

FINDINGS

(As amended by the City Planning Commission at its meeting on June 23, 2022)

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) FINDINGS

I. INTRODUCTION

This Environmental Impact Report (EIR), consisting of the Draft EIR and the Final EIR, is intended to serve as an informational document for public agency decision-makers and the general public regarding the objectives and environmental impacts of the 656 South San Vicente Medical Office Project (Project), located at 650–676 South San Vicente Boulevard (Project Site). The Project would include up to 145,305 square feet of floor area, comprised of 140,305 square feet of medical office space and 5,000 square feet of ground floor retail-commercial space, of which up to 4,000 square feet may be a restaurant and 1,000 square feet may be other commercial uses, such as a pharmacy. The proposed building would include 12 stories and would measure approximately 218 feet in height (230 feet to the top of the mechanical penthouse). The Project would include seven floors of medical office uses over four floors of above-grade parking, and a ground floor containing a lobby for the medical office, and commercial uses.

The City of Los Angeles (City), as Lead Agency, has evaluated the environmental impacts of implementation of the Project by preparing an EIR (Case Number ENV-2017-468-EIR/State Clearinghouse No. 2020010172). The EIR was prepared in compliance with the California Environmental Quality Act of 1970 (CEQA), Public Resources Code (PRC) Section 21000 et seq. and the California Code of Regulations (CCR) Title 15, Chapter 6 (CEQA Guidelines). The findings discussed in this document are made relative to the conclusions of the EIR.

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

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

- 1) Changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant impacts as identified in the EIR.

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

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

The findings provided below include the following:

- Description of Significant Effects – A description of the environmental effects identified in the EIR.
- Project Design Features – A list of the project design features or actions that are included as part of the Project.
- Mitigation Measures – A list of the mitigation measures that are required as part of the Project to reduce identified significant impacts.
- Finding – One or more of the three possible findings set forth above for each of the significant impacts.
- Rationale for Finding – A summary of the rationale for the finding(s).
- Reference – A reference of the specific section of the EIR which includes the evidence and discussion of the identified impact.

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

II. ENVIRONMENTAL REVIEW PROCESS

Notice of Preparation. Pursuant to the provisions of CEQA Guidelines Section 15082, the City then circulated a Notice of Preparation (NOP) to State, regional and local agencies, and members of the public for a 30-day period commencing on January 14, 2020 and ending February 13, 2020. The NOP also provided notice of a Public Scoping Meeting held on January 28, 2020, from 6:00 p.m. to 8:00 p.m. at the Council of Jewish Women located at 543 North Fairfax Avenue, Los Angeles, CA 90048. The purpose of the NOP and the Public Scoping Meeting was to formally

inform the public that the City was preparing a Draft EIR for the Project, and to solicit input regarding the scope and content of the environmental information to be included in the Draft EIR. Written comment letters responding to the NOP and the Scoping Meeting were submitted to the City by various public agencies, interested organizations and individuals. The NOP, Initial Study, and NOP comment letters are included in Appendix A of the Draft EIR.

Draft EIR. The Draft EIR evaluated in detail the potential effects of the Project. It also analyzed the effects of a reasonable range of four alternatives to the Project, including a “No Project” alternative. The Draft EIR for the Project (State Clearinghouse No. 2020010172), incorporated herein by reference in full, was prepared pursuant to CEQA and State, Agency, and the City of Los Angeles guidelines. The Draft EIR was circulated for a 46-day public comment period beginning on June 17, 2021, and ending on August 2, 2021. A Notice of Availability (NOA) was distributed on June 17, 2021 to all property owners within 500 feet of the Project Site and interested parties, which informed them of where they could view the document and how to provide a comment. The Draft EIR was available to the public at the City of Los Angeles, Department of City Planning. A copy of the document was also posted online at <https://planning.lacity.org>. Notices were filed with the County Clerk on June 17, 2021.

Notice of Completion. A Notice of Completion was sent with the Draft EIR to the Governor’s Office of Planning and Research State Clearinghouse for distribution to State Agencies on June 17, 2021, and notice was provided in newspapers of general and/or regional circulation.

Final EIR. The City published a Final EIR for the Project on January 7, 2022, which is incorporated herein by reference in full. The Final EIR is intended to serve as an informational document for public agency decision-makers and the general public regarding objectives and components of the Project. The Final EIR addresses the environmental effects associated with implementation of the Project, identifies feasible mitigation measures and alternatives that may be adopted to reduce or eliminate these impacts, and includes written responses to all comments received on the Draft EIR during the public review period. The Final EIR also incorporates the Draft EIR by reference. Pursuant to CEQA Guidelines Section 15088, the City, as Lead Agency, reviewed all comments received during the review period for the Draft EIR and responded to each comment in Chapter II, Responses to Comments, of the Final EIR. On January 7, 2022, responses were sent to all public agencies that made comments on the Draft EIR at least 10 days prior to certification of the EIR pursuant to CEQA Guidelines Section 15088(b). Notices regarding availability of the Final EIR were also sent to property owners and occupants within a 500-foot radius of the Project Site, as well as anyone who commented on the Draft EIR, and interested parties.

Erratum. An Erratum was completed in February 2022 to reflect minor additions to the Final EIR. The Erratum addressed the addition to the Response to Comments section of the Final EIR of three (3) responses to comments that were inadvertently omitted. The Erratum states that this information does not represent significant new information that would affect the analysis or conclusions presented in the Final EIR. The Erratum was made available on the City’s website.

Public Hearing. A duly noticed joint public hearing for the Project was held by the Deputy Advisory Agency and Hearing Officer on behalf of the City Planning Commission on March 16, 2022.

III. RECORD OF PROCEEDINGS

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

- All Project plans and application materials including supportive technical reports;
- The Draft EIR and Appendices, Final EIR and Appendices, the Erratum and 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;
- The Southern California Association of Governments (SCAG)'s 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) and related EIR (State Clearinghouse No. 2019011061));
- 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 PRC 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 the City of Los Angeles, Figueroa Plaza, 221 North Figueroa Street, Suite 1350, Los Angeles, CA 90012.

In addition, copies of the Draft EIR and Final EIR are available on the Department of City Planning's website at <http://planning.lacity.org> (to locate the documents search for either the environmental case number or project title in the search box).

Copies were also available for in person review by appointment only at the Planning Department. Due to the Mayor's Safer At Home Order, issued March 19, 2020, copies were not made available at local libraries.

IV. DESCRIPTION OF THE PROJECT

The Project would demolish a 5,738 square-foot vacant educational building and an 8,225 square-foot Big 5 Sporting Goods store and associated surface parking on the Project Site to develop a 12-story medical office/retail-commercial building with up to 145,305 square feet of floor area. The Project would result in a 4.5:1 floor area ratio (FAR), comprised of up to 140,305 square feet of medical office uses and 5,000 square feet of ground floor retail-commercial uses. The proposed building would be approximately 218 feet in height (230 feet to the top of the mechanical penthouse), with seven floors of medical office uses over four levels of above-grade parking, and a ground floor containing a lobby for the medical office and retail-commercial uses for a total of 12 stories.

The Project's ground level (Floor 1) would contain 5,000 square feet of retail-commercial uses that may be demised into one or more separate retail-commercial spaces. As designed, the larger retail-commercial space, of which up to 4,000 square feet may be used for restaurant uses with up to 815 square feet of associated outdoor dining, would front the corners of South Sweetzer Avenue, Wilshire Boulevard, and South San Vicente Boulevard. The second retail-commercial space would front South San Vicente Boulevard.

The Project would provide 418 valet-parking spaces within four, screened above-ground levels (Floors 2 through 5). The parking levels are designed to blend with the building's architecture to minimize views of the Project's parking uses from the street front. The parking garage would serve as a full-valet garage. The Project would also include 716 bicycle parking spaces for short- and long-term use. Floors 6 through 12 would include medical office spaces totaling up to 140,305 square feet of floor area. Floors 6 through 10 would also include small terraced landscaped areas overlooking South San Vicente Boulevard.

Project Site Zoning

The Project Site is within the planning boundary of the Wilshire Community Plan area and has a General Plan land use designation of Limited Commercial. The Project Site is zoned C1-1VL-O, which permits commercial and retail uses. There is a concurrent request to amend the land use designation to Regional Commercial with a corresponding zone of C2-2D-O. In addition, the Project Site is located within a Transit Priority Area (TPA), which is defined by Public Resources Code (PRC) Section 21099 as an area within 0.5 miles of an existing or planned major transit stop.

V. ENVIRONMENTAL IMPACTS FOUND NOT TO BE SIGNIFICANT OR LESS THAN SIGNIFICANT WITHOUT MITIGATION IN THE INITIAL STUDY

The City Planning Department prepared an Initial Study dated January 14, 2020, which is located in the Appendix A of the Draft EIR. The Initial Study found the following environmental impacts not to be significant or less than significant without mitigation:

I. Aesthetics

a. Scenic Vista

- b. Scenic Resources
- c. Visual Character
- d. Light & Glare

II. Agriculture and Forestry Resources

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

III. Air Quality

- d. Objectionable Odors

IV. Biological Resources

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

V. Cultural Resources

- d. Human Remains

VI. Geologic Resources

- a(i). Rupture of a Known Earthquake Fault
- a(ii). Strong Seismic Ground Shaking
- a(iv). Landslides
- c. Soil Erosion
- e. Septic Tanks

VII. Hazards and Hazardous Materials

- a. Routine Transport, Use, or Disposal of Hazardous Materials
- b. Release of Hazardous Materials
- c. Emit Hazardous Materials Within One-quarter Mile of School
- d. Location on Hazardous Materials Site
- e. Airport Land Use Plan
- f. Emergency Response Plan
- g. Wildland Fires

VIII. Hydrology and Water Quality

- a. Surface of Ground Water Quality
- b. Groundwater Supplies
- c(i). Erosion
- c(ii). Flooding
- c(iii). Runoff
- c(iv). Flood Flows
- d. Flood Hazards, Tsunami, or Seiche Zones
- e. Water Quality Control Plan or Sustainable Groundwater Management Plan

IX. Land Use

- a. Divide an Established Community
- X. Mineral Resources**
 - a. Loss of Known Mineral Resources
 - b. Loss of a Mineral Resource Recovery Site
- XI. Noise**
 - c. Private Airstrips
- XII. Population and Housing**
 - a. Population Growth
 - b. Displace People or Housing
- XIII. Public Services**
 - c. Schools
 - d. Parks
 - e. Other Public Facilities
- XIV. Recreation**
 - a. Parks
 - b. Recreational Facilities
- XV. Transportation**
 - a. Geometric Design Feature
 - b. Emergency Access
- XVI. Utilities and Service Systems**
 - a. Water, Wastewater Treatment, Electric Power, Natural Gas, or Telecommunications
 - b. Water Supplies
 - c. Wastewater Treatment Capacity
 - d. Solid Waste
 - e. Solid Waste Regulations
- XVII. Wildfire**
 - a. Emergency Response or Evacuation Plan
 - b. Exacerbate Wildfire Risks
 - c. Installation of Infrastructure
 - d. Post-fire Slope Instability or Drainage Changes

The City has reviewed the record and agrees with the conclusion that the following environmental issues would not be significantly affected by the Project, and therefore, no additional findings are needed. The City ratifies, adopts, and incorporates herein the analysis, explanation, findings, responses to comments, and conclusions of the EIR.

VI. ENVIRONMENTAL IMPACTS FOUND NOT TO BE SIGNIFICANT OR LESS THAN SIGNIFICANT PRIOR TO MITIGATION

Impacts of the Project that were determined to have no impact or be less than significant in the EIR (including having a less than significant impact as a result of implementation of project design features and regulatory compliance measures) and that require no mitigation are identified below. The City has reviewed the record and agrees with the conclusion that the following environmental issues would not be significantly affected by the Project and, therefore, no additional findings are

needed. The following information does 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.

1. Air Quality

(A) Consistency with Applicable Air Quality Management Plan

(1) Southern California Air Quality Management District's Air Quality Management Plan

As detailed in Section IV.A, Air Quality, of the Draft EIR, the Project's short-term construction jobs, which are not expected to bring new construction workers or their families to the region, would not conflict with the long-term employment or population projections upon which the 2016 AQMP is based and would not exceed the long-term employment projections utilized in preparing the AQMP. During Operation, the Project's growth would be consistent with the growth projections contained in the 2016–2040 Southern California Association of Governments (SCAG)'s Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS). The Project would result in a net increase in the number of employees on the Project Site of approximately 566 employees, which would provide a small contribution to anticipated growth for the period between 2019 and 2023 for the City as a whole. The Project is consistent with the growth projections and control strategies used in the development of the 2016 AQMP, and the Project growth would occur in a High Quality Transit Area (HQTa), resulting in highly transportation-efficient growth, which would support reductions in transportation-related emissions as compared to the air basin average based on the default CalEEMod assumptions. Therefore, the Project's growth would not conflict with the long-term employment or population projections upon which the 2016 AQMP is based and would not exceed long-term employment projections utilized in preparing the AQMP.

During its construction phase, the Project would comply with CARB's requirements to minimize short-term emissions from on-road and off-road diesel equipment, and with SCAQMD's regulations such as Rule 403 for controlling fugitive dust and Rule 1113 for controlling volatile organic compounds (VOC) emissions from architectural coatings. During operation, the Project proposes higher density, consistent with compact growth, on a parcel of infill urban land accessible to and well served by public transit, and therefore would be consistent with the 2016 AQMP's goal of reducing mobile source emissions as a source of nitrogen oxides (NO_x) and fine particulate matter (PM_{2.5}). Additionally, the Project's mobile source emissions were calculated based on the vehicle miles traveled (VMT) generated by the Project that estimate on-road mobile source GHG emissions, which take into account the Project Site's location within the City, incorporates VMT reductions from the land use characteristics, and Project-specific transportation demand management features. Therefore, Project construction and operation would be consistent with and meets or exceeds the AQMP requirements for control strategies intended to reduce emissions from construction equipment and activities utilized in preparing the AQMP. Impacts would be less than significant.

(2) City of Los Angeles Policies

The Project would achieve several goals, policies and objectives of the City's Air Quality Element by locating its development in an urban infill area and by establishing a land use pattern that promotes sustainability. The Project would support and encourage pedestrian activity in the Wilshire Community Plan area. At the same time, the Project would reduce vehicle trips and air

pollutant emissions generated by the proposed development by locating medical office and commercial/restaurant uses within an identified HQTa that has multiple public transit options (with access to existing regional bus and future rail service), and existing off-site residential, office, retail, and restaurant uses, all within walking distance. As such, the Project would provide opportunities for the use of alternative modes of transportation, including convenient access to public transit and opportunities for walking and biking, thereby facilitating a reduction in VMT. Impacts would be less than significant.

(B) Cumulatively Considerable Net Increase of Criteria Pollutants

With compliance of applicable dust control measures required to be implemented during each phase of construction by SCAQMD Rule 403 (Control of Fugitive Dust), and fugitive VOC control measures required to be implemented by architectural coating emission factors based on SCAQMD Rule 1113 (Architectural Coatings), the Project's construction-related daily emissions would not exceed the SCAQMD significance thresholds. In addition, with compliance of 2019 Title 24-standards and SCAQMD Rule 1113 (Architectural Coatings), which limits the VOC content of architectural coatings, operational-related daily emissions would not exceed the SCAQMD significance thresholds.

(C) Construction Emissions

(i) Toxic Air Contaminants (TACs)

Given the temporary and short-term construction schedule (approximately 34 months), the Project would not result in a long-term (i.e., lifetime or 70-year) exposure of TACs as a result of Project construction. In addition, these effects would be further reduced with implementation of Mitigation Measure AIR-MM-1.

(D) Operational Emissions

(i) Localized Emissions

Regarding localized operation air quality analysis, the Project's maximum localized operational emissions would not exceed the localized thresholds for NO_x, Carbon Monoxide (CO), fine particulate matter (PM₁₀), or PM_{2.5}. Because the localized emissions would not exceed thresholds of significance.

(ii) Carbon Monoxide Hotspots

With regard to CO Hotspots, CO concentrations from the Project's maximum traffic volume at the intersection of La Cienega Boulevard and Wilshire Boulevard plus the measured background level in the Project Site area are expected to be approximately 5.0 parts per million (ppm) (one-hour average) and 3.2 ppm (eight-hour average), which would not exceed the numerical thresholds of significance.

(iii) Toxic Air Contaminants

Regarding TACs during operation of the Project, based on the uses expected on the Project Site,

potential long-term operational impacts associated with the release of TACs would be minimal, regulated, and controlled, and would not be expected to exceed the SCAQMD significance threshold.

2. Cultural Resources – Historic Resources

As detailed in Section IV.B, Cultural Resources, of the Draft EIR, the Project Site is currently developed with a 5,738-square-foot vacant building located at 650-658 South San Vicente Boulevard (Building 1) and an 8,225-square-foot Big 5 Sporting Goods store located at 6601 Wilshire Boulevard (Building 2). Building 2 was constructed in 1977 and does not meet the 45-year age threshold for evaluation as a historical resource as defined by the Office of Historic Preservation (OHP). Building 1 exceeds the 45-year age threshold. Based on a review of review of the National Register, the California Register, the California Historical Resources Information System (CHRIS), and the City of Los Angeles's inventory of historic properties (SurveyLA) Building 1 is not considered a historical resource pursuant to CEQA. In addition, the Project Site is not situated in a designated or previously evaluated historic district.

While the Project would not directly impact historic resources, an indirect impact analysis was conducted. Of the 11 historical resources identified nearby, nine of them would have a direct view of the Project Site. The closest historic resource is a two-story American Colonial Revival building across South Sweetzer Avenue to the east of the Project Site at 6535 West Wilshire Boulevard. While the setting of 6535 West Wilshire Boulevard has been altered, 6536 West Wilshire Boulevard would still retain its eligibility and would still be visible within the streetscape and urban context; therefore, indirect impacts would not be significant. Other resources are far enough away from the Project and would therefore not be adversely affected with regard to visibility and integrity. Even though construction of the Project would alter the low-rise setting of the Project Site, the Project setting has already been substantially altered by large-scale infill construction and redevelopment (contemporary multi-story and high-rise, non-historic built resources).

Additionally, the Project is situated at enough of a distance from the historical resources, as summarized above, so as not to cause any material impairment or substantial visual impact. After Project completion, historical resources in the Project vicinity would retain their existing eligibility and visibility within the urban environment. Impacts would be less than significant.

3. Energy Use

As demonstrated in the Energy Section of the Draft EIR, Section IV.C, the Project would not result in potentially significant environmental impact due to wasteful, inefficient, and unnecessary consumption of energy during construction or operation and consistent with the energy conservation policies and plans relevant to the Project, which include the California Title 24 energy standards, the 2019 CALGreen building code, and the City of Los Angeles Green Building Code. Therefore, Project impacts related to energy use would be less than significant during construction and operation. In addition, based on the analysis in Draft EIR Section IV.C, the Project's impacts would not be cumulatively considerable and cumulative energy use impacts are concluded to be less than significant.

4. Geology and Soils

As demonstrated in Section IV-D, Geology and Soils, with adherence to applicable regulations and any site-specific recommendations set forth in a site-specific geotechnical evaluation, the Project would not result in significant impacts related to geological and soil conditions including from surface ground rupture, strong seismic ground shaking, liquefaction, and/or unstable soil.

5. Greenhouse Gas Emissions

As detailed in Section IV.E, Greenhouse Gas Emissions, of the Draft EIR, the Project would generate incrementally increased GHG emissions over existing conditions. However, even a very large individual project would not generate enough GHG emissions on its own to significantly influence global climate change. Moreover, the Project would be consistent with the 2017 Scoping Plan, 2020-2045 RTP/SCS, the City's Green New Deal, and Los Angeles Green Building Code. The Project's consistency with these applicable regulatory plans and policies to reduce GHG emissions, along with implementation of transportation related project design features.

6. Land Use and Planning

(A) Consistency with Local Plans and Applicable Policies

Based on the analysis of Project consistency with applicable goals and policies (detailed in Section IV.F, Land Use, of the Draft EIR), including of SCAG's 2020-2045 RTP/SCS; the City's General Plan, including the City of Los Angeles General Plan Framework Element, Conservation Element, Plan for Healthy Los Angeles, and Wilshire Community Plan; Los Angeles Municipal Code (LAMC); and Citywide Design Guidelines, the Project would not conflict with the relevant land use policies adopted for the purpose of avoiding or mitigating a significant environmental effect. Approval of the Project's requested entitlements, including the General Plan Amendment, Vesting Zone Change, Height District Change, Site Plan Review and related findings and conditions to ensure compatibility with surrounding land uses would bring the Project into consistency with the Framework Element, Wilshire Community Plan, and LAMC.

7. Noise

(A) Construction

(i) On-site Vibration (Building Damage)

As detailed in Section IV.G, Noise, of the Draft EIR, construction activities at the Project Site have the potential to generate relatively low levels of groundborne vibration from the operation of heavy equipment (e.g., backhoe, dozer, excavators, drill rig, loader, scraper, and haul trucks), which generates vibrations that propagate through the ground and diminish in intensity with distance from the source. As identified in Table IV.G-16 on page IV.G-53 of the Draft EIR, the estimated vibration velocity levels from construction equipment would not exceed the significance threshold of 0.2 in/sec PPV at vibration-sensitive uses V1 through V4 (multi-family residential and commercial buildings) or the significance threshold of 0.5 in/sec peak particle velocity (PPV) at V5 (commercial building). Therefore, structural damage vibration impacts from on-site construction activities would be less than significant.

(ii) Off-Site Vibration (Building Damage)

As described above, on-road rubber-tired construction trucks would travel to and from the Project Site along the local roadway network. According to the FTA's Transit Noise and Vibration Impact Assessment, on-road rubber-tired haul trucks traveling on roadways rarely create vibration levels that exceed 70 VdB, which would be equivalent to 0.012 in/sec PPV, would not exceed the significance thresholds for structural damage of 0.02 in/sec PPV and 0.50 in/sec PPV. Therefore, on-road rubber-tired construction trucks would not exceed thresholds of 0.20 in/sec PPV, or 0.50 in/sec PPV. Therefore, the potential vibration impacts for structural damage due to off-site haul trucks would be less than significant, and no mitigation measures would be required.

(iii) Off-Site Construction Noise

As detailed in Section IV.G, Noise, of the Draft EIR, construction truck trips would occur throughout the construction period and would be associated with hauling material and excavated soil from the Project Site and delivering building materials, supplies, and concrete to the Project Site. As discussed in the Project's Transportation Assessment (refer to Appendix J of the Draft EIR), Project haul trucks (e.g., trucks hauling dirt) would be required to use City-approved haul truck routes, which could include Wilshire Boulevard westbound from the Project Site, southbound on South La Cienega Boulevard, to the I-10 eastbound or westbound on-ramps. The inbound haul route would use the I-10 northbound or southbound off-ramps, northbound on South La Cienega Boulevard, and eastbound on Wilshire Boulevard to the Project Site. Another inbound and/or outbound haul route would be northbound South San Vicente Boulevard, westbound on North Santa Monica Boulevard, and northbound or southbound on the I-405 freeway on-ramps. Concrete trucks and worker vehicles would not be subject to the City-approved haul route and would come from a variety of locations. As shown in Table IV.G-12 on page IV.G-42 of the Draft EIR, the Project's construction trips by themselves would not increase traffic noise levels exceeding thresholds. Therefore, off-site construction traffic noise impacts would be less than significant.

(B) Operations

(i) On-Site Stationary Noise Sources

As detailed in Section IV.G, Noise, of the Draft EIR, the on-site composite noise levels would include all operational sources including fixed mechanical equipment, outdoor spaces, parking facility, loading dock and refuse collection, and emergency generator at each sensitive receptor. Given the enclosure of these sources or limited activity of noise level (outdoor spaces), operational noise would be below the threshold of five A-weighted decibels (dBA) over ambient levels at all off-site sensitive receptors.

(ii) Off-Site Mobile Noise Sources

As detailed in Section IV.G, Noise, of the Draft EIR, off-site traffic noise during Existing Plus Project Condition and Future (2023) Plus Project Condition would not exceed the significance threshold of three dBA Community Noise Equivalent Level (CNEL) increase to or within the "normally unacceptable" or "clearly unacceptable" categories or the significance threshold of any

five dBA CNEL or greater noise increase. Impacts would be less than significant. Composite Noise Level Impacts from Project Operations

As set forth in Draft EIR Section IV.I, Noise, pages IV.I-46 through IV.I-47 and the Table contained therein, potential noise impacts from the combination of noise sources (e.g., mechanical equipment, outdoor areas, parking facilities, loading dock and trash compactor, and off-site traffic) at analyzed sensitive receptor locations would not result in the 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.

(iii) On-Site and Off-Site Vibration

As detailed in Section IV.G, Noise, of the Draft EIR, the Project's day-to-day operations would include typical commercial-grade stationary mechanical and electrical equipment, such as air handling units, condenser units, and exhaust fans, which would produce vibration at low levels that would not cause structural damage or human annoyance impacts to the Project buildings or on-site occupants and would not cause vibration impacts to the off-site environment. In addition, the primary sources of transient vibration would include passenger vehicle circulation within the proposed parking area. According to American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE), pumps or compressor would generate groundborne vibration levels of 0.5 in/sec PPV at one foot. It is anticipated that Project mechanical equipment, including air handling units, condenser units, and exhaust fans, would be located on building rooftops. Therefore, groundborne vibration from the operation of such mechanical equipment would not impact any of the off-site sensitive receptors. Therefore, structural damage and human annoyance vibration impacts from the Project operation would be less than significant.

8. Public Services

Consistent with *City of Hayward v. Trustees of California State University* (2015) 242 Cal.App.4th 833, significant impacts under CEQA consist of adverse changes in any of the physical conditions within the area of a project, and potential impacts on public safety services are not an environmental impact that CEQA requires a project applicant to mitigate: "[T]he obligation to provide adequate fire and emergency medical services is the responsibility of the city. (Cal. Const., art. XIII, § 35, subd. (a)(2) ["The protection of the public safety is the first responsibility of local government and local officials have an obligation to give priority to the provision of adequate public safety services."])). The need for additional fire protection services is not an environmental impact that CEQA requires a project proponent to mitigate." Although that case specifically addressed fire services, its holding also applies to other public services.

(A) Public Services – Fire Protection

As detailed in Section IV.H.1, Public Services – Fire Protection, of the Draft EIR, Project construction activities could potentially affect emergency response times and emergency access to the Project Site and the vicinity due to Project construction traffic and temporary street closures. The Project would be required to implement Project Design Feature TRAF-PDF-2, a Construction Traffic Management Plan, to minimize disruptions to traffic flow and maintain emergency vehicle access to the Project Site and neighboring land uses. Additionally, as part of Project Design Feature TRAF-PDF-3, Construction Worker Parking Plan, alternate parking location(s) and the method of transportation to and from the Project Site would be identified to reduce parking on or near the Project Site and emergency access to the Project Site would be maintained throughout

construction. As the Project is anticipated to maintain emergency access during construction, which is temporary in nature, and emergency vehicles have options for avoiding traffic, Project construction would not result in substantial adverse impacts to emergency response times and emergency access, which would consequently not affect service ratios, response times, other performance objectives for fire protection. As detailed in Section IV.H.1, Public Services – Fire Protection, of the Draft EIR, the Project would increase intensity of the Project Site and increase the Project's Site's demand for fire protection services compared to existing conditions. The Project would comply with the applicable Occupational Safety and Health Administrations (OSHA), Building Code, Fire Code, other Los Angeles Municipal Code (LAMC), and LAFD requirements. The Project would comply with Los Angeles Fire Department (LAFD)'s preliminary recommendations contained in correspondence provided in Appendix I-1 of this Draft EIR. Additionally, both Fire Station 61, the first-due fire station to respond to an emergency on the Project Site, and Fire Station 58, which would provide back-up response to the Project Site, do not meet either distance standards for an Engine Company or Truck Company; therefore, the installation of automatic fire sprinklers would be required. Compliance with applicable regulatory requirements and recommendations, including LAFD's fire/life safety and LAFD's fire/life safety inspection for new construction projects, would ensure that adequate fire prevention features would be provided that would reduce the demand on LAFD facilities and equipment without creating the need for new or expanded fire facilities.

(i) Fire Protection – Project Design Features

The City finds that Project Design Features TRAF-PDF-2 and TRAF-PDF-3, incorporated into the Project, reduces the potential fire protection impacts of the Project. The Project Design Features were considered in the analysis of potential impacts.

(B) Public Services – Police Protection

As detailed in Section IV.H.2, Public Services – Police Protection, of the Draft EIR, equipment, building materials, vehicles, and temporary offices, would be temporarily located on the Project Site, which could be subject to theft or vandalism during construction or operation. Therefore, when not properly secured, construction sites can become a distraction for local law enforcement from more pressing matters that require their attention. This could result in an increase in demand for police protection services. During construction, fencing and other security features, such as perimeter fencing, lighting, and security guards (as necessary), would be provided at the Project Site during construction, thereby reducing the potential need for Los Angeles Police Department (LAPD) services (Project Design Feature POL-PDF-1).

As detailed in Section IV.H.2, Public Services – Police Protection, of the Draft EIR, the Project would only contribute to increasing the number of non-resident site populations (visitors and employees). These non-resident site populations would increase the demand for police protection from LAPD. The Project Site is served by the Wilshire Community Police Station, which has approximately 267 sworn personnel. This station currently serves a population of approximately 249,200 people and reported 6,367 total crimes in 2019. This represents an officer-to-population ratio of approximately 1:933 and an annual crime rate of 0.026 crimes per capita. The Project does not propose any residential uses and would therefore not directly generate any new residential population in the Wilshire Community Area. With the addition of the Project, the Wilshire Community Area would continue to serve a population of 249,200 residents with 267

officers; thus, maintaining the officer to resident population ratio of 1:933. The Project's operational demand for police protection services would be offset as the result of the security services, which would help patrol the Project Site and surrounding area; and the proposed security features set forth in Project Design Feature POL-PDF-2. As provided in Project Design Feature POL-PDF-2, the Project would control access to the parking structure and entry areas into the building would be well illuminated. Implementation of these security features would help reduce the potential for on-site crimes, including loitering, theft, and burglaries, and would reduce demand for LAPD services.

(i) Police Protection – Project Design Features

The City finds that Project Design Features POL-PDF-1 and POL-PDF-2, incorporated into the Project, reduces the potential police protection impacts of the Project. The Project Design Features were considered in the analysis of potential impacts.

9. Transportation

(A) Program, Plans, Ordinance or Policy

As detailed in Section IV.I, Transportation, of the Draft EIR, the Project would not conflict with a program, plan, ordinance or policy addressing the circulation system, including Mobility Plan 2035, the LAMC, Wilshire Community Plan, Vision Zero, Los Angeles Department of Transportation (LADOT) Manual of Policies and Procedures, Citywide Design Guidelines, Mobility and Hubs Reader's Guide. In particular, the Project would implement various Transportation Demand Management (TDM) strategies to encourage reduced single-occupancy vehicle trips and support ways to reduce vehicle miles travelled (VMT) per capita (refer to Project Design Feature TRAF-PDF-1). The Project would not conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities.

The City finds that Project Design Feature TRAF-PDF-1, incorporated into this Project, reduces the potential transportation impacts of the Project. The Project Design Features were considered in the analysis of potential impacts.

(B) Consistency with CEQA Guidelines section 15064.3, subdivision (b)

As detailed in Section IV.I, Transportation, of the Draft EIR, the Project would generate 7.5 work VMT per employee, which is below the threshold of significance for the Central APC of 7.6 work VMT per employee. The VMT Calculator outputs and additional details regarding the analysis are provided in Appendix J-1 of this Draft EIR. The Project is exempt from evaluation of the retail VMT, because the retail component is less than 50,000 square feet and considered local-serving. Thus, no further analysis is necessary. The Project would generate VMT below the work VMT per employee significance threshold. Therefore, impacts would be less than significant

10. Tribal Cultural Resources

The California Historical Resources Information System (CHRIS) South Central Coastal Information Center (SCCIC) records search results indicate that no archaeological resources have been recorded within the Project Site or within a 0.5-mile radius of the Project Site. In addition, the results of the Sacred Lands File (SLF) search conducted by the California Native American Heritage Commission (NAHC) indicate that Native American cultural resources are not known to be located within the Project Site. Furthermore, no tribal cultural resources have been

identified as a result of the research conducted for the Project. While no tribal cultural resources are anticipated to be affected by the Project, in the unlikely event that tribal cultural resources are inadvertently encountered during Project construction, the Project Applicant would be required to comply with the City's standard Condition of Approval for the treatment of inadvertent tribal cultural resource discoveries. This City's standard Condition requires the immediate halt of construction activities in the vicinity of the discovery, coordination with appropriate Native American tribes and the City, and development and implementation of appropriate actions for treating the discovery. As such, the Project would not cause a substantial adverse change in the significance of a tribal cultural resource, as defined in PRC Section 21074. Therefore, impacts to unknown tribal cultural resources would be less than significant.

VII. ENVIRONMENTAL IMPACTS FOUND TO BE 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. Pursuant to PRC Section 21081, the City finds that changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid each of the following significant effects on the environment.

1. Air Quality

AQ-3 (construction – localized emissions): *Would the project expose sensitive receptors to substantial pollutant concentrations?*

(A) Impact Summary

The localized construction air quality analysis was conducted using the methodology prescribed in SCAQMD's Final Localized Significance Threshold Methodology including using the screening criteria to determine localized construction emissions thresholds for the Project. The Project's maximum localized construction emissions would be below the localized screening thresholds for all analyzed criteria pollutants except fine particulate matter (PM_{2.5}). As the Project's maximum localized construction emissions would exceed the localized thresholds for PM_{2.5}, construction emissions impacts to sensitive receptors would be potentially significant.

(B) Project Design Features

No specific project design features are proposed with regard to air quality.

(C) Mitigation Measures

Without mitigation, construction impacts could result in significant impacts related to localized construction emissions of PM_{2.5}. The following mitigation measure would reduce these impact(s) to a less than significant level.

- **AIR-MM-1:** The Applicant will implement the following construction equipment features for equipment operating at the Project Site. These features will be included in applicable bid documents, and successful contractor(s) must demonstrate the ability to supply such equipment. Construction features will include the following:

- For off-road diesel-powered construction equipment rated greater than 50 horsepower: the equipment shall meet or exceed the California Air Resources Board (CARB) and United States Environmental Protection Agency (USEPA) Tier 4 off-road emissions standards or greater during Project construction or shall be fitted with an emissions control device that achieves diesel emissions reductions that are no less than what could be achieved by an EPA Tier 4 Final engine.
- The Project Applicant shall implement the use of alternatively fueled equipment to the extent feasible for equipment greater than 50 horsepower. Equipment less than 50 horsepower shall be electric plug-in, solar-powered, or alternative fueled (i.e., non-diesel). Pole power shall be made available for use of electric tools, equipment, lighting, etc. These requirements shall be included in applicable bid documents and successful contractor(s) must demonstrate the ability to supply such equipment.
- Alternative-fueled generators will be used when commercial models that have the power supply requirements to meet the construction needs of the Project are commercially available from local suppliers/vendors, and on-site electrical power is not available. The determination of the commercial availability of such equipment will be made by the City prior to the issuance of grading or building permits based on Applicant-provided evidence of the availability or unavailability of alternative-fueled generators and/or evidence obtained by the City from expert sources such as construction contractors in the region.
- A copy of each unit's certified tier specification or model year specification and CARB or SCAQMD operating permit (if applicable) shall be available upon request at the time of mobilization of each applicable unit of equipment. Equipment shall be properly serviced and maintained in accordance with the manufacturer's recommendations. Construction contractors shall also ensure that all nonessential idling of construction equipment is restricted to five minutes or less in compliance with California Air Resources Board's Rule 2449.

(D) Finding

Pursuant to PRC Section 21081(a)(1), the City finds that changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant effects on the environment as identified in the EIR.

(E) Rationale for Finding

Pursuant to PRC Section 21081(a)(1), the City finds that changes or alterations have been

required in or incorporated into the Project that avoid or substantially lessen the significant effects on the environment as identified in the EIR. Prior to mitigation, PM_{2.5} levels would be above identified SCAQMD thresholds. After mitigation, these levels would be reduced to below threshold levels.

(F) Reference

EIR Section IV.A, Air Quality, pages IV.A-56 – IV.A-57, IV.A-62 – IV.A-64

2. Cultural Resources – Archeological Resources

CUL-2: Would the Project cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?

(A) Impact Summary

While no known archaeological resources have been identified within or immediately adjacent to the Project Site, this does not preclude the possibility that subsurface archaeological deposits underlie the Project Site. The history of development of the Project Site indicates that subsurface archaeological materials related to early development may remain beneath the existing buildings and parking lot. Moreover, the Project Site is located in the immediate vicinity of several historical-period thoroughfares and transportation corridors, both during the historic and prehistoric periods. Additionally, a former tributary that once crossed the Project Site likely attracted prehistoric and historic period inhabitants to the area. The alluvial deposition associated with the tributary has the potential for burying and preserving archaeological sites.

Given the potential for archaeological resources to be preserved under the current foundations for the buildings and the surface parking lots, the Project Site is considered to have a moderate sensitivity for buried archaeological resources. Therefore, the Project has the potential to cause a substantial adverse change in the significance of an archaeological resource that qualifies as a historical resource or unique archaeological resource pursuant to CEQA Guidelines Section 15064.5, which may result in potentially significant impacts to archaeological resources.

(B) Project Design Features

No specific project design features are proposed with regard to cultural resources.

(C) Mitigation Measures

The following mitigation measures would reduce potentially significant impacts on archaeological resources:

- **CUL-MM-1:** Prior to the issuance of a demolition permit, the Applicant shall retain a qualified archaeologist who meets the Secretary of the Interior's Professional Qualifications Standards to oversee an archaeological monitor who shall be present during construction excavations such as demolition, clearing/grubbing, grading, trenching, or any other construction excavation activity associated with the Project. The frequency of monitoring shall

be based on the rate of excavation and grading activities, the materials being excavated (younger sediments vs. older sediments), the depth of excavation, and, if found, the abundance and type of archaeological resources encountered. Monitoring may be reduced to part-time inspections, or ceased entirely, if determined adequate by the qualified Archaeologist. At a minimum, the need for monitoring will be reassessed at depths of excavation greater than five feet below surface. Prior to commencement of excavation activities, an Archaeological Sensitivity Training shall be given for construction personnel. The training session, to be carried out by the qualified Archaeologist, will focus on how to identify archaeological resources that may be encountered during earthmoving activities, and the procedures to be followed if such resources are encountered.

- **CUL-MM-2:** In the event that historic (e.g., bottles, foundations, refuse dumps/privies, railroads, etc.) or prehistoric (e.g., hearths, burials, stone tools, shell and faunal bone remains, etc.) archaeological resources are unearthed, ground-disturbing activities shall be halted or diverted away from the vicinity of the find so that the find can be evaluated. An appropriate buffer area shall be established by the qualified Archaeologist around the find where construction activities shall not be allowed to continue. Work shall be allowed to continue outside of the buffer area. All archaeological resources unearthed by Project construction activities shall be evaluated by the qualified Archaeologist. If a resource is determined by the qualified Archaeologist to constitute a “historical resource” pursuant to CEQA Guidelines Section 15064.5(a) or a “unique archaeological resource” pursuant to PRC Section 21083.2(g), the qualified Archaeologist shall coordinate with the Applicant and the City to develop a formal treatment plan that would serve to reduce impacts to the resources. The treatment plan established for the resources shall be in accordance with CEQA Guidelines Section 15064.5(f) for historical resources and PRC Sections 21083.2(b) for unique archaeological resources. Preservation in place (i.e., avoidance) is the preferred manner of treatment. If preservation in place is not feasible, treatment may include implementation of archaeological data recovery excavations to remove the resource along with subsequent laboratory processing and analysis. Any archaeological material collected shall be curated at a public, non-profit institution with a research interest in the materials, such as the Fowler Museum, if such an institution agrees to accept the material. If no institution accepts the archaeological material, they shall be donated to a local school or historical society in the area for educational purposes.

- **CUL-MM-3:** Prior to the release of the grading bond, the qualified Archaeologist shall prepare a final report and appropriate California Department of Parks and Recreation Site Forms for each resource at the conclusion of archaeological monitoring. The report shall include a description of resources unearthed, if any, treatment of the resources, results of the artifact processing, analysis, and research, and evaluation of the resources with respect to the California Register of Historical Resources and CEQA. The report and the Site Forms shall be submitted by the Applicant to the City of Los Angeles, the South Central Coastal Information Center, and representatives of other appropriate or concerned agencies to signify the satisfactory completion of the Project and required mitigation measures.

(D) Finding

Pursuant to PRC Section 21081(a)(1), the City finds that changes or alterations have been

required in, or incorporated into, the project that avoid or substantially lessen the significant effects on the environment as identified in the EIR.

(E) Rationale for Finding

Mitigation Measure CUL-MM-1 requires that a qualified archaeologist is retained to conduct archaeological sensitivity trainings and to oversee all construction excavations. Mitigation Measure CUL-MM-2 requires that if historic or prehistoric archaeological resources are found, ground-disturbing activities should be halted, a buffer established, and additional measures taken to ensure evaluation and treatment, as necessary. Mitigation Measure CUL-MM-3 requires preparation of a California Department of Parks and Recreation Site Forms for each resource at the conclusion of archaeological monitoring. Implementation of Mitigation Measures CUL-MM-1 through CUL-MM-3 would ensure that potentially significant impacts to archaeological resources are reduced to a less-than-significant level.

(F) Reference

EIR Section IV.B, Cultural Resources, pages IV.B-35 – IV.B-37

3. Geology and Soils – Paleontological Resources

GEO-6: Would the Project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

(A) Impact Summary

Background research was conducted for the Project Site. Although the records search resulted in no known localities within the Project Site, two fossil localities from older Quaternary deposits (LACM 7669 and 7670) are located within very close proximity to the Project Site and have yielded fossil specimens of ground sloth, elephantoid, and bison at unspecified depths. Additionally, other fossil localities (LACM 1238, 3176, 3329, 7671 and 7672) located approximately 0.30 to 0.65 miles from the Project Site have also produced fossils specimens of mastodon, deer, elephantoid and horse at unspecified depths and depths from 13 to 30 feet below surface. Construction activities for the Project would include excavation of 30 feet below ground surface to the bedrock and 10 additional feet into the bedrock. As a result, Project construction would have the potential to directly or indirectly destroy a unique paleontological resource not identified in the analysis conducted for the Project Site and, as such, could result in a potentially significant impact and mitigation measures are required.

(B) Project Design Features

No specific project design features are proposed with regard to geology and soils.

(C) Mitigation Measures

The following mitigation measures are proposed to address the potential significant impacts on paleontological resources that could occur during Project construction:

- **GEO-MM-1:** A qualified paleontologist meeting the Society of Vertebrate Paleontology (SVP) Standards (Qualified Paleontologist) shall be retained prior to the approval of grading permits. The Qualified Paleontologist shall provide technical and compliance oversight of all work as it relates to paleontological resources, shall attend the Project kick-off meeting and Project progress meetings on a regular basis, and shall report to the Project Site in the event potential paleontological resources are encountered.
- **GEO-MM-2:** The Qualified Paleontologist shall conduct construction worker paleontological resources sensitivity training at the Project kick-off meeting prior to the start of ground disturbing activities (including vegetation removal, pavement removal, etc.). In the event construction crews are phased, additional training shall be conducted for new construction personnel. The training session shall focus on the recognition of the types of paleontological resources that could be encountered within the Project Site and the procedures to be followed if they are found. Documentation shall be retained by the Qualified Paleontologist demonstrating that the appropriate construction personnel attended the training.
- **GEO-MM-3:** Paleontological resources monitoring shall be performed by a qualified paleontological monitor (meeting the standards of the SVP 2010) under the direction of the Qualified Paleontologist. Paleontological resources monitoring shall be conducted for all ground disturbing activities in previously undisturbed sediments which have high sensitivity for encountering paleontological resources. Depending on the conditions encountered, full-time monitoring can be reduced to part-time inspections or ceased entirely if determined adequate by the Qualified Paleontologist. The Qualified Paleontologist shall spot check the excavation on an intermittent basis and recommend whether the depth of required monitoring needs to be revised based on his/her observations. Monitors shall have the authority to temporarily halt or divert work away from exposed fossils or potential fossils. Monitors shall prepare daily logs detailing the types of activities and soils observed and any discoveries.

If construction or other Project personnel discover any potential fossils during construction, regardless of the depth of work or location, work at the discovery location shall cease in a 50-foot radius of the discovery until the Qualified Paleontologist has assessed the discovery, conferred with the City, and made recommendations as to the appropriate treatment. Any significant fossils collected during Project-related excavations shall be prepared to the point of identification and curated into an accredited repository with retrievable storage, such as the Natural History Museum of Los Angeles County. The Qualified Paleontologist shall prepare a final monitoring and mitigation report for submittal to the City in order to document the results of the monitoring effort and any discoveries. If there are significant discoveries, fossil locality information and final disposition shall be included with the final report, which shall be submitted to the appropriate repository and the City.

(D) Finding

Pursuant to PRC Section 21081(a)(1), the City finds that changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant effects on the environment as identified in the EIR.

(E) Rationale for Finding

Implementation of Mitigation Measures GEO-MM-1 through GEO-MM-3 would require retention of a qualified paleontologist meeting the Society of Vertebrate Paleontology (SVP) Standards in order to provide technical and compliance oversight, construction worker paleontological resources sensitivity training, and paleontological resources monitoring. Impacts related to paleontological resources during Project construction would be reduced to less than significant with implementation of the above mitigation measures.

(F) Reference

EIR Section IV.D, Geology and Soils, pages IV.D-29 – IV.D-31

VIII. ENVIRONMENTAL IMPACTS FOUND TO BE SIGNIFICANT EVEN AFTER MITIGATION

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

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

1. Noise

(A) Impact Summary

(i) Project-Level On-Site Construction Noise

Noise impacts from Project construction activities would be a function of the noise generated by construction equipment, the location of the equipment, the timing and duration of the noise-generating construction activities, and the relative distance to noise-sensitive receptors. Construction activities of the Project would generally include site demolition, site preparation, grading/excavation, drainage/utilities/trenching, building construction, foundation concrete pouring, architectural coating, and paving. To present a conservative impact analysis, the estimated noise levels were calculated with all pieces of construction equipment assumed to operate simultaneously and located at construction areas nearest to the affected receptors. In addition, the analysis accounts for overlapping construction phases that would occur on the Project Site. The estimated noise levels due to overlapping construction activities would exceed

the significance threshold at receptors, and, therefore, construction noise impacts would be potentially significant.

(ii) Cumulative On-Site and Off-Site Construction Noise

Noise from on-site construction activities are localized and would normally affect the areas within 500 feet of the individual construction sites. Of these projects, only the 6401-6419 Wilshire Boulevard and the Metro Purple Line Extension related projects could contribute to cumulative noise effects because they could impact common noise receptors within 500 feet of the proposed Project and the related projects. However, the 6401-6419 Wilshire Boulevard related project is in the latter half of its construction phase (vertical building construction) and, thus, would likely be completed or substantially completed by the time the Project would begin if the Project were approved. The Metro Purple Line Extension related project is expected to be completed in 2023. Thus, given that the nearby noise-sensitive receptor locations are located within 500 feet of the Metro Purple Line Extension and that the Metro Purple Line Extension related project would still be under construction if the proposed Project were to be approved and begin construction, cumulative noise impacts may occur from simultaneous on-site construction. Therefore, the Project's contribution to cumulative construction noise impacts on sensitive receptors would be cumulatively considerable and would represent a significant cumulative impact.

The Project would result in less than significant off-site construction noise impacts. However, if construction of related projects would overlap with Project construction and construction trucks would utilize the same roadway network as the Project, cumulative off-site construction noise level increases could occur in the Project area. The 6401-6419 Wilshire Boulevard related project is in the latter half of its construction phase (vertical building construction) and, thus, would likely be completed or substantially completed by the time the proposed Project would begin construction if the proposed Project were approved. Thus, it would be unlikely to generate substantial construction truck trips at the same time as the proposed Project. The Metro Purple Line Extension Final Environmental Impact Statement/Environmental Impact Report determined that adverse construction noise effects would remain after mitigation, inclusive of construction traffic mitigation. Further, the expected haul route could overlap with the proposed Project along Wilshire Boulevard, San Vicente Boulevard, or La Cienega Boulevard during construction of the Wilshire/La Cienega Station. Thus, cumulative noise impacts may occur from simultaneous construction truck activities. Therefore, the Project's contribution to construction noise would be cumulatively considerable and would represent a significant cumulative impact along common travel routes.

(iii) Project-Level Off-Site Construction Vibration (Human Annoyance)

With respect to human annoyance, the significance criteria for human annoyance is 72 decibel notation (VdB) for sensitive uses, including residential uses, assuming a minimum of 70 vibration events occurring during a typical construction day. As analyzed in the Draft EIR, the estimated vibration levels due to construction equipment would exceed the vibration significance threshold for human annoyance at vibration-sensitive receptors V1 through V3 (multi-family residential buildings). Therefore, the on-site vibration impacts pursuant to the significance criteria for human annoyance during construction of the Project would be potentially significant.

(B) Project Design Features

No specific project design features are proposed with regard to noise.

(C) Mitigation Measures

Mitigation Measure NOI-MM-1: The Project shall provide temporary ground-level construction noise barriers, with a minimum height of eight feet along Orange Street to the north, South San Vicente to the west, South Sweetzer Avenue to the south, and a minimum height of 15 feet along the alleyway to the northeast/east, equipped with noise blankets or equivalent noise reduction materials rated to achieve sound level reductions of at least 10 dBA between the Project Site and ground-level sensitive receptor locations. These temporary noise barriers shall be used to block the line-of-sight between the construction equipment and the noise-sensitive receptor(s) during the duration of construction activities. Prior to obtaining any permits, documentation prepared by a noise consultant verifying compliance with this measure shall be submitted to the Department of City Planning.

Mitigation Measure NOI-MM-2: Noise- and vibration-generating construction equipment whose specific location on the Project Site may be flexible (e.g., compressors and generators) shall be located away from the nearest off-site sensitive land uses (at least 100 feet away), or natural and/or manmade barriers (e.g., intervening construction trailers) shall be used to screen propagation of noise from such equipment towards these land uses.

Mitigation Measure NOI-MM-3: The Project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices. Flexible sound control curtains shall be placed around all drilling apparatuses, drill rigs, and jackhammers when in use that shall achieve a sound level reduction of at least 10 dBA between the Project Site and ground-level sensitive receptor locations.

Mitigation Measure NOI-MM-4: A construction liaison shall be provided to inform the nearby receptors when peak noise and vibration activities are scheduled to occur. Two weeks prior to the commencement of construction at the Project Site, notification shall be provided to properties identified as sensitive receptors that discloses the construction schedule, including the various types of activities and equipment that would be occurring throughout the duration of the construction period.

(D) Finding

(i) Project-Level On-Site Construction Noise

Pursuant to PRC Section 21081(a)(1), the City finds that changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant

effects on the environment as identified in the EIR. However, these effects have not been reduced to a less-than-significant level.

Thus, pursuant to PRC, Section 21081(a)(3), based on the evidence described below in Section XII, Statement of Overriding Considerations, the City finds that specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the EIR.

(ii) Cumulative On-Site and Off-Site Construction Noise

Pursuant to PRC Section 21081(a)(1), the City finds that changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant effects on the environment as identified in the EIR. However, these effects have not been reduced to a less-than-significant level.

Thus, pursuant to PRC, Section 21081(a)(3), based on the evidence described below in Section XII, Statement of Overriding Considerations, the City finds that specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the EIR.

(iii) Project-Level Off-Site Vibration (Human Annoyance)

Pursuant to PRC Section 21081(a)(1), the City finds that changes, 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. However, these effects have not been reduced to a less-than-significant level.

Thus, pursuant to PRC, Section 21081(a)(3), based on the evidence described below in Section XII, Statement of Overriding Considerations, the City finds that specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the EIR.

(E) Rationale for Finding

(i) Project-Level On-Site Construction Noise

Implementation of the Mitigation Measures NOI-MM-1 through NOI-MM-4 would reduce the Project's on-site construction noise impacts at the off-site noise sensitive receptors, to the extent technically feasible. However, with implementation of technically feasible mitigation, construction noise impacts at noise-sensitive receptors would still exceed the significance threshold at noise receptors L1, L2, L3, L4, and L7. Therefore, construction noise impacts associated with on-site noise sources would remain temporarily significant and unavoidable. While construction noise impacts would be temporarily significant and unavoidable, construction noise levels fluctuate throughout a given workday as construction equipment move from one location to another within

a project site. When construction equipment would be in use further away from a sensitive receptor location, construction noise levels would be lower than the calculated values provided herein, which assumes construction equipment would be in use nearest to a sensitive receptor location.

(ii) Cumulative On-Site and Off-Site Construction Noise

Implementation of the Mitigation Measures NOI-MM-1 through NOI-MM-4 would reduce the Project's on-site construction noise impacts at the off-site noise sensitive receptors at the cumulative level, to the extent technically feasible. However, with implementation of technically feasible mitigation, construction noise impacts at noise-sensitive receptors would still exceed the significance threshold at noise receptors L1, L2, L3, L4, and L7. Therefore, construction noise impacts associated with on-site noise sources would remain temporarily significant and unavoidable at the cumulative level. While construction noise impacts would be temporarily significant and unavoidable, construction noise levels fluctuate throughout a given workday as construction equipment move from one location to another within a project site. When construction equipment would be in use further away from a sensitive receptor location, construction noise levels would be lower than the calculated values provided herein, which assumes construction equipment would be in use nearest to a sensitive receptor location.

The Project would result in less than significant off-site construction noise impacts. However, the Metro Purple Line Extension related project was determined to result in significant and unavoidable noise impacts after implementation of mitigation, inclusive of construction traffic mitigation. Therefore, the Project's contribution to cumulative off-site construction noise would be cumulatively considerable and would represent a significant and unavoidable impact.

(iii) Project-Level Off-Site Vibration (Human Annoyance)

Vibration impacts regarding human annoyance at the nearby noise sensitive receptors would exceed the significance threshold (72 VdB at residential uses). Potential mitigation measures to reduce vibration impacts from on-site construction activities with respect to human annoyance include the installation of a wave barrier, which is typically a trench or a thin wall made of sheet piles installed in the ground (essentially a subterranean sound barrier to reduce noise). However, wave barriers must be very deep and long to be effective and are not considered feasible for temporary applications, such as the Project construction. Per the Caltrans Transportation and Construction Vibration Guidance Manual, the wave barrier would need to be at least two-thirds of the seismic wavelength and the length of the barrier must be at least one wavelength (typical wavelength can be up to 500 feet). In addition, constructing a wave barrier to reduce the Project's construction-related vibration impacts would, in and of itself, generate groundborne vibration from the excavation equipment. Furthermore, it would not be feasible to construct the proposed Project by reducing the types and number of equipment analyzed herein without impacting the ability to build the proposed Project within a reasonable schedule and the ability to safely and adequately construct the proposed Project buildings and facilities without access to the full range of the needed equipment. Thus, there are no feasible mitigation measures that could be implemented to reduce the temporary vibration impacts from on-site construction associated with human annoyance at the vibration-sensitive receptors V1 through V5. Therefore, Project-level vibration impacts from on-site construction activities with respect to human annoyance would be significant and unavoidable.

(F) Reference

EIR Section IV.G, Noise, pages IV.G-36 – IV.G-40, IV.G-49 – IV.G-51, IV.G-54 - IV.G-57, and IV.G-58 – IV.G-59, and IV.G-63.

IX. ALTERNATIVES TO THE PROJECT

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 (PRC § 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. Therefore, the alternatives analysis included in the Draft EIR identified a reasonable range of four alternatives to the Project, focused on avoiding or substantially reducing the project's significant impacts. The alternatives analyzed are as follows:

- Alternative 1: No Project/No Build Alternative
- Alternative 2: Development under Existing Zoning Alternative
- Alternative 3: Reduced Square Footage Alternative
- Alternative 4: Residential Mixed-Use Alternative

1. Summary of Findings

Based upon the following analysis, the City finds, pursuant to CEQA Guidelines Section 15096(g)(2), that no feasible alternative or mitigation measure will substantially lessen any significant effect of the project, reduce the significant unavoidable impacts of the project to a level that is less than significant, or avoid any significant effect the project would have on the environment.

2. Project Objectives

The underlying purpose of the Project is to redevelop the Project Site, which contains low-rise commercial buildings, with a mixed-use development that provides medical office and retail-commercial uses. As set forth in the CEQA Guidelines, the Project's base and fundamental objectives are:

- 1) Encourage economic growth in the community through the creation of construction jobs and full-time, on-site jobs.
- 2) Redevelop the Project Site with a mixed-use project that primarily provides a medical office facility that would be compatible with surrounding medical facilities to serve the local community and regional area near a key regional medical center.

- 3) Incorporate sustainable and green building design and construction that exceed building code and Title 24 requirements in areas related to landscape design (green roofs/balconies) to incorporate ecofriendly building materials, systems and features, solar efficiency (solar ready roofs), efficient and low flow water management non-VOC paints and adhesives, high performance building envelope and energy efficient building systems.
- 4) Develop the site with a well-designed commercial and medical office project within a transit priority area which would maximize the benefit of nearby Los Angeles County Metropolitan Transportation Authority (Metro) bus lines, an Antelope Valley Transit Authority (AVTA) bus route, and the future Wilshire Boulevard/La Cienega Boulevard Metro D (Purple) Line Station (expected to open in 2023) and, thus, would support smart growth with the intent of reducing air quality emissions and VMT generation.
- 5) Construct a medical office building at an intensity consistent with the zoning for commercial buildings on Wilshire Boulevard which include similar mid-rise office buildings in proximity of transit and along corridors.
- 6) Enhance the urban built environment by fostering pedestrian activity through ground level restaurant or retail uses, street trees and landscaping, and signage and lighting compatible with the surrounding area.

3. Project Alternatives Analyzed

(A) Alternative 1 – No Project Alternative

In accordance with the CEQA Guidelines, the No Project/No Build Alternative (Alternative 1) for a development project on an identifiable property consists of the circumstance under which the project does not proceed. CEQA Guidelines Section 15126.6(e)(3)(B) states that, “in certain instances, Alternative 1 means ‘no build’ wherein the existing environmental setting is maintained.” Accordingly, for purposes of this analysis, Alternative 1 assumes that no new development would occur within the Project Site. The vacant educational building on the Project Site is assumed to continue to be vacant under this scenario and the Big 5 Sporting Goods store located on the Project Site would continue to operate as under existing conditions.

(i) Impact Summary

Alternative 1 assumes that no new development would occur on the Project Site. Alternative 1 would not result in any impacts for all environmental topics. Alternative 1 would not involve any construction activities and, therefore, it would have no construction noise impacts, no construction vibration impacts related to the threshold for human annoyance, and no cumulative construction noise impacts from on-site and off-site noise sources. Accordingly, Alternative 1 would eliminate the corresponding significant and unavoidable noise and vibration impacts of the Project.

(ii) Finding

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.

(iii) Rationale for Findings

Alternative 1 assumes that no new development would occur on the Project Site and would therefore avoid the Project's significant and unavoidable environmental impacts. Alternative 1 would also avoid all of the less than significant and less than significant impacts with mitigation measures, since no changes would occur to the existing site. The on-site uses would continue to operate similar to existing conditions. As Alternative 1 would not include a development program, it would not contribute to growth and development within the Wilshire Community Plan area, and, therefore, it would not meet the Project's underlying purpose, or achieve any of the Project objectives.

(iv) Reference

EIR Chapter V, Alternatives, pages V-9 - V-14

(B) Alternative 2 – Zoning Compliant Alternative

With Development under the Existing Zoning Alternative (Alternative 2), the Project Site would be developed in accordance with the existing C1-1VL-O (Limited Commercial, Height District 1VL, Oil Drilling District) zoning. The C1 Zone generally permits commercial and retail uses. Similar to the Project, this alternative would include medical office uses and commercial uses. Alternative 2 would develop a total of 48,435 square feet of floor area on the Project Site compared to the Project's proposed 145,305 square feet, for a 67 percent reduction in floor area. Consistent with the 1VL Height District, the proposed building under Alternative 2 would be three stories (45 feet in height), a reduction from the 12 stories (218 feet in height) as proposed under the Project.

As with the Project, Alternative 2 would require the demolition of the existing vacant educational building, the Big 5 Sporting Goods store, and associated paved surface parking areas. With reduced density and square footage, the overall length and intensity of construction would be less than that of the Project. However, construction of Alternative 2 would require more excavation as subterranean parking would be required to accommodate a portion of the vehicle parking spaces provided under this alternative, and the existing subterranean groundwater channel must be relocated.

(i) Impact Summary

Alternative 2 would result in a 67 percent reduction in floor area, but would require more excavation as subterranean parking would be required to accommodate a portion of the vehicle parking spaces provided under this alternative. Alternative 2 would result in similar impacts as compared to the Project with regard to consistency with air quality management plans, historical resources, conflicting with plans for renewable energy or energy efficiency, liquefaction, unstable geologic units, expansive soils, and transportation. Alternative 2 would also result in greater impacts as it relates to archaeological resources, paleontological resources, and tribal cultural

resources. All other impacts would be less under Alternative 2 as compared to the impacts of the Project.

(ii) Finding

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.

(iii) Rationale for Finding

While Alternative 2 would provide similar uses as the Project, it would provide these uses within a reduced building size. As such, it would not meet three of the six objectives. While Alternative 2 would not eliminate the Project's significant and unavoidable impacts to noise and vibration, impacts to construction noise and vibration would be reduced because the length and intensity of development would be reduced under Alternative 2. In addition, Alternative 2 would result in greater impacts as it relates to archaeological resources, paleontological resources, and tribal cultural resources.

(iv) Reference

EIR Chapter V, Alternatives, pages V-15 - V-34.

(C) Alternative 3: Reduced Square Footage Alternative

Under the Reduced Square Footage Alternative (Alternative 3), the Project would see a 25 percent reduction in density and square feet. With this reduction, Alternative 3 would include 105,229 square feet of medical office uses and 3,750 square feet of ground floor retail-commercial uses (750 square feet of retail and 3,000 square feet of restaurant uses), for a total of 108,979 square feet compared to the Project's proposed 145,305 square feet.

As with the Project, Alternative 3 would require the demolition of the existing vacant educational building, the Big 5 Sporting Goods store, and associated paved surface parking areas. With reduced density and square footage, the overall length and intensity of construction would be less than that of the Project.

(i) Impact Summary

Alternative 3 would see a 25 percent reduction in density and square feet. Alternative 3 would result in similar impacts as compared to the Project with regard to consistency with air quality management plans, historical resources, archaeological resources, conflicting with plans for renewable energy or energy efficiency, liquefaction, unstable geologic units, expansive soils, paleontological resources, transportation, and tribal cultural resources. All other impacts would be less under Alternative 3 as compared to the impacts of the Project.

(ii) Finding

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.

(iii) Rationale for Findings

While Alternative 3 would provide similar uses as the Project, it would provide these uses within a reduced building size. As such, it would only partially meet three of the six objectives. While Alternative 2 would not eliminate the Project's significant and unavoidable impacts to noise and vibration, impacts to construction noise and vibration would be reduced because the length and intensity of development would be reduced under Alternative 2.

(iv) Reference

Section V, Alternatives, of the Draft EIR.

(D) Alternative 4: Residential Mixed Use Alternative

The Residential Mixed-Use Alternative (Alternative 4) is an alternative use scheme that would include a building with a mix of commercial and residential uses. No medical office uses would be included under this alternative. Similar to the Project, Alternative 4 would include 5,000 square feet of ground-floor commercial retail and restaurant uses (1,000 square feet of retail and 4,000 square feet of restaurant uses). In addition, up to 80 residential dwelling units, encompassing 140,305 square feet, would be developed. Similar to the Project, the proposed building under this alternative would total 145,305 square feet for a total FAR of 4.5:1. The proposed building under Alternative 4 would have a similar number of stories and slightly reduced height as proposed under the Project (i.e., 12 stories and 191 feet in height).

As with the Project, Alternative 4 would require the demolition of the existing vacant educational building, the Big 5 Sporting Goods store, and associated paved surface parking areas. However, as the density and square footage proposed under this alternative would be similar to that of the Project, the overall length and intensity of construction would be similar to the Project.

(i) Impact Summary

Alternative 4 would include a similar sized building, but with a mix of commercial and residential uses. No medical office uses would be proposed. Alternative 4 would result in less impacts as compared to the Project with regard to cumulative increase in criteria pollutants during operation, localized emissions, carbon monoxide hotspots, efficient energy consumption, GHG emissions, and consistency with CEQA Guidelines Section 15064.3. Alternative 4 would also result in greater impacts as it relates to police protection. All other impacts would be similar under Alternative 4 as compared to the impacts of the Project.

(ii) Finding

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.

(iii) Rationale for Findings

While Alternative 4 does not propose medical office uses, Alternative 4 is a mixed-use project within a Transit Priority Area (TPA). As such, Alternative 4 would only partially meet one of the six objectives. In addition, as Alternative 4 would not include medical office uses, Alternative 4 would not meet two of the six objectives. Alternative 4 would not eliminate or reduce the Project's significant and unavoidable impacts to noise and vibration.

(iv) Reference

EIR Chapter V, Alternatives, pages V-52 - V-71

4. Project Alternatives Considered and Rejected

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

(A) Alternative Project Site

The factors that may be considered when addressing the feasibility of an alternative site are suitability, economic viability, availability of infrastructure, general plan consistency, and whether the proponent can reasonably acquire, control, or otherwise have access to the alternative site.

Objectives of the Project include encouraging economic growth in the community; redeveloping the Project Site with a mixed-use project that primarily provides a medical office facility that would be compatible with surrounding medical facilities; incorporating sustainable and green building design and construction that exceed building code and Title 24 requirements; developing the Project Site with a well-designed commercial and medical office project within a TPA; construction of a medical office building at an intensity consistent with the zoning for commercial buildings on Wilshire Boulevard; and enhancing the urban built environment by fostering pedestrian activity through ground level restaurant or retail uses, street trees and landscaping, and signage and lighting compatible with the surrounding area. Considering these objectives, the Applicant does not own such a property and it is not anticipated that the Applicant would be able to find an equivalent-sized building site with similar proximity to the future Wilshire Boulevard/La Cienega Boulevard Metro D (Purple) Line Station.

With regard to the Project's significant and unavoidable construction noise and vibration impacts at nearby residential uses (noise and vibration sensitive receptors), the proximity of residential uses, to the northwest and southeast, would also be expected at alternative locations within a TPA suitable for the Project's scale and density. As such, it is expected that the Project's construction noise and vibration impacts on sensitive receptors would be similar to those of the Project at alternative sites.

Therefore, because of the improbability of finding an equivalent site that could meet the Project's objectives, it is expected that the acquisition of an equivalent off-site location would be infeasible. Also, because of the objective to develop commercial and medical office uses within a TPA to maximize the benefit of nearby Metro bus lines, AVTA bus route, and the future Wilshire Boulevard/La Cienega Boulevard Metro D (Purple) Line Station, it is expected that an alternative location that meets this objective would also be near other sensitive receptors, thus, result in similar significant construction noise and vibration impacts as under the Project. It is not expected that an alternative location would avoid or reduce these construction noise and vibration impacts to a less-than-significant level. Therefore, the development of the Project at an off-site location would not be feasible based on CEQA criteria and is not considered further in this chapter as a Project alternative.

(B) Alternative To Eliminate Significant Noise and Vibration Impacts During Construction

The Project would result in short-term significant and unavoidable construction-related noise and vibration (human annoyance) impacts. Specifically, Project construction activities would result in significant and unavoidable construction-related noise impacts related to Project-level on-site construction activities and cumulative on-site and off-site construction activities, and significant and unavoidable vibration (human annoyance) impacts related to Project-level on-site construction activities. Alternatives, including those that would reduce construction duration or Project scale/intensity, were considered to substantially reduce or avoid these significant and unavoidable impacts. Based on the thresholds upon which the construction noise and vibration analysis is based, a substantial reduction in the intensity of construction activities would be necessary to reduce construction-related impacts to a less-than-significant level. In addition, significant construction noise and vibration impacts within the Project Site would be expected to occur with most reduced development scenarios because construction activities, and the need to grade the Project Site, are inherently disturbing. Thus, reducing temporary construction noise and vibration impacts below a level of significance at adjacent uses would not be possible while still achieving the Project's objectives. Furthermore, any reduction in the intensity of construction activities would instead increase the overall duration of the construction period. Therefore, alternatives to eliminate the Project's short-term noise and vibration impacts during construction were rejected as infeasible based on the inability to avoid significant environmental impacts under a reasonable construction schedule.

5. Environmentally Superior Alternative

CEQA Guidelines Section 15126.6(e)(2) indicates that an analysis of alternatives to a project shall

identify an Environmentally Superior Alternative among the alternatives evaluated in an EIR. The CEQA Guidelines also state that should it be determined that the No Project Alternative is the Environmentally Superior Alternative, the EIR shall identify another Environmentally Superior Alternative among the remaining alternatives. Pursuant to CEQA Guidelines Section 15126.6(c), the analysis below addresses the ability of the alternatives to “avoid or substantially lessen one or more of the significant effects” of the Project.

Of the alternatives analyzed in the Draft EIR, Alternative 1, No Project/No Build Alternative would be considered the environmentally superior because it would avoid the Project’s significant and unavoidable impacts to construction noise and vibration.

In accordance with the CEQA Guidelines requirement to identify an Environmentally Superior Alternative other than the No Project Alternative, Alternative 3 would also reduce many of the Project’s less-than-significant impacts. No impacts under this alternative would be greater than the Project. While significant and unavoidable noise and vibration impacts under Alternative 3 would not be reduced to less-than-significant levels, Alternative 3 would reduce the overall scale of development and the range of impacts associated with construction duration compared to the Project. Alternative 3 would fully meet three of the Project’s objectives and only partially meet the remaining three objectives. Because Alternative 3 would reduce many of the Project’s less-than-significant impacts, would not have any impacts greater than the Project, and would either fully or partially meet all of the Project’s objectives, Alternative 3 is considered to be the Environmentally Superior Alternative.

X. SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES

CEQA Guidelines Section 15126.2(d) indicates that an EIR should evaluate any significant irreversible environmental changes that would occur should the proposed project be implemented. The types and level of development associated with the project would consume limited, slowly renewable, and non-renewable resources. This consumption would occur during construction of the project and would continue throughout its operational lifetime. The development of the Project would require a commitment of resources that would include: (1) building materials and associated solid waste disposal effects on landfills; (2) water; and (3) energy resources (e.g., fossil fuels) for electricity, natural gas, and transportation. The Project Site contains no energy resources that would be precluded from future use through Project implementation. For the reasons set forth in Chapter VI, Other CEQA Considerations, of the Draft EIR, the project’s irreversible changes to the environment related to the consumption of nonrenewable resources would not be significant, and the limited use of nonrenewable resources is justified.

Project construction would require the consumption of resources that are non-replenishable or may renew so slowly as to be considered non-renewable. These resources would include the following construction supplies: certain types of lumber and other forest products; aggregate materials used in concrete and asphalt such as sand, gravel and stone; metals such as steel, copper, and lead; petrochemical construction materials such as plastics; and water. Furthermore,

nonrenewable fossil fuels such as gasoline and oil would also be consumed in the use of construction vehicles and equipment. Project operation would continue to expend nonrenewable resources that are currently consumed within the City (i.e., electricity and natural gas, petroleum-based fuels required for vehicle-trips, fossil fuels, and water). Fossil fuels would represent the primary energy source associated with both construction and ongoing operation of the Project, and the existing, finite supplies of these natural resources would be incrementally reduced.

The analysis of Project impacts on energy impacts in Section IV.C, Energy, of the Draft EIR, provide a discussion of State efforts to reduce emissions and energy consumption, which also requires concurrent reductions in the consumption of non-renewable resources. As analyzed therein, the Project would result in a less-than-significant energy impacts due to wasteful, inefficient, and unnecessary consumption of energy resources during construction or operation. The Project's energy requirements would not significantly affect local and regional supplies or capacity. The Project's electricity and natural gas usage would be consistent with future usage projections for the region. Electricity generation capacity and supplies of natural gas as well as transportation fuels would be sufficient to meet the needs of the Project construction and operational activities. Construction of the Project would utilize fuel-efficient trucks and equipment consistent with federal and State regulations, such as fuel efficiency regulations in accordance with CARB's Pavley Phase I and II standards (at a minimum through the model year 2020 standards depending on the outcome of the Safer Affordable Fuel-Efficient (SAFE) Vehicles Rule court challenge), the anti-idling regulation in accordance with CCR, Title 13, Section 2485, and fuel requirements in accordance with CCR, Title 17, Section 93115, as well as the In-Use Off-Road Diesel-Fueled Fleets regulation. During operation, the Project would comply with 2019 Title 24 standards and applicable 2019 CALGreen requirements.

In addition, the Project would be consistent with the State's Assembly Bill (AB) 32 GHG reduction target and would result in a less-than-significant impact with respect to consistency with applicable plans, policies, or regulations to reduce GHG emissions. The Project would achieve several objectives of the City of Los Angeles General Plan Framework Element, the SCAG's RTP/SCS, and SCAQMD AQMP for establishing a regional land use pattern that promotes sustainability.

Continued use of such non-renewable resources would be on a relatively small scale and consistent with regional and local growth forecasts in the area, as well as State and local goals for reductions in the consumption of such resources. Furthermore, the Project would not affect access to existing resources, nor interfere with the production or delivery of such resources. The Project Site contains no energy resources that would be precluded from future use through Project implementation. The Project's irreversible changes to the environment related to the consumption of nonrenewable resources would not be significant.

(1) Growth-Inducing Impacts

CEQA Guidelines Section 15126.2(e) requires a discussion of the ways in which a proposed project could induce growth. This includes ways in which a project would foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the

surrounding environment. Included in this are projects which would remove obstacles to population growth, or increases in the population which may tax existing community service facilities, requiring construction of new facilities that could cause significant environmental effects. Additionally, consideration must be given to characteristics of some projects which may encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively. It must not be assumed that growth in any area is necessarily beneficial, detrimental, or of little significance to the environment.

As discussed in Chapter II, Project Description, of the Draft EIR, the Project would include up to 145,305 square feet of floor area, comprised of 140,305 square feet of medical office space and 5,000 square feet of ground floor retail-commercial space, of which up to 4,000 square feet may be a restaurant and 1,000 square feet may be other commercial uses, such as a pharmacy. The Project would not include any new residential development, and, thus, would not generate a direct increase in residential population. However, the Project would have the potential to generate indirect population growth in the Project vicinity as a result of the new employees generated by the Project.

During construction, the number of employees is estimated to vary on a day-to-day basis over the course of Project construction. However, the work requirements of most construction projects are highly specialized such that construction workers remain at a job site for the time in which their specific skills are needed to complete a particular phase of the construction process. Thus, Project-related construction workers would not be anticipated to relocate their household's place of residence as a consequence of working on the Project. Therefore, given the availability of construction workers, the Project would not be considered growth inducing from a short-term employment perspective, but rather, the Project would provide a public benefit by providing new employment opportunities during the construction period.

As described in the Initial Study, development of the Project would generate a net increase of 566 employees. However, the Project would not have indirect effects on growth through such mechanisms as the extension of roads and infrastructure, because the Project would utilize the existing transportation and utility infrastructure to serve the Project. The Project would include a mix of uses that would be compatible with adjacent uses and would not increase or induce residential density growth on the Project Site. The Project's only off-site infrastructure improvements would consist of tie-ins to the existing utility main-lines already serving the Project area. The Project would not require the construction of off-site infrastructure that would provide additional infrastructure capacity for other future development. It would not open inaccessible sites to new development other than existing opportunities for development that are already available.

Therefore, the Project would not spur additional growth other than that already anticipated and would not eliminate impediments to growth. Consequently, the Project would not foster growth inducing impacts.

(2) Energy Conservation

Energy saving and sustainable design features would be incorporated into the Project as the proposed building would comply with Title 24 CCR and the City of Los Angeles Green Building Code and exceed some of these regulatory requirements to the greatest extent feasible. Design features would include energy conservation, water conservation, and pedestrian- and bicycle-friendly site design. As it relates to energy conservation, the Project would include ENERGY STAR-rated appliances and install energy efficient heaters and air conditioning systems. The Project would also provide solar ready wiring on the highest roof level. The terraced landscaped areas on Floors 6 through 10 would serve as partial green roofs that would serve to help cool the building, and would include sustainable paving materials that would minimize heat. All glass used in the building would have minimal reflectivity to reduce glare to surrounding neighbors. As it relates to water conservation, the project would incorporate efficient water management and sustainable landscaping. The proposed building would also include a pedestrian friendly design with ground floor commercial uses and an outdoor dining area to activate the street. Bicycle parking would also be included on the ground floor near the entrance of the lobby, which would serve to promote bicycle usage. In addition, the vehicle parking spaces proposed on the Project Site would be capable of supporting future EVSE, as well as equipped with electric vehicle (EV) charging stations, which would serve to reduce use of transportation fuel.

XI. STATEMENT OF OVERRIDING CONSIDERATIONS

The EIR identifies unavoidable significant impacts that would result from implementation of the project. PRC Section 21081 and CEQA Guidelines Section 15093(b) provide that when a decision of a public agency allows the occurrence of significant impacts that are identified in the EIR but are not at least substantially mitigated to an insignificant level or eliminated, the lead agency must state in writing the reasons to support its action based on the EIR and/or other information in the record. The CEQA Guidelines require, pursuant to CEQA Guidelines Section 15093(b), that the decision-maker adopt a Statement of Overriding Considerations at the time of approval of a project if it finds that significant adverse environmental effects have been identified in the EIR that cannot be substantially mitigated to an insignificant level or be eliminated. These findings and the Statement of Overriding Considerations are based on substantial evidence in the documents and materials that constitute the record of proceedings, including, but not limited to, the Final EIR and all technical appendices attached thereto.

Based on the analysis provided in Chapter IV, Environmental Impact Analysis, of the Draft EIR, implementation of the Project would result in significant impacts that cannot be feasibly mitigated with respect to: construction-related noise impacts related to Project-level on-site construction activities and cumulative on-site and off-site construction activities and significant and unavoidable vibration (human annoyance) impacts related to Project-level on-site construction activities.

Accordingly, the City adopts the following Statement of Overriding Considerations. The City recognizes that significant and unavoidable impacts would result from implementation of the

project. Having (i) adopted all feasible mitigation measures, (ii) rejected as infeasible the alternatives to the project discussed above, (iii) recognized all significant, unavoidable impacts, and (iv) balanced the benefits of the project against the project's significant and unavoidable impacts, the City hereby finds that each of the project's benefits, as listed below, outweigh and override the significant unavoidable impacts relating to construction-related noise and vibration (human annoyance) impacts.

The below stated reasons summarize the benefits, goals and objectives of the Project, and provide the detailed rationale for the benefits of the Project. These overriding considerations of economic, social, aesthetic, and environmental benefits for the Project justify adoption of the Project and certification of the completed EIR. Each of the listed project benefits set forth in this Statement of Overriding Considerations provides a separate and independent ground for the City's decision to approve the Project despite the Project's identified significant and unavoidable environmental impacts. Each of the following overriding consideration separately and independently (i) outweighs the adverse environmental impacts of the Project, and (ii) justifies adoption of the Project and certification of the completed EIR. In particular, achieving the underlying purpose for the Project would be sufficient to override the significant environmental impacts of the Project.

- **Compatibility and Support for the Wilshire and San Vicente Commercial Corridor.** The Project would achieve objectives related to development of a medical office building at an intensity consistent with the pattern of development for commercial buildings on Wilshire Boulevard and the San Vicente corridor which include similar mid-rise office buildings in proximity of transit and along corridors.
- **The Project would support smart growth and reduce air quality emissions.** The Project Site would be developed with a well-designed commercial and medical office project within a City-designated TPA and SCAG-designated High Quality Transit Area (HQTa) which would maximize the benefit of nearby Metro bus lines, an AVTA bus route, and the future Wilshire Boulevard/La Cienega Boulevard Metro D (Purple) Line Station (expected to open in 2023). New employment opportunities and medical services would be located in close proximity to existing housing. Thus, the project would support smart growth with the intent of reducing air quality emissions and VMT generation.
- **The Project will provide walkable, pedestrian-friendly access to amenities.** Given its location at the corner of Wilshire Boulevard and South San Vicente, the Project would support pedestrian access and promote walkability to medical office and retail-commercial uses along both corridors. The addition of new retail and restaurant uses would provide amenities for nearby residents.
- **Site redevelopment.** The Project would redevelop an existing lot by removing a vacant building with surface parking, and a one-story retail structure with surface parking. The Project would significantly enhance the visual quality of the site by creating an attractive, well-designed medical office project with high quality details and design articulation, landscaping, outside seating areas and streetscaping.
- **Tax revenue.** The Project, as designed, will provide a stable source of tax revenue for the

City, including property tax and sales tax from the retail, restaurant, parking and medical office uses.

- **Greater access to healthcare.** The Project would provide greater access to healthcare for the public and maximize travel efficiency by providing medical office uses close to the future Wilshire Boulevard/La Cienega Boulevard Metro D (Purple) Line Station and Metro bus lines, and nearby Cedar-Sinai medical center and other key medical office buildings used by multiple medical institutions.
- **Environmentally sustainable development.** The Project would maintain an environmentally sustainable development by incorporating green building design and construction that exceed building code and Title 24 requirements in areas related to landscape design (green roofs/balconies) to include ecofriendly building materials, systems and features, solar efficiency (solar ready roofs), efficient and low flow water management non-VOC paints and adhesives, high performance building envelope and energy efficient building systems.
- **Economic growth.** The Project would encourage economic growth in the community through the creation of construction jobs for demolition and construction of the Project and full-time, on-site jobs within the medical office, parking, retail and restaurant uses.
- **Temporary significant impacts.** The Project's significant and unavoidable impacts caused by construction noise and vibration would be temporary and consistent with most construction activity in the Project vicinity. The associated mitigation measures and project design features would reduce construction impacts to the maximum extent feasible.

XII. GENERAL FINDINGS.

- 1) The City, acting through the Department of City Planning, is the "Lead Agency" for the Project evaluated in the EIR. The City finds that the EIR was prepared in compliance with CEQA and the CEQA Guidelines. The City finds that it has independently reviewed and analyzed the EIR for the project, that the Draft EIR which was circulated for public review reflected its independent judgment and that the Final EIR reflects the independent judgment of the City.
- 2) The EIR evaluated the following potential project and cumulative environmental impacts: air quality, cultural resources, energy, geology and soils, GHG emissions, land use and planning, noise, public services (fire protection and police protection), transportation, tribal cultural resources, alternatives, and other CEQA considerations. Additionally, the EIR considered, in separate sections, Significant Irreversible Environmental Changes and Growth Inducing Impacts. The significant environmental impacts of the project and the alternatives were identified in the EIR.
- 3) The City finds that the EIR provides objective information to assist the decision makers and the public at large in their consideration of the environmental consequences of the project. The public review periods provided all interested jurisdictions, agencies, private organizations, and individuals the opportunity to submit comments regarding

the Draft EIR. The Final EIR was prepared after the review periods and responds to comments made during the public review periods.

- 4) The Department of City Planning evaluated comments on environmental issues received from persons who reviewed the Draft EIR. In accordance with CEQA, the Department of City Planning 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 Department of City Planning reviewed the comments received and responses thereto and has determined that neither the comments received nor the responses to such comments add significant new information regarding environmental impacts to the Draft EIR. The Lead Agency has based its actions on full appraisal of all viewpoints, including all comments received up to the date of adoption of these findings, concerning the environmental impacts identified and analyzed in the EIR.
- 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.
 - The mitigation measures identified for the Project were included in the Draft EIR and Final EIR. The final mitigation measures for the project are described in the Mitigation Monitoring Program (MMP). Each of the mitigation measures identified in the MMP is incorporated into the Project. The City finds that the impacts of the

Project have been mitigated to the extent feasible by the mitigation measures identified in the MMP.

- 6) CEQA requires the Lead Agency approving a project to adopt a MMP or the changes to the project which it has adopted or made a condition of project approval in order to ensure compliance with the mitigation measures during project implementation. The mitigation measures included in the EIR as certified by the City and revised in the MMP as adopted by the City serve that function. The MMP includes all of the mitigation measures and project design features adopted by the City in connection with the approval of the project and has been designed to ensure compliance with such measures during implementation of the project. In accordance with CEQA, the MMP provides the means to ensure that the mitigation measures are fully enforceable. In accordance with the requirements of PRC Section 21081.6, the City hereby adopts the MMP.
- 7) 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.
- 8) The custodian of the documents or other materials which constitute the record of proceedings upon which the City's decision is based is the City of Los Angeles, Department of City Planning, 221 North Figueroa Street, Room 1350, Los Angeles, CA 90012.
- 9) The City finds and declares that substantial evidence for each and every finding made herein is contained in the EIR, which is incorporated herein by this reference, or is in the record of proceedings in the matter.
- 10) The City is certifying an EIR for, and is approving and adopting findings for, the entirety of the actions described in these Findings and in the EIR as comprising the Project.
- 11) The EIR is a project EIR for purposes of environmental analysis of the project. A project EIR examines the environmental effects of a specific project. The EIR serves as the primary environmental compliance document for entitlement decisions regarding the project by the City and the other regulatory jurisdictions.

FINDINGS OF FACT (SUBDIVISION MAP ACT)

In connection with the approval of Vesting Tentative Tract Map No. 74865, the Advisory Agency of the City of Los Angeles, pursuant to Sections 66473.1, 66474.60, .61 and .63 of the State of California Government Code (the Subdivision Map Act), makes the prescribed findings as follows:

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

Section 66411 of the Subdivision Map Act (Map Act) establishes that local agencies regulate and control the design of subdivisions. Chapter 2, Article I, of the Map Act establishes the general provisions for tentative, final, and parcel maps. The subdivision,

and merger, of land is regulated pursuant to Article 7 of the LAMC. The LAMC implements the goals, objectives, and policies of the General Plan through zoning regulations, including Specific Plans. The zoning regulations contained within the LAMC regulate, but are not limited to, the maximum permitted density, height, parking, and the subdivision of land.

Pursuant to LAMC Section 17.05 C, tract maps are to be designed in conformance with the tract map regulations to ensure compliance with the various elements of the General Plan, including the Zoning Code. Additionally, the maps are to be designed in conformance with the Street Standards established pursuant to LAMC Section 17.05 B. The Project Site is located within the Wilshire Community Plan, which designates the Project Site for Limited land uses, with a corresponding zone of C1.

The Project Applicant is requesting a General Plan Amendment to the Wilshire Community Plan to change the land use designation from Limited Commercial to Regional Center Commercial, as well as a corresponding Zone and Height District Change from C1-1VL-O to (T)(Q)C2-2D-O and up to a 20% reduction in vehicle parking.

The C2 Zone generally allows for commercial uses, including medical office and retail. Height District 2 permits a maximum floor area ratio (FAR) of 6:1, but "D" limitations could control the maximum FAR to 4.5:1. In conjunction with the proposed street dedications associated with the proposed VTTM for the Project, the net lot area of the Project Site is 32,290 square feet which permits a maximum floor area of 193,740 square feet. As previously mentioned, the Project Applicant is requesting a General Plan Amendment and Zone and Height District Change to allow for the development of 145,305 square feet of floor area. Contingent upon the approval of the Project's requested entitlements, the Project would be permitted a maximum 4.5:1 FAR. Therefore, the proposed merger of the Project Site into one (1) ground lot for a mixed-use medical office development would be consistent with these regulations, the VTTM would be consistent with the use and floor area permitted by the Zone.

Pursuant to LAMC Section 17.06 B, a VTTM must be prepared by or under the direction of a licensed land surveyor or registered civil engineer. It is required to contain information regarding the boundaries of the Project Site, as well as the abutting public rights-of-ways, hillside contours for hillside properties, location of existing buildings, existing and proposed dedication, and improvements of the tract map. The VTTM indicates the map number, notes, legal description, contact information for the owner, applicant, and engineer, as well as other pertinent information as required by LAMC Section 17.06 B. Additionally, LAMC Section 17.15 B requires that vesting tentative tract maps provide the proposed building envelope, height, size, and number of units, as well as the approximate location of buildings, driveways, and proposed exterior garden walls. The VTTM provides the building envelope, height, and approximate location of the building and driveways among other required map elements. Therefore, the proposed map demonstrates compliance with LAMC Sections 17.05 C, 17.06 B, 17.15 B and would be consistent with the applicable General Plan.

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

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

LAMC Section 17.05 enumerates design standards for a tract map and requires that each map be designed in conformance with the Street Design Standards and in conformance with the General Plan. LAMC Section 17.05 C, third paragraph, further establishes that density calculations include the areas for residential use and areas designated for public uses, except for land set aside for street purposes (net area). LAMC Section 17.06 B and 17.15 lists the map requirements for a tentative tract map and vesting tentative tract map. The design and layout of the VTTM is consistent with the design standards established by the Subdivision Map Act and LAMC regulations.

As indicated in Finding (a), LAMC Section 17.05 C requires that the tract map be designed in conformance with the zoning regulations of the Project Site. The Project Site is zoned C1-1VL.

The Project Applicant is requesting a General Plan Amendment to the Wilshire Community Plan to change the land use designation from Limited Commercial to Regional Center Commercial, as well as a corresponding Zone and Height District Change from C1-1VL-O to (T)(Q)C2-2D-O and up to a 20% reduction in vehicle parking.

The C2 Zone generally allows for commercial uses, including the proposed medical office and retail use. Height District 2 permits a maximum floor area ratio (FAR) of 6:1, with a “D” limitation that could limit the site to a 4.5:1 FAR. In conjunction with the proposed street dedications associated with the proposed VTTM for the Project, the net lot area of the Project Site is 32,290 square feet which permits a maximum floor area of 193,740 square feet. As previously mentioned, the Project Applicant is requesting a General Plan Amendment and Zone and Height District Change to allow for the development of 145,305 square feet of floor area. Contingent upon the approval of the Project’s requested entitlements, the Project would be permitted a maximum 4.5:1 FAR. Therefore, the proposed merger of the Project Site into one (1) ground lot for a mixed-use medical office development would be consistent with these regulations, the VTTM would be consistent with the use and floor area permitted by the Zone.

The design and layout of the map is also consistent with the design standards established by the Subdivision Map Act and Division of Land Regulations of the LAMC. The VTTM was distributed to and reviewed by the various City agencies of the Subdivision Committee, including, but not limited to, the Bureau of Engineering, Department of Building and Safety, Grading Division and Zoning Division, Bureau of Street Lighting, Department of Recreation and Parks, that have the authority to make dedication, and/or improvement recommendations. Several public agencies found the subdivision design

satisfactory, with imposed improvement requirements and/or conditions of approval.

Specifically, the Bureau of Engineering reviewed the VTTM for compliance with the Street Design Standards and has recommended improvements to the public rights-of-ways of San Vicente Boulevard, Orange Street, and Sweetzer in accordance with conditions provided and the Street Standards of the Mobility Plan 2035. In addition, the Bureau of Sanitation has reviewed the sewer/storm drain lines serving the subject tract and found potential problems to structures or maintenance and therefore, a have required that proposed development in close proximity to the easements must secure Department of Public Works approval in addition to standard conditions. The Department of Building and Safety – Grading Division reviewed the site grading and deemed it appropriate provided the conditions included in the Geology and Soils Approval Letter dated February 6, 2020 are complied with. The Bureau of Street Lighting determined that if BOE requires street widening improvements, street lighting improvements shall include the construction of two (2) new streetlights on South San Vicente Boulevard and one (1) new street light on Sweetzer Avenue. All Conditions of Approval for the design and improvement of the subdivision are required to be performed prior to the recordation of the tentative map, building permit, grading permit, or certificate of occupancy.

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

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

The Project Site is currently improved with two buildings and associated surface parking lots, comprised of a 5,738 square-foot, vacant educational building, and an 8,225 square foot Big 5 Sporting Goods store, combined totaling approximately 13,963 square feet of floor area. The request before the Deputy Advisory Agency is a VTTM for a Project that includes the demolition of the two existing buildings and surface parking, and construction of a mixed-use medical office building with up to 145,305 square feet of new floor area on a .74 net acre site. The Project proposes 140,305 square feet of medical office space, 4,000 square feet of restaurant/retail space, and 1,000 square feet for other commercial uses, such as a pharmacy. The proposed uses would be built within a single, 12-story building that includes ground floor lobby and commercial space, four levels of podium parking, and seven levels of medical office uses.

There are currently seven (7) trees within the Project Site and zero (0) off-site street trees. The seven on-site trees are proposed to be removed to accommodate the development of the Project. On-site replacement trees would be provided at a minimum 1:1 ratio for the seven Non-Protected trees. As there are currently no street trees, the Project would not be subject to the street tree replacement requirements of the City's Urban Forestry Division,. However, the Project would provide a total of 16 street trees along Orange St., South San Vicente Boulevard, and Sweetzer Avenue.

The Project Site is located within an urbanized area. The Project Site is not located in a Very High Fire Hazard Severity Zone, Alquist Priolo Zone, Fault Rupture Study Area, Flood Zone, Landslide, or Tsunami Inundation Zone. The Project Site is located within a Liquefaction Zone and Methane Zone. The topography of the Project Site is relatively flat

throughout the entirety of the site.

As noted in the Conditions of Approval, the Los Angeles Department of Building and Safety, Grading Division, has reviewed the geology/soils reports prepared for the Project and issued a Geology and Soils Report Approval Letter dated February 6, 2020, which included analysis regarding the Liquefaction Zone. The Approval Letter includes specific design and engineering conditions that will ensure the Project can be built safely and that the site will be suitable for the proposed development.

The property is in a Methane Zone and would be subject to the City Methane Requirements in Division 71 Section 91.7103 of the Los Angeles Municipal Code. Based on the Phase I ESA, no further investigation of subsurface methane accumulations was recommended or warranted in the environmental analysis and related impacts were concluded to be less than significant.

Phase I ESAs, revealed no evidence of RECs, historical RECs, or controlled RECs in connection with the Project, and the removal of potential asbestos and lead-paint materials during demolition could be addressed through existing regulations.

Therefore, the EIR's Hazards and Hazardous Materials analysis determined that development of the Project Site would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accidental conditions involving the release of hazardous materials into the environment.

The environmental analysis also identifies no potential adverse impacts on fish or wildlife resources. The Project Site, as well as the surrounding area are presently developed with residential, office, and commercial structures and do not provide a natural habitat for either fish or wildlife. The Project Site is previously developed and does not contain any natural open spaces, act as a wildlife corridor, contain riparian habitat, wetland habitat, migratory corridors, conflict with any protected tree ordinance, conflict with a Habitat Conservation Plan, nor possess any areas of significant biological resource value.

Finally, prior to the issuance of any permits, the Project would be required to be reviewed and approved by the Department of Building and Safety and the Fire Department to ensure compliance with building, fire, and safety codes. Therefore, based on the above and as conditioned, the Project Site would be physically suitable for the proposed type of development.

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

The General Plan identifies, through its Community and Specific Plans, geographic locations where planned and anticipated densities are permitted. Zoning standards for density are applied to sites throughout the city and are allocated based on the type of land use, physical suitability, and future population growth expected to occur. The adopted Wilshire Community Plan designates the Project Site for Limited Commercial land uses. The Project Site is zoned C1-1VL-O.

The Project Applicant is requesting a General Plan Amendment to the Wilshire Community Plan to change the land use designation from Limited Commercial to Regional Center

Commercial, as well as a corresponding Zone and Height District Change from C1-1VL-O to (T)(Q)C2-2D-O and up to a 20% reduction in vehicle parking.

The C2 Zone generally allows for commercial uses, including medical office and retail uses. Height District 2 permits a maximum floor area ratio (FAR) of 6:1, and a "D" limitation can reduce the allowable FAR to 4.5:1. In conjunction with the proposed street dedications associated with the proposed VTTM for the Project, the net lot area of the Project Site is 32,290 square feet which permits a maximum floor area of 193,740 square feet. As previously mentioned, the Project Applicant is requesting a General Plan Amendment and Zone and Height District Change to allow for the development of 145,305 square feet of floor area. Contingent upon the approval of the Project's requested entitlements, the Project would be permitted a maximum 4.5:1 FAR. Therefore, the proposed merger of the Project Site into one (1) ground lot for a mixed-use medical office development would be consistent with these regulations, the VTTM would be consistent with the density of development permitted by the proposed zoning.

The physical characteristics of the site and the proposed density of development are generally consistent with existing development and urban character of the surrounding community. The Project vicinity is characterized by a concentration of both medium- to high-density commercial and office uses, and low-density residential uses in the form of one to two-story structures. To the northwest of the Project Site across Orange Street are multi-story office buildings and are designated for Limited Commercial land uses and are entirely within the CR-1L-O Zone. To the northeast and north of the Project Site across Orange Street and the alleyway are two-story multifamily residential uses. These properties are designated for both Low Medium I and Medium Residential land uses and are within the R3-1-O and R2-1-O Zones. To the east, south and southeast of the Project Site across Wilshire Boulevard and Sweetzer Avenue are multi-story commercial and office uses. These properties are designated for Regional Center Commercial land uses within the C4-2D-O and C2-2D-O Zones. To the west of the Project Site across South San Vicente Boulevard are multi-story office uses and one-story commercial uses with surface parking, located entirely within the City of Beverly Hills.

The Project's floor area, density, and massing are appropriately scaled and situated given these uses in the surrounding area. The site is a relatively flat infill lot in a developed urban area with adequate infrastructure. The area is easily accessible via improved streets and highways. Therefore, the Project Site is physically suitable for the proposed density of development.

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

The Project Site does not contain wetlands or riparian areas, does not have significant value as a wildlife habitat, and implementation of the Project would not harm protected species. The Project is situated in an established, fully developed mixed-use corridor, adjacent to two large boulevards, and a regional employment center. The commercially zoned Project Site is currently developed with two existing structures, and associated surface parking. The Project Site does not contain any natural open spaces with water courses such as streams or lakes within and adjacent to the Project Site, the Project Site and vicinity do not support any riparian or wetland habitat, as defined by Section 404 of

the Clean Water Act.

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

With regard to trees, as discussed in the associated Tree Report, the Project Site has been operating as an urban use for decades. There are currently seven (7) Non-Protected trees within the Project Site and zero (0) off-site street trees. The seven Non-Protected trees are proposed to be removed to accommodate the development of the Project. On-site replacement trees would be provided at a minimum 1:1 ratio for the Non-Protected trees. As there are zero street trees, the Project would not be subject to the street tree replacement requirements of the City's Urban Forestry Division. However, the Project would provide a total of 16 new street trees along Orange St., South San Vicente Boulevard, and Sweetzer Avenue. In addition, the Project vicinity is highly urbanized and does not support habitat for candidate, sensitive, or special status plant species. Therefore, no impacts to candidate, sensitive, or special status plant species would occur.

Therefore, as noted above, the Project Site is presently improved with an existing retail building and vacant educational building, and does not contain any natural open spaces, act as a wildlife corridor, contain riparian habitat, wetland habitat, or migratory corridors. The Project would not conflict with any protected tree ordinance or Habitat Conservation Plan, nor possess any areas of significant biological resource value. Therefore, the design of the subdivision would not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

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

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

The Project is not located over a hazardous materials site or flood hazard area and is not located on unsuitable soil conditions. Phase I ESAs, revealed no evidence of RECs, historical RECs, or controlled RECs in connection with the Project, and the removal of potential asbestos and lead-paint materials during demolition could be addressed through existing regulations.

Therefore, the EIR's Hazards and Hazardous Materials analysis determined that development of the Project Site would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accidental conditions involving the release of hazardous materials into the environment.

Regarding seismic safety and the site's location within a Liquefaction Zone, with

adherence to State and City building requirements, along with the recommendations from the LADBS Geology and Soils Report Approval Letter dated February 6, 2020, the subdivision and proposed improvements would not result in serious public health problems related to seismic safety or liquefaction. The property is in a Methane Zone and would be subject to the City Methane Requirements in Division 71 Section 91.7103 of the Los Angeles Municipal Code. Based on the Phase I ESA, no further investigation of subsurface methane accumulations was recommended or warranted in the environmental analysis and related impacts were concluded to be less than significant. Furthermore, the Project Site is not located in a Very High Fire Hazard Severity Zone, Alquist Priolo Zone, Fault Rupture Study Area, Flood Zone, Landslide, or Tsunami Inundation Zone.

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

No adverse impacts to the public health or safety would occur as a result of the design and improvement of the site. Therefore, the design of the subdivision and the proposed improvements are not likely to cause serious public health problems.

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

There are no recorded instruments identifying easements encumbering the Project Site for the purpose of providing public access. The site is surrounded by public streets and private properties that adjoin improved public streets designed and improved for the specific purpose of providing public access throughout the area. The Project Site does not adjoin or provide access to a public resource, natural habitat, public park, or any officially recognized public recreation area. No streams or rivers cross the Project Site. Needed public access for roads and utilities will be acquired by the City prior to recordation of the proposed tract. Therefore, the design of the subdivision and the proposed improvements would not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.

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

In assessing the feasibility of passive or natural heating or cooling opportunities in the

proposed subdivision design, the Project Applicant has prepared and submitted materials which consider the local climate, contours, configuration of the parcel(s) to be subdivided and other design and improvement requirements.

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

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

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

These findings shall apply to both the tentative and final maps for VTTM No. 74865.