBA and that construction-related noise increases at Santee Court Apartments do not exceed 5 dBA, the following mitigation measures are required:

- I-1 All capable diesel-powered construction vehicles shall be equipped with exhaust mufflers or other suitable noise reduction devices.
- I-2 Temporary sound barriers capable of achieving a sound attenuation of at least 15 dBA shall be erected along the Project's boundaries facing Santee Court Apartments. Temporary sound barriers capable of achieving a sound attenuation of at least 6 dBA shall be erected along all other Project construction boundaries. To ensure that construction-related vibration impacts would be less than significant, the following mitigation measures are required:
  - I-3 Construction activities that produce vibration, such as demolition, excavation, and earthmoving, shall be sequenced so that vibration sources within 7.5 feet of 769 Wall Street do not operate simultaneously.
  - I-4 No pile driving shall occur as part of Project construction.
  - I-5 Pre-construction surveys shall be performed to document the conditions of 769 Wall Street. A structural monitoring program shall be implemented and recorded during construction. The performance standards of the structure-monitoring plan shall include the following:
    - Documentation, consisting of video and/or photographic documentation of accessible and visible areas on the exterior of the building.
    - A registered civil engineer or certified engineering geologist shall develop recommendations for a structure-monitoring program.
    - The structure-monitoring program shall survey for vertical and horizontal movement, as well as vibration thresholds. If the thresholds are met or exceeded, or if noticeable structural damage becomes evident to the Project

contractor, work shall stop in the area of the affected building until measures have been taken to prevent construction-related damage to the structure.

- The structure-monitoring program shall be submitted to the Department of Building and Safety and received into the case file for the associated discretionary action permitting the Project prior to initiating any construction activities.

**I-6** Construction equipment and vehicles capable of generating excessive vibration levels including, but not limited to, excavators, loaders, backhoes, scrapers, and graders, shall maintain a setback of at least 7.5 feet from Sensation Flowers at all times.

#### **4. Finding**

With respect to the Project's potentially significant impacts related to construction noise, construction vibration, and cumulative noise impacts during construction the City finds that with incorporation of MMs I-1 through I-6, "changes or alternations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR." (CEQA Guidelines Section 15091(a)(1); Public Resources Code Section 21081(a)(1).)

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

With implementation of MMs I-1 through I-6, the Project's impacts related to construction noise, construction vibration, and cumulative noise impacts would be less than significant.

For the potential construction noise impacts, implementation of MMs I-1 and I-2 would reduce the Project's on-site construction equipment source noise levels to below LAMC's 75 dBA limit for powered equipment operations within 500 feet of residential zones. Although no Project receptor would experience a significant increase in noise as a result of the Project's unmitigated construction activities, these measures would further reduce the Project's impacts at these receptors. Implementation of MMs I-1 and I-2 would also minimize the Project's construction-related noise increases at Santee Court Apartments to below the L.A. CEQA Thresholds Guide's 5 dBA threshold of significance for construction activities lasting more than ten days in a three month period. Mitigation Measures I-1 and I-2 represent standard "best practices" for the reduction of construction noise and are recommended by the L.A. CEQA Thresholds Guide. With implementation of those mitigation measures, impacts related to construction noise would be less than significant.

With respect to construction vibration, implementation of MMs I-3 through I-6 would reduce the Project's vibration sources and implement a comprehensive monitoring program for 769 Wall Street. These measures would substantially reduce the potential for the Project's construction-related vibrations to damage the receptor. MM I-6 would prevent heavy-duty construction equipment and vehicles from operating within a potentially hazardous distance from Sensation Flowers. With these measures in place, the Project's construction vibration impacts would be less than significant.

With respect to the Project's potential cumulative noise impacts, implementation of MMs I-1 and I-2 would prevent the Proposed Project's own construction noises from increasing noise levels at Ballington Plaza Apartments and Jardin de la Infancia School by greater than 0.1 dBA, an imperceptible change. Mitigated noise level increases at Santee Court Apartments would not exceed 1.6 dBA, also an imperceptible change. A similar mitigation strategy by 701 S. Maple Avenue, 649 S. Wall Street, and 717 Maple Avenue would likewise reduce their own respective construction noise impacts and ensure that nearby receptors not experience individual or cumulative construction-related noise increases in excess of 5 dBA. The Project's own potential to

produce cumulative construction noise impacts at nearby sensitive receptors would be considered less than significant.

## 6. Reference

For a complete discussion of the Project's noise and vibration impacts, see Chapter 4.I-Noise of the Draft EIR, as well as any relevant corrections and additions and responses to comments related to noise and vibration impacts in the Final EIR.

### D. 4.M TRIBAL CULTURAL RESOURCES

#### 1. Description of Effects

##### i. Change in the Significance of a Tribal Cultural Resource

As part of the tribal cultural resources report, cultural resources consultant SWCA conducted a California Historical Resources Information System (CHRIS) records search at the South Central Coastal Information Center (SCCIC) on the campus of California State University, Fullerton, to identify previously documented archeological resources within a 0.5-mile radius of the Project Site, as well as any selectively chosen outside the radius to aid in the assessment of archaeological and tribal cultural resource sensitivity. The CHRIS records search did not identify any tribal resources on the Project Site. No archeological sites with Native American components that may qualify as a tribal cultural resource were identified within a 0.5-mile radius of the Project Site. The detailed results of the CHRIS records search are included in the appendix to the tribal cultural sources report, which is included as Appendix F to the Draft EIR. The Native American Heritage Commission (NAHC) conducted a Sacred Lands File (SLF) search in August 2017. The SLF records search did not identify any sacred lands or sites in the Project Site. The SLF records search is included as Appendix F-4 to the Draft EIR.

The City complied with AB 52 consultation requirements, mailing notices via certified mail to ten contacts as listed in the Draft EIR and listed on the City's AB 52 Native American Heritage Commission Tribal Consultation List on April 27 2017. On May 9, 2017, the City received a consultation request pursuant to AB 52 from the Gabrieleno Band of Mission Indians – Kizh Nation (attached to the tribal cultural resources report, included as Appendix F-5 to the Draft EIR). None of the other nine tribal contacts requested consultation. The City began the consultation process with Chairman Andrew Salas of the Gabrieleno Band of Mission Indians – Kizh Nation. As part of the consultation, Chairman Salas submitted three maps and one article to support the Tribe's finding of sensitivity for tribal cultural resources.

A sensitivity assessment with respect to tribal cultural resources was conducted for the Project Site. The Project Site is west of the Los Angeles River, currently located approximately 1.1 miles to the east of the Project Site. Shifts in the main channel of the Los Angeles River have occurred numerous times in recorded history, including two significant shifts in 1815 and 1825. The general proximity of the Project Site to areas of known habitation, the river, and broad travel corridors has the effect of an overall increase in the sensitivity for unknown tribal cultural resources, at least higher than low background levels, particularly for the archaeological remains of temporary open camps. The Project Site is situated within the reported location of Rancheria de los Pipimares, a village site occupied by the Gabrielino from San Nicolas Island (known as Nicoleño) during the early and middle parts of the nineteenth century. There is potential for material remains associated with the Rancheria to be preserved below the surface, especially those associated with the kotuumot kehaay (mourning ritual). However, given the Historic-period disturbances and limited time during which any material remains from the occupation of the Rancheria could have been buried and preserved, the overall sensitivity is reduced. It is also possible that prehistoric archaeological material pre-dating the occupation of Rancheria de los Pipimares

could also be present, but the sensitivity for such materials is lower. While historical period disturbances from agriculture and urbanization have effectively lowered the sensitivity from what would otherwise be considered high, the sensitivity could not be considered low because of the favorable preservation conditions. Therefore, as part of the tribal cultural resources report (included in Appendix F-5 of the Draft EIR), SWCA concluded the Project Site has moderate sensitivity, and Project impacts would be potentially significant.

## ii. Cumulative Impacts

Impacts related to tribal cultural resources are site-specific and are assessed on a site-by-site basis. In addition, any related project within a historic district or affecting a historic resource that could be considered at tribal cultural resource would require a historic resource evaluation to ensure that removal of an existing building, addition, of a new building, and/or conversion would not impact the historic resource in the area.

The Project would address any potential impacts to tribal cultural resources by adhering to the City's condition of approval and implementing MM M-1. The Project and related projects would comply with applicable federal, state, and city regulations that would preclude significant cumulative impacts regarding tribal resources. All related projects would comply with regulations for the inadvertent discovery of archeological resources and human remains. In addition, related projects would be required to comply with the consultation requirements of AB 52 to determine and mitigate any potential impacts to tribal cultural resources. Therefore, cumulative impacts to tribal cultural resources would be less than significant and would not be cumulatively considerable.

### 2. Project Design Features

No Project Design Features are proposed for tribal cultural resources.

### 3. Mitigation Measures

**M-1** Prior to commencing any ground disturbance activities at the Project Site, the Applicant, or its successor, shall retain archeological monitors and tribal monitors that are qualified to identify subsurface tribal cultural resources. Ground disturbance activities shall include excavating, digging, trenching, plowing, drilling, tunneling, quarrying, grading, leveling, removing peat, clearing, pounding posts, augering, backfilling, blasting, stripping topsoil or a similar activity at the project site. Any qualified tribal monitor(s) shall be approved by the Gabrieleno Band of Mission Indians – Kizh Nation. Any qualified archaeological monitor(s) shall be approved by the Department of City Planning, Office of Historic Resources ("OHR").

The qualified archeological and tribal monitors shall observe all ground disturbance activities on the Project Site at all times the ground disturbance activities are taking place. If ground disturbance activities are simultaneously occurring at multiple locations on the Project Site, an archeological 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 archaeological and tribal monitor both indicate that the site has a low potential for impacting tribal cultural resources.

Prior to commencing any ground disturbance activities, the archaeological monitor in consultation with the tribal monitor, shall provide Worker Environmental Awareness Program (WEAP) training to construction crews involved in ground disturbance activities that provides information on regulatory requirements for the protection of tribal cultural resources. As part of the WEAP training, construction crews shall be briefed on proper procedures to follow should 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 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 a qualified archeologist, in consultation with a qualified tribal monitor, 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 and contact the following: (1) all California Native American tribes that have informed the City they are traditionally and culturally affiliated with the geographic area of the proposed project; and (2) OHR.
2. If OHR determines, pursuant to Public Resources Code Section 21074 (a)(2), that the object or artifact appears to be a tribal cultural resource in its discretion and supported by substantial evidence, the City shall provide any affected tribe a reasonable period of time, not less than 14 days, to conduct a site visit and make recommendations to the Applicant, or its successor, and the City regarding the monitoring of future ground disturbance activities, as well as the treatment and disposition of any discovered tribal cultural resources.
3. The Applicant, or its successor, shall implement the tribe's recommendations if a qualified archaeologist retained by the City and paid for by the Applicant, or its successor, in consultation with the tribal monitor, reasonably conclude that the tribe's recommendations are reasonable and feasible.
4. In addition to any recommendations from the applicable tribe(s), a qualified archeologist 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.
5. If the Applicant, or its successor, does not accept a particular recommendation determined to be reasonable and feasible by the qualified archaeologist or qualified tribal monitor, the Applicant, or its successor, may request mediation by a mediator agreed to by the Applicant, or its successor, and the City. The mediator must have the requisite professional qualifications and experience to mediate such a dispute. The City shall make the determination as to whether the mediator is at least minimally qualified to mediate the dispute. After making a reasonable effort to mediate this particular dispute, the City may (1) require the recommendation be implemented as originally proposed by the archaeologist or tribal monitor; (2) require the recommendation, as modified by the City, be implemented as it is at least as equally effective to mitigate a potentially significant impact; (3) require a substitute recommendation be implemented that is at least as equally effective to mitigate a potentially significant impact to a tribal cultural resource; or (4) not require the recommendation be implemented because it is not necessary to mitigate an significant impacts to tribal cultural resources. The Applicant, or its successor, shall pay all costs and fees associated with the mediation.
6. 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 qualified archaeologist and qualified tribal monitor and determined to be reasonable and appropriate.
7. 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 5 above.

8. 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.
9. Notwithstanding paragraph 8 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.

#### 4. Finding

With respect to the Project's potentially significant impacts related to tribal cultural resources, including cumulative impacts, the City finds that with incorporation of MM M1, "changes or alternations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR." (CEQA Guidelines Section 15091(a)(1); Public Resources Code Section 21081(a)(1).)

#### 5. Rationale for Finding

With implementation of MM M-1, the Project's impacts related to tribal cultural resources, including cumulative impacts, would be less than significant.

There is a potential that tribal cultural resources could be disturbed by the Project. Specifically, there is a potential that material remains from a Gabrielino mourning ceremony are on the Project Site, which would have cultural value to a California Native American tribe. However, implementation of MM M-1, which includes working with archeological monitors and tribal monitors and following certain protocol to address the inadvertent discovery of a tribal cultural resource, impacts related to tribal cultural resources would be reduced to less than significant levels.

#### 6. Reference

For a complete discussion of the Project's potential impacts related to tribal cultural resources, see Chapter 4.M-Tribal Cultural Resources the Draft EIR, as well as any relevant corrections and additions and responses to comments related to tribal cultural resources in the Final EIR.

#### VI. ENVIRONMENTAL IMPACTS FOUND TO BE SIGNIFICANT AND UNAVOIDABLE

The EIR determined that the Project would not result in any significant and unavoidable environmental impacts.

#### VII. ALTERNATIVES TO THE PROJECT

##### Alternatives in the Draft EIR

CEQA requires that an EIR analyze a reasonable range of feasible alternatives that could substantially reduce or avoid the significant impacts of a project while also meeting the project's basic objectives. An EIR must identify ways to substantially reduce or avoid the significant effects that a project may have on the environment (Public Resources Code Section 21002.1). Accordingly, the discussion of alternatives shall focus on alternatives to a project or its location which are capable of avoiding or substantially reducing any significant effects of the project, even

if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly. The Project will not lead to any significant and unavoidable impacts. The City finds that given the Project's potential impacts, the Draft EIR and Final EIR considered a reasonable range of alternatives to the Project to provide informed decision making in accordance with Section 15126.6 of the CEQA Guidelines. Based on the Project's objectives and impacts, Section V (Alternatives) of the Draft EIR includes an analysis of the following three alternatives to the Project:

<u>Alternative 1:</u>	No Project
<u>Alternative 2:</u>	No Project/Existing Zoning
<u>Alternative 3:</u>	Reduced Density/Reduced Height

These alternatives and their impacts are summarized below.

Section V (Alternatives) of the Draft EIR also discloses that two additional alternatives were identified and considered but rejected without full analysis. The first alternative (the Alternative Project Site) considered development of an alternate Project Site with a similar development. However, this alternative was rejected for further analysis because the Project Applicant does not own or have control over any other developable property in the Project Site area and cannot reasonably acquire, control, or otherwise have access to an alternative site. Additionally, one of the Project's objectives is to redevelop the existing Southern California Flower Market, which currently exists on the Project Site. Therefore, development of the Project on an alternative site was deemed infeasible and was not further evaluated in the EIR. A second alternative (Alternative Site within the Project Site Alternative) was rejected from further consideration due to the infeasibility of the alternative and/or inability of the alternative to substantially reduce or avoid the Project's impacts after mitigation.

## **ALTERNATIVE 1: NO PROJECT ALTERNATIVE**

### 1.1 Description of Alternative

CEQA requires the alternatives analysis to include a "no project" alternative, which is the circumstance under which the Project does not proceed. At the time the Notice of Preparation was published for the Project, there was no evidence that another development at the Project Site would be forthcoming in the event the Project is not approved. For purposes of the Draft EIR, Alternative 1 assumed that the Project Site would remain in its current condition as described in Section 3 of the Draft EIR. Although no development would occur on the project Site under alternative 1, this alternative assumes the development of the related projects in the area of the Project Site. No discretionary actions would be required by local, state, or federal agencies for this alternative.

### 1.2 Impact Summary of Alternative

**Aesthetics:** Under Alternative 1, the existing South Building would not be demolished, and no development would take place. No on-site construction activities would occur that could temporarily alter the visual appearance of the Project Site and/or surrounding area. No new buildings would be constructed, so no new light sources associated with construction equipment and materials with the potential to cause glare would occur. As existing buildings would remain on-site and continue to operate in their existing state, Alternative 1 would not change the visual character of the Project Site, degrade the visual character of the Site or the surrounding area, or impact any scenic resources. There would be no potential to create or change or improve the visual character of the Project Site, and no new sources of light or glare would be introduced. Under Alternative 1, no operational impacts to aesthetics would occur and impacts would be less than the Project's less than significant impact. However, the Project Site falls within a Transit

Priority Area, and in accordance with SB 743, the Project's aesthetic impacts would not be considered a significant impact on the environment. In addition, the City of Los Angeles Zoning Information File 2452 provides that visual resources an aesthetic character shall not be considered an impact for mixed-use infill projects within transit priority areas pursuant to CEQA. This information is provided for informational purposes

**Air Quality:** Under Alternative 1, no air quality impacts with respect to construction-related emission would occur. Air quality impacts due to construction under Alternative 1 would be less as compared to the Project's less than significant air quality impact with implementation of mitigation measures. No new operational emissions related to vehicular traffic or the consumption of natural gas and electricity beyond that currently generated by existing uses on-site would occur. Similar to the Project, Alternative 1 would not include any uses identified by the SCAQMD's CEQA Handbook as being associate with odor complaints. Operational air quality impacts under Alternative 1 would be less than the Project's less than significant air quality impacts during operation.

**Cultural Resources:** No changes to the existing development of the Project Site would occur. Therefore, no impacts to cultural resources would occur under Alternative 1. This would represent a potentially lesser impact than the Project with respect to archeological and/or paleontological resources, as the excavation required to develop the Project would disturb unknown archeological and/or paleontological resources present beneath the surface of the Site, although compliance with existing regulations would ensure that the Project's impact is less than significant. Impacts to historic resources would be the same under Alternative 1 and the Project, as neither would result in a significant impact to historic resources.

**Geology and Soils:** With no construction activities under Alternative 1, no new construction impacts related to geology and soils would occur. Therefore, impacts during construction would be less as compared to the Project's less than significant impact related to geology and soils. Operational impacts related to fault rupture, landslides, liquefaction, or subsidence impacts would be the same under Alternative 1 as the Project with implementation of mitigation measures. Although the Project's operation would introduce more people to the Project Site, Alternative 1 would result in continued usage of older buildings that may be more vulnerable to geologic impacts when compared to new development. As the Project Site is located in an urbanized portion of the City and is nearly completely paved and fully developed, neither the Project nor Alternative 1 would result in loss of topsoil. Also, neither the Project nor Alternative 1 would require the use of septic tanks and, therefore, no impacts would occur.

**Greenhouse Gas Emissions:** No new on-site development would be constructed that could emit operational GHG emissions beyond that which is currently emitted from existing uses on the Project Site. Alternative 1 would result in no impact with respect to GHG emissions, which is less than the project's less than significant impact.

**Hazards and Hazardous Materials:** Because no demolition or construction would occur, and the Project Site would not be developed with new land uses, Alternative 1 would not result in impacts associated with the transport and use of hazardous materials, uncovering of subsurface soil contamination, uncovering of unknown USTs, or disturbance of asbestos or lead based paint on the Project Site. Alternative 1 would not interfere with an adopted emergency response plan. No impacts would occur under Alternative 1 related to hazards and hazardous materials, and impacts would be less than the Project's less than significant impacts related to hazards and hazardous materials.

**Land Use and Planning:** The Project Site's existing uses are consistent with the Central City Community Plan land use designation, Heavy manufacturing, and zoning designation, M2-2D, for the Project Site. Under Alternative 1, no impacts associated with consistency with land use,

zoning, or applicable land use plans would occur, and impacts would be less than the Project's less than significant impacts associated with land use consistency.

Noise: No new sources of noise or vibration would be created and construction and impacts under Alternative 1 would be less than the Project's less than significant construction-related impacts following implementation of mitigation measures. For operation, no new sources of noise or vibration would occur. Alternative 1 would result in no impact with respect to operational noise and vibration, which is less than the Project's less than significant impact.

Population and Housing: No new residents or employees would be generated at the Project Site. Alternative 1 would not induce substantial growth through the introduction of new and/or an extension of existing roadways and/or utility infrastructure. Alternative 1 would have no impact with respect to population, housing, and employment, which would be less than the Project's less than significant impacts with respect to population, housing, and employment.

Public Services: With no new development Alternative 1 would not increase demand for fire protection and emergency services or for police protection services. No impacts to fire and emergency services or police protection services would occur, and impacts would be less than the Project's less than significant impacts. Alternative 1 also would not increase demand for school services or facilities, parks, or libraries. Alternative 1 would have no impacts to schools, public parks, or libraries and impacts would be less than the Project's less than significant impacts with respect to schools, parks, and libraries.

Traffic and Transportation: There would be no increase in vehicle trips during either construction or operation. Alternative 1 would result in no impact, which is less than the Project's less than significant impact related to traffic and transportation.

Tribal Cultural Resources: Alternative 1 would not have the potential to encounter unknown tribal cultural resources and no impact would occur, which is less than the Project's less than significant impact with implementation of mitigation measures.

Utilities: Alternative 1 would not generate additional wastewater flow beyond what is generated by the existing uses, exceed the Regional Water Quality Control Board's wastewater treatment requirements, or require the construction of new wastewater treatment facilities. Alternative 1 would not increase the site's water demand beyond the demand of existing uses. Nor would Alternative 1 change the amount of solid waste generated by the Project Site or energy consumption by the Project Site's existing uses. No impacts would occur related to wastewater, water supply, solid waste, or efficient energy consumption under Alternative 1. Impacts related to utilities would be less than the Project's less than significant impacts related to utilities.

### 1.3 Findings

Specific economic, legal, social, technological, other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the EIR.

### 1.4 Rationale for Findings

Alternative 1 would lead to impacts that are less than the Project's less than significant impacts related to aesthetics, air quality, cultural resources, geology and soils, greenhouse gas emissions, hazardous and hazardous materials, land use planning, noise, population and housing, public services, traffic and transportation, tribal cultural resources, and utilities. However, the Project will lead to less than significant impacts with implementation of all project design features and mitigation measures in all those impact areas. Further, Alternative 1 would

leave the Project Site developed with the existing uses. Under Alternative 1, the existing Flower Market facility on the Project site would not be renovated, and the proposed new residential, office, retail, wholesale, food and beverage, and event space would not be constructed on the Project Site. Therefore, Alternative 1 would not meet any of the Project's objectives, including the objectives related to redeveloping the Southern California Flower Market, capitalizing on a smart growth opportunity to intensify an underutilized site with mixed uses near public transit, creating a pedestrian friendly environment around the project Site, contributing to the region's housing opportunities, creating more construction and permanent jobs, developing residential and commercial uses that will generate local tax revenues, and providing infill development to reduce urban sprawl.

## 1.5 Reference

For a complete discussion of the impacts associated with Alternative 1, see Section 6, Alternatives, of the Draft EIR, as well as any relevant corrections and additions and responses to comments related to Alternative 1 in the Final EIR.

## **ALTERNATIVE 2: NO PROJECT/EXISTING ZONING ALTERNATIVE**

### 2.1 Description of Alternative

Alternative 2 – Existing Zoning assumes development of the Project Site with 357,287 square feet of office uses, 22,549 square feet of retail uses, 47,310 square feet of event space, 63,585 square feet of wholesale flower market space, and 15,000 square feet of food and beverage space. That development is permitted under the existing zoning and land use designation for the Project Site. Alternative 2 would develop a total of approximately 478,731 square feet, compared to the Project, which would develop approximately 656,350 square feet. Parking would be provided in a subterranean level. The overall design, architecture, siting, pedestrian access, and vehicle and bicycle parking would comply with the City's requirements.

### 2.2 Impact Summary of Alternative

**Aesthetics:** Based on the reduced square footage of Alternative 2 as compared to the Project, the height of Alternative 2 would also be proportionately reduced. Therefore, as with the Project, no impact with respect to scenic vistas would occur. The building's architecture and style under Alternative 2 would be similar to that of the Project.

Therefore, Alternative 2 would result in a less than significant impact with respect to visual character, similar to the Project. Alternative 2 would also result in less than significant impacts with respect to shade and shadow, similar to the Project. Based on its reduced size, the amount of lighting and sources of glare associated with Alternative 2 would also be less than the Project's less than significant impacts. However, the Project Site falls within a Transit Priority Area, and in accordance with SB 743, the Project's aesthetic impacts would not be considered a significant impact on the environment. In addition, the City of Los Angeles Zoning Information File 2452 provides that visual resources an aesthetic character shall not be considered an impact for mixed-use infill projects within transit priority areas pursuant to CEQA. This analysis is provided for informational purposes.

**Air Quality:** Because Alternative 2's scale of development is comparable to the Project, the same construction schedule and scope was assumed. Alternative 2's construction-related emissions would be the same as the Project. NO<sub>x</sub> emissions would exceed SCAQMD's daily regional threshold and would lead to a potentially significant impact. However, Alternative 2 would also implement Mitigation Measure C-1, which calls for the use of the newest vintage engines in off-road construction equipment used on the Project's construction. In combination

with standard regulatory compliance measures, regional construction emissions under Alternative 2 would be less than significant. Construction of Alternative 2 would also lead to NOx and PM2.5 emissions that exceed SCAQMD's recommended localized standards of significance. With implementation of Mitigation Measure C-1 and compliance with standard regulatory measures, Alternative 2's construction emissions related to localized impacts would be less than significant. With respect to operations, Alternative 2 would result in greater regional air quality emissions due to an increase in vehicle trips as compared to the Project. But as with the Project, Alternative 2 would not exceed applicable SCAQMD's thresholds of significance for regional emissions. Long-term operation of Alternative 2 would generate comparable localized emission of pollutants from on-site area and energy sources than the Project because of its similar overall development footprint.

**Cultural Resources:** Based on the same amount of grading and excavation, Alternative 2 would have the same potential as the Project to encounter unknown archeological or paleontological resources as the Project. Like the Project, impacts to archaeological or paleontological resources under Alternative 2 would be less than significant. Impacts to historic resources would be the same under Alternative 2 and the Project, as neither would result in an impact to historic resources.

**Geology and Soils:** Alternative 2 would require the same amount of site clearing, demolition, grading and excavation as the Project and would be constructed on the same Project Site. Alternative 2 would be subject to the same geological/geotechnical issues identified for the Project and would be subject to the most recently adopted California Building Code design parameters. Impacts under Alternative 2 would be less than significant, similar to the Project.

**Greenhouse Gas Emissions:** Due to the assumed similar scale of construction, Alternative 2 would generate the same level of GHG emissions during the construction period when compared to the Project. Impacts during construction would be less than significant. During operation, Alternative 2 would produce approximately 4,162 more metric tons of CO<sub>2</sub>e per year, largely due to the increased vehicle trips generated by Alternative 2. However, like the Project, Alternative 2 would be consistent with the applicable state, regional, and local regulatory plans and policies to reduce GHG emissions. Alternative 2's contribution to global climate change is not cumulatively considerable, and, as is the case with the Project, its impacts would be considered less than significant.

**Hazards and Hazardous Materials:** Similar to the Project, construction of Alternative 2 could involve the temporary transport, use, or disposal of potentially hazardous materials. It is also possible during construction that asbestos, lead-based paint, and polychlorinated biphenyls could be encountered. Compliance with manufacturers' instructions and applicable standards and regulations would ensure that impacts for Alternative 2 are less than significant during construction, as is the case with the Project. Similar to the Project, operation of Alternative 2 would involve the limited use of hazardous materials, which would be used and disposed of in accordance with applicable standards and regulations. The Project Applicant would also be required to submit a proposed plot plan to the Los Angeles Fire Department to ensure compliance with applicable regulations related to fire hazards or emergency access. Operation of Alternative 2 would result in less than significant impacts related to hazards and hazardous materials, similar to the Project.

**Land Use and Planning:** Because Alternative 2 complies with the Project Site's existing zoning and land use designation, Alternative 2 would require fewer discretionary approvals than the Project. As Alternative 2 complies with the existing zoning and land use designation for the Project Site, it would also be substantially consistent with all applicable plans, policies, and regulations that govern development of the Project Site. Alternative 2 would result in a less than significant impact related to land use consistency, as is the case for the Project.

Noise: The scope of construction for Alternative 2 would be very similar to that of the Project. Mitigation Measures I-1 through I-6 would also be recommended for Alternative 2 to reduce the incremental increase in noise levels during construction below the significance threshold at sensitive receptors and reduce resulting ambient noise impacts from construction equipment. Implementation of Mitigation Measures I-1 through I-6 would minimize ambient noise increases at the nearby receptors below the significance threshold, and impacts would be less than significant (same as the Project). Like the Project, operation of Alternative 2 would result in both direct and on-site noise impacts associated with commercial-related activities, as well as indirect noise impacts from vehicles traveling on local roads to access the Project Site. Alternative 2 would add approximately 2,588 more daily vehicle trips when compared to the Project. The potential noise impacts from on-site operational sources would be considered less than significant and similar to the Project. The potential noise impact from indirect traffic sources would be less than significant, but greater than the Project.

Population and Housing: Construction for Alternative 2 would not lead to a permanent or substantial new employment that would cause growth. There would be no significant housing or population impacts, and no impacts would occur, which is the same as for the Project. Alternative 2's proposed commercial land uses would generate approximately 2,271 employees. It is likely that the existing availability of employees in the Project area would fill those jobs and Alternative 2 would not draw new people to the City to fill those jobs. No impact related to indirect population growth would occur, similar to the Project. Like the Project, Alternative 2 would not induce substantial growth that exceeds growth forecasted for the area, nor would it introduce unplanned infrastructure or accelerate development in an undeveloped area that would result in an adverse physical change in the environment. As development of Alternative 2 would not induce substantial indirect population growth and would be supported by the existing infrastructure such as roadways, no impact would occur, as is the case with the Project. Alternative 2's increase in jobs would be consistent with the SCAG forecast of additional jobs within the City. Impacts to direct population and housing growth would be less than significant. Alternative 2 also would not displace any existing housing units and/or people on the Project Site.

Public Services: On-site construction activities may temporarily increase demand for fire protection and emergency services. Alternative 2's impacts during construction would be less than significant and the same as the less than significant impact of the Project. During operation, based on the elimination of residential uses under Alternative 2, the number of fire protection service calls would be reduced as compared to the Project because the overall population at the Project Site would be reduced. Overall, similar to the Project, Alternative 2 would not require the need for new or altered fire station facilities, and impacts would be less than significant. For police services, Alternative 2's impacts to police protection during construction would be less than significant and the same as the Project's impacts. During operation, the number of police protection service calls would be reduced as compared to the Project because the overall population of the Project Site would be reduced. Construction-related impacts associated with Alternative 2 would be the same as the Project and less than significant. During operation, Alternative 2 would generate more students than the Project based on the greater number of employees at the Project Site. However, Alternative 2's impacts to schools would also be less than significant. Construction-related impacts on parks and recreation facilities under Alternative 2 would be less than significant and similar to the Project. During operation, Alternative 2's impacts would be less than significant and less than the Project's less than significant impact due to the elimination of the residential land uses and the resulting reduction in demand for local and regional parks and recreation facilities. Construction-related impacts on library services would be less than significant under Alternative 2, and similar to the Project. During operation, impacts on library services would be less than significant and less than the Project's less than significant impacts.

Transportation/Traffic: Similar to the Project, Alternative 2's temporary construction-related impacts to transportation and traffic would be less than significant. During operation, Alternative

2 will generate approximately 2,588 more vehicle trips daily. Overall, Alternative 2 would result in significant impacts at three intersections under the “Future 2022 with Alternative 2” scenario (Maple Avenue/9th Street, Maple Avenue/7th Street, San Pedro Street/7th Street), which is greater than the Project’s less than significant impacts. Traffic impacts during Alternative 2’s operation may be potentially significant.

**Tribal Cultural Resources:** Alternative 2 would have the same potential as the Project to encounter unknown tribal cultural resources. Impacts for Alternative 2 would be less than significant with implementation of Mitigation Measure M-1.

**Utilities and Service Systems:** Construction of Alternative 2 would generate a negligible amount of wastewater and would not exceed the capacity of any wastewater treatment plant. With implementation of a Construction Traffic Management Plan, Alternative 2 would not significantly impact traffic or emergency access in the surrounding area. Impacts related to wastewater during construction would be less than significant. During operation, Alternative 2 would generate less wastewater than the Project. Overall, impacts associated with wastewater under Alternative 2 would be less than significant and less than the Project’s less than significant impacts. With respect to water supply, impacts during construction of Alternative 2 would be similar to the Project and less than significant. Operation of Alternative 2 would consume less water than the Project and would result in less than significant impacts with respect to long-term water supplies. Overall, impacts related to water supply under Alternative 2 would be less than significant and less than the Project’s less than significant impacts. With respect to solid waste, Alternative 2 would produce less waste the Project during construction, as Alternative 2 proposes a development that is reduced in size when compared to the Project. Construction-related solid waste impacts would be less than significant and slightly reduced when compared to the Project. Operation of Alternative 2 would also generate less solid waste than the Project and would result in less than significant impacts to solid waste landfill capacity. Overall, impacts would be less than significant and less than the Project’s less than significant impacts.

**Energy:** Alternative 2’s short-term demand for electricity during construction would not result in a wasteful or inefficient use of energy, and impacts would be less than significant (as is the case with the Project). During operation, Alternative 2 would consume more electricity than the Project. Overall, like the Project, Alternative 2 would result in a less than significant impact with respect to electricity demand but to a greater degree than the Project’s less than significant impact, due to an increase in overall commercial square-footage. During construction, Alternative 2’s impacts related to natural gas consumption would be similar to the Project and less than significant. During operation, Alternative 2 would result in less natural gas consumption. Overall, like the Project, Alternative 2 would result in a less than significant impact with respect to natural gas demand, and less than the Project’s less than significant impact.

### 2.3 Findings

Specific economic, legal, social, technological, other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the EIR.

### 2.4 Rationale for Findings

Alternative 2’s construction and operational impacts would generally be similar to the impacts from the Project. Alternative 2 would lead to a lower level of impacts than the Project’s already less than significant impacts related to aesthetics, parks and recreational facilities, libraries, and utilities and service systems. Alternative 2 would also have less than significant impacts associated with operational regional air quality, GHG emissions, operational noise from indirect traffic sources, and schools. However, Alternative 2’s impacts related to those impact areas

would be greater than the Project's impacts. Further, Alternative 2 could potentially lead to a significant traffic impact under future 2022 conditions, based on the additional trips that Alternative 2 will generate. Alternative 2's impacts would otherwise be similar to those of the Project. Thus, overall, Alternative 2 may not reduce the Project's less than significant impacts.

Without any residential units, Alternative 2 would not meet most of the Project objectives to the same degree as the Project. Specifically, Alternative 2 would meet the following project objectives: (i) create a range of construction and permanent jobs; and (ii) provide an infill development in an existing urban area to reduce "greenfield" development and urban sprawl, in furtherance of City goals and policies to reduce vehicle miles traveled (VMT) and to reduce pollutant emissions and greenhouse gas emissions.

However, without residential uses, Alternative 2 would only partially meet the following objectives: (i) redevelop the existing Southern California Flower Market, including the adaptive reuse of the northerly building to continue to include the wholesale flower market uses, as well as the addition of new parking, commercial space, and residential uses, to provide an economically sustainable development of complementary uses; (ii) capitalize on a smart growth opportunity by intensifying a currently underutilized site with residential and commercial uses near public transit lines (Metro Rail and Bus); (iii) create a connected pedestrian friendly environment along Maple Avenue and Wall Street that is readily accessible to future residents and guests, as well as patrons of the Southern California Flower Market; (iv) contribute housing opportunities toward the City's Regional Housing Needs Assessment (RHNA) allocation; and (v) develop residential and commercial uses that generate local tax revenues and generate residents who support local business.

## 2.5 Reference

For a complete discussion of the impacts associated with Alternative 2, see Section 6, Alternatives, of the Draft EIR, as well as any relevant corrections and additions and responses to comments related to Alternative 2 in the Final EIR.

## **ALTERNATIVE 3: REDUCED DENSITY/REDUCED HEIGHT ALTERNATIVE**

### 3.1 Description of Alternative

Alternative 3 – Reduced Density/Reduced Height assumes implementation of the Project similar to the Project Description (Section 2) of the Draft EIR, but reduced in overall size. Alternative 3 assumes the retention of the wholesale Flower Market space and the reduction of all proposed commercial uses. Specifically, the Project would be developed with 47,093 square feet of office uses, 3,508 square feet of retail uses, 7,381 square feet of event space, 63,585 square feet of wholesale flower market space, and 10,736 square feet of food and beverage space. Alternative 3 also proposes 258 multi-family residential units, which is a 20 percent reduction from the total number of units proposed under the Project. The total height of Alternative 3 would also be reduced, for a maximum height of 164 feet and 12 stories. Like the Project, Alternative 3's design is intended to reflect the nature of its existing wholesale flower market uses. Parking would be provided in a subterranean level. The overall design, architecture, siting, pedestrian access, and vehicle and bicycle parking would comply with the City's requirements.

### 3.2 Impact Summary of Alternative

**Aesthetics:** Based on the reduced square footage of Alternative 3 as compared to the Project, Alternative 3's height would be proportionately reduced. As with the Project, no significant impacts related to scenic vistas would occur. Alternative 3's building's architecture and style would be similar to that of the Project. Alternative 3 would result in a less than significant impact

with respect to visual character, similar to the Project. Alternative 3 would also result in less than significant impacts related to shade and shadow, similar to the Project. Based on its reduced size, the amount of lighting and sources of glare associated with Alternative 3 would be less than under the Project, and also less than significant. However, the Project Site falls within a Transit Priority Area, and in accordance with SB 743, the Project's aesthetic impacts would not be considered a significant impact on the environment. In addition, the City of Los Angeles Zoning Information File 2452 provides that visual resources an aesthetic character shall not be considered an impact for mixed-use infill projects within transit priority areas pursuant to CEQA. This analysis is provided for informational purposes.

**Air Quality:** While the scale of development would be reduced under Alternative 3, the EIR's analysis assumed the same scope of construction for Alternative 3, but with a reduced construction schedule. During construction, like the Project, Alternative 3's estimated NOx emissions would exceed SCAQMD's regional significance thresholds. Alternative 3 would also implement Mitigation Measure C-1 and comply with the standard regulatory compliance measures, which together would mitigate Alternative 3's construction emissions to less than significant levels. For localized impacts during construction, Alternative 3 would also lead to NOx and PM2.5 emissions that exceed local significance thresholds, similar to the Project. With implementation of Mitigation Measure C-1 and compliance with the standard compliance measures, the mitigated construction emission for Alternative 2 would be less than significant. During operations, Alternative 3 would add approximately 2,476 vehicle trips to and from the Project Site on a peak weekday, which would be a decrease of 651 daily trips when compared to the Project. As a result, Alternative 3's operational impacts on regional air quality are considered less than significant and the impacts are less than the Project because of the lower amount of traffic generated by Alternative 3's long term operations. The long-term operation of Alternative 3 would also generate fewer localized emission of pollutants from onsite area and energy sources than the Project because of its smaller overall development footprint, and impacts would be less than significant.

**Cultural Resources:** Alternative 3 would have the same potential as the Project to encounter unknown archaeological or paleontological resources, based on the same amount of grading and excavation. Similar to the Project, impacts under Alternative 3 would be less than significant with compliance with existing regulatory requirements related to inadvertent discoveries. Impacts to historic resources would be the same under Alternative 3 and the Project, as neither would result in an impact to historic resources.

**Geology and Soils:** Because the Project Site is the same under the Project as it is for Alternative 3, any development of the Project Site would be subject to the same geological/geotechnical issues identified for the Project and would be subject to the most recently adopted California Building Code design parameters.

**Greenhouse Gas Emissions:** Due to the similar scale of construction, Alternative 3 would generate the same level of GHG emissions during the construction period when compared to the Project, and impacts would be less than significant. During operations, Alternative 3 would produce approximately 2,890 fewer metric tons of CO2e per year, largely due to the decreased number of vehicle trips generated by Alternative 3. Alternative 3 would be consistent with the applicable state, regional, and local regulatory plans and policies to reduce GHG emissions. Like the Project, Alternative 3's impacts related to GHG emission would be less than significant.

**Hazards and Hazardous Materials:** Similar to the Project, construction of Alternative 3 could involve the temporary transport, use, or disposal of potentially hazardous materials. It is also possible during construction that asbestos, lead-based paint, and polychlorinated biphenyls could be encountered. Compliance with manufacturers' instructions and applicable standards and regulations would ensure that impacts for Alternative 3 are less than significant during construction, as is the case with the Project. Similar to the Project, operation of Alternative 3 would involve the

limited use of hazardous materials, which would be used and disposed of in accordance with applicable standards and regulations. The Project Applicant would also be required to submit a proposed plot plan to the Los Angeles Fire Department to ensure compliance with applicable regulations related to fire hazards or emergency access. Operation of Alternative 3 would result in less than significant impacts related to hazards and hazardous materials, similar to the Project.

**Land Use and Planning:** Alternative 3 includes the same uses as the Project, but with a reduced amount of square footage and reduced number of dwelling units. Under Alternative 3, the Project Applicant would likely request the same discretionary approvals as for the Project. With the same proposed uses at the Project, Alternative 3 would be substantially consistent with all applicable plans, policies, and regulations that govern development of the Project Site. Impacts related to land use and planning under Alternative 3 would be less than significant and similar to the Project.

**Noise:** The scope of construction for Alternative 3 would be very similar to that of the Project, though the reduction in size could result in a shorter duration of construction activities than the Project. Mitigation Measures I-1 through I-6 would also be recommended for Alternative 3 to reduce the incremental increase in noise levels during construction below the significance threshold at sensitive receptors and reduce resulting ambient noise impacts from construction equipment. Implementation of Mitigation Measures I-1 through I-6 would minimize ambient noise increases at the nearby receptors below the significance threshold, and impacts would be less than significant (same as the Project). Like the Project, operation of Alternative 3 would result in both direct and on-site noise impacts associated with commercial-related activities, as well as indirect noise impacts from vehicles traveling on local roads to access the Project Site. The potential noise impact from on-site operational sources would be considered less than significant and similar to the Project. Based on Alternative 3's lower generated traffic, Alternative 3's potential noise impacts from indirect traffic sources would be less than significant and less than the Project's less than significant impact.

**Population and Housing:** Alternative 3's related construction would not represent a permanent or substantial new employment generator that would cause growth. There would be no significant housing or population impacts from construction of Alternative 3, as is the case with the Project. Alternative 3 would generate approximately 565 employees, which is a reduction of 135 employees as compared to the Project. It is likely that the existing availability of employees in the Project area would fill the jobs generated by the Project and would not draw new people to the City to fill the jobs. Operation of the proposed commercial uses in Alternative 3 would not cause a substantial increase in overall population, as is the case with the Project. Therefore, no impact related to population growth would occur, the same as with the Project. Further, Alternative 3 would not induce substantial indirect population growth and would be supported by the existing infrastructure such as roadways. No impacts related to infrastructure would occur from indirect population growth and employment, similar to the Project. Alternative 3 would result in a residential population of approximately 707 people added to the Project Site, which is 178 fewer people than would be generated by the Project. Like the Project, Alternative 3's proposed housing units and associated population would fall within the forecasted growth for the Community Plan area and the City as a whole. Alternative 3 also would not displace existing housing units and/or people on the Project Site. Impacts related to direct population and housing growth under Alternative 3 would be less than significant and similar to the Project.

**Public Services:** Alternative 3's impacts related to fire protection during construction would be less than significant and similar to those of the Project. During operation, based on the reduction in the number of residential units and commercial space, the number of fire protection service calls would be slightly reduced with implementation of Alternative 3 as compared to the Project. Operational impacts related to fire protection under Alternative 3 would, therefore, be less than the Project's less than significant impacts. Alternative 3's impacts to police protection during construction would be less than significant and similar to the Project's impacts. During operation,

the demand for police protection services would be less for Alternative 3 when compared to the Project, as there would be fewer residential units and less commercial space. Therefore, operational impacts related to police protection under Alternative 3 would be less than the Project's less than significant impacts. Impacts to schools during construction of Alternative 3 would be less than significant and the same as the Project. During its operation, Alternative 3 would generate fewer students than the Project and its impacts would be less than the Project's less than significant impacts. Construction-related impacts on parks and recreation facilities under Alternative 3 would be less than significant and similar to the Project. During its operation, Alternative 3's impacts to parks and recreational facilities would be less than significant and slightly less than the Project's impacts due to the reduction in the number of residential units. Construction-related impacts on library services would be less than significant under Alternative 3 and similar to the Project's impacts. Because Alternative 3 would add fewer residents and employees to the Project Site when compared to the Project, Alternative 3 would reduce demand for library services as compared to the Project. Impacts on library services would therefore be less than significant and less than the Project's impacts.

**Transportation/Traffic:** Traffic and transportation impacts during Alternative 3's construction would be less than significant, similar to the Project. During its operation, Alternative 3 is estimated to generate 2,476 daily vehicle trips, which is 651 fewer daily, 51 fewer AM peak hour, and 59 fewer PM peak hour vehicle trips than the Project. Overall, Alternative 3's traffic impacts would be less than significant and also slightly reduced when compared to the Project's less than significant impacts, due the reduction in the size of the development.

**Tribal Cultural Resources:** Alternative 3 would be developed on the same site as the Project and would require the same amount of grading and excavation. Therefore, Alternative 3 would have the same potential as the Project to encounter unknown tribal cultural resources. Impacts for Alternative 3 would be less than significant with implementation of Mitigation measure M-1.

**Utilities and Service Systems:** Construction-related impacts to the existing wastewater infrastructure and facilities would be less than significant and similar to the Project. Based on its reduced uses, Alternative 3's impacts related to wastewater during operation would be less than significant and less than the Project's less than significant impacts. Impacts on water supply during Alternative 3's construction would be less than significant and similar to the Project's impact. During its operation, Alternative 3 would consume less water than the Project and would result in less than significant impacts with respect to long-term water supplies. Overall, impacts of Alternative 3 related to water supply would be less than significant and less than the Project's less than significant impacts. With respect to solid waste generation, Alternative 3's construction would generate less solid waste as compared to the Project based on Alternative 3's reduced size when compared to the Project. As existing landfills and waste facilities have sufficient capacity to handle the projected amount of construction waste, the construction-related solid waste impacts of Alternative 3 would be less than significant and slightly reduced when compared to the Project. Alternative 3's operation would also generate less solid waste as compared to the Project. Overall, impacts of Alternative 3 would be less than significant and less than the Project's less than significant impacts.

**Energy:** With respect to the efficient use of energy, Alternative 3's short-term demand for electricity during construction would not result in a wasteful or inefficient use of energy, and impacts would be less than significant and similar to the Project. During operation, the Project would use less electricity than the Project based on its reduced size. Overall, like the Project, Alternative 3 would result in a less than significant impact related to electricity demand and impacts would be less than the Project's less than significant impacts. Construction impacts of Alternative 3 related to natural gas consumption would be less than significant and similar to those of the Project. Alternative 3 would use less natural gas during operation. Like the Project,

Alternative 3 would result in a less than significant impact with respect to natural gas demand, and less than the Project's less than significant impact.

### 3.3 Findings

Specific economic, legal, social, technological, other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the EIR.

### 3.4 Rationale for Findings

Based on its reduced size, Alternative 3 would result in less impacts as compared to the Project in the areas related to aesthetics, operational regional and localized air emissions, greenhouse gas emissions, off-site indirect noise impacts, fire protection and police protection services, schools, parks/recreation, utilities and service systems. However, the Project will also lead to less than significant impacts in those impact areas with incorporation of all project design features and mitigation measures.

Further, based on its reduced size for both residential and commercial space, development of Alternative 3 would meet some of the Project objectives to a lesser degree than the Project. Specifically, Alternative 3 would meet the following Project objectives: (i) create a connected pedestrian friendly environment along Maple Avenue and Wall Street that is readily accessible to future residents and guests, as well as patrons of the Southern California Flower Market; and (ii) provide an infill development in an existing urban area to reduce "greenfield" development and urban sprawl, in furtherance of City goals and policies to reduce vehicle miles traveled (VMT) and to reduce pollutant emissions and greenhouse gas emissions. But because Alternative 3 includes a reduction in residential and commercial uses when compared to the Project, it would only partially meet the following objectives: (i) redevelopment the existing Southern California Flower Market including the adaptive reuse of the northerly building to continue to include the wholesale flower market uses, as well as the addition of new parking, commercial space, and residential uses, to provide an economically sustainable development of complementary uses; (ii) capitalize on smart growth opportunity by intensifying a currently underutilized site with residential and commercial uses near public transit lines (Metro Rail and Bus); (iii) contribute housing opportunities toward the City's Regional Housing Needs Assessment (RHNA) allocation; (iv) develop residential and commercial uses that generate local tax revenues and generate residents who support local businesses; and (v) create a range of construction and permanent jobs.

### 3.5 Reference

For a complete discussion of the impacts associated with Alternative 3, see Section 6, Alternatives, of the Draft EIR, as well as any relevant corrections and additions and responses to comments related to Alternative 3 in the Final EIR.

## VIII. OTHER CEQA CONSIDERATIONS

### 1. Growth Inducing Impacts

Section 15126.2(d) of the CEQA Guidelines requires a discussion of the ways in which a proposed project could be growth-inducing. This would include the ways in which the project would foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment. Generally, a project may foster or encourage population growth in a geographic area if it meets any of the following criteria: (a) economic expansion or growth (e.g., changes in revenue base, employment expansion, etc.); (b) removal of impediment to growth (e.g., establishment of an essential public service or the

provision of new access to an area); (c) establishment of a precedent-setting action (e.g., an innovation, a change in zoning, or general plan amendment approval); or (d) development of or encroachment on an isolated or adjacent area of open space (being distinct from an infill type of project).

While the Project would provide new residential, retail, restaurant, office, event space, and food and beverage uses, the Project would not necessitate the extension of roads or other infrastructure. The Project would be developed in a densely populated urban area and would provide greater density around existing bus and rail lines. The Project is designed to include an economically sustainable balance of housing and commercial uses. The Project also responds to the unmet housing demand in both the Central City Community Plan Area and the City of Los Angeles as a whole. The Project's infill location will help the City achieve regional policies to reduce urban sprawl and efficiently utilize existing infrastructure, reduce regional congestion, and improve air quality through the reduction of VMT. While the Project proposes additional housing units, it would not substantially induce housing growth beyond forecasted levels.

The addition of employees to the Project Site could come from the Project area, and other nearby areas in the City, as the types of land uses are not specialized to attract a net increase in employees from a region outside the local area. Employees are assumed to live in the local area or the City, and can access the Project Site through multiple modes of transit.

The Project would not induce growth with respect to roads and other infrastructure because the Project Site is already developed and connected to all local utility infrastructure, including water, wastewater, electricity, and natural gas. Therefore, utility infrastructure would not be expanding into a new areas as a result of the Project.

Also, due to the Project's proposed land uses and location, the Project would not provide for the removal of an impediment to growth or development of or encroachment on an isolated or adjacent area of open space. The Project would not provide a public service or access to a new area or encroach on open space, and the Project would be located on an already developed site that is densely urban and served by existing roadways.

In sum, the Project would not lead to growth inducing impacts.

## 2. Significant Irreversible Environmental Changes

Section 15126.2(c) of the CEQA Guidelines requires a discussion of the use of nonrenewable resources and states that "[i]rretrievable commitments of resources should be evaluated to assure that such current consumption is justified." The types and level of development associated with the Project would consume limited, slowly renewable and non-renewable resources. This consumption would occur during the Project's construction and would continue throughout its operational lifetime. The development of the Project would require a commitment of resources that would include: (1) building materials, (2) fuel and operational materials/resources, and (3) the transportation of goods and people to and from the Project Site.

Construction of the Project would require consumption of resources that cannot be replenished or which may renew slowly as to be considered non-renewable. These resources would include certain types of lumber and other forest products, aggregate materials used in concrete and asphalt (e.g., sand, gravel and stone), metals (e.g., steel, copper and lead), petrochemical construction materials (e.g., plastics) and water. Fossil fuels, such as gasoline and oil, would also be consumed in the use of construction vehicles and equipment. The commitment of resources required for the type and level of proposed development would limit the availability of these resources for future generations for other uses during the operation of the Project.

However, this resource consumption would be consistent with growth and anticipated change in the Los Angeles region.

Demolition of the existing South Building on the Site would result in production of waste material. However, the Project includes renovation of the existing North Building. In addition, the Project would recycle and salvage demolition and construction debris including concrete, asphalt, wood, drywall, metals and other miscellaneous and composite materials. Proper separation of demolition debris would assist environmental clean-up and allow for the proper disposal of hazardous materials that may be found within existing buildings.

In addition, the Project would be developed in a densely populated urban area and would provide greater density in close proximity to existing transit, including numerous public bus and rail lines within the immediate Project vicinity, thereby reducing vehicle miles traveled (VMT). This would also potentially reduce, rather than increase, the need for additional infrastructure and commitment of resources.

### 3. Environmentally Superior Alternative

CEQA requires that an EIR alternatives analysis include designation of an “environmentally superior” alternative. Based on the analysis presented in the EIR, Alternative 1 – No Project would result in the greatest reduction in Project impacts and would be the environmentally superior alternative. However, CEQA also requires that if the environmentally superior alternative is the “No Project” alternative, an EIR shall also identify an environmentally superior alternative from among the other alternatives.

The City finds that Alternative 3 – Reduced Density/Reduced Height is environmentally superior in the sense that Alternative 3 would generate fewer vehicle trips than the Project and would result in reduced impacts to aesthetics, air emissions, greenhouse gas emissions, noise, public services, and utilities based on the reduced scale of Alternative 3’s development compared to the Project. However, the City finds that Alternative 3 would not meet many of the Project’s objectives to the same degree as the Project because Alternative 3 would develop fewer residential units and less commercial space.

### 4. Effects Found Not to be Significant

Section 15128 of the CEQA Guidelines states that an EIR shall contain a brief statement indicating reasons that various possible significant effects of a project were determined not to be significant and not discussed in detail in the EIR. An Initial Study was prepared for the Project and is included in Appendix A of the Draft EIR. The Initial Study provided a detailed discussion of the potential environmental impact areas and the reasons that each environmental area is or is not analyzed further in the Draft EIR. The City of Los Angeles determined through the Initial Study that the Project would not have the potential to cause significant impacts related to the issues discussed below.

#### 4.1. Agriculture and Forestry Resources

The Project would cause no impacts on agricultural or forestry resources. Under the CEQA Guidelines (Appendix G), a project may have a significant impact on agricultural or forestry resources if it were to result in (a) the conversion of state-designated agricultural land from agricultural use to another non-agricultural use; (b) conflicts with existing zoning for agricultural use or a Williamson Act Contract; (c) conflicts with existing zoning or cause rezoning of forest/timber land; (d) result in the loss of forest land or conversion of forest land to non-forest use; or (e) other changes in the existing environment that could result in conversion of Farmland to non-agricultural use. The Project Site is currently developed with two Flower Market buildings

and associated parking, and is located in a highly urbanized area. The Project Site does not contain any agricultural uses, and is not delineated as such on any maps prepared pursuant to the Farmland Mapping and Monitoring Program. The Project Site is zoned for light industrial uses. No Williamson Act Contract applies to the Project Site.

No mitigation measures are required, as no significant impacts associated with agricultural or forestry resources have been identified.

#### 4.2. Air Quality

Under CEQA's Guidelines (Appendix G), a project may have a significant air quality impact if the project would cause any of the following: (a) conflict with or obstruct implementation of the applicable air quality plan; (b) violate any air quality standard or contribute substantially to an existing or projected air quality violation; (c) result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable federal or State ambient air quality standard; (d) expose sensitive receptors to substantial pollutant concentrations; or (e) create objectionable odors affecting a substantial number of people.

The City has not adopted specific citywide significance thresholds, but instead relies on regional significance thresholds identified by the South Coast Air Quality Management District (SCAQMD) in its CEQA Air Quality Handbook (SCAQMD CEQA Handbook) as revised in November 1993 for construction and operational emissions impacts. The City's analysis of air quality impacts was prepared consistent with applicable SCAQMD guidance as well CalEEMod guidance, including the User's Guide.

##### 4.2.1. Construction Phase and Operational Phase Impacts — Odors

The Project would have less than significant impacts related to odors. A significant impact would occur only if a project would generate substantial odors. Potential sources that may emit odors during the Project's construction activities include the use of architectural coatings and solvents as well as asphalt paving. SCAQMD Rules 1108 and 1113 limit the amount of volatile organic compounds from cutback asphalt and architectural coatings and solvents, respectively. Based on the mandatory compliance with SCAQMD rules, no construction activities or materials are proposed that would create a significant level of objectionable odors and would limit potential objectionable odor impacts during the Project's short-term construction phase to a less than significant level.

For the Project's long-term operations, the SCAQMD's CEQA Air Quality Handbook identifies those land uses that are associated with odor complaints. Those land uses typically include agricultural uses that are associated with odor processing plants, chemical plants, composting, refineries, landfills, dairies, and fiberglass molding. The Project does not include any of the uses identified by the SCAQMD as being associated with odors. While the Project does include restaurant uses, compliance with industry standard odor control practices, SCAQMD Rule 402 (Nuisance), and SCAQMD Best Available Control Technology Guidelines would limit potential objectionable odor impacts during the Project's long-term operations phase to a less than significant level.

No mitigation measures are required, as no significant impacts associated with odors during the Project's construction or operational phase have been identified.

#### 4.3 Biological Resources

The Project would have no impacts or less than significant impacts related to biological resources. Under the CEQA Guidelines (Appendix G), a project may have a significant impact on biological

resources if it (a) has a substantial adverse effect, either directly or through habitat modification, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations by the California Department of Fish and Game or the U.S. Fish and Wildlife Service; (b) has a substantial adverse effect on any riparian habitat or other sensitive natural community identified in the City or regional plans, policies, or regulations by the California Department of Fish and Game or the U.S. Fish and Wildlife service; (c) has a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act through direct removal, filling, hydrological interruption, or other means; (d) may interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites; (e) may conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance; or (f) may conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

The Project Site is located in an urbanized area of Los Angeles and is currently developed with two existing flower market buildings and other hard surfaces, and has minimal ornamental landscaping. The Project Site does not contain any natural open spaces, serve as a wildlife corridor, or possess any areas of significant biological resource value. No hydrological features are present on the Project Site and there are no sensitive habitats present. Due to the lack of biotic resources, no candidate, sensitive, or special status species identified in local plans, policies, regulations, by the California Department of Fish and Game (CDFG), the California Native Plant Society (CNPS), or the U.S. Fish and Wildlife Service (USFWS) would be expected to occur on the Project Site.

Additionally, there are no riparian areas, sensitive natural communities, or Significant Ecological Areas as identified by the City, located on or adjacent to the Project Site. Review of the National Wetlands Inventory identified no wetlands or water features on or in the immediate vicinity of the Project Site. The Project Site also currently does not interfere substantially with the movement of any native resident or migratory birds. The Project Site is located in an urban area that is highly disturbed and which contains numerous high-rise buildings. The nearest location that contains vegetation with the potential for supporting migratory bird and/or wildlife use is Pershing Square, located approximately 0.8 miles to the northwest. The Project would develop one 15-story tower on the Project Site. Although buildings of this height could potentially interfere with bird movement, the presence of several buildings of a similar height in the vicinity would generally act as a discouragement to major bird migration. Additionally, downtown Los Angeles is not known as being located with a significant bird migration route. No bodies of water exist on the Project Site to provide habitat for fish. As such, the Project's implementation would not interfere with the movement of native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, nor would it impede the use of native wildlife nursery sites.

The Project would also be confined to a previously developed site and would not involve substantial changes in the existing environment. Local ordinances protecting biological resources are limited to the City's Protected Tree Ordinance, as modified by Ordinance 177404. The amended Protected Tree Ordinance provides guidelines for the preservation of all Oak trees indigenous to California, excluding certain tree species. According to the tree report prepared for the Project Site, no City-protected trees are present on the Project Site. A total of 12 African fern pines (*Afrocarpus falcatus*) with a diameter breast height (dbh) that exceed eight inches are street trees that occur along the northwest, northeast, and southeast boundaries of the Project Site. The Project would remove all existing trees, and, if required under the City's Street Tree Ordinance, would provide replacement per the applicable City requirements. The Project Site is also not located in or adjacent to an existing or proposed Significant Ecological Area. There is no adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other

approved local, regional, or state habitat conservation plan that applies to the Project Site. The Project would not conflict with any habitat conservation plans.

No mitigation measures are required, as no significant impacts associated with biological resources have been identified.

#### 4.4 Geology and Soils

Under CEQA's Guidelines (Appendix G), a project may have a significant impact to geology and soils if the project would result in one or more of the following: (a) exacerbate existing environmental conditions so as to increase the potential to expose people or structures to potential substantial adverse effects, including risk of loss, injury, or death involving — (i) rupture of a known earthquake fault, (ii) strong seismic ground-shaking, (iii) seismic-related ground failure, including liquefaction, or (iv) landslides; (b) result in substantial soil erosion or the loss of topsoil; (c) be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially resulting in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse caused in whole or in part by the project's exacerbation of the existing environmental conditions; (d) be located on expansive soil, creating substantial risks to life or property caused in whole or in part by the project exacerbating the expansive soil conditions; or (e) have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater.

The L.A. CEQA Thresholds Guide requires the geotechnical analysis to address the following areas of study (1) geologic hazards; (2) sedimentation and erosion; (3) landform alternation; and (4) mineral resources.

##### 4.4.1. Increasing Potential Exposure to Landslides

The Project would have no impacts related to landslides. A significant adverse effect may occur if a project is located in a hillside area with soil conditions that would suggest high potential for sliding. Landslides can occur on slopes under normal gravitational forces and during earthquakes when strong ground motion can cause failure. Landslides tend to occur in loosely consolidated, wet soil, and/or rock on unstable sloping terrain. The Project Site is topographically level and is not identified by ZIMAS as being within a landslide hazard zone.

No mitigation measures are required, as no significant impacts associated with landslides have been identified.

##### 4.4.2. Septic Tanks

The Project would have no impacts related to septic tanks. A significant impact may occur if a project is located in an area not served by an existing sewer system. The Project is located in a developed area of the City, which is served by a wastewater collection, conveyance and treatment system operated by the City. No septic tanks or alternative disposal systems are necessary, nor are they proposed.

No mitigation measures are required, as no significant impacts associated with septic tanks have been identified.

#### 4.5 Hazards and Hazardous Materials

Under CEQA's Guidelines (Appendix G), a project could have a potentially significant impact on hazards and hazardous materials if it would result in one or more of the following: (a) create a

significant hazards to the public or the environment through the routine transport, use, or disposal of hazardous materials; (b) 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; (c) emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school; (d) be located on a site which is include on a list of hazardous materials sites; (e) the project would result in a safety hazard for people residing or working in the project area for a project located within an airport land use plan, or where such plan has not been adopted, within two miles of a public airport; (f) for a project located within the vicinity of a private airstrip, if the project would result in a safety hazard for people residing or working the project area; (g) impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan; and (h) expose people or structures to a significant risk of loss, injury or death involving wildland fires.

The L.A. CEQA Thresholds Guide requires the determination of significance for project impacts related to hazards and hazardous waste to be made on a case-by-case basis, considering the following factors—(a) the regulatory framework; (b) the probable frequency and severity of consequences to people or property as a result of a potential accidental release or explosion of hazardous substance; (c) the degree to which the project may require a new, or interfere with an existing, emergency response or evacuation plan, and the severity of the consequences; and (d) the degree to which project design will reduce the frequency or severity of a potential accidental release or explosion of a hazardous substance.

#### 4.5.1. Airport Land Use Plan, Or Two Miles Of A Public Airport Or Vicinity Of Private Airstrip

The Project would have no impact related to a public or public use airport or private airstrip. A significant impact may occur if a project is located within two miles of a public airport or within the vicinity of a private airstrip. The Project Site is not located in the vicinity of a public airport or private airstrip.

No mitigation measures are required, as no significant impacts associated with a public or public use airport or private airstrip have been identified.

#### 4.5.2. Wildland Fires

The Project would have no impact related to wildland fires. A significant impact may occur if a project is located in proximity to wildland areas and poses a potential fire hazard, which could affect persons or structures in the area in the event of a fire. The Project Site is not located in a Very High Fire Hazard Severity Zone. The Project Site is located in a highly urbanized area and is not located within a designated Fire Buffer Zone or Mountain Fire District in the 1996 City of Los Angeles Safety Element.

No mitigation measures are required, as no significant impacts associated with wildland fires have been identified.

### 4.6 Hydrology and Water Quality

Under the CEQA Guidelines (Appendix G), a project may have a significant impact if the project would result in one or more of the following: (a) violate any water quality standards or waste discharge requirements; (b) substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level; (c) substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which

would result in substantial erosion or siltation on- or offsite; (d) substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site; (e) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; (f) otherwise substantially degrade water quality; (g) place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate map or other flood hazard delineation map; (h) place within a 100-year flood hazard area structures which would impede or redirect flood flows; (i) expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam; or (j) expose people or structures to a significant risk of loss, injury or death involving inundation by seiche, tsunami, or mudflow.

#### 4.6.1. Water Quality

The Project would have less than significant impacts related to water quality standards or waste discharge requirements. A significant impact may occur if a project discharges water that does not meet the quality standards of agencies that regulate surface water quality and water discharge into stormwater drainage systems. Significant impacts would also occur if a project does not comply with all applicable regulations with regard to surface water quality as governed by the State Water Resources Control Board (SWRCB). These regulations include compliance with the requirements of the mandated construction Stormwater Pollution Prevention Plan (SWPPP) under the NPDES Construction General Permit (Order No. 2012-0006-DWQ), City grading and building permit regulations, the City's Low Impact Development Ordinance, and/or Standard Urban Storm Water Mitigation Plan (SUSMP) requirements to reduce potential water quality impacts. The Project involves the redevelopment of a Project Site that is currently developed and completed paved. The Project would not alter the existing surface water runoff drainage pattern, would not alter rainfall absorption at the Project Site, and would not result in a net increase of rates of stormwater discharge which may exceed water quality standards or waste discharge requirements. Therefore, this potential impact would be less than significant.

No mitigation measures are required, as no significant impacts associated with water quality have been identified.

#### 4.6.2. Groundwater

The Project would have less than significant impacts related to groundwater. A significant impact may occur if a project includes deep excavations which have the potential to interfere with groundwater movement, or includes withdrawal of groundwater or paving of existing permeable surfaces that are important to groundwater recharge. The Project does not propose any permanent groundwater wells or pumping activities and all water supplied to the Project Site would be derived from the City's existing water supply and infrastructure. In addition, the Project would not increase the amount of impervious surface area located on the Project Site upon completion of Project construction. Although construction of the Project would include excavation and could possibly require dewatering at the Project Site, the amount of groundwater infiltration likely to occur would be minimal given the small area and relatively shallow depth of the proposed excavation (for one level of subterranean parking). Therefore, this potential impact would be less than significant.

No mitigation measures are required, as no significant impacts associated with groundwater have been identified.

#### 4.6.3. Drainage

The Project would have less than significant impacts related to drainage patterns. A significant impact may occur if a project would substantially alter drainage patterns resulting in a significant increase in erosion or siltation during construction or operation of a project. There are no natural watercourses on the Project Site. The Project Site is currently fully developed. As part of the Project, grading and construction activities may temporarily alter the existing drainage patterns of the Project Site. However, compliance with the requirements of the mandated construction Stormwater Pollution Prevention Plan (SWPPP) under the NPDES Construction General Permit (Order No. 2012-0006-DWQ) and City grading and building permit regulations would reduce the occurrence of erosion and siltation during construction and operation to the maximum extent practicable. Therefore, the potential impact would be less than significant.

No mitigation measures are required, as no significant impacts associated with drainage have been identified.

#### 4.6.4. Runoff

The Project would have less than significant impacts related to runoff. A significant impact may occur if a project would increase the volume of stormwater runoff to a level which exceeds the capacity of the storm drain system serving the Project Site, or if the Project would introduce substantial new sources of polluted runoff. Construction of the Project could contribute to the degradation of existing surface water quality conditions primarily due to (1) potential erosion and sedimentation during the grading phase; (2) particulate matter from dirt and dust generated on the Project Site; and (3) construction activities and equipment. However, compliance with the requirements of the mandated construction and operation SWPPP, as well as with the requirements of the City's Low Impact Development Ordinance and/or SUSMP, would reduce the amount of additional stormwater runoff from the Project Site and the introduction of pollutants to stormwater runoff during construction and operation to the maximum extent practicable. Development of the Project would not increase overall stormwater runoff volumes the Project Site is currently completely covered with impervious surfaces. Therefore, this potential impact would be less than significant.

No mitigation measures are required, as no significant impacts associated with runoff have been identified.

#### 4.6.5. Otherwise Substantially Degrade Water Quality

The Project would have less than significant impacts related to otherwise substantially degrading water quality. The Project could involve the use of contaminants that could potentially degrade water quality if not properly handled and stored. However, compliance with the requirements of the mandated construction SWPPP, as well as with the requirements of the City's Low Impact Development Ordinance and/or SUSMP, would reduce the introduction of contaminants to stormwater runoff during Project construction and operation to the maximum extent practicable. Therefore, this potential impact would be less than significant.

No mitigation measures are required, as no significant impacts associated with otherwise substantially degrading water quality have been identified.

#### 4.6.6. Place Housing Or Structure Within A 100-Year Flood Hazard Area

The Project would have no impact related to placing housing within a 100-year flood plain hazard area or impeding or redirecting flood flows within a 100-year flood plain hazard area. The Project Site is not located within an area identified by Federal Emergency Management Agency (FEMA) as potentially subject to 100-year floods. The Project Site is not located within a City-designated 100-year or 500-year flood plain. As the Project Site is located in an area of

minimal flooding, the Project would not introduce people or structures to an area of high flood risk. Therefore, the Project would not contain any significant risks of flooding and would not have the potential to impede or redirect floodwater flows.

No mitigation measures are required, as no significant impacts associated with placing housing within a 100-year flood hazard area have been identified.

#### 4.6.7. Flooding, Including From Failure Of A Levee or Dam

The Project would have no impacts associated with exposing people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam. A significant impact may occur if a project were located in an area where flooding, including flooding associated with dam or levee failure, would expose people or structures to a significant risk of loss, injury, or death. The Project Site is not located within a potential inundation area resulting from the failure of a dam or levee.

No mitigation measures are required, as no significant impacts associated with flooding have been identified.

#### 4.6.8. Inundation by Seiche, Tsunami, or Mudflow

The Project would have no impacts related to inundation by seiche, tsunami, or mudflow. A significant impact may occur if a project is significantly close to the ocean or other water body to be potentially at risk of the effects of seismically-induced tidal phenomena (i.e., seiche and tsunami) or if the Project Site is located adjacent to a hillside area with soil characteristics that would indicate potential susceptibility to mudslides or mudflows. The Project Site is not located in a Tsunami Hazard Area, and is located at least 12 miles from the Pacific Ocean and is not near any major water bodies. Therefore, there is no impact associated with seiches or tsunamis at the Project Site. In addition, the Project Site is an urbanized portion of the City, and is relatively flat, thereby limiting the potential for inundation by mudflow.

No mitigation measures are required, as no significant impacts associated with inundation by seiche, tsunami, or mudflow have been identified.

### 4.7 Land Use and Planning

Under CEQA's Guidelines (Appendix G), a project could have a potentially significant impact related to land use and planning if it were to: (a) physically divide an established community; (b) conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect; or (c) conflict with any applicable habitat conservation plan or natural community conservation plan.

Under the L.A. CEQA Thresholds Guide, a project's potential impacts related to land use and planning must be made on a case-by-case basis considering the project's consistency with applicable land use plans and compatibility with the type of land uses within the project area.

#### 4.7.1. Physically Divide An Established Community

The Project would have no impacts related to physically dividing an established community. A significant impact may occur if a project is sufficiently large enough or otherwise configured in such a way as to create a physical barrier within an established community (a typical example would be a project which involved a continuous right-of-way such as a roadway which would divide a community and impede access between parts of the community). The Project Site is located in a highly urbanized area of the City and is currently developed with the Southern

California Flower Market, which would continue to operate at the Site. Additionally, the Project Site is entirely surrounded by existing developments and roadways. Thus, the Project would not physically divide an established community and no impacts related to this issue would occur.

No mitigation measures are required, as no significant impacts associated with physically dividing an established community have been identified.

#### 4.7.2. Habitat Conservation Plan Or Natural Community Conservation Plan

The Project would have no impacts associated with a habitat conservation plan or natural community conservation plan. A significant impact may occur if a project is inconsistent with policies in any draft or adopted conservation plan. The Project Site is currently developed and is located in an urbanized area. There is no adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan that applies to the Project Site. Implementation of the Project would not conflict with any habitat conservation plans. Therefore, no impact would occur and no mitigation measures would be required.

No mitigation measures are required, as no significant impacts associated with any applicable habitat conservation plan or natural community conservation plan have been identified.

### 4.8 Mineral Resources

Under the CEQA Guidelines, a project may have an impact to mineral resources if it will (a) result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state; or (b) result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan.

#### 4.8.1. Availability of Known Mineral Resource

The Project would have no impacts associated with the loss of availability of a known mineral resource that would be of value to the region and residents of the state. A significant impact may occur if a project is located in an area used or available for extraction of a regionally-important mineral resource, and if the project converted an existing or potential future regionally-important mineral extraction use to another use, or if the project affected access to a site used or potentially available for regionally-important mineral resource extraction. The Project Site is not located within a City-designated oil field or oil drilling area, or a City-designated Mineral Resource Zone 2 Area (MRZ-2). Therefore, the Project would have no impact with respect to loss of availability of a known regionally-important mineral resource.

No mitigation measures are required, as no significant impacts associated with the availability of known mineral resources have been identified.

#### 4.8.2. Mineral Resource Site Delineated on Land Use Plans

The Project would have no impacts associated with resulting in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan. A significant impact may occur if a project is located in an area used or available for extraction of a locally-important mineral resource extraction, and if the project converted an existing or potential future locally-important mineral extraction use to another use, or if the project affected access to a site used or potentially available for locally-important mineral resource extraction. Government Code Section 65302(d) states that a conservation element of the general plan shall address "minerals and other natural resources." According to

the Conservation Element of the City of Los Angeles General Plan, sites that contain potentially significant sand and gravel deposits which are to be conserved follow the Los Angeles River flood plain, coastal plain, and other water bodies and courses and lie along the flood plain from the San Fernando Valley through downtown Los Angeles. Much of the area around the Project Site has been developed with structures and is inaccessible for mining extraction. Furthermore, the Project Site is developed and located in an urbanized area. Development of the Project would therefore not result in impacts associated with the loss or availability of a known mineral resource that would be of value to the region and the residents of the state. Therefore, no impact would occur.

No mitigation measures are required, as no significant impacts associated with the delineation of mineral resource recover sites on land use plans have been identified.

#### 4.9 Noise

Under the CEQA Guidelines (Appendix G), a project would have a significant impact on noise if it would cause any of the following conditions to occur: (a) exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies; (b) exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels; (c) a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the projects; (d) a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project; (e) for a project located within an airborne land use plan, or where such a plan has not been adopted, within two miles of a public airport or public use airstrip, expose people residing or working in the project area to excessive noise levels; or (f) for a project within the vicinity of a private airstrip, expose people residing or working in the project area to excessive noise levels.

Under the L.A. CEQA Thresholds Guide, a project would normally have a significant impact on noise levels from construction if the following occurs: (a) construction activities lasting more than one day would exceed existing ambient exterior noise levels by 10 dBA or more at a noise sensitive use; (b) construction activities lasting more than ten days in a three-month period would exceed existing ambient exterior noise levels by 5 dBA or more at a noise sensitive use; or (c) construction activities would exceed the ambient noise levels by 5 dBA at a noise sensitive use between the hours of 9:00 PM and 7:00 AM Monday through Friday, before 8:00 AM or after 6:00 PM on Saturday, or anytime on Sunday. Additionally, a project would normally have a significant impact on noise levels from project operations if the project causes the ambient noise levels measured at the property line of affected uses to increase by 3 dBA in Community Noise Equivalent Level (CNEL) to or within the "normally unacceptable" or "clearly unacceptable" category, or any 5 dBA or greater noise increase.

##### 4.9.1. Within Airport Land Use Plan or 2 Miles of a Public Airport

The Project would have no impacts related to being located within an airport land use plan or within two miles of a public airport. A significant impact may occur if a project is located within an airport land use plan and would introduce substantial new sources of noise or substantially add to existing sources of noise within or in the vicinity of the Project Site during construction of the Project. The Project Site is not located within an airport land use plan area or within two miles of a public airport or public use airport. The Project would therefore not expose people residing or working in the Project area to excessive noise levels from an airport use. Therefore, no impact would occur.

No mitigation measures are required, as no significant impacts associated with being located within an airport land use plan or within two miles of a public airport or public use airport have been identified.

#### 4.9.2. Within Vicinity of Private Airstrip

The Project would have no impacts related to being located within the vicinity of a private airstrip. A project would only have an impact related to this topic if it were in the vicinity of a private airstrip and would subject area residents and workers to a safety hazard. There are no private airstrips in the vicinity of the Site. Therefore, no impact would occur.

No mitigation measures are required, as no significant impacts associated with being located within the vicinity of a private airstrip have been identified.

### 4.10 Population and Housing

Under CEQA's Guidelines (Appendix G), a project may have a significant environmental impact if the project would result in one or more of the following: (a) induce substantial growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure); (b) displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere; or (c) displace substantial numbers of people, necessitating the construction or replacement housing elsewhere.

Under the L.A. CEQA Thresholds Guide, the determination of significance for a project's impacts on population, housing, and employment shall be determined on a case-by-case basis considering the following factors: (a) the degree to which the project would cause growth (i.e., new housing or employment generators) or accelerate development in an undeveloped area that exceeds projected/planned levels for the year of project occupancy/buildout, and that would result in an adverse physical change in the environment; (b) whether the project would introduce unplanned infrastructure that was not previously evaluated in the adopted Community Plan or General Plan; (c) the extent to which growth would occur without implementation of the project; (d) the total number of residential units to be demolished, converted to market rate, or removed through other means as a result of the project, in terms of net loss of market-rate and affordable units; and (e) the current and anticipated housing demand and supply of market rate and affordable housing in the project area.

#### 4.10.1. Displace Housing

The Project would have no impacts related to displacing existing housing. A significant impact may occur if a project would result in displacement of a substantial number of existing housing units, necessitating construction of replacement housing elsewhere. The Project would not displace any housing since there is no housing on the Project Site. Further, the Project would develop residential units. Therefore, no impact would occur.

No mitigation measures are required, as no significant impacts associated with displacing housing have been identified.

#### 4.10.2. Displace Persons

The Project would have no impacts related to displacing substantial numbers of people. A significant impact may occur if a project would result in displacement of existing residents, necessitating the construction of replacement housing elsewhere. There is no housing on the Site. Therefore, the Project would not displace people necessitating the construction of replacement housing elsewhere, and no impact would occur.

No mitigation measures are required, as no significant impacts associated with displacing persons have been identified.

#### 4.11 Transportation/Traffic

Under CEQA's Guidelines (Appendix G), a project would have a significant impact on traffic or transportation if it would cause any of the following conditions to occur: (a) conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways, and freeways, pedestrian and bicycle paths, and mass transit; (b) conflict with an applicable congestion management program, including but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways; (c) result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks; (d) substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment); (e) result in inadequate emergency access; or (f) conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities.

Under the City's L.A. CEQA Thresholds Guide, a project would have significant impacts on traffic or transportation if it would cause any of the following conditions to occur: (a) would the project cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections); (b) would the project exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways.

##### 411.1. Change in Air Traffic Patterns

The Project would have no impacts related to a potential change in air traffic patterns. A significant impact would occur if a proposed project included an aviation-related use and would result in safety risks associated with such use. The Project does not include any aviation-related uses. The Project Site is not located within an airport land use plan area or within two miles of a public airport or private use airport. Safety risks associated with a change in air traffic patterns would not occur. Therefore, no impact would occur.

No mitigation measures are required, as no significant impacts associated with a change in air traffic patterns have been identified.

#### 4.12 Tribal Cultural Resources

Under CEQA's Guidelines (Appendix G), a project could have significant impacts related to tribal cultural resources if the project could cause a substantial adverse change in the significance of a tribal cultural resource (defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe), and that is: (a) listed in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k) or (b) a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1.

#### 4.12.1. Listed Cultural Resource

The Project would have less than significant impacts related to a tribal cultural resource that has been listed in the California Register of Historical Resources. The Project Site does not contain any structures that have been identified as historic resources under federal, state or local registers. Further, while the oldest part of the existing flower market building was built in approximately 1962, making it roughly 55 years old, it is not a sacred place with cultural value to a California Native American tribe. Therefore, impacts would be less than significant.

No mitigation measures are required, as no significant impacts associated with a listed tribal cultural resource have been identified.

#### 4.13 Utilities and Service Systems

Under CEQA's Guidelines (Appendix G), a project could have a potentially significant impact related to utilities and service systems if the project would: (a) exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board; (b) require or result in the construction of new water or wastewater treatment facilities, the construction of which could cause significant environmental effects; (c) require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects; (d) not have sufficient water supplies available to serve the project from existing entitlements and resources; (e) not result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments; (f) would not be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs; or (g) not comply with federal, state, and local statutes and regulations related to solid waste.

##### 4.13.1. New Stormwater Drainage Facilities or Expansion of Existing Facilities

The Project would result in less than significant impacts related to the construction of new stormwater drainage facilities or the expansion of existing facilities.

A significant impact may occur if the volume of stormwater runoff were to increase to a level exceeding the capacity of the storm drain system serving the Project Site, to the extent that existing facilities would need to be expanded and the construction of which would cause significant environmental effects. The Project Site is currently fully developed and covered with impervious surfaces. Development of the Project would not increase the amount of impervious surface area at the Site and, consequently, would not increase the volume of stormwater runoff from the Site. Therefore, this impact would be less than significant.

No mitigation measures are required, as no significant impacts associated with the construction or expansion of new stormwater drainage facilities have been identified.

##### 4.13.2. Compliance with Federal, State, and Local Statutes and Regulations Related to Solid Waste

The Project's impacts related to compliance with federal, state, and local statutes and regulations related to solid waste would be less than significant. Solid waste management is guided by the California Integrated Waste Management Act of 1989 (AB 939), which emphasizes resource conservation through reduction, recycling, and reuse of solid waste. The Act requires that localities conduct a Solid Waste Generation Study (SWGS) and develop a Source Reduction

Recycling Element (SRRE). The City of Los Angeles prepared a Solid Waste Management Policy Plan that was adopted by the City Council in 1994. Solid waste generated on-site by the Project would be disposed of in accordance with all applicable federal, state, and local regulations and policies related to solid waste, including (but not limited to) AB 939, the City of Los Angeles Solid Waste Management Policy Plan (CiSWMPP), City of Los Angeles Source Reduction and Recycling Plan (CiSRRE), Ordinance No. 171,687 and the Framework Element of the General Plan. The CiSWMPP, adopted in November 1994, is the City's long-range policy plan that provides direction for solid waste management and serves as an umbrella document for the CiSRRE. Together, the CiSWMPP and CiSRRE specify goals, objectives, and programs for achieving AB 939. The General Plan Framework Element supports AB 939 and its goals and addresses many of the programs the City has implemented to divert waste from disposal facilities such as source reduction programs and recycling programs. Finally, Ordinance No. 171,687 (the "Space Allocation Ordinance") requires the provision of an adequate recycling area or room for collecting and loading recyclable materials for all new construction projects, multi-family residential projects of four or more units where the addition of floor area is 25 percent or more, and other development projects where the addition of floor area is 30 percent or more. The Project would provide clearly marked, durable, source sorted recycling bins throughout the Project Site to facilitate recycling in accordance with Ordinance No. 171,687. The Project would comply with federal, state, and local statutes and regulations related to solid waste. Therefore, impacts to regulations related to solid waste would be less than significant.

No mitigation measures are required, as no significant impacts associated with the compliance with federal, state, and local statutes and regulations related to solid waste have been identified.

#### IX. GENERAL FINDINGS

1. The City, acting through the Planning Department, is the "Lead Agency" for the Project evaluated in the Final EIR. The City finds that the Final EIR was prepared in compliance with CEQA and the CEQA Guidelines. The City finds that it has independently reviewed and analyzed the Final EIR, and that the Final EIR reflects the independent judgment of the City.
2. The Final EIR, Draft EIR, and Initial Study, evaluated the following potential project and cumulative environmental impacts: aesthetics, agricultural and forestry resources, air quality, biological resources, cultural resources, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, mineral resources, noise, population and housing, public services, recreation, transportation/traffic, tribal cultural resources, and utilities and service systems. Additionally, the Draft EIR considered, in separate sections, Significant Irreversible Environmental Changes and Growth Inducing Impacts. The Draft and Final EIR identified the project's impacts that could be mitigated to less than significant levels with implementation of mitigation and/or project design features, and concluded the project would not lead to significant environmental impacts. The Draft and Final EIR also identified alternatives to the project.
3. The City finds that the Final EIR provides objective information to assist the decision-makers and the public at large in their consideration of the environmental consequences of the Project. The public review period provided all interested jurisdictions, agencies, private organizations, and individuals the opportunity to submit comments regarding the Draft EIR. The Final EIR was prepared after the review period and adequately responds to comments made during the public review period.
4. The Planning Department evaluated comments on environmental issues received from persons who reviewed the Draft EIR. In accordance with CEQA, the Planning

Department prepared written responses describing the disposition of significant environmental issues raised. The Final EIR provides adequate, good faith and reasoned responses to the comments. The Planning Department reviewed the comments received and responses thereto and has determined that neither the comments received nor the responses to such comments add significant new information regarding environmental impacts to the Draft EIR as defined under CEQA. The lead agency has based its actions on full appraisal of all viewpoints, including all comments received up to the date of adoption of these findings, concerning the environmental impacts identified and analyzed in the Final EIR.

5. 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 additional recirculation of the Draft EIR, or that would require preparation of a supplemental or subsequent EIR. Specifically, the City finds that:
  - The Responses to Comments contained in the Final EIR fully considered and responded to comments claiming that the project would have significant impacts or more severe impacts not disclosed in the Draft EIR and 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 hearings 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.
6. The project design features and mitigation measures which have been identified for the Project were identified in the text and summary of the Final EIR and Draft EIR. The final project design features and mitigation measures are described in the Mitigation Monitoring Program. Each of project design features and mitigation measures identified in the Mitigation Monitoring Program, and contained in the Final EIR, is incorporated into conditions of approval for the Project. The City finds that the impacts of the Project have been mitigated to the extent feasible by the project design features and mitigation measures identified in the Mitigation Monitoring Program and contained in the Final EIR.
7. CEQA requires the lead agency approving a project to adopt a Mitigation Monitoring Program and make that Program a condition of project approval in order to ensure compliance with project implementation. The mitigation measures included in the Final EIR as certified by the City and included in the Mitigation Monitoring Program as adopted by the City serve that function. The Mitigation Monitoring Program includes all the mitigation measures identified in the Final EIR and has been designed to ensure

compliance during implementation of the Project. In accordance with CEQA, the Mitigation Monitoring Program provides the means to ensure that the mitigation measures are fully enforceable. In accordance with the requirements of Public Resources Code section 21081.6, the City hereby adopts the Mitigation Monitoring Program.

8. In accordance with the requirements of Public Resources Code section 21081.6, the City hereby adopts each of the mitigation measures expressly set forth herein as conditions of approval for the Project.
9. The custodian of the documents or other materials which constitute the record of proceedings upon which the City's decision is based is the Department of City Planning, City of Los Angeles.
10. The City finds and declares that substantial evidence for each and every finding made herein is contained in the Final EIR, which is incorporated herein by this reference, or is in the record of proceedings in the matter.
11. The citations provided as references in the Final and Draft EIR for each impact area discussed in these Findings are for reference purposes only and are not intended to represent an exhaustive listing of all evidence that supports these Findings.
12. The City is certifying the EIR for, and is approving and adopting findings for, the entirety of the actions described in these Findings and in the Final EIR. It is contemplated that there may be a variety of actions undertaken by other State and local agencies (who might be referred to as "responsible agencies" under CEQA). Because the City is the lead agency for the Project, the Final EIR is intended to be the basis for compliance with CEQA for each of the possible discretionary actions by other State and local agencies to carry out the Project.
13. The Final EIR is a project EIR for purposes of environmental analysis of the proposed project. A project EIR examines the environmental effects of a specific project. The Final EIR serves as the primary environmental compliance document for entitlement decisions regarding the Proposed Project by the City of Los Angeles and the other regulatory jurisdictions.

#### X. CONSIDERATION AND APPROVAL OF THE FINAL EIR

Pursuant to Article 7 of the CEQA Guidelines, these Findings have been prepared for the consideration and approval of the Final EIR and the analysis contained herein. The Final EIR was completed in accordance with CEQA; and the decision-making body has reviewed and considered the information contained in the Final EIR prior to the action.