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Decision Date: March 24, 2016

Appeal Period Ends: April 4, 2016

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Los Angeles, CA 90064

Joel B. Miller (R)  
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RE: Tract Map No.: VTT-72298-MU  
Address: 12101 West Olympic Boulevard  
Related Case: CPC-2013-2567-GPA-VZC-HD-  
CU-MCUB-CUX-ZV-ZAD-SPR;  
CPC-2015-4455-DA  
Community Plan: West Los Angeles  
Existing Zone: M2-1  
Proposed Zone: (Q)(T)C2-2D  
Council District: 11  
CEQA No.: ENV-2012-3063-EIR  
(SCH No. 2013031057)

In accordance with provisions of Los Angeles Municipal Code (LAMC) Section 17.03, the Advisory Agency approved Vesting Tentative Tract Map No. 72998-MU, located at 12101 W. Olympic Boulevard, consisting of 10 airspace lots for the development of a **mixed-use development consisting of 516 residential units, 99,000 square feet of retail floor area, 200,000 square feet of creative office floor area, and subterranean parking**, as shown on map stamp-dated November 9, 2015 in the West LA Community Plan. This unit density is based on the proposed C2 Zone and pursuant to LAMC Section 12.14-C.3. (The subdivider is hereby advised that the LAMC may not permit this maximum approved density. Therefore, verification should be obtained from the Department of Building and Safety, which will legally interpret the Zoning code as it applies to this particular property.) For an appointment with the Development Services Center call (213) 482-7077. The Advisory Agency's approval is subject to the following conditions:

**NOTE** on clearing conditions: When two or more **agencies** must clear a condition, subdivider should follow the sequence indicated in the condition. For the benefit of the applicant, subdivider shall maintain record of all conditions cleared, including all material supporting clearances and be prepared to present copies of the clearances to each reviewing agency as may be required by its staff at the time of its review.

**BUREAU OF ENGINEERING - SPECIFIC CONDITIONS**

1. Prior to issuance of a grading or building permit, or prior to recordation of the final map, the subdivider shall make suitable arrangements to assure compliance, satisfactory to the Department of Building and Safety, Grading Division. In addition, the following items shall be satisfied:
  - a. That a 2-foot and variable width right-of-way be dedicated along Bundy drive adjoining the tract to complete a 45-foot wide half right-of-way in accordance with Secondary Highway Standards if necessary including a 20-foot radius property line return or 15-foot by 15-foot property line cut corner.
  - b. That a set of drawings for airspace lots be submitted to the City Engineer showing the followings:
    - a. Plan view at different elevations.
    - b. Isometric views.
    - c. Elevation views.
    - d. Section cuts at all locations where air space lot boundaries change.
  - c. That the owners of the property record an agreement satisfactory to the City Engineer stating that they will grant the necessary private easements for ingress and egress purposes to serve proposed airspace lots to use upon the sale of the respective lots and they will maintain the private easements free and clear of obstructions and in safe conditions for use at all times.
  - d. That the following improvements be either constructed prior to recordation of the final map or that the construction be suitably guaranteed:

Improve Bundy Drive being dedicated and adjoining the subdivision by the construction of additional sidewalk within the newly dedicated area to complete a full-width concrete sidewalks with tree wells any necessary removal and reconstruction of existing improvements.

**DEPARTMENT OF BUILDING AND SAFETY, GRADING DIVISION**

2. Prior to issuance of a grading or building permit, or prior to recordation of the final map, the subdivider shall make suitable arrangements to assure compliance, satisfactory to the Department of Building and Safety, Grading Division's letter dated February 11, 2016 and revised March, 15, 2016; LOG #88245-01R.

**DEPARTMENT OF BUILDING AND SAFETY, ZONING DIVISION**

3. Prior to recordation of the final map, the Department of Building and Safety, Zoning Division shall certify that no Building or Zoning Code violations exist on the subject site. In addition, the following items shall be satisfied:
  - a. Obtain permits for the demolition or removal of all existing structures on the site. Accessory structures and uses are not permitted to remain on lots without a main structure or use. Provide copies of the demolition permits and signed inspection cards to show completion of the demolition work prior to obtaining the Zoning clearance.

- b. Multiple dwellings are not allowed in the **M2-1 Zone**. Obtain Zone Change approval from the Department of City Planning and City Council.
- c. Zone Change must be recorded prior to obtaining Zoning clearance.
- d. Provide a density count to justify the proposed number of residential units allowed in the Proposed **C2 Zone** for each Master Lot. Indicate the proposed number of residential units for each Master Lot.
- e. Provide a copy of CPC case CPC-2013-2567-GPA-VZC-HD-CU-MCUP-CUX-ZV-ZAD-SPR. Show compliance with all the conditions/requirements of the CPC case as applicable.
- f. Show all street dedication(s) as required by Bureau of Engineering and provide net lot area after all dedication. "Area" requirements shall be re-checked as per net lot area after street dedication.
- g. Record a Covenant and Agreement to treat the buildings and structures located in an Air Space Subdivision as if they were within a single lot.

Notes:

Each Air Space lot shall have access to a street by one or more easements or other entitlements to use in a form satisfactory to the Advisory Agency and the City Engineer.

The submitted Map may not comply with the number of guest parking spaces required by the Advisory Agency.

Any proposed structures or uses on the site have not been checked for and shall comply with Building and Zoning Code requirements. Plan check will be required before any construction, occupancy or change of use.

An appointment is required for the issuance of a clearance letter from the Department of Building and Safety. The applicant is asked to contact Laura Duong at (213) 482-0434 to schedule an appointment.

#### DEPARTMENT OF TRANSPORTATION

- 4. Prior to recordation of the final map, satisfactory arrangements shall be made to satisfy the recommendations of the Department of Transportation as follows: (MM)
  - a. Bundy Drive & Olympic Boulevard  
Design and implement the addition of a dual left-turn operation for northbound and southbound movements. Restripe and modify traffic signal operation, as needed.
  - b. Bundy Drive & Pico Boulevard  
Design and implement the addition of an exclusive right-turn operation for eastbound and westbound movements. Restripe and modify traffic signal operation, as needed.

**Notes: Should any improvement be deemed infeasible at the time of reconciliation, the City may substitute an alternative measure of equivalent effectiveness.**

The applicant shall consult the Bureau of Engineering (BOE) for any additional highway dedication or street widening requirements. These requirements must be guaranteed before the issuance of any building permit through the B-permit process of the Bureau of Engineering, Department of Public Works. They must be constructed and completed prior to the issuance of any certificate of occupancy to the satisfaction of DOT and the Bureau of Engineering. Prior to setting the bond amount, BOE shall require that the developer's engineer or contractor contact DOT's B-Permit Coordination Engineer at (213) 972-8685, to arrange a pre-design meeting to finalize the plan(s) needed for the project.

## **FIRE DEPARTMENT**

5. Prior to the recordation of the final map, a suitable arrangement shall be made satisfactory to the Fire Department, binding the subdivider and all successors to the following: (MM)
  - a. Adequate off-site public and on-site private fire hydrants may be required. Their number and location to be determined after the Fire Department's review of the plot plan.
  - b. Submit plot plans indicating access road and turning area for Fire Department approval.
  - c. The width of private roadways for general access use and fire lanes shall not be less than 20 feet, and the fire lane must be clear to the sky.
  - d. Fire lanes, where required and dead ending streets shall terminate in a cul-de-sac or other approved turning area. No dead ending street or fire lane shall be greater than 700 feet in length or secondary access shall be required.
  - e. No proposed development utilizing cluster, group, or condominium design of one or two family dwellings shall be more than 150 feet from the edge of the roadway of an improved street, access road, or designated fire lane.
  - f. All access roads, including fire lanes, shall be maintained in an unobstructed manner, removal of obstructions shall be at the owner's expense. The entrance to all required fire lanes or required private driveways shall be posted with a sign no less than three square feet in area in accordance with Section 57.09.05 of the Los Angeles Municipal Code.
  - g. Fire lane width shall not be less than 20 feet. When a fire lane must accommodate the operation of Fire Department aerial ladder apparatus or where fire hydrants are installed, those portions shall not be less than 28 feet in width.
  - h. Where above ground floors are used for residential purposes, the access requirement shall be interpreted as being the horizontal travel distance from the street, driveway, alley, or designated fire lane to the main entrance of individual units

- i. Private roadways for general access use shall have a minimum width of 20 feet.
- j. No building or portion of a building shall be constructed more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane.
- k. Where access for a given development requires accommodation of Fire Department apparatus, overhead clearance shall not be less than 14 feet.
- l. Access for Fire Department apparatus and personnel to and into all structures shall be required.
- m. The Fire Department may require additional vehicular access where buildings exceed 28 feet in height.
- n. Where fire apparatus will be driven onto the road level surface of the subterranean parking structure, that structure shall be engineered to withstand a bearing pressure of 8,600 pounds per square foot.
- o. Any required fire hydrants to be installed shall be fully operational and accepted by the Fire Department prior to any building construction.
- p. No building or portion of a building shall be constructed more than 300 feet from an approved fire hydrant. Distance shall be computed along path of travel.
- q. No framing shall be allowed until the roadway is installed to the satisfaction of the Fire Department.
- r. Plans showing areas to be posted and/or painted, "FIRE LANE NO PARKING" shall be submitted and approved by the Fire Department prior to building permit application sign-off.
- s. Where rescue window access is required, provide conditions and improvements necessary to meet accessibility standards as determined by the Los Angeles Fire Department.
- t. Building designs for multi-storied residential buildings shall incorporate at least one access stairwell off the main lobby of the building; But, in no case greater than 150ft horizontal travel distance from the edge of the public street, private street or Fire Lane. This stairwell shall extend unto the roof.
- u. Entrance to the main lobby shall be located off the address side of the building.
- v. Any required Fire Annunciator panel or Fire Control Room shall be located within 50 ft visual line of site of the main entrance stairwell or to the satisfaction of the Fire Department.
- w. Site plans shall include all overhead utility lines adjacent to the site.
- x. Any roof elevation changes in excess of 3 feet may require the installation of ships ladders.

The applicant is further advised that all subsequent contact regarding these conditions must be with the Hydrant and Access Unit. This would include clarification, verification of condition compliance and plans or building permit applications, etc., and shall be accomplished BY APPOINTMENT ONLY, in order to assure that you receive service with a minimum amount of waiting please call (213) 482-6504. You should advise any consultant representing you of this requirement as well.

#### **BUREAU OF STREET LIGHTING**

6. If new street light(s) are required, then prior to the recordation of the final map or issuance of the Certificate of Occupancy (C of O), street lighting improvement plans shall be submitted for review and the owner shall provide a good faith effort via a ballot process for the formation or annexation of the property within the boundary of the development into a Street Lighting Maintenance Assessment District.
7. Improvement Condition: No street lighting conditions if no street widening per BOE improvement conditions. Otherwise relocate and upgrade street lights; five (5) on Olympic Bl. And five (5) on Bundy Dr.

Notes: The quantity of street lights identified may be modified slightly during the plan check process based on illumination calculations and equipment selection.

Conditions set: 1) in compliance with a Specific Plan, 2) by LADOT, or 3) by other legal instrument excluding the Bureau of Engineering conditions, requiring an improvement that will change the geometrics of the public roadway or driveway apron may require additional or the reconstruction of street lighting improvements as part of that condition.

#### **BUREAU OF SANITATION**

8. Satisfactory arrangements shall be made with the Bureau of Sanitation, Wastewater Collection Systems Division for compliance with its sewer system review and requirements. Upon compliance with its conditions and requirements, the Bureau of Sanitation, Wastewater Collection Systems Division will forward the necessary clearances to the Bureau of Engineering. (This condition shall be deemed cleared at the time the City Engineer clears Condition No. S-1. (d).)

#### **INFORMATION TECHNOLOGY AGENCY**

9. That satisfactory arrangements be made in accordance with the requirements of the Information Technology Agency to assure that cable television facilities will be installed in the same manner as other required improvements. Refer to the LAMC Section 17.05-N. Written evidence of such arrangements must be submitted to the Information Technology Agency, 200 North Main Street, 12<sup>th</sup> Floor, Los Angeles, CA 90012, 213 922-8363. (MM)

#### **DEPARTMENT OF RECREATION AND PARKS**

10. That the Quimby fee be based on the C2/R4 Zone. (MM)

#### **DEPARTMENT OF CITY PLANNING-SITE SPECIFIC CONDITIONS**

11. Prior to the recordation of the final map, the subdivider shall prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770) in a manner

satisfactory to the Planning Department, binding the subdivider and all successors to the following:

- a. Pursuant to the approval of CPC-2013-2567-GPA-VZC-HD-CU-MCUP-CUX-ZV-ZAD-SPR, limit the proposed development to 516 dwelling units, 99,000 square feet of retail floor area, and 200,000 square feet of office floor area. In the event CPC-2013-2567-GPA-VZC-HD-CU-MCUP-CUX-ZV-ZAD-SPR is not approved, the applicant shall submit a revised tract map and/or tract modification.
  - b. Vehicular Parking: The project site shall provide code-required parking. In addition, prior to issuance of a building permit, a parking plan showing off-street parking spaces, as required by the Advisory Agency, be submitted for review and approval by the Department of City Planning (200 North Spring Street, Room 750).
  - c. Bicycle Parking: Pursuant to Section 12.21-A,16, the project shall provide required long and short-term bicycle parking spaces for the residential component of the project and long-and short term bicycle parking spaces for the non-residential component of the project.
  - d. The applicant shall install an air filters capable of achieving a Minimum Efficiency Rating Value (MERV) of at least 11 or better in order to reduce the effects of diminished air quality on the occupants of the project. (MM)
  - e. That a solar access report shall be submitted to the satisfaction of the Advisory Agency prior to obtaining a grading permit.
  - f. That the subdivider considers the use of natural gas and/or solar energy and consults with the Department of Water and Power and Southern California Gas Company regarding feasible energy conservation measures.
  - g. Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material. (MM)
12. Prior to the issuance of the building permit or the recordation of the final map, a copy of CPC-2013-2567-GPA-VZC-HD-CU-MCUB-CUZ-ZV-ZAD-SPR shall be submitted to the satisfaction of the Advisory Agency. In the event that CPC-2013-2567-GPA-VZC-HD-CU-MCUB-CUZ-ZV-ZAD-SPR is not approved, the subdivider shall submit a tract modification.
13. **Indemnification and Reimbursement of Litigations Costs.**  
Applicant shall do all of the following:
- (i) Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void, or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions, or to claim personal property damage, including from inverse condemnation or any other constitutional claim.
  - (ii) Reimburse the City for any and all costs incurred in defense of an action related to or arising out of the City's processing and approval of the entitlement,

including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages, and/or settlement costs.

- (iii) Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the Applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than \$25,000. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).
- (iv) Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).
- (v) If the City determines it necessary to protect the City's interest, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

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

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

For purposes of this condition, the following definitions apply:

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

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

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

#### **DEPARTMENT OF CITY PLANNING-ENVIRONMENTAL MITIGATION MEASURES AND MITIGATION MONITORING PROGRAM**

14. Prior to recordation of the final map the subdivider shall prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770) in a manner satisfactory to the Planning Department requiring the subdivider to identify mitigation monitors who shall provide periodic status reports on the implementation of mitigation



items required by Mitigation Condition Nos. 4, 5, 9, 10, 11d, 11g, 14, 15 and 16 of the Tract's approval satisfactory to the Advisory Agency. The mitigation monitors shall be identified as to their areas of responsibility, and phase of intervention (pre-construction, construction, postconstruction/maintenance) to ensure continued implementation of the above mentioned mitigation items. (MM)

15. Prior to the recordation of the final map, the subdivider shall prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770) in a manner satisfactory to the Planning Department, binding the subdivider and all successors to the following:

This Mitigation Monitoring and Reporting Program ("MMRP") has been prepared pursuant to Public Resources Code Section 21081.6, which requires a Lead Agency to adopt a "reporting or monitoring program for changes to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment." In addition, Section 15097(a) of the State CEQA Guidelines requires that:

*In order to ensure that the mitigation measures and project revisions identified in the EIR or negative declaration are implemented, the public agency shall adopt a program for monitoring or reporting on the revisions which it has required in the project and measures it has imposed to mitigate or avoid significant environmental effects. A public agency may delegate reporting or monitoring responsibilities to another public agency or to a private entity which accepts the delegation; however, until mitigation measures have been completed the lead agency remains responsible for ensuring that implementation of the mitigation measures occurs in accordance with the program.*

The City of Los Angeles is the Lead Agency for the Project and therefore is responsible for administering and implementing the MMRP. Where appropriate, the Project's Draft and Final EIRs identified mitigation measures and project design features to avoid or to mitigate potential impacts identified to a level where no significant impact on the environment would occur, or impacts would be reduced to the extent feasible. This MMRP is designed to monitor implementation of the Project's mitigation measures as well as its project design features.

As shown on the following pages, each required mitigation measure and proposed project design feature for the Project is listed and categorized by impact area, with an accompanying identification of the following:

- **Enforcement Agency:** The agency with the power to enforce the Mitigation Measure/Project Design Feature.
- **Monitoring Agency:** The agency to which reports involving feasibility, compliance, implementation and development are made.
- **Monitoring Phase:** The phase of the Project during which the Mitigation Measure/Project Design Feature shall be monitored.
- **Monitoring Frequency:** The frequency at which the Mitigation Measure/Project Design Feature shall be monitored.
- **Action Indicating Compliance:** The action of which the Enforcement or Monitoring Agency indicates that compliance with the required Mitigation Measure/Project Design Feature has been implemented.

The Project's MMRP will be in place throughout all phases of the Project. The Project applicant will be responsible for implementing all mitigation measures unless otherwise noted. The applicant shall also be obligated to provide a certification report to the appropriate monitoring agency and the appropriate enforcement agency that compliance with the required mitigation measure or project design feature has been implemented. The City's existing planning, engineering, review, and inspection processes will be used as the basic foundation for the MMRP procedures and will also serve to provide the documentation for the reporting program.

The certification report shall be submitted to the Project Planner at the Los Angeles Department of City Planning. Each report will be submitted to the Project Planner annually following completion/implementation of the applicable mitigation measures and project design features and shall include sufficient information and documentation (such as building or demolition permits) to reasonably determine whether the intent of the measure has been satisfied. The City, in conjunction with the Applicant, shall assure that Project construction and operation occurs in accordance with the MMRP.

After review and approval of the final MMRP by the City, minor changes and modifications to the MMRP are permitted, but can only be made by the Applicant subject to the approval by the City. The City, in conjunction with any appropriate agencies or departments, will determine the adequacy of any proposed changes or modification. The flexibility is necessary due to the nature of the MMRP, the need to protect the environment in the most efficient manner, and the need to reflect changes in regulatory conditions, such as but not limited to changes to building code requirements, updates to LEED "Silver" standards, and changes in Secretary of Interior Standards. No changes will be permitted unless the MMRP continues to satisfy the requirements of CEQA, as determined by the City.

## **MITIGATION MEASURES**

### **Project Description**

- 2-1 The two existing freestanding, double-faced billboards that are currently on the Project Site would be removed as part of the Revised Project.

**Enforcement Agency:** Los Angeles Department of Building and Safety

**Monitoring Agency:** Los Angeles Department of Building and Safety

**Monitoring Phase:** Pre-construction

**Monitoring Frequency:** Once, at plan check

**Action Indicating Compliance:** Plan approval

### **Cultural Resources**

- A-1 If any archaeological materials are encountered during the course of Project development, all further development activity shall be halted in the area of the discovery and:
- a. The services of an archaeologist shall then be secured by contacting the South Central Coastal Information Center located at California State University Fullerton, or a member of the Society of Professional Archaeologists (SOPA), or a SOPA-qualified archaeologist, who shall assess the discovered material(s) and prepare a survey, study, or report evaluating the impact.
  - b. The archaeologist's survey, study, or report shall contain a recommendation(s), if necessary, for the preservation, conservation, or relocation of the resource.

- c. The applicant shall comply with the recommendations of the evaluating archaeologist, as contained in the survey, study, or report.
- d. Project development activities may resume once copies of the archaeological survey, study, or report are submitted to the South Central Coastal Information Center at California State University Fullerton.
- e. Prior to the issuance of any building permit, the applicant shall submit a letter to the case file indicating what, if any, archaeological reports have been submitted, or a statement indicating that no material was discovered.
- f. A covenant and agreement binding the applicant to this condition shall be recorded prior to issuance of a grading permit.

**Enforcement Agency:** Los Angeles Department of Building and Safety

**Monitoring Agency:** Los Angeles Department of Building and Safety

**Monitoring Phase:** Construction

**Monitoring Frequency:** If materials are encountered

**Action Indicating Compliance:** Field inspection sign-off

**A-2** If any paleontological materials are encountered during the course of Project development, all further development activities shall be halted in the area of the discovery and:

- a. The services of a paleontologist shall then be secured by contacting the Center for Public Paleontology – USC, UCLA, California State University Los Angeles, California State University Long Beach, or the Los Angeles County Natural History Museum – who shall assess the discovered material(s) and prepare a survey, study, or report evaluating the impact.
- b. The paleontologist's survey, study, or report shall contain a recommendation(s), if necessary, for the preservation, conservation, or relocation of the resource.
- c. The applicant shall comply with the recommendations of the evaluating paleontologist, as contained in the survey, study, or report.
- d. Project development activities may resume once copies of the paleontological survey, study, or report are submitted to the Los Angeles County Natural History Museum.
- e. Prior to the issuance of any building permit, the applicant shall submit a letter to the case file indicating what, if any, paleontological reports have been submitted, or a statement indicating that no material was discovered.
- f. A covenant and agreement binding the applicant to this condition shall be recorded prior to the issuance of a grading permit.

**Enforcement Agency:** Los Angeles Department of Building and Safety

**Monitoring Agency:** Los Angeles Department of Building and Safety

**Monitoring Phase:** Construction

**Monitoring Frequency:** If materials are encountered

**Action Indicating Compliance:** Field inspection sign-off

**A-3** In the event that human remains are discovered during excavation activities, the following procedure shall be observed:

- a. Stop immediately and contact the County Coroner.

- b. The coroner has two working days to examine human remains after being notified by the responsible person. If the remains are Native American, the coroner has 24 hours to notify the Native American Heritage Commission.
- c. The Native American Heritage Commission will immediately notify the person it believes to be the most likely descendant of the deceased Native American.
- d. The most likely descendant has 48 hours to make recommendations to the owner, or representative, for the treatment or disposition, with proper dignity, of the human remains and grave goods.
- e. If the descendant does not make recommendations within 48 hours, the owner shall reinter the remains in an area of the property secure from further disturbance.
- f. If the owner does not accept the descendant's recommendations, the owner or the descendant may request mediation by the Native American Heritage Commission.

**Enforcement Agency:** Los Angeles Department of Building and Safety, Los Angeles County Coroner

**Monitoring Agency:** Los Angeles Department of Building and Safety

**Monitoring Phase:** Construction

**Monitoring Frequency:** If human remains are encountered

**Action Indicating Compliance:** Coroner or Native American Heritage Commission

### **Aesthetics**

- B-1** All mechanical and electrical equipment that is located on the rooftops would be screened from public view.

**Enforcement Agency:** Los Angeles Department of Building and Safety

**Monitoring Agency:** Los Angeles Department of Building and Safety

**Monitoring Phase:** Pre-construction

**Monitoring Frequency:** Once, at plan check

**Action Indicating Compliance:** Plan approval

- B-2** The maximum height of any building constructed as part of the Project would be 160 feet.

**Enforcement Agency:** Los Angeles Department of Building and Safety

**Monitoring Agency:** Los Angeles Department of Building and Safety

**Monitoring Phase:** Pre-construction

**Monitoring Frequency:** Once, at plan check

**Action Indicating Compliance:** Plan approval

- B-3** Utility equipment would be placed underground, screened from public view, or incorporated into the design of the Project.

**Enforcement Agency:** Los Angeles Department of Building and Safety

**Monitoring Agency:** Los Angeles Department of Building and Safety

**Monitoring Phase:** Pre-construction

**Monitoring Frequency:** Once, at plan check

**Action Indicating Compliance:** Plan approval

**B-4** The Project Applicant shall implement a remediation option for relocation of the Fox Television Center antennas prior to Project construction. Possible relocation options include, but are not limited to, the following:

- *Option 1: Temporary Solution*
  - Install new microwave antennas at multiple temporary locations, which would be secured by the Project Applicant.
  - Use telco fiber or microwave links between the temporary location and the KTTV studio.
  - Install antennas on the permanent structure upon completion of the Project, which will remain accessible to KTTV at all times for regular maintenance.
  - Remove temporary systems upon completion of permanent systems.
- *Option 2: Permanent Solution at the Project Site*
  - Construct a communication structure that will accommodate all necessary antennas prior to the construction of the Project, which will remain accessible to KTTV at all times for regular maintenance.
  - Install fiber optics between the Project Site and the KTTV studio.
  - Install the antennas and waveguide.
  - Turn up and cut over systems.

Regardless of the option chosen, there shall be no interruption of service to the KTTV broadcast equipment that is not approved by KTTV prior to relocation. Such interruption shall be immediately addressed and Project construction activities related to the KTTV service interruption shall not continue until service is restored.

**Enforcement Agency:** Los Angeles Department of Building and Safety

**Monitoring Agency:** Los Angeles Department of Building and Safety

**Monitoring Phase:** Pre-Construction, Construction

**Monitoring Frequency:** Periodic field inspection

**Action Indicating Compliance:** Field inspection sign off

**B-5** All exterior lighting would be designed with internal and/or external glare control and would be designed, arranged, directed, or shielded to contain direct illumination on-site.

**Enforcement Agency:** Los Angeles Department of Building and Safety

**Monitoring Agency:** Los Angeles Department of Building and Safety

**Monitoring Phase:** Pre-construction

**Monitoring Frequency:** Once, at plan check

**Action Indicating Compliance:** Plan approval

**B-6** The exterior of the proposed structures shall be constructed of materials such as, but not limited to, high-performance and/or non-reflective tinted glass (no mirror-like tints or films) and pre-cast concrete or fabricated wall surfaces to minimize glare and reflected heat.

**Enforcement Agency:** Los Angeles Department of Building and Safety

**Monitoring Agency:** Los Angeles Department of Building and Safety

**Monitoring Phase:** Pre-construction

**Monitoring Frequency:** Once, at plan check

**Action Indicating Compliance:** Plan approval

#### **Air Quality**

**C-1** All diesel-powered off-road construction equipment greater than 50 horsepower shall meet USEPA Tier 3 or higher emissions standards. In addition, all construction

equipment shall be outfitted with BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a CARB-defined Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.

**Enforcement Agency:** Los Angeles Department of Building and Safety; SCAQMD

**Monitoring Agency:** Los Angeles Department of Building and Safety

**Monitoring Phase:** Construction

**Monitoring Frequency:** Periodic field inspection

**Action Indicating Compliance:** Field inspection sign off

- C-2** Equipment and vehicle engines shall be maintained in good condition and in proper tune per manufacturers' specifications.

**Enforcement Agency:** Los Angeles Department of Building and Safety; SCAQMD

**Monitoring Agency:** Los Angeles Department of Building and Safety

**Monitoring Phase:** Construction

**Monitoring Frequency:** Periodic field inspection

**Action Indicating Compliance:** Field inspection sign off

- C-3** Electricity shall be utilized from power supply sources rather than temporary gasoline or diesel power generators, as feasible.

**Enforcement Agency:** Los Angeles Department of Building and Safety; SCAQMD

**Monitoring Agency:** Los Angeles Department of Building and Safety

**Monitoring Phase:** Construction

**Monitoring Frequency:** Once, during field inspection

**Action Indicating Compliance:** Field inspection sign off

- C-4** Heavy-duty trucks shall be prohibited from idling in excess of five minutes, both on- and off-site.

**Enforcement Agency:** Los Angeles Department of Building and Safety; SCAQMD

**Monitoring Agency:** Los Angeles Department of Building and Safety

**Monitoring Phase:** Construction

**Monitoring Frequency:** Periodic field inspection

**Action Indicating Compliance:** Field inspection sign off

- C-5** The grading phase shall not overlap with the site preparation phase to ensure that NOx emissions do not exceed daily significance thresholds.

**Enforcement Agency:** Los Angeles Department of Building and Safety

**Monitoring Agency:** Los Angeles Department of Building and Safety

**Monitoring Phase:** Construction

**Monitoring Frequency:** Periodic field inspection

**Action Indicating Compliance:** Field inspection sign off

- C-6** Any haul route and plan shall schedule the amount of offsite hauling of soil to the landfill as evenly as possible during the duration of grading activities to minimize daily NOx emissions from haul trucks.

**Enforcement Agency:** Los Angeles Department of Building and Safety

**Monitoring Agency:** Los Angeles Department of Building and Safety

**Monitoring Phase:** Construction

**Monitoring Frequency:** Periodic field inspection

**Action Indicating Compliance:** Field inspection sign off

- C-7** Architectural coatings used for the interior of all buildings shall average no more than 50 g/L VOC content on a weighted average by use, while coatings used for the exterior of all buildings shall average no more than 100 g/L VOC on a weighted average by use.

**Enforcement Agency:** Los Angeles Department of Building and Safety; SCAQMD

**Monitoring Agency:** Los Angeles Department of Building and Safety

**Monitoring Phase:** Construction

**Monitoring Frequency:** Periodic field inspection

**Action Indicating Compliance:** Field inspection sign off

- C-8** Application of architectural coatings shall be extended to a period of at least two months and be scheduled over as many days as possible.

**Enforcement Agency:** Los Angeles Department of Building and Safety

**Monitoring Agency:** Los Angeles Department of Building and Safety

**Monitoring Phase:** Construction

**Monitoring Frequency:** Periodic field inspection

**Action Indicating Compliance:** Field inspection sign off

- C-9** Require the use of 2010 and newer diesel haul trucks (e.g., material delivery trucks and soil import/export) and if the City determines that 2010 model year or newer diesel trucks cannot be obtained, the City shall use trucks that meet USEPA 2007 model year NO<sub>x</sub> emissions requirements.

**Enforcement Agency:** Los Angeles Department of Building and Safety; SCAQMD

**Monitoring Agency:** Los Angeles Department of Building and Safety

**Monitoring Phase:** Construction

**Monitoring Frequency:** Periodic field inspection

**Action Indicating Compliance:** Field inspection sign off

- C-10** Encourage construction contractors to apply for SCAQMD "SOON" funds. Incentives could be provided for those construction contractors who apply for SCAQMD "SOON" funds. The "SOON" program provides funds to accelerate clean up of off-road diesel vehicles, such as heavy duty construction equipment. More information on this program can be found at: <http://www.aqmd.gov/home/programs/business/business-detail?title=off-road-diesel-engines&parent=vehicle-engine-upgrades>.

**Enforcement Agency:** Los Angeles Department of Building and Safety; SCAQMD

**Monitoring Agency:** Los Angeles Department of Building and Safety

**Monitoring Phase:** Construction

**Monitoring Frequency:** Periodic field inspection

**Action Indicating Compliance:** Field inspection sign off

- C-11** A copy of each unit's certified tier specification, BACT documentation, and CARB or SCAQMD operating permit shall be provided at the time of mobilization of each applicable unit of equipment.

**Enforcement Agency:** Los Angeles Department of Building and Safety; SCAQMD

**Monitoring Agency:** Los Angeles Department of Building and Safety

**Monitoring Phase:** Construction

**Monitoring Frequency:** Periodic field inspection

**Action Indicating Compliance:** Field inspection sign off

- C-12** Require the use of electricity from power poles rather than temporary diesel or gasoline powered generators.

**Enforcement Agency:** Los Angeles Department of Building and Safety

**Monitoring Agency:** Los Angeles Department of Building and Safety

**Monitoring Phase:** Construction

**Monitoring Frequency:** Periodic field inspection

**Action Indicating Compliance:** Field inspection sign off

- C-13** Provide temporary traffic controls such as a flag person, during all phases of significant construction activity to maintain smooth traffic flow.

**Enforcement Agency:** Los Angeles Department of Building and Safety

**Monitoring Agency:** Los Angeles Department of Building and Safety

**Monitoring Phase:** Construction

**Monitoring Frequency:** Periodic field inspection

**Action Indicating Compliance:** Field inspection sign off

- C-14** Provide dedicated turn lanes for movement of construction trucks and equipment on- and off-site.

**Enforcement Agency:** Los Angeles Department of Building and Safety

**Monitoring Agency:** Los Angeles Department of Building and Safety

**Monitoring Phase:** Construction

**Monitoring Frequency:** Periodic field inspection

**Action Indicating Compliance:** Field inspection sign off

- C-15** Appoint a construction relations officer to act as a community liaison concerning on-site construction activity including resolution of issues related to PM<sub>10</sub> generation.

**Enforcement Agency:** Los Angeles Department of Building and Safety

**Monitoring Agency:** Los Angeles Department of Building and Safety

**Monitoring Phase:** Construction

**Monitoring Frequency:** Periodic field inspection

**Action Indicating Compliance:** Field inspection sign off

- C-16** All materials transported off-site shall be securely covered.

**Enforcement Agency:** Los Angeles Department of Building and Safety

**Monitoring Agency:** Los Angeles Department of Building and Safety

**Monitoring Phase:** Construction

**Monitoring Frequency:** Periodic field inspection

**Action Indicating Compliance:** Field inspection sign off

- C-17** Apply non-toxic soil stabilizers according to manufacturers' specification to all inactive construction areas (previously graded areas inactive for ten days or more).

**Enforcement Agency:** Los Angeles Department of Building and Safety; SCAQMD

**Monitoring Agency:** Los Angeles Department of Building and Safety

**Monitoring Phase:** Construction

**Monitoring Frequency:** Periodic field inspection

**Action Indicating Compliance:** Field inspection sign off



**C-18** Water active sites at least three times daily.**Enforcement Agency:** Los Angeles Department of Building and Safety; SCAQMD**Monitoring Agency:** Los Angeles Department of Building and Safety**Monitoring Phase:** Construction**Monitoring Frequency:** Periodic field inspection**Action Indicating Compliance:** Field inspection sign off**C-19** Apply water three times daily, or non-toxic soil stabilizers according to manufacturers' specifications, to all unpaved parking or staging areas or unpaved road surfaces.**Enforcement Agency:** Los Angeles Department of Building and Safety; SCAQMD**Monitoring Agency:** Los Angeles Department of Building and Safety**Monitoring Phase:** Construction**Monitoring Frequency:** Periodic field inspection**Action Indicating Compliance:** Field inspection sign off**C-20** Traffic speeds on all unpaved roads to be reduced to 15 mph or less.**Enforcement Agency:** Los Angeles Department of Building and Safety**Monitoring Agency:** Los Angeles Department of Building and Safety**Monitoring Phase:** Construction**Monitoring Frequency:** Periodic field inspection**Action Indicating Compliance:** Field inspection sign off**Geology and Soils****D-1** **Liquefaction Area**

- Prior to the issuance of grading or building permits, the Applicant shall submit a geotechnical report, prepared by a registered civil engineer or certified engineering geologist, to the Department of Building and Safety, for review and approval. The project shall comply with the Uniform Building Code Chapter 18. Division 1, Section 1804.5 Liquefaction Potential and Soil Strength Loss. The geotechnical report shall assess potential consequences of any liquefaction and soil strength loss, estimation of settlement, lateral movement or reduction in foundation soil-bearing capacity, and discuss mitigation measures that may include building design consideration. Building design considerations shall include, but are not limited to: ground stabilization, selection of appropriate foundation type and depths, selection of appropriate structural systems to accommodate anticipated displacements or any combination of these measures.
- The Project shall comply with the conditions contained within the Department of Building and Safety's Geology and Soils Report Approval Letter for the proposed project, and as it may be subsequently amended or modified.

**Enforcement Agency:** Los Angeles Department of Building and Safety**Monitoring Agency:** Los Angeles Department of Building and Safety**Monitoring Phase:** Prior to the issuance of grading or building permits**Monitoring Frequency:** Ongoing during construction**Action Indicating Compliance:** Field inspection sign-off**D-2** **Geological Engineering Investigation Recommendations**

The Project shall comply with the Recommendations found on pages 10 through 47 of the Geotechnical Engineering Investigation, Geotechnologies, Inc., November 29, 2012 to the satisfaction of the Department of Building and Safety.

**Enforcement Agency:** Los Angeles Department of Building and Safety

**Monitoring Agency:** Los Angeles Department of Building and Safety

**Monitoring Phase:** Construction

**Monitoring Frequency:** Ongoing during construction

**Action Indicating Compliance:** Field inspection sign-off

### **Greenhouse Gas Emissions**

- E-1** The Project shall provide electric vehicle charging stations as required by Code and the City of Los Angeles. Additionally, the Project shall have conduit or other similar means in place to allow for a future wiring and installation of additional charging stations, the combined totals of which may constitute up to 25% of the total parking spaces required by code.

**Enforcement Agency:** Los Angeles Department of Building & Safety

**Monitoring Agency:** Los Angeles Department of Building & Safety

**Monitoring Phase:** Construction

**Monitoring Frequency:** Field Inspection

**Action Indicating Compliance:** Field inspection sign-off

### **Hazards and Hazardous Materials**

**F-1 Explosion/Release (Existing Toxic/Hazardous Construction Materials)**

- **(Asbestos)** Prior to the issuance of any permit for the demolition or alteration of the existing structures, the Applicant shall provide a letter to the Department of Building and Safety from a qualified asbestos abatement consultant indicating that no Asbestos-Containing Materials (ACM) are present in the building. If ACMs are found to be present, it will need to be abated in compliance with the South Coast Air Quality Management District's Rule 1403 as well as all other applicable State and Federal rules and regulations.

**Enforcement Agency:** Los Angeles Department of Building and Safety.

**Monitoring Agency:** Los Angeles Department of Building and Safety.

**Monitoring Phase:** Prior to demolition activities

**Monitoring Frequency:** Once, at plan check

**Action Indicating Compliance:** Issuance of a building permit

**F-2 Explosion/Release (Existing Toxic/Hazardous Construction Materials)**

- **(Lead Paint)** Prior to issuance of any permit for the demolition or alteration of the existing structures, a lead-based paint survey shall be performed to the written satisfaction of the Department of Building and Safety. Should lead-based paint materials be identified, standard handling and disposal practices shall be implemented pursuant to OSHA regulations.

**Enforcement Agency:** Los Angeles Department of Building and Safety.

**Monitoring Agency:** Los Angeles Department of Building and Safety.

**Monitoring Phase:** Prior to demolition activities

**Monitoring Frequency:** Once, at plan check

**Action Indicating Compliance:** Issuance of a building permit

**F-3 Emergency Evacuation Plan**

Prior to the issuance of a building permit, the Applicant shall develop an emergency response plan in consultation with the Fire Department. The emergency response plan shall include but not be limited to the following: mapping of emergency exits, evacuation routes for vehicles and pedestrians, location of nearest hospitals, and fire departments.

**Enforcement Agency:** LAFD; Los Angeles Department of Building and Safety  
**Monitoring Agency:** LAFD; Los Angeles Department of Building and Safety  
**Monitoring Phase:** Pre-operation; Operation  
**Monitoring Frequency:** Once, for Plan approval prior to operation  
**Action Indicating Compliance:** Plan approval prior to operation (Pre-operation)

### **Hydrology and Water Quality**

#### **G-1 Stormwater Pollution (Demolition, Grading, and Construction Activities)**

- Leaks, drips and spills shall be cleaned up immediately to prevent contaminated soil on paved surfaces that can be washed away into the storm drains.
- All vehicle/equipment maintenance, repair, and washing shall be conducted away from storm drains. All major repairs shall be conducted off-site. Drip pans or drop clothes shall be used to catch drips and spills.
- Pavement shall not be hosed down at material spills. Dry cleanup methods shall be used whenever possible.
- Dumpsters shall be covered and maintained. Uncovered dumpsters shall be placed under a roof or be covered with tarps or plastic sheeting.

**Enforcement Agency:** Los Angeles Department of Building and Safety  
**Monitoring Agency:** Los Angeles Department of Building and Safety  
**Monitoring Phase:** Construction  
**Monitoring Frequency:** Once, during field inspection  
**Action Indicating Compliance:** Field inspection sign-off

- G-2** Excavation and grading activities shall be scheduled during dry weather periods, to the extent feasible. If grading occurs during the rainy season (October 15 through April 1), diversion dikes shall be constructed to channel runoff around the Project Site. Channels shall be lined with grass or roughened pavement to reduce runoff velocity.

**Enforcement Agency:** Los Angeles Department of Building and Safety  
**Monitoring Agency:** Los Angeles Department of Building and Safety  
**Monitoring Phase:** Construction  
**Monitoring Frequency:** Once, during field inspection  
**Action Indicating Compliance:** Field inspection sign-off

- G-3** Appropriate erosion control and drainage devices shall be provided to the satisfaction of the Building and Safety Department. These measures include interceptor terraces, berms, vee-channels, and inlet and outlet structures, as specified by Section 91.7013 of the Los Angeles Building Code, including planting fast-growing annual and perennial grasses in areas where construction is not immediately planned.

**Enforcement Agency:** Los Angeles Department of Building and Safety  
**Monitoring Agency:** Los Angeles Department of Building and Safety  
**Monitoring Phase:** Construction  
**Monitoring Frequency:** Once, during field inspection  
**Action Indicating Compliance:** Field inspection sign-off

- G-4** Stockpiles and excavated soil shall be covered with secured tarps or plastic sheeting.

**Enforcement Agency:** Los Angeles Department of Building and Safety  
**Monitoring Agency:** Los Angeles Department of Building and Safety  
**Monitoring Phase:** Construction  
**Monitoring Frequency:** Once, during field inspection  
**Action Indicating Compliance:** Field inspection sign-off

- G-5** All waste shall be disposed of properly. Use appropriately labeled recycling bins to recycle construction materials including: solvents, water-based paints, vehicle fluids, broken asphalt and concrete, wood, and vegetation. Non-recyclable materials/wastes shall be taken to an appropriate landfill. Toxic wastes shall be discarded at a licensed regulated disposal site.

**Enforcement Agency:** Los Angeles Department of Building and Safety

**Monitoring Agency:** Los Angeles Department of Building and Safety

**Monitoring Phase:** Construction

**Monitoring Frequency:** Once, during field inspection

**Action Indicating Compliance:** Field inspection sign-off

- G-6** The Project Applicant shall implement storm water best management practices (BMPs) to treat and infiltrate the runoff from a storm event producing 0.75 inch of rainfall in a 24-hour period. The design of structural BMPs shall be in accordance with the Development Best Management Practices Handbook, Part B, Planning Activities. A signed certificate from a California licensed civil engineer or licensed architect that the proposed BMPs meet this numerical threshold standard shall be required.

**Enforcement Agency:** Los Angeles Department of Building and Safety

**Monitoring Agency:** Los Angeles Department of Building and Safety

**Monitoring Phase:** Construction

**Monitoring Frequency:** Once, during field inspection

**Action Indicating Compliance:** Field inspection sign-off

- G-7** The amount of impervious surface shall be reduced to the extent feasible by using permeable pavement materials where appropriate, including: pervious concrete/asphalt, unit pavers (e.g., turf block), and granular materials (e.g., crushed aggregates, cobbles, etc.).

**Enforcement Agency:** Los Angeles Department of Building and Safety

**Monitoring Agency:** Los Angeles Department of Building and Safety

**Monitoring Phase:** Construction

**Monitoring Frequency:** Once, during field inspection

**Action Indicating Compliance:** Field inspection sign-off

- G-8** All storm drain inlets and catch basins within the Project area shall be stenciled with prohibitive language (such as NO DUMPING - DRAINS TO OCEAN) and/or graphical icons to discourage illegal dumping.

**Enforcement Agency:** Los Angeles Department of Building and Safety

**Monitoring Agency:** Los Angeles Department of Building and Safety

**Monitoring Phase:** Construction

**Monitoring Frequency:** Once, during field inspection

**Action Indicating Compliance:** Field inspection sign-off

- G-9** Legibility of stencils and signs shall be maintained.

**Enforcement Agency:** Los Angeles Department of Building and Safety

**Monitoring Agency:** Los Angeles Department of Building and Safety

**Monitoring Phase:** Construction

**Monitoring Frequency:** Once, during field inspection

**Action Indicating Compliance:** Field inspection sign-off

- G-10** Materials with the potential to contaminate storm water shall be placed in an enclosure, such as a cabinet or shed or similar structure that prevents contact with or spillage to the

storm water conveyance system.

**Enforcement Agency:** Los Angeles Department of Building and Safety

**Monitoring Agency:** Los Angeles Department of Building and Safety

**Monitoring Phase:** Construction

**Monitoring Frequency:** Once, during field inspection

**Action Indicating Compliance:** Field inspection sign-off

- G-11** Storage areas shall be paved and sufficiently impervious to contain leaks and spills.

**Enforcement Agency:** Los Angeles Department of Building and Safety

**Monitoring Agency:** Los Angeles Department of Building and Safety

**Monitoring Phase:** Construction

**Monitoring Frequency:** Once, during field inspection

**Action Indicating Compliance:** Field inspection sign-off

- G-12** An efficient irrigation system shall be designed and implemented by a certified landscape contractor to minimize runoff including: drip irrigation for shrubs to limit excessive spray; a SWAT-tested weather-based irrigation controller with rain shutoff; matched precipitation (flow) rates for sprinkler heads; rotating sprinkler nozzles; minimum irrigation system distribution uniformity of 75 percent; and flow reducers.

**Enforcement Agency:** Los Angeles Department of Building and Safety

**Monitoring Agency:** Los Angeles Department of Building and Safety

**Monitoring Phase:** Construction

**Monitoring Frequency:** Once, during field inspection

**Action Indicating Compliance:** Field inspection sign-off

- G-13** Toxic wastes shall be discarded at a licensed regulated disposal site.

**Enforcement Agency:** Los Angeles Department of Building and Safety

**Monitoring Agency:** Los Angeles Department of Building and Safety

**Monitoring Phase:** Construction

**Monitoring Frequency:** Once, during field inspection

**Action Indicating Compliance:** Field inspection sign-off

- G-14** The Project Applicant shall comply with all mandatory storm water permit requirements (including, but not limited to NPDES, SWPPP and SUSMP, and LID requirements) at the Federal, State and local level.

**Enforcement Agency:** Los Angeles Department of Building and Safety.

**Monitoring Agency:** Los Angeles Department of Building and Safety.

**Monitoring Phase:** Prior to construction

**Monitoring Frequency:** Once, at plan check

**Action Indicating Compliance:** Issuance of a building permit

### **Noise**

- I-1** The Project shall comply with the City of Los Angeles Noise Ordinance Nos. 144,331 and 161,574, and any subsequent ordinances, which prohibit the emission or creation of noise beyond certain levels at adjacent uses unless technically infeasible.

**Enforcement Agency:** Los Angeles Department of Building and Safety

**Monitoring Agency:** Los Angeles Department of Building and Safety

**Monitoring Phase:** Construction

**Monitoring Frequency:** Periodic field inspection

**Action Indicating Compliance:** Field inspection sign-off

- I-2 Exterior noise generating construction activities shall be limited to Monday through Friday from 7:00 A.M. to 6:00 P.M., and from 8:00 A.M. to 6:00 P.M. on Saturday, and prohibited on all Sundays and federal holidays.
- Enforcement Agency:** Los Angeles Department of Building and Safety  
**Monitoring Agency:** Los Angeles Department of Building and Safety  
**Monitoring Phase:** Construction  
**Monitoring Frequency:** Periodic field inspection  
**Action Indicating Compliance:** Field inspection sign-off
- I-3 Noise and groundborne vibration construction generating activities whose specific location on the Project Site may be flexible (e.g., operation of compressors and generators, cement mixing, general truck idling) shall be conducted as far as possible from the nearest noise- and vibration-sensitive land uses.
- Enforcement Agency:** Los Angeles Department of Building and Safety  
**Monitoring Agency:** Los Angeles Department of Building and Safety  
**Monitoring Phase:** Construction  
**Monitoring Frequency:** Once, during field inspection  
**Action Indicating Compliance:** Field inspection sign-off
- I-4 Effective temporary noise barriers, when they are feasible, shall be used to block the line-of-sight between the construction equipment and the noise-sensitive receptors. The barrier material should be solid with no cracks or gaps and have a minimum surface density of 2 pounds per square foot.
- Enforcement Agency:** Los Angeles Department of Building and Safety  
**Monitoring Agency:** Los Angeles Department of Building and Safety  
**Monitoring Phase:** Construction  
**Monitoring Frequency:** Once, during field inspection  
**Action Indicating Compliance:** Field inspection sign-off
- I-5 Noise-generating construction equipment operated at the Project Site shall be equipped with effective noise control devices, i.e., mufflers, lagging, and/or motor enclosures. All equipment shall be properly maintained to assure that no additional noise, due to worn or improperly maintained parts, would be generated.
- Enforcement Agency:** Los Angeles Department of Building and Safety  
**Monitoring Agency:** Los Angeles Department of Building and Safety  
**Monitoring Phase:** Construction  
**Monitoring Frequency:** Once, during field inspection  
**Action Indicating Compliance:** Field inspection sign-off
- I-6 All construction truck traffic shall be restricted to truck routes approved by the City of Los Angeles Department of Building and Safety, which shall avoid residential areas and other sensitive receptors to the extent feasible.
- Enforcement Agency:** Los Angeles Department of Building and Safety  
**Monitoring Agency:** Los Angeles Department of Building and Safety  
**Monitoring Phase:** Construction  
**Monitoring Frequency:** Once, during field inspection  
**Action Indicating Compliance:** Field inspection sign-off
- I-7 The Project shall comply with the City of Los Angeles Building Regulations Ordinance No. 178048, which requires a construction site notice to be provided that includes the

following information: job site address, permit number, name and phone number of the contractor and owner or owner's agent, hours of construction allowed by code or any discretionary approval for the site, and City telephone numbers where violations can be reported. The notice shall be posted and maintained at the construction site prior to the start of construction and displayed in a location that is readily visible to the public and approved by the City's Department of Building and Safety.

**Enforcement Agency:** Los Angeles Department of Building and Safety

**Monitoring Agency:** Los Angeles Department of Building and Safety

**Monitoring Phase:** Construction

**Monitoring Frequency:** Periodic field inspection

**Action Indicating Compliance:** Field inspection sign-off

- I-8** Two weeks prior to the commencement of construction at the Project Site, notification must be provided to the immediate surrounding off-site residential, school and office uses that discloses the construction schedule, including the various types of activities and equipment that would be occurring throughout the duration of the construction period.

**Enforcement Agency:** Los Angeles Department of Building and Safety

**Monitoring Agency:** Los Angeles Department of Building and Safety

**Monitoring Phase:** Construction

**Monitoring Frequency:** Once, during field inspection

**Action Indicating Compliance:** Field inspection sign-off

- I-9** The Project shall comply with the interior noise requirement of the Green Building Code ( $L_{eq}$  of 50 dBA or less) for the non-residential buildings and the California Building Code (interior CNEL of 45 dBA or less) for the residential buildings.

**Enforcement Agency:** Los Angeles Department of Building and Safety

**Monitoring Agency:** Los Angeles Department of Building and Safety

**Monitoring Phase:** Construction

**Monitoring Frequency:** Once; during field inspection

**Action Indicating Compliance:** Field inspection sign-off

- I-10** **Temporary Barrier.** A noise barrier will be constructed along the southern property line adjacent to Fox. The barrier may consist of a heavy mass loaded noise control blanket attached to the existing metal fence at the property line. This treatment will reduce the construction noise exposure for people outdoors by about 5 dBA when the construction is occurring at or below ground level.

**Enforcement Agency:** Los Angeles Department of Building and Safety

**Monitoring Agency:** Los Angeles Department of Building and Safety

**Monitoring Phase:** Pre-construction, Construction

**Monitoring Frequency:** Periodic field inspection

**Action Indicating Compliance:** Field inspection sign-off

- I-11** **Elimination of Use of Vibratory Roller.** Use of vibratory roller will be eliminated during Project construction and will be replaced with weight compaction method.

**Enforcement Agency:** Los Angeles Department of Building and Safety

**Monitoring Agency:** Los Angeles Department of Building and Safety

**Monitoring Phase:** Construction

**Monitoring Frequency:** Periodic field inspection

**Action Indicating Compliance:** Field inspection sign-off

- I-12 Coordinate Construction Activities with Good Day LA Outdoor Filming.** This would involve meeting between representatives of the Project construction team and Fox to coordinate days and times when noisy construction activities near the Fox property line might be limited or eliminated to allow for outdoor filming of Good Day LA.

**Enforcement Agency:** Los Angeles Department of Building and Safety

**Monitoring Agency:** Los Angeles Department of Building and Safety

**Monitoring Phase:** Construction

**Monitoring Frequency:** Periodic field inspection

**Action Indicating Compliance:** Field inspection sign-off

**Public Services – Fire Protection**

- K.1-1** During demolition and construction, LAFD access from major roadways shall remain clear and unobstructed.

**Enforcement Agency:** Los Angeles Department of Building and Safety

**Monitoring Agency:** Los Angeles Department of Building and Safety

**Monitoring Phase:** Demolition and construction

**Monitoring Frequency:** Periodic field inspection

**Action Indicating Compliance:** Field inspection sign-off

- K.1-2** The Project Applicant shall submit a plot plan to the LAFD prior to occupancy of the Project, for review and approval, which shall provide the capacity of the fire mains serving the Project Site. Any required upgrades shall be identified and implemented prior to occupancy of the Project.

**Enforcement Agency:** LAFD

**Monitoring Agency:** LAFD

**Monitoring Phase:** Pre-operation

**Monitoring Frequency:** Once, prior to operation

**Action Indicating Compliance:** Plan approval prior to operation (Pre-operation)

- K.1-3** The design of the Project Site shall provide adequate access for LAFD equipment and personnel to the structure.

**Enforcement Agency:** Los Angeles Department of Building and Safety

**Monitoring Agency:** Los Angeles Department of Building and Safety

**Monitoring Phase:** Pre-Construction

**Monitoring Frequency:** Once, at plan check

**Action Indicating Compliance:** Issuance of building permits

- K.1-4** No building or portion of a building shall be constructed more than 300 feet from an approved fire hydrant. Distance shall be computed along the path of travel, except for dwelling units, where travel distances shall be computed to the front door of the unit.

**Enforcement Agency:** Los Angeles Department of Building and Safety

**Monitoring Agency:** Los Angeles Department of Building and Safety

**Monitoring Phase:** Pre-Construction

**Monitoring Frequency:** Once, at plan check

**Action Indicating Compliance:** Issuance of building permits

- K.1-5** During the plan check process, the Project Applicant shall submit plot plans for LAFD approval of access and fire hydrants.

**Enforcement Agency:** Los Angeles Fire Department

**Monitoring Agency:** Los Angeles Fire Department



**Monitoring Phase:** Pre-Construction

**Monitoring Frequency:** Once, at plan check

**Action Indicating Compliance:** Issuance of building permits

- K.1-6** The Project shall provide adequate off-site public and onsite private fire hydrants in its final designs.

**Enforcement Agency:** Los Angeles Department of Building and Safety

**Monitoring Agency:** Los Angeles Department of Building and Safety

**Monitoring Phase:** Pre-Construction

**Monitoring Frequency:** Once, at plan check

**Action Indicating Compliance:** Issuance of building permits

- K.1-7** The Project Applicant shall submit an emergency response plan to LAFD prior to occupancy of the Project for review and approval. The emergency response plan would include but not be limited to the following: mapping of emergency exits, evacuation routes for vehicles and pedestrians, location of nearest hospitals, and fire departments. Any required modifications shall be identified and implemented prior to occupancy of the Project.

**Enforcement Agency:** LAFD; Los Angeles Department of Building and Safety

**Monitoring Agency:** LAFD; Los Angeles Department of Building and Safety

**Monitoring Phase:** Pre-operation; Operation

**Monitoring Frequency:** Once, for Plan approval prior to operation

**Action Indicating Compliance:** Plan approval prior to operation (Pre-operation)

#### **Public Services – Police Protection**

- K.2-1** Fences shall be constructed around the site to minimize trespassing, vandalism, short-cut attractions and attractive nuisances.

**Enforcement Agency:** Los Angeles Department of Building and Safety

**Monitoring Agency:** Los Angeles Department of Building and Safety

**Monitoring Phase:** Construction

**Monitoring Frequency:** Periodic field inspections during construction

**Action Indicating Compliance:** Field inspection sign-off

- K.2-2** The Project shall provide for the deployment of a private security guard to monitor and patrol the Project Site on an as-needed basis appropriate to the phase of construction throughout the construction period.

**Enforcement Agency:** Los Angeles Department of Building and Safety

**Monitoring Agency:** Los Angeles Department of Building and Safety

**Monitoring Phase:** Construction

**Monitoring Frequency:** Periodic field inspections during construction

**Action Indicating Compliance:** Field inspection sign-off

- K.2-3** Emergency access shall be maintained to the Project Site during construction through marked emergency access points approved by the LAPD.

**Enforcement Agency:** Los Angeles Department of Building and Safety

**Monitoring Agency:** Los Angeles Police Department

**Monitoring Phase:** Construction

**Monitoring Frequency:** Periodic field inspections during construction

**Action Indicating Compliance:** Field inspection sign-off

- K.2-4** If there are partial closures to streets surrounding the Project Site, flagmen shall be used

to facilitate the traffic flow until such temporary street closures are complete.

**Enforcement Agency:** Los Angeles Department of Building and Safety

**Monitoring Agency:** Los Angeles Department of Building and Safety

**Monitoring Phase:** Construction

**Monitoring Frequency:** Periodic field inspections during construction

**Action Indicating Compliance:** Field inspection sign-off

- K.2-5** The Project shall incorporate landscaping designs that will allow high visibility around the buildings, and shall consult with the LAPD with respect to its landscaping plan.

**Enforcement Agency:** Los Angeles Department of Building and Safety

**Monitoring Agency:** Los Angeles Police Department

**Monitoring Phase:** Construction

**Monitoring Frequency:** Periodic field inspections during construction

**Action Indicating Compliance:** Field inspection sign-off

- K.2-6** The Project shall provide security lighting around buildings and parking areas in order to improve security, and shall consult with the LAPD as to its lighting plan.

**Enforcement Agency:** Los Angeles Department of Building and Safety

**Monitoring Agency:** Los Angeles Police Department

**Monitoring Phase:** Pre-Construction

**Monitoring Frequency:** Once, at plan check

**Action Indicating Compliance:** Issuance of building permits

- K.2-7** The Project Site's public and private recreational facilities shall be designed to ensure a high visibility of these areas, including the provision of adequate lighting for security.

**Enforcement Agency:** Los Angeles Department of Building and Safety

**Monitoring Agency:** Los Angeles Police Department

**Monitoring Phase:** Pre-Construction

**Monitoring Frequency:** Once, at plan check

**Action Indicating Compliance:** Issuance of building permits

- K.2-8** The Project Applicant shall provide the LAPD with the opportunity to review Project plans at the plan check stage of plan approval and shall incorporate any reasonable LAPD recommendations.

**Enforcement Agency:** Los Angeles Department of Building and Safety

**Monitoring Agency:** Los Angeles Police Department

**Monitoring Phase:** Pre-Construction

**Monitoring Frequency:** Once, at plan check

**Action Indicating Compliance:** Issuance of building permits

- K.2-9** The Project Applicant shall provide the LAPD with a diagram of each portion of the Project Site, showing access routes and additional access information as requested by the LAPD, to facilitate police response.

**Enforcement Agency:** Los Angeles Department of Building and Safety

**Monitoring Agency:** Los Angeles Police Department

**Monitoring Phase:** Pre-Occupancy

**Monitoring Frequency:** Once, prior to occupancy

**Action Indicating Compliance:** Police Department confirmation of receiving diagram

- K.2-10** The Project shall provide for on-site security measures and controlled access systems for residents and tenants to minimize the demand for police protection services.

**Enforcement Agency:** Los Angeles Department of Building and Safety

**Monitoring Agency:** Los Angeles Department of Building and Safety

**Monitoring Phase:** Pre-Construction

**Monitoring Frequency:** Once, at plan check

**Action Indicating Compliance:** Issuance of building permits

#### **Public Services – Schools**

- K.3-1** The Applicant shall pay all applicable school fees to the Los Angeles Unified School District to offset the impact of additional student enrollment at schools serving the Project area.

**Enforcement Agency:** Los Angeles Department of Building and Safety

**Monitoring Agency:** Los Angeles Unified School

**Monitoring Phase:** Pre-occupancy

**Monitoring Frequency:** Once, at payment

**Action Indicating Compliance:** Receipt of payment; issuance of certificate of occupancy

#### **Public Services – Parks**

- K.4-1** The Project shall provide the minimum of usable open space for each dwelling unit pursuant to the requirements of LAMC Section 12.21(G). In addition, one tree is required for every four dwelling units.

**Enforcement Agency:** Los Angeles Department of Building and Safety

**Monitoring Agency:** Los Angeles Department of Building and Safety

**Monitoring Phase:** Pre-occupancy

**Monitoring Frequency:** Once, at payment

**Action Indicating Compliance:** Receipt of payment; issuance of certificate of occupancy

- K.4-2** The Project Applicant shall pay all applicable fees associated with the Dwelling Unit Construction Tax set forth in LAMC Section 21.10.3(a)(1). The applicable dwelling unit tax shall be paid to the Department of Building and Safety and placed into a "Park and Recreational Sites and Facilities Fund" to be used exclusively for the acquisition and development of park and recreational sites.

**Enforcement Agency:** Los Angeles Department of Building and Safety

**Monitoring Agency:** Los Angeles Department of Building and Safety

**Monitoring Phase:** Pre-occupancy

**Monitoring Frequency:** Once, at payment

**Action Indicating Compliance:** Receipt of payment; issuance of certificate of occupancy

- K.4-3** Pursuant to Section 17.12 of the Los Angeles Municipal Code, the Project Applicant shall pay all applicable Quimby fees to the City of Los Angeles for the construction of condominium dwelling units prior to approval and recordation of the final map or zone change.

**Enforcement Agency:** Los Angeles Department of Building and Safety

**Monitoring Agency:** Los Angeles Department of Building and Safety

**Monitoring Phase:** Pre-occupancy

**Monitoring Frequency:** Once, at payment

**Action Indicating Compliance:** Receipt of payment; issuance of certificate of occupancy

**Transportation/Traffic**

- L-1** Off-site truck staging shall be provided in a legal area furnished by the construction truck contractor. The route to and from the Project Site shall be as follows: enter the north-east side of the Project Site from Bundy Drive and exit by making a right turn from the Project Site onto Bundy Drive. Trucks shall not be permitted to travel along residential streets to the north and east of the Project Site.

**Enforcement Agency:** Los Angeles Department of Building and Safety; LADOT

**Monitoring Agency:** LADOT

**Monitoring Phase:** Construction

**Monitoring Frequency:** Ongoing during construction

**Action Indicating Compliance:** Field inspection sign-off

- L-2** A flagman shall be placed at the truck entry and exit from the Project Site onto Bundy Drive to control the flow of exiting trucks to coordinate the entering and exiting trucks with the traffic signal at Bundy Drive and Olympic Boulevard.

**Enforcement Agency:** Los Angeles Department of Building and Safety; LADOT

**Monitoring Agency:** LADOT

**Monitoring Phase:** Construction

**Monitoring Frequency:** Ongoing during construction

**Action Indicating Compliance:** Field inspection sign-off

- L-3** Deliveries and pick-ups of construction materials shall be scheduled during non-peak travel periods and coordinated to reduce the potential of trucks waiting to load or unload for protracted periods of time.

**Enforcement Agency:** Los Angeles Department of Building and Safety; LADOT

**Monitoring Agency:** LADOT

**Monitoring Phase:** Construction

**Monitoring Frequency:** Ongoing during construction

**Action Indicating Compliance:** Field inspection sign-off

- L-4** Access shall remain unobstructed for land uses in proximity to the Project Site during Project construction.

**Enforcement Agency:** Los Angeles Department of Building and Safety; LADOT

**Monitoring Agency:** LADOT

**Monitoring Phase:** Construction

**Monitoring Frequency:** Ongoing during construction

**Action Indicating Compliance:** Field inspection sign-off

- L-5** Full-time lane closures are not anticipated for the Project. Temporary lane closures, when needed, shall be scheduled to avoid peak commute hours and peak school drop-off and pick-up hours to the extent possible. In the event of a lane closure, a worksite traffic control plan, approved by the City of Los Angeles, shall be implemented to route traffic around any such lane closures.

**Enforcement Agency:** Los Angeles Department of Building and Safety; LADOT

**Monitoring Agency:** LADOT

**Monitoring Phase:** Construction

**Monitoring Frequency:** Ongoing during construction

**Action Indicating Compliance:** Field inspection sign-off

- L-6** A construction management plan shall be developed by the contractor and approved by the City of Los Angeles. In addition to the measures identified above, a construction management plan shall include the following: the measures identified above, which mitigate any construction-related impacts, and other measures as may be deemed appropriate. The construction management plan shall identify the locations of the off-site truck staging and off-site worker parking to be provided and shall detail measures to ensure that trucks use the specified haul route, and do not travel through nearby residential neighborhoods.
- Schedule vehicle movements to ensure that there are no vehicles waiting off-site and impeding public traffic flow on the surrounding streets.
  - Establish requirements for loading/unloading and storage of materials on the Project Site, where parking spaces would be encumbered, length of time traffic travel lanes can be encumbered, sidewalk closings or pedestrian diversions to ensure the safety of the pedestrian and access to local businesses.
  - Coordinate with the City and emergency service providers to ensure adequate access is maintained to the Project Site and neighboring businesses.
  - In the event of temporary lane or sidewalk closures, a worksite traffic control plan, approved by the City of Los Angeles, shall be implemented to route vehicular traffic or pedestrians around any such closures.
  - During construction activities when construction worker parking cannot be accommodated on the Project Site, the plan shall identify alternate parking location(s) for construction workers and the method of transportation to and from the Project Site (if beyond walking distance) for approval by the City 30 days prior to commencement of construction.
  - The Construction Worker Parking Plan shall include appropriate measures to ensure that the parking location requirements for construction workers will be strictly enforced. These could include but are not limited to the following measures:
    - Provide all construction contractors with written information on where their workers and their subcontractors are permitted to park, and provide clear consequences to violators for failure to follow these regulations. This information shall clearly state that no parking is permitted on residential streets.

**Enforcement Agency:** Los Angeles Department of Building and Safety; LADOT

**Monitoring Agency:** LADOT

**Monitoring Phase:** Construction

**Monitoring Frequency:** Ongoing during construction

**Action Indicating Compliance:** Field inspection sign-off

**L-7 25. Bundy Drive & Olympic Boulevard**

The intersection of Bundy Drive & Olympic Boulevard has a significant impact during the AM and PM peak hours under existing, future year 2018, and horizon year 2030 conditions. The improvement at this intersection would involve restriping the northbound and southbound approaches to allow dual left-turn lanes. If implemented, the improvement would result in mitigating the Project-related traffic impact to less than significant levels.

**Enforcement Agency:** Los Angeles Department of Building and Safety; LADOT

**Monitoring Agency:** LADOT

**Monitoring Phase:** Construction

**Monitoring Frequency:** Ongoing during construction

**Action Indicating Compliance:** Field inspection sign-off**L-8 26. Bundy Drive & Pico Boulevard**

The intersection of Bundy Drive & Pico Boulevard has a significant impact during the AM and PM peak hours under existing, future year 2018, and horizon year 2030 conditions. To mitigate the significant impact to less than significant levels, a potential improvement could involve restriping the eastbound and westbound shared through/right-turn lanes to have exclusive through and right-turn lanes. The improvement would allow for one left-turn lane, two through lanes, and one right-turn lane in both the eastbound and westbound approaches.

**Enforcement Agency:** Los Angeles Department of Building and Safety; LADOT

**Monitoring Agency:** LADOT

**Monitoring Phase:** Construction

**Monitoring Frequency:** Ongoing during construction

**Action Indicating Compliance:** Field inspection sign-off

**L-9 Transportation Demand Management Plan**

A TDM plan shall be prepared that will detail additional program elements beyond the Site design features described above. The plan, as stated, would be approved by LADOT prior to the recordation of final project maps. Additional TDM program elements could include unbundled parking, rideshare programs and discounted transit passes, although the exact measures to be implemented will be determined when the plan is prepared.

- **Unbundled Parking** – Unbundling parking typically separates the cost of purchasing or renting parking spaces from the cost of the purchasing or renting a dwelling unit. Saving money on a dwelling unit by forgoing a parking space acts as an incentive that minimizes auto ownership. Similarly, paying for parking (by purchasing or leasing a space) acts as a disincentive that discourages auto ownership and trip-making. The research literature shows that unbundled parking costs can reduce VMT by up to 13% (CAPCOA, 2010).
- **Rideshare Programs** – Rideshare programs typically include the provision of an on-site transit and rideshare information center that provides assistance to help people form carpools or access transit alternatives. Rideshare programs often also include priority parking for carpools. The research literature shows that rideshare programs can reduce commuting VMT by up to 15% (CAPCOA, 2010).
- **Transit Pass Discount Program** – Transit pass discount programs are typically negotiated with transit service providers to purchase transit passes in bulk, and therefore at a discounted rate. Discounted passes are then sold to interested residents or employees, helping them to obtain price discounts through the economies of scale of bulk purchasing. The research literature shows that discounted transit passes can reduce commuting VMT by up to 20% (CAPCOA, 2010).
- **Bicycle Parking and Bike Share Program** – As described in Chapter 9, the project will provide both long term and short-term bicycle parking per the Los Angeles Municipal Code (LAMC). In addition, the Project could provide complementary amenities such as shower facilities, a self-service bike repair area, and potentially a bike share service among residents, employees and visitors of the Site.

- **Car Share Program** – The Project would allow space for a car-share service within its proposed parking facilities. A car share program is a model of car rental where people rent cars for short periods of time, often by the hour. The programs are attractive to customers who make only occasional use of a vehicle, as well as others who would like occasional access to a vehicle of a different type than they use day-to-day.
- **Upgrade to Transit Amenities** – The Project, in conjunction with Los Angeles Metropolitan Transportation Authority and Los Angeles Department of Transportation, could identify nearby bus-stops to upgrade stop location to further encourage the use of transit within the area.

**Enforcement Agency:** LADOT

**Monitoring Agency:** LADOT

**Monitoring Phase:** Pre-occupancy

**Monitoring Frequency:** Once; prior to recordation of final project maps

**Action Indicating Compliance:** LADOT approval

#### **L-10 Access and Circulation**

- Access and circulation shall substantially conform to the Site Plan, specifically so that in no event shall there be more than one vehicular access along Bundy Drive or along Olympic Boulevard.
- The Project shall have three driveways:
  - A full-access-in/right-turn-out driveway from Bundy Drive on the east side of the Project Site
  - A full-in/right-turn-out driveway from Olympic Boulevard on the south side of the Project Site.
  - A right-turn in/right-turn out truck and emergency only access driveway along the north edge at Bundy Drive. This driveway will be gated and not be used as a regular visitor/employee/customer access.
- The width of each driveway shall be limited to the minimum required.

**Enforcement Agency:** LADOT

**Monitoring Agency:** LADOT

**Monitoring Phase:** Pre-construction

**Monitoring Frequency:** Once

**Action Indicating Compliance:** LADOT approval

#### **L-11 LADOT Approval Letter Project Requirements**

- The Project Requirements within the LADOT Approval Letter issued for the Project, shall be adopted as conditions of Project approval. The requirements are listed fully as items A through I within the LADOT Approval Letter (and included as Appendix L-3 of this EIR). In summary:
  - A. Application Fee was paid to review the traffic study.
  - B. Covenant and Agreement shall be signed acknowledging the contents and limitations of the WLA TIMP in a form designed to run with the land.
  - C. Transportation Impact Assessment Fee shall be paid. The final TIA Fee due shall be dependent upon the final configuration of the Project uses.
  - D. Highway Dedication and Physical Street Improvements at Bundy Drive & Olympic Boulevard and Bundy Drive & Pico Boulevard shall be made according to the LADOT Approval Letter.

- E. Transportation Demand Management (TDM) Plan shall be submitted to LADOT and include strategies to reduce to the total net project trips during the peak commute periods.
- F. Site Access and Internal Circulation. Final LADOT approval shall be obtained prior to issuance of any building permits.
- G. Pedestrian Connectivity. The Applicant shall consult with the City Planning Department for any additional requirements pertaining to pedestrian walkability and connectivity.
- H. Construction Impacts. LADOT recommends that a construction work site traffic control plan be submitted to LADOT for review and approval.
- I. Additional Recommendations. LADOT recommends that the Applicant coordinate meeting with LADOT, Council District 11, affected neighborhood councils, and community groups to identify and develop a voluntary traffic and community improvement package.

**Enforcement Agency:** LADOT

**Monitoring Agency:** LADOT

**Monitoring Phase:** Pre-construction

**Monitoring Frequency:** Once

**Action Indicating Compliance:** LADOT approval

#### **Utilities and Service Systems – Wastewater**

- M.1-1** As part of the normal construction/building permit process, the Project Applicant shall confirm with the City that the capacity of the local and trunk lines are sufficient to accommodate the Project's wastewater flows during the construction and operation phases. If the public sewer has insufficient capacity, then the Project Applicant shall be required to build sewer lines to a point in the sewer system with sufficient capacity.

- The existing 8-inch line (510 feet) on Olympic Boulevard shall require upsizing to a 12-inch line, or
- Connection is made to the 18-inch line on Bundy Drive with the installation of a private trap.

**Enforcement Agency:** Los Angeles Department of Building and Safety

**Monitoring Agency:** Los Angeles Department of Building and Safety

**Monitoring Phase:** Pre-construction

**Monitoring Frequency:** Once, at plan check

**Action Indicating Compliance:** Plan approval

#### **Utilities and Service Systems – Water**

- M.2-1** As part of the normal construction/building permit process, the Project Applicant shall confirm with the City that the capacity of the existing water infrastructure can supply the domestic needs of the Project during the construction and operation phases. The Project Applicant shall implement any upgrade to the water infrastructure serving the Project Site that is needed to accommodate the Project's water consumption needs.

**Enforcement Agency:** Los Angeles Department of Building and Safety

**Monitoring Agency:** Los Angeles Department of Building and Safety

**Monitoring Phase:** Pre-construction

**Monitoring Frequency:** Once, at plan check

**Action Indicating Compliance:** Plan approval



- M.2-2** In the event of temporary partial public street closures, the Project Applicant shall employ flagmen during the construction of water line work, to facilitate the flow of traffic.

**Enforcement Agency:** Los Angeles Department of Building and Safety

**Monitoring Agency:** Los Angeles Department of Building and Safety

**Monitoring Phase:** Construction

**Monitoring Frequency:** Ongoing during construction

**Action Indicating Compliance:** Field inspection sign-off

**M.2-3 Utilities (Local Water – Landscaping)**

- The project shall comply with Ordinance No. 170,978 (Water Management Ordinance), which imposes numerous water conservation measures in landscape, installation, and maintenance (e.g., use drip irrigation and soak hoses in lieu of sprinklers to lower the amount of water lost to evaporation and overspray, set automatic sprinkler systems to irrigate during the early morning or evening hours to minimize water loss due to evaporation, and water less in the cooler months and during the rainy season).
- In addition to the requirements of the Landscape Ordinance, the landscape plan shall incorporate the following:
  - Weather-based irrigation controller with rain shutoff
  - Matched precipitation (flow) rates for sprinkler heads
  - Drip/microspray/subsurface irrigation where appropriate
  - Minimum irrigation system distribution uniformity of 75 percent
  - Proper hydro-zoning, turf minimization and use of native/drought tolerant plan materials
  - Use of landscape contouring to minimize precipitation runoff
- A separate water meter (or submeter), flow sensor, and master valve shutoff shall be installed for existing and expanded irrigated landscape areas totaling 5,000 sf and greater.

**Enforcement Agency:** Los Angeles Department of Building and Safety

**Monitoring Agency:** Los Angeles Department of Building and Safety

**Monitoring Phase:** Pre-construction

**Monitoring Frequency:** Once, at plan check

**Action Indicating Compliance:** Plan approval

**M.2-4 Utilities (Local Water Supplies – All New Construction)**

- If conditions dictate, the Department of Water and Power may postpone new water connections for this project until water supply capacity is adequate.
- Install high-efficiency toilets (maximum 1.28 gpf), including dual-flush water closets, and high-efficiency urinals (maximum 0.125 gpf), including no-flush or waterless urinals, in all restrooms as appropriate.
- Install restroom faucets with a maximum flow rate of 0.5 gallons per minute.
- A separate water meter (or submeter), flow sensor, and master valve shutoff shall be installed for all landscape irrigation uses.
- Single-pass cooling equipment shall be strictly prohibited from use. Prohibition of such equipment shall be indicated on the building plans and incorporated into tenant lease agreements. (Single-pass cooling refers to the use of potable water to extract heat from process equipment, e.g. vacuum pump, ice machines, by passing the water through equipment and discharging the heated water to the sanitary wastewater system.)

**Enforcement Agency:** Los Angeles Department of Building and Safety

**Monitoring Agency:** Los Angeles Department of Building and Safety

**Monitoring Phase:** Pre-construction

**Monitoring Frequency:** Once, at plan check

**Action Indicating Compliance:** Plan approval

**M.2-5 Utilities (Local Water Supplies – New Commercial or Industrial)**

- All restroom faucets shall be of a self-closing design.

**Enforcement Agency:** Los Angeles Department of Building and Safety

**Monitoring Agency:** Los Angeles Department of Building and Safety

**Monitoring Phase:** Pre-construction

**Monitoring Frequency:** Once, at plan check

**Action Indicating Compliance:** Plan approval

**M.2-6 Utilities (Local Water Supplies – New Residential)**

- Install no more than one showerhead per shower stall, having a flow rate no greater than 2.0 gallons per minute.
- Install and utilize only high-efficiency clothes washers (water factor of 6.0 or less) in the project, if proposed to be provided in either individual units and/or in a common laundry room(s). If such appliance is to be furnished by a tenant, this requirement shall be incorporated into the lease agreement, and the applicant shall be responsible for ensuring compliance.
- Install and utilize only high-efficiency Energy Star-rated dishwashers in the project, if proposed to be provided. If such appliance is to be furnished by a tenant, this requirement shall be incorporated into the lease agreement, and the applicant shall be responsible for ensuring compliance.

**Enforcement Agency:** Los Angeles Department of Building and Safety

**Monitoring Agency:** Los Angeles Department of Building and Safety

**Monitoring Phase:** Pre-construction

**Monitoring Frequency:** Once, at plan check

**Action Indicating Compliance:** Plan approval

**M.2-7 LID Ordinance and Stormwater BMPs**

The Applicant shall comply with the City of Los Angeles Low Impact Development Ordinance (City Ordinance No. 181899) and to implement Best Management Practices that have stormwater recharge or reuse benefits for the Project (as applicable and feasible).

- Infiltration trench to capture and infiltrate rainwater, with storm run-off filtration system for more efficient filtration
- Catch Basin Screens (as appropriate)
- Hydro-mod cistern system (if feasible).

**Enforcement Agency:** Los Angeles Department of Building and Safety

**Monitoring Agency:** Los Angeles Department of Building and Safety

**Monitoring Phase:** Pre-construction

**Monitoring Frequency:** Once, at plan check

**Action Indicating Compliance:** Plan approval

**M.2-8 Water Conservation Commitments**

- Kitchen Faucets with flow rate of 1.5 gallons per minute or less
- Showerheads with flow rate of 1.5 gallons per minute or less
- Rotating Sprinkler Nozzles for Landscape Irrigation – 0.5 gallons per minute
- Drought Tolerant Plants – Wherever feasible drought tolerant plants will be used.

- High Efficiency Commercial Clothes Washers (Commercial) – water factor of 4.5 or less (where applicable)
- Utilizing of central boilers/storage tanks with water recirculation so hot water is available on demand for more efficient energy and water use (unless mitigated by the utilization of tankless/on-demand water heaters)
- Individual metering and billing for water use (where feasible)
- Heat pumps and fan coils and/or mini-splits for dwelling units and common areas.
- Open loop solar heating for pools (where feasible)
- Drip/subsurface and micro-spray Irrigation
- Proper hydro-zoning wherever feasible
- Zoned irrigation
- Landscaping contouring to minimize precipitation runoff
- Artificial turf (where feasible) or water conserving turf

**Enforcement Agency:** Los Angeles Department of Building and Safety

**Monitoring Agency:** Los Angeles Department of Building and Safety

**Monitoring Phase:** Pre-construction

**Monitoring Frequency:** Once, at plan check

**Action Indicating Compliance:** Plan approval

#### **Utilities and Service Systems – Solid Waste**

##### **M.3-1 Utilities (Solid Waste Recycling – Construction/Demolition)**

Prior to the issuance of any construction permit, the Project Applicant shall provide a copy of the receipt or contract from a waste disposal company providing services to the project, specifying recycled waste service(s), to the City of Los Angeles Department of Building and Safety. The construction contractor(s) shall only contract for waste disposal services with a company that recycles construction-related waste.

**Enforcement Agency:** Los Angeles Department of Building and Safety

**Monitoring Agency:** Los Angeles Department of Building and Safety

**Monitoring Phase:** Pre-construction

**Monitoring Frequency:** Prior to the issuance of any construction permit

**Action Indicating Compliance:** Issuance of any construction permit

##### **M.3-2 Utilities (Solid Waste Recycling)**

To facilitate on-site separation and recycling of demolition and construction-related wastes, the contractor(s) shall provide temporary waste separation bins on-site during demolition and construction. These bins shall be emptied and the contents recycled accordingly as a part of the project's regular solid waste disposal program.

**Enforcement Agency:** Los Angeles Department of Building and Safety

**Monitoring Agency:** Los Angeles Department of Building and Safety

**Monitoring Phase:** Construction

**Monitoring Frequency:** Periodically, during field inspection

**Action Indicating Compliance:** Field inspection sign-off

##### **M.3-3 Utilities (Solid Waste Disposal)**

All waste shall be disposed of properly. Use appropriately labeled recycling bins to recycle demolition and construction materials including: solvents, water-based paints, vehicle fluids, broken asphalt and concrete, bricks, metals, wood, and vegetation. Non-recyclable materials/wastes shall be taken to an appropriate landfill. Toxic wastes must be discarded at a licensed regulated disposal site.

**Enforcement Agency:** Los Angeles Department of Building and Safety

**Monitoring Agency:** Los Angeles Department of Building and Safety

**Monitoring Phase:** Construction

**Monitoring Frequency:** Periodically, during field inspection

**Action Indicating Compliance:** Field inspection sign-off

**M.3-4 Utilities (Solid Waste Recycling - Operational)**

Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material. These bins shall be emptied and recycled accordingly as a part of the project's regular solid waste disposal program.

**Enforcement Agency:** Los Angeles Department of Building and Safety

**Monitoring Agency:** Los Angeles Department of Building and Safety

**Monitoring Phase:** Prior to occupancy

**Monitoring Frequency:** Once, prior to occupancy

**Action Indicating Compliance:** Issuance of Certificate of Occupancy

16. **Construction Mitigation Conditions** - Prior to the issuance of a grading or building permit, or the recordation of the final map, the subdivider shall prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770) in a manner satisfactory to the Planning Department, binding the subdivider and all successors to the following: (MM)

- CM-1. That a sign be required on site clearly stating a contact/complaint telephone number that provides contact to a live voice, not a recording or voice mail, during all hours of construction, the construction site address, and the tract map number. **YOU ARE REQUIRED TO POST THE SIGN 7 DAYS BEFORE CONSTRUCTION IS TO BEGIN.**
- a. Locate the sign in a conspicuous place on the subject site or structure (if developed) so that the public can easily read it. The sign must be sturdily attached to a wooden post if it will be freestanding.
  - b. Regardless of who posts the site, it is always the responsibility of the applicant to assure that the notice is firmly attached, legible, and remains in that condition throughout the entire construction period.
  - c. If the case involves more than one street frontage, post a sign on each street frontage involved. If a site exceeds five (5) acres in size, a separate notice of posting will be required for each five (5) acres or portion thereof. Each sign must be posted in a prominent location.
- CM-2. All unpaved demolition and construction areas shall be wetted at least twice daily during excavation and construction, and temporary dust covers shall be used to reduce dust emissions and meet SCAQMD District Rule 403. Wetting could reduce fugitive dust by as much as 50 percent.
- CM-3. The owner or contractor shall keep the construction area sufficiently dampened to control dust caused by construction and hauling, and at all times provide reasonable control of dust caused by wind.
- CM-4. All loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust.
- CM-5. All materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amount of dust.

- CM-6. All clearing, earth moving, or excavation activities shall be discontinued during periods of high winds (i.e., greater than 15 mph), so as to prevent excessive amounts of dust.
- CM-7. General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions.
- CM-8. The project shall comply with the City of Los Angeles Noise Ordinance No. 144,331 and 161,574, and any subsequent ordinances, which prohibit the emission or creation of noise beyond certain levels at adjacent uses unless technically infeasible.
- CM-9. Construction and demolition shall be restricted to the hours of 7:00 am to 6:00 pm Monday through Friday, and 8:00 am to 6:00 pm on Saturday.
- CM-10. Construction and demolition activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.
- CM-11. The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.
- CM-12. Excavation and grading activities shall be scheduled during dry weather periods. If grading occurs during the rainy season (October 15 through April 1), construct diversion dikes to channel runoff around the site. Line channels with grass or roughened pavement to reduce runoff velocity.
- CM-13. Stockpiles, excavated soil, and exposed soil shall be covered with secured tarps, plastic sheeting, erosion control fabrics, or treated with a bio-degradable soil stabilizer.
- CM-14. All waste shall be disposed of properly. Use appropriately labeled recycling bins to recycle construction materials including: solvents, water-based paints, vehicle fluids, broken asphalt and concrete, wood, and vegetation. Non recyclable materials/wastes must be taken to an appropriate landfill. Toxic wastes must be discarded at a licensed regulated disposal site.
- CM-15. Clean up leaks, drips and spills immediately to prevent contaminated soil on paved surfaces that can be washed away into the storm drains.
- CM-16. Do not hose down pavement at material spills. Use dry cleanup methods whenever possible.
- CM-17. Cover and maintain dumpsters. Place uncovered dumpsters under a roof or cover with tarps or plastic sheeting.
- CM-18. Use gravel approaches where truck traffic is frequent to reduce soil compaction and limit the tracking of sediment into streets.
- CM-19. Conduct all vehicle/equipment maintenance, repair, and washing away from storm drains. All major repairs are to be conducted off-site. Use drip pans or drop clothes to catch drips and spills.
- CM-20. Trucks having no current activity shall not idle but be turned off.

**DEPARTMENT OF CITY PLANNING-STANDARD CONDOMINIUM CONDITIONS**

- C-1. That approval of this tract constitutes approval of model home uses, including a sales office and off-street parking. Where the existing zoning is (T) or (Q) for multiple residential use, no construction or use shall be permitted until the final map has recorded or the proper zone has been effectuated. If models are constructed under this tract approval, the following conditions shall apply:
1. Prior to recordation of the final map, the subdivider shall submit a plot plan for approval by the Division of Land Section of the Department of City Planning showing the location of the model dwellings, sales office and off-street parking. The sales office must be within one of the model buildings.
  2. All other conditions applying to Model Dwellings under Section 12.22-A, 10 and 11 and Section 17.05-O of the LAMC shall be fully complied with satisfactory to the Department of Building and Safety.
- C-2. Prior to the recordation of the final map, the subdivider shall pay or guarantee the payment of a park and recreation fee based on the latest fee rate schedule applicable. The amount of said fee to be established by the Advisory Agency in accordance with LAMC Section 17.12 and is to be paid and deposited in the trust accounts of the Park and Recreation Fund.
- C-3. Prior to obtaining any grading or building permits before the recordation of the final map, a landscape plan, prepared by a licensed landscape architect, shall be submitted to and approved by the Advisory Agency in accordance with CP-6730.
- In the event the subdivider decides not to request a permit before the recordation of the final map, a covenant and agreement satisfactory to the Advisory Agency guaranteeing the submission of such plan before obtaining any permit shall be recorded.
- C-4. In order to expedite the development, the applicant may apply for a building permit for an apartment building. However, prior to issuance of a building permit for apartments, the registered civil engineer, architect or licensed land surveyor shall certify in a letter to the Advisory Agency that all applicable tract conditions affecting the physical design of the building and/or site, have been included into the building plans. Such letter is sufficient to clear this condition. In addition, all of the applicable tract conditions shall be stated in full on the building plans and a copy of the plans shall be reviewed and approved by the Advisory Agency prior to submittal to the Department of Building and Safety for a building permit.

OR

If a building permit for apartments will not be requested, the project civil engineer, architect or licensed land surveyor must certify in a letter to the Advisory Agency that the applicant will not request a permit for apartments and intends to acquire a building permit for a condominium building(s). Such letter is sufficient to clear this condition.

**BUREAU OF ENGINEERING - STANDARD CONDITIONS**

- S-1. (a) That the sewerage facilities charge be deposited prior to recordation of the final map over all of the tract in conformance with Section 64.11.2 of the LAMC.
- (b) That survey boundary monuments be established in the field in a manner satisfactory to the City Engineer and located within the California Coordinate System prior to recordation of the final map. Any alternative measure approved

by the City Engineer would require prior submission of complete field notes in support of the boundary survey.

- (c) That satisfactory arrangements be made with both the Water System and the Power System of the Department of Water and Power with respect to water mains, fire hydrants, service connections and public utility easements.
- (d) That any necessary sewer, street, drainage and street lighting easements be dedicated. In the event it is necessary to obtain off-site easements by separate instruments, records of the Bureau of Right-of-Way and Land shall verify that such easements have been obtained. The above requirements do not apply to easements of off-site sewers to be provided by the City.
- (e) That drainage matters be taken care of satisfactory to the City Engineer.
- (f) That satisfactory street, sewer and drainage plans and profiles as required, together with a lot grading plan of the tract and any necessary topography of adjoining areas be submitted to the City Engineer.
- (g) That any required slope easements be dedicated by the final map.
- (h) That each lot in the tract complies with the width and area requirements of the Zoning Ordinance.
- (i) That 1-foot future streets and/or alleys be shown along the outside of incomplete public dedications and across the termini of all dedications abutting unsubdivided property. The 1-foot dedications on the map shall include a restriction against their use of access purposes until such time as they are accepted for public use.
- (j) That any 1-foot future street and/or alley adjoining the tract be dedicated for public use by the tract, or that a suitable resolution of acceptance be transmitted to the City Council with the final map.
- (k) That no public street grade exceeds 15%.
- (l) That any necessary additional street dedications be provided to comply with the Americans with Disabilities Act (ADA) of 1990.

S-2. That the following provisions be accomplished in conformity with the improvements constructed herein:

- (a) Survey monuments shall be placed and permanently referenced to the satisfaction of the City Engineer. A set of approved field notes shall be furnished, or such work shall be suitably guaranteed, except where the setting of boundary monuments requires that other procedures be followed.
- (b) Make satisfactory arrangements with the Department of Transportation with respect to street name, warning, regulatory and guide signs.
- (c) All grading done on private property outside the tract boundaries in connection with public improvements shall be performed within dedicated slope easements or by grants of satisfactory rights of entry by the affected property owners.
- (d) All improvements within public streets, private street, alleys and easements shall be constructed under permit in conformity with plans and specifications approved by the Bureau of Engineering.
- (e) Any required bonded sewer fees shall be paid prior to recordation of the final map.

S-3. That the following improvements be either constructed prior to recordation of the final map or that the construction be suitably guaranteed:

- (a) Construct on-site sewers to serve the tract as determined by the City Engineer.
- (b) Construct drainage facilities.
- (c) Install street lighting facilities to serve the tract as required by the Bureau of Street Lighting.
  - i. No street lighting conditions if no street widening per BOE improvement conditions. Otherwise relocate and upgrade street lights; five (5) on Olympic Bl.; and, five (5) on Bundy Dr.

**NOTES:**

The Advisory Agency approval is the maximum number of units permitted under the tract action. However the existing or proposed zoning may not permit this number of units.

Approval from Board of Public Works may be necessary before removal of any street trees in conjunction with the improvements in this tract map through Bureau of Street Services Urban Forestry Division.

Satisfactory arrangements shall be made with the Los Angeles Department of Water and Power, Power System, to pay for removal, relocation, replacement or adjustment of power facilities due to this development. The subdivider must make arrangements for the underground installation of all new utility lines in conformance with LAMC Section 17.05N.

The final map must record within 36 months of this approval, unless a time extension is granted before the end of such period.

The Advisory Agency hereby finds that this tract conforms to the California Water Code, as required by the Subdivision Map Act.

The subdivider should consult the Department of Water and Power to obtain energy saving design features which can be incorporated into the final building plans for the subject development. As part of the Total Energy Management Program of the Department of Water and Power, this no-cost consultation service will be provided to the subdivider upon his request.

**FINDINGS OF FACT (CEQA)**

**I. INTRODUCTION**

The City of Los Angeles (the "City") has evaluated the environmental impacts of implementation of the Martin Expo Town Center Project (the "Project") by preparing an environmental impact report (EIR) (Case Number ENV-2012-3063-EIR/State Clearinghouse No. 2013031057). The EIR was prepared in compliance with the California Environmental Quality Act of 1970, Public Resources Code Section 21000 et seq. (CEQA) and the California Code of Regulations Title 15, Chapter 6 (the "CEQA Guidelines"). The findings discussed in this document are made relative to the conclusions of the EIR.

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



infeasible such project alternatives or such mitigation measures, individual projects may be approved in spite of one or more significant effects thereof.”

## **II. ENVIRONMENTAL DOCUMENTATION BACKGROUND**

For purposes of CEQA and these Findings, the Record of Proceedings for the Project described in Section 1.3 above includes (but is not limited to) the following documents:

**Notice of Preparation.** In compliance with CEQA Guidelines §15375 and §15082, the City published the Notice of Preparation (the “NOP”), which was sent to responsible agencies and interested parties for a 30-day review period starting on March 20, 2013, identifying the scope of the environmental issues. The NOP is included in Appendix B to the Draft EIR, and the responses to the NOP from agencies and interested parties are included in Appendix C to the Draft EIR. A total of 29 comment letters were received.

**Public Scoping Meeting.** In compliance with CEQA Guidelines §15206 and §15082(c)(1), as a project of regional significance, a Public Scoping Meeting was held on April 3, 2013 at the Olympic Collection (11301 West Olympic Boulevard, #204, Los Angeles, CA 90064) to give the public the opportunity to provide comments as related to the Project and the issues the public would like addressed in the EIR.

The Draft EIR was distributed for public review (including the State Clearinghouse) on November 20, 2014 for a 72-day review period with the comment period expiring on January 30, 2015. A total of 152 comment letters were received by the close of the public comment period. The specific and general responses to comments are in Section 2 (Responses to Comments) of the Final EIR. Responses to public agency comments were distributed to those public agencies on December 30, 2015.

A Notice of Availability (NOA) for the Draft EIR was distributed to approximately 310 interested parties that informed them of where they could view the document and how to comment. The Draft EIR was available to the public at City Hall, Department of City Planning. A copy of the document was also posted online at <http://planning.lacity.org/eir/TocDeir.htm>. Notices were filed with the County Clerk on November 20, 2014.

**Notice of Completion.** A Notice of Completion was sent with the Draft EIR to the Governor's Office of Planning and Research State Clearinghouse on November 20, 2014, and notice was provided in newspapers of general and/or regional circulation.

**Final EIR.** The Final EIR was distributed on December 30, 2015. A Notice of Completion and Availability was mailed out on the same date. The Final EIR has been prepared by the City in accordance with CEQA and the CEQA Guidelines. The City has relied on Section 15084(d)(2) of the CEQA Guidelines that allows contracting with another entity, public or private, to prepare the EIR. The City has reviewed drafts of all portions of the EIR and subjected them to its own review and analysis. The Final EIR that was released for public review reflected the independent judgment of the City.

## **III. FINDINGS REQUIRED TO BE MADE BY LEAD AGENCY UNDER CEQA**

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 avoid or substantially lessen the significant impacts as identified in the EIR.

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

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

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

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

For the purposes of these Findings, the term “avoid” refers to the effectiveness of one or more mitigation measures to reduce an otherwise significant effect to a less than significant level. In contrast, the term “substantially lessen” refers to the effectiveness of such measure or measures to substantially reduce the severity of a significant effect, but not to reduce that effect to a less than significant level. These interpretations appear to be mandated by the holding in Laurel Hills Homeowners Assn. v. City Council, 83 Cal.App.3d 515, 519-527, 147 Cal.Rptr. 842 (1978), in which the Court of Appeal held that an agency had satisfied its obligation to substantially lessen or avoid significant effects by adopting numerous mitigation measures, not all of which rendered the significant impacts in question (e.g., the “loss of biological resources”) less than significant.

Although CEQA Guidelines Section 15091 requires only that approving agencies specify that a significant effect is “avoid[ed] or substantially lessen[ed],” these Findings, for purposes of clarity, in each case will specify whether the effect in question has been reduced to a less than significant level, or has simply been substantially lessened but remains significant.

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].)

Because the EIR identified significant effects that may occur as a result of the Project, and in accordance with the provisions of the Guidelines presented above, the City hereby adopts these findings set forth in this document as part of the approval of the Project. These findings constitute the City’s best efforts to set forth the evidentiary and policy bases for its decision to approve the Project in a manner consistent with the requirements of CEQA. These findings, in other words, are not solely informational, but rather constitute a binding set of obligations that come into effect with the City’s approval of the Project.

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

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

#### **Record of Proceedings**

The record of proceedings includes the documents and other materials that constitute the administrative record upon which the City approved the Project. The following information is incorporated by reference and made part of the record supporting these Findings of Fact:

- All project plans and application materials including supportive technical reports;
- The Draft EIR and Appendices (November 2014) and Final EIR (December 2015), and all documents relied upon or incorporated therein by reference;
- The Mitigation Monitoring Program (MMP) prepared for the Project;
- The City of Los Angeles General Plan and related EIR;
- Municipal Code of the City of Los Angeles, including but not limited to the Zoning Ordinance and Subdivision Ordinance.
- All records of decision, resolutions, staff reports, memoranda, maps, exhibits, letters, minutes of meetings, summaries, and other documents approved, reviewed, relied upon, or prepared by any City commissions, boards, officials, consultants, or staff relating to the Project;
- Any documents expressly cited in these Findings of Fact, in addition to those cited above; and
- Any and all other materials required for the record of proceedings by Public Resources Code Section 21167.6(e).

Pursuant to CEQA Section 21081.6(a)(2) and CEQA Guidelines Section 15091(e), the documents and other materials that constitute the record of proceedings upon which the City has based its decision are located in and may be obtained from the Department of City Planning, as the custodian of such documents and other materials that constitute the record of proceedings, located at City Hall, 200 North Spring Street, Room 750, Los Angeles, CA 90012.

#### **IV. DESCRIPTION OF PROPOSED PROJECT**

##### **Environmental Setting**

The 4.76-acre project site is located within the West Los Angeles Community Plan area of the

City of Los Angeles (the "City") and approximately 3.0 miles east of the Pacific Ocean and approximately 11.0 miles west of downtown Los Angeles. Regional access to the Project Site is provided by Interstate 405 (I-405), approximately one mile to the east, and Interstate 10 (I-10), approximately 0.4-mile to the south. The address of the Project site is 12101 West Olympic Boulevard and is located at the northwest corner of Olympic Boulevard and Bundy Drive. The assessor's parcel number (APN) for the Project Site is 4259-019-008. The Project Site is currently developed with the Martin Cadillac dealership, including surface parking, a service building with rooftop parking, and a dealership/office building.

#### A. Project Description

The Project includes demolition and removal of all existing uses from the Project Site and development of site with 516 residential units (508,200 gross square feet), 99,000 square feet of retail floor area (consisting of a 50,000-square foot grocery store, 40,000 square feet of general retail use, and 9,000 square feet of restaurant uses), 200,000 square feet of creative office floor area, and enclosed subterranean parking, which would meet or exceed Code requirements. The Project would have a total floor area of 807,200 square feet, with a corresponding floor area ratio (FAR) of 3.91:1.

#### B. Project Objectives

The objectives of the Project are as follows:

##### Redevelopment of Underutilized Site

1. Redevelop a currently underutilized site into a mixed-use development that combines complementary uses, such as community serving retail, creative office, and residential uses.
2. Provide the opportunity to maintain some auto dealership uses on site (which have been a part of the Westside community since 1950, and on the current site since 1975).  
Transit
3. Through multiple development strategies, further local and regional objectives of reducing vehicular trips by increasing the use of existing bus and transit systems and the future Expo rail system. Strategies could include:
  - a. Develop an integrated mix of uses near transit nodes.
  - b. Develop increased density near transit nodes.
  - c. Develop the type of uses that are more apt to use transit.
  - d. Develop connections between the Project Site and nearby transit nodes.

##### Pedestrian and Bicycle Activity

4. Activate the Olympic Boulevard and Bundy Drive corridors by attracting residents and visitors, both day and night by providing open and green spaces, walkways, plazas, and other gathering spaces.
5. Encourage pedestrian and bicycle activity by providing bicycle parking and pedestrian linkages within the Project, as well as an attractive pedestrian experience on Bundy Drive and Olympic Boulevard.

##### Architecture/Design

6. Create an iconic design identity at the intersection of Olympic Boulevard and Bundy Drive.
7. Improve the aesthetic quality of the site by removing older structures and developing new efficient buildings that are more sensitive to adjacent uses.

##### Energy Conservation Features

8. Incorporate sustainable and green building design and construction to promote resource conservation, including waste reduction, efficient water management techniques, and

- conservation of electricity and energy to achieve a LEED-qualified equivalent.
9. Create a range of construction and permanent jobs.
  10. Improve public safety by creating a development that provides the level of density and mix of uses necessary to activate the area both day and night.

#### Housing Needs

11. To improve the job-housing balance in the West LA area by providing new housing within a major employment center.
12. Provide housing along a major public transportation corridor in furtherance of City's goals and policies, and in close proximity to the future Metro Expo Line Station.

### **V. ENVIRONMENTAL IMPACTS FOUND NOT TO BE SIGNIFICANT**

Impacts of the Project found to be less than significant in the EIR and that require no mitigation are identified below. The impact area and the appropriate section number follow the impact titling and follow the numbering conventions used in the EIR. 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.

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

#### **Aesthetics**

##### **Scenic Vistas**

Implementation of the Project would not substantially affect any scenic vistas, since scenic vistas available from the Project area are largely obscured by existing development. Impacts related to scenic vistas would be less than significant. No mitigation is required.

##### **Scenic Resources**

The Project site does not contain scenic resources including trees, rock outcroppings, or other unique or landmark features; none of these resources are located in proximity to the Project site. Therefore, Project development would not cause the removal of scenic resources and thus would result in a less than significant impact to scenic resources. No mitigation is required.

#### *Findings*

Based on the EIR analysis and the whole of the record, the City finds that Project impacts related to scenic vistas and scenic resources would be less than significant.

#### **Air Quality**

##### Localized Construction Emissions

Localized construction emissions of CO, NO<sub>2</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub> would not exceed the South Coast Air Quality Management District's (SCAQMD) thresholds. As a result, the Project would not result in any significant impacts related to localized construction emissions.

##### **Toxic Air Contaminants (TACs)**

Given the short-term construction schedule of approximately 32 months, construction of the Project would not represent a long-term (i.e., 70 years) source of TAC emissions on-site. Additionally, typical sources of acutely and chronically hazardous TACs include industrial manufacturing processes and automotive repair facilities, neither of which would be included as part of the Project. With regard to off-site TAC emissions, these emissions would peak from

hauling during the grading and earthwork phases of construction, which would occur over approximately 4.5 months. However, this limited 4.5 months of exposure represents approximately 0.5 percent of the 70 years that the SCAQMD defines as the exposure period for gauging individual cancer risk. Therefore, the Project would not result in any significant impacts related to TACs.

#### Odors

The Project would utilize typical construction techniques, and odors would be typical of most construction sites and temporary in nature. The Project would introduce new retail, restaurants, offices, and residences to the area and would not result in activities that create objectionable odors. Therefore, Project impacts related to odors would be less than significant.

#### Localized Operational Emissions

The Project would not produce the volume of traffic required to generate a CO hotspot. Therefore, CO hotspots are not an environmental impact of concern for the Project. Therefore, localized air quality impacts related to mobile-source emissions would be less than significant.

#### Air Quality Management Plan (AQMP) Consistency

The Project satisfies both of the SCAQMD's criteria for determining consistency, the Project would be consistent with the AQMP, and impacts related to this issue would be less than significant.

#### *Findings*

Based on the EIR analysis and the whole of the record, the City finds that Project impacts related to localized construction emissions, TACs, odors, localized operational emissions, and AQMP consistency would be less than significant.

### **Geology & Soils**

#### Fault Rupture

The Project Site is not located within al Alquist-Priolo Special Study or Fault Rupture Study Area, and no known faults are located within the Project site boundaries. All development associated with the Project would be required by state law to meet UBC and CBC requirements. No significant impacts related to fault rupture would occur.

#### Seismic Ground Shaking

The Project Site is located in a seismically active region. However, the Project would conform to all applicable provisions of the City Building Code, CBC, and the UBC. Adherence to current building codes and engineering practices would ensure that the Project would not expose people, property or infrastructure to seismically-induced ground shaking hazards that are greater than the average risk associated with locations in the Southern California region and would minimize the potential to expose people or structures to substantial risk, loss, or injury. Therefore, no significant impacts related to seismic ground shaking would occur.

#### Landslides

The Project Site is flat and is not prone to any landslides. Therefore, no significant landslide impacts would occur.

#### Substantial Erosion/Loss of Topsoil

The potential for soil erosion during Project operation would be relatively low due to the urban nature of the Project area and the generally level topography of the Project Site. The Project would develop the entire Site with new buildings, paving, and surface treatments. Therefore, no

significant impact would occur.

#### Expansive Soils

The onsite geologic materials are in the moderate expansion range. The Expansion Index was found to be between 70 and 82 for bulk samples remolded to 90 percent of the laboratory maximum density. Reinforcing beyond the minimum required by the City of Los Angeles Department of Building and Safety is not required. As such, no significant impact with respect to expansive soils would occur.

#### Septic Tanks

The Project Site is located in a developed area of the City of Los Angeles, which is served by a wastewater collection, conveyance, and treatment system operated by the City. No septic tanks or alternative disposal systems are necessary, nor are they proposed. Therefore, no impact would occur.

#### *Findings*

Based on the EIR analysis and the whole of the record, the City finds that Project impacts related to fault rupture, seismic ground shaking, landslides, substantial erosion/loss of topsoil, expansive soils, and septic tanks would be less than significant.

#### **Greenhouse Gas Emissions**

##### GHG Emissions

The Project's GHG emissions would result in an emissions reduction of 30 percent when compared to the BAU scenario and would be consistent with the State's AB 32 Scoping Plan objectives for reducing community-based emissions. Therefore, Project impacts related to GHG emissions would be less than significant.

##### Consistency with AB 32

The Project would be consistent with the applicable emissions reduction strategies of the AB 32 Scoping Plan. Therefore, Project impacts related to consistency with AB 32 would be less than significant.

#### *Findings*

Based on the EIR analysis and the whole of the record, the City finds that Project impacts related to GHG emission and consistency with AB 32 would be less than significant.

#### **Hazards and Hazardous Materials**

##### Release of Hazardous Materials

Construction of the Project would involve the temporary transport, use, or disposal of potentially hazardous materials, including paints, adhesives, surface coatings, cleaning agents, fuels, and oils. All of these materials would be used in a short-term nature during construction activities. Operation of the Project would involve the use and storage of small quantities of potentially hazardous materials in the form of cleaning solvents, paints, and pesticides for landscaping. The transport of hazardous materials and wastes (i.e., paints, adhesives, surface coatings, cleaning agents, fuels, and oils) would occur in accordance with federal and state regulations, including RCRA, Title 49 of the CFR, the California Vehicle Code, and the California Health and Safety Code. Therefore, no significant impacts related to the release of hazardous materials would occur.

##### Upset Conditions Involving the Release of Hazardous Materials (Polychlorinated Biphenyls)

One transformer is located on-site, and appears to be in good condition with no visible signs of

hazardous material spills or leaks. As no staining or indications of releases were noted relative to the transformer, impacts related to PCBs would be less than significant.

#### Upset Conditions Involving the Release of Hazardous Materials (Storage Tanks and Containers)

The existing 10,000-gallon UST at the Project Site is in compliance with all applicable UST regulations. In addition, the five previous USTs were properly removed in 1996. The aboveground containers stored on-site are typical of the automobile sales and service operations and their storage appears to be well managed. All storage tanks and containers would be removed prior to Project construction. As such, impacts related to on-site storage of hazardous materials would be less than significant.

#### Hazardous Emissions within One-Quarter Mile of Existing or Proposed School

The Project Site is located within 0.25 mile of four schools. However, the Project would not pose a significant risk involving the routine transport, use, and disposal of hazardous materials or the accidental release of hazardous materials, and impacts associated with the emission of hazardous materials near an existing or proposed school would be less than significant.

#### Listed Hazardous Materials Sites

The Project Site is not on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. Therefore, no impacts related to this issue would occur.

#### Airport Land Use Plan, or Two Miles of a Public Airport or Vicinity of Private Airstrip

The Project is not located in the vicinity of a private airstrip. Although the Project Site is within two miles of the Santa Monica Airport, there are substantial and varied land uses and other urban infrastructure (including the I-10 Santa Monica Freeway) between the airport and the Project Site to ensure that there would be no potential hazard. Also, the Project is not within an Airport Hazard area. Therefore, no impact related to this issue would occur.

#### Interfere with an Emergency Response or Evacuation Plan (Construction)

Construction activities associated with the Project would not substantially impede public access, travel upon a public right-of-way, or interfere with an adopted emergency response or evacuation plan, and impacts would be less than significant.

#### Wildland Fires

The Project Site is not located in a Very High Fire Hazard Severity Zone, The Project Site is not located within a designated Fire Buffer Zone or Mountain Fire District. Therefore, no impacts related to wildland fires would occur.

#### *Findings*

Based on the EIR analysis and the whole of the record, the City finds that Project impacts related to release of hazardous materials, upset conditions involving the release of hazardous materials (polychlorinated biphenyls and storage tanks and containers), hazardous emissions within one-quarter mile of a school, listed hazardous materials sites, airport land use plan or two miles of a public airport or vicinity of a private airstrip, interfere with an emergency response or evacuation plan during Project construction, or wildland fires would be less than significant.

#### Hydrology and Water Quality

##### Groundwater

Construction would require temporary dewatering for the deep excavations that would be required for the below-grade parking structures. The Project would include three levels of subterranean parking, which would be designed and constructed to withstand hydrostatic



pressure associated with groundwater and no permanent dewatering would be required. Additionally, because the Project Site is nearly 100 percent impervious, there is limited to no groundwater recharge currently occurring. Therefore, no significant impacts related to groundwater would occur.

#### Drainage

The current drainage pattern from the Project Site includes the discharge of storm water runoff from the paved areas directly to the sidewalk and street via surface flow. The Project would not substantially alter the existing drainage pattern of the surrounding area in a manner that would result in substantial flooding on- or off-site. Therefore, no impacts related to drainage would occur.

#### Place Housing or Structures within a 100-Year Flood Plain

The Project Site is not located within an area identified by Federal Emergency Management Agency (FEMA) as potentially subject to 100-year floods. Therefore, no significant impacts related to 100-year flood plains would occur.

#### Flooding, Including from Failure of a Levee or Dam

The Project Site is located approximately five miles southwest of the Stone Canyon Reservoir. The Project Site is within the City-designated potential inundation area of the Reservoir, as is much of west Los Angeles around the I-405 and I-10 freeways. However, the failure of the dam is considered remote and does not present a significant risk of loss, injury or death to people or structures. Therefore, no impact related to risk of loss involving failure of a dam would occur.

#### Inundation by Seiche, Tsunami, or Mudflow

The Project Site is not located in a Tsunami Hazard Area, Tsunami Inundation Zone, and is located approximately three miles inland from the Pacific Ocean and is not near any other major water bodies. Therefore, risks associated with seiches or tsunamis would be considered extremely low at the Project Site. The Site is also not in or near a hillside area that could become a mudflow. No impact would occur.

#### *Findings*

Based on the EIR analysis and the whole of the record, the City finds that Project impacts related to groundwater, drainage, place housing or structures within a 100-year flood plain, flooding, including from failure of levee or dam, and inundation by seiche, tsunami, or mudflow would be less than significant.

#### **Land Use and Planning**

##### Physically Divide an Established Community

The Project would not create a physical barrier in an established community, but would instead convert a single-use land parcel (auto dealership), into a multi-use area consisting of residential, retail, and office uses. As such, no impact with respect to community division would occur.

##### Consistency Analysis

The Project would be substantially consistent with all of the applicable plans, policies, and regulations associated with development of the Project site. Therefore, no significant impacts related to consistency with applicable plans, policies, and regulations would occur.

#### *Findings*

Based on the EIR analysis and the whole of the record, the City finds that Project impacts related to physically divide an established community and consistency with applicable plans,

policies, and regulations would be less than significant.

### **Noise**

#### **Construction Vibration – Building Damage**

The buildings surrounding the Project Site are engineered masonry, steel or timber. Therefore the appropriate threshold for building damage is a peak particle velocity (PPV) of 0.5 inches per second. The vibration levels from all the expected construction activities are 0.26 inches per second, or less. Therefore, the potential for building damage from construction vibration would be a less than significant impact.

#### **Permanent Increases in Ambient Traffic Noise (Operation)**

Project-related noise level increases as a result of traffic would be relatively low. On all the roadway segments near the Project, the increased traffic noise would be 1.3 dBA or less. According to the *L.A. CEQA Thresholds Guide*, a Project would have a significant impact if Project operations would cause ambient noise levels to increase by 3 dBA to or within the “normally unacceptable” or “clearly unacceptable” category, or any 5 dBA or greater noise increase. Since the Project’s increase in traffic noise is less than the City of Los Angeles’ threshold of significance of 3 and 5 dBA, no impact would occur.

#### **Operational Noise in Excess of Standards or Resulting in a Permanent Increase in Noise**

Operational noise from the Project would be from two primary sources, mechanical equipment associated with ventilation or refrigeration, and activities at the loading areas along Olympic Boulevard. However, these sources would not produce noise levels in excess of the City’s standards. Therefore, no impact would occur.

#### **Operational Vibration**

The operation of the Project would not be a significant vibration source (e.g. a manufacturing facility). Therefore, the operation of the Project would not expose persons to or generate vibration levels that exceed FTA criteria. No impact would occur.

#### **Within Airport Land Use Plan or 2 Miles of a Public Airport/Private Airstrip**

Although the Project is within two miles of the Santa Monica Airport, development of the Project would not expose people residing or working in the Project area to excessive noise levels from an airport use. There are no private airstrips in the vicinity of the Project Site. Development of the Project would not expose people residing or working in the Project area to excessive noise levels from an airport use. Therefore, no impact would occur.

### **Findings**

Based on the EIR analysis and the whole of the record, the City finds that Project impacts related to construction vibration (building damage), permanent increases in ambient traffic noise (operation), operational noise in excess of standards or result in a permanent increase in noise, operational vibration, and within airport land use plan or 2 miles of a public airport/private airport would be less than significant.

### **Population & Housing**

#### **Population Growth**

The housing, population, and employment associated with the Project area are consistent with the growth projections for the Project area. The Project would not result in excessive population growth. Therefore, Project impacts related to population growth would be less than significant.

**Displace Substantial Numbers of Housing or People**

A significant impact may occur if a project would result in displacement of a substantial number of existing housing units or existing residents, necessitating construction of replacement housing elsewhere. The Project Site does not include existing residential uses and would not displace any existing housing or people. Therefore, no impact would occur.

***Findings***

Based on the EIR analysis and the whole of the record, the City finds that Project impacts related to population growth and displacing of housing or people would be less than significant.

**Public Services - Libraries**

The Project would not result in the need for new or altered library facilities. Therefore, impacts related to libraries would be less than significant.

***Findings***

Based on the EIR analysis and the whole of the record, the City finds that Project impacts related to libraries would be less than significant.

**Transportation & Traffic****Neighborhood Street Impacts**

The Project would not distribute traffic to neighborhood streets near the Project Site in excess of the City's significance threshold. Therefore, impacts relate to neighborhood streets would be less than significant.

**CMP Facilities**

The analysis that was conducted in accordance with the Congestion Management Program for the Los Angeles County showed that the Project would not result in any significant impacts on CMP facilities.

**Change in Air Traffic Patterns**

The Project does not include any aviation-related uses. While the Project is within two miles of an airport (the Santa Monica Airport), it is not within an Airport Hazard area. Safety risks associated with a change in air traffic patterns would not occur. Therefore, no impact would occur.

**Conflict with Public Transit, Bicycle, or Pedestrian Facilities**

The incremental transit riders resulting from the Project are not anticipated to result in a significant impact on the transit lines serving the area. The Project would also provide 696 bicycle parking spaces (106 short-term and 590 long-term). The Project area has a mature network of pedestrian facilities around the Project Site including sidewalks, crosswalks, and pedestrian safety features. Approximately 8- to 12-foot sidewalks are adjacent to the Project Site. Therefore, no impact would occur to public transit, bicycles, and pedestrian facilities.

***Findings***

Based on the EIR analysis and the whole of the record, the City finds that Project impacts related to neighborhood street impacts, CMP facilities, and change in air traffic patterns would be less than significant.

**Utilities & Service Systems****Energy Conservation**

The Project would increase the need for electricity and natural gas at the Project Site. However, the Project would represent less than 0.03 percent of LADWP's forecasted electricity demand in 2018 and approximately 0.003 percent of Southern California Gas Company's 2014 peak natural gas demand. Therefore, the service providers would have adequate capacity to serve the Project and no significant impacts related to energy conservation would occur.

**Findings**

Based on the EIR analysis and the whole of the record, the City finds that Project impacts related to energy conservation would be less than significant.

**VI. 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 Council again ratifies, adopts, and incorporates the full analysis, explanation, findings, responses to comments, and conclusions of the EIR.

**Aesthetics**

The Final EIR discussed the impacts related to aesthetics in Section 4.B.

**Visual Character**

Although the Project would alter the visual appearance of the Project Site from that of a car dealership to that of a mixed-used development, the architecture, height and massing, signage, and landscaping associated with the Project would be compatible with the surrounding land uses. Implementation of Project Design Features B-1 through B-3 would ensure that development of the Project would not negatively impact the aesthetic appearance of the Project Site or surrounding area, and impacts with respect to visual character would be less than significant.

**Views and Viewsheds**

The Project would not obstruct existing recognized or public views. However, the Project could potentially create the need to relocate nine fixed link parabolic antennas, one ENG receive antenna, and one traffic and weather camera from the roof of the Fox Television Center (KTTV studio) before Project construction begins. It has not yet been determined if, and to what extent, relocation of the Fox facilities would need to be implemented as a result of the Project, and therefore this impact with respect to views is considered potentially significant. However, implementation of Mitigation Measure B-4 would ensure that no significant impacts related to views and viewsheds would occur as a result of antenna relocation.

**Project Design Features**

- B-1 All mechanical and electrical equipment that is located on the rooftops would be screened from public view.
- B-2 The maximum height of any building constructed as part of the Project would be 160 feet.

- B-3 Utility equipment would be placed underground, screened from public view, or incorporated into the design of the Project.

**Mitigation Measures – Views and Viewsheds**

- B-4 The Project Applicant shall implement a remediation option for relocation of the Fox Television Center antennas prior to Project construction. Possible relocation options include, but are not limited to, the following:

- *Option 1: Temporary Solution*
  - Install new microwave antennas at multiple temporary locations, which would be secured by the Project Applicant.
  - Use telco fiber or microwave links between the temporary location and the KTTV studio.
  - Install antennas on the permanent structure upon completion of the Project, which will remain accessible to KTTV at all times for regular maintenance.
  - Remove temporary systems upon completion of permanent systems.
- *Option 2: Permanent Solution at the Project Site*
  - Construct a communication structure that will accommodate all necessary antennas prior to the construction of the Project, which will remain accessible to KTTV at all times for regular maintenance.
  - Install fiber optics between the Project Site and the KTTV studio.
  - Install the antennas and waveguide.
  - Turn up and cut over systems.

Regardless of the option chosen, there shall be no interruption of service to the KTTV broadcast equipment that is not approved by KTTV prior to relocation. Such interruption shall be immediately addressed and Project construction activities related to the KTTV service interruption shall not continue until service is restored.

***Findings***

The City Council finds that Project Design Features B-1 through B-3 and Mitigation Measure B-4 are hereby incorporated into the Project and avoid or substantially lessen the significant visual character and views and viewsheds impacts to less than significant as identified in the EIR.

**Air Quality**

The Final EIR discussed the impacts related to air quality in Section 4.C.

**Regional Construction Emissions**

The Project would generate regional pollutant emissions during the Project's construction phase. With implementation of Mitigation Measures C-1 through C-20, the Project's regional construction-related CO, VOC, NO<sub>x</sub>, PM<sub>10</sub>, PM<sub>2.5</sub> and SO<sub>x</sub> emissions would be reduced and would not exceed the significance thresholds. Impacts would therefore be less than significant.

**Mitigation Measures – Regional Construction Emissions**

- C-1 All diesel-powered off-road construction equipment greater than 50 horsepower shall meet USEPA Tier 3 or higher emissions standards. In addition, all construction equipment shall be outfitted with BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less

- than what could be achieved by a CARB-defined Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.
- C-2 Equipment and vehicle engines shall be maintained in good condition and in proper tune per manufacturers' specifications.
  - C-3 Electricity shall be utilized from power supply sources rather than temporary gasoline or diesel power generators, as feasible.
  - C-4 Heavy-duty trucks shall be prohibited from idling in excess of five minutes, both on- and off-site.
  - C-5 The grading phase shall not overlap with the site preparation phase to ensure that NO<sub>x</sub> emissions do not exceed daily significance thresholds.
  - C-6 Any haul route and plan shall schedule the amount of off-site hauling of soil to the landfill as evenly as possible during the duration of grading activities to minimize daily NO<sub>x</sub> emissions from haul trucks.
  - C-7 Architectural coatings used for the interior of all buildings shall average no more than 50 g/L VOC content on a weighted average by use, while coatings used for the exterior of all buildings shall average no more than 100 g/L VOC on a weighted average by use.
  - C-8 Application of architectural coatings shall be extended to a period of at least two months and be scheduled over as many days as possible.
  - C-9 Require the use of 2010 and newer diesel haul trucks (e.g., material delivery trucks and soil import/export) and if the City determines that 2010 model year or newer diesel trucks cannot be obtained, the City shall use trucks that meet USEPA 2007 model year NO<sub>x</sub> emissions requirements.
  - C-10 Encourage construction contractors to apply for SCAQMD "SOON" funds. Incentives could be provided for those construction contractors who apply for SCAQMD "SOON" funds. The "SOON" program provides funds to accelerate clean up of off-road diesel vehicles, such as heavy duty construction equipment. More information on this program can be found at: <http://www.aqmd.gov/home/programs/business/business-detail?title=off-road-diesel-engines&parent=vehicle-engine-upgrades>.
  - C-11 A copy of each unit's certified tier specification, BACT documentation, and CARB or SCAQMD operating permit shall be provided at the time of mobilization of each applicable unit of equipment.
  - C-12 Require the use of electricity from power poles rather than temporary diesel or gasoline powered generators.
  - C-13 Provide temporary traffic controls such as a flag person, during all phases of significant construction activity to maintain smooth traffic flow.
  - C-14 Provide dedicated turn lanes for movement of construction trucks and equipment on- and off-site.
  - C-15 Appoint a construction relations officer to act as a community liaison concerning on-site construction activity including resolution of issues related to PM<sub>10</sub> generation.
  - C-16 All materials transported off-site shall be securely covered.
  - C-17 Apply non-toxic soil stabilizers according to manufacturers' specification to all inactive construction areas (previously graded areas inactive for ten days or more).
  - C-18 Water active sites at least three times daily.

C-19 Apply water three times daily, or non-toxic soil stabilizers according to manufacturers' specifications, to all unpaved parking or staging areas or unpaved road surfaces.

C-20 Traffic speeds on all unpaved roads to be reduced to 15 mph or less.

#### *Findings*

The City Council finds that Mitigation Measures C-1 through C-20 are hereby incorporated into the Project and avoid or substantially lessen the significant regional construction emissions impacts to less than significant as identified in the EIR.

#### **Geology & Soils**

The Final EIR discussed the impacts related to geology and soils in Section 4.D.

#### **Liquefaction**

Based on the adjusted blow count data, results of laboratory testing, and the calculated factor of safety against the occurrence of liquefaction, the potential for liquefaction at the Site is considered to be remote. While the Geotechnical Engineering Investigation considers the potential for liquefaction to be remote, environmental impacts may result due to the Project's location in an area with liquefaction potential. However, implementation of Regulatory Compliance Measure D-1, impacts related to liquefaction would be less than significant.

#### **Regulatory Compliance Measure - Liquefaction**

##### **D-1 Liquefaction Area**

- Prior to the issuance of grading or building permits, the Applicant shall submit a geotechnical report, prepared by a registered civil engineer or certified engineering geologist, to the Department of Building and Safety, for review and approval. The project shall comply with the Uniform Building Code Chapter 18. Division 1, Section 1804.5 Liquefaction Potential and Soil Strength Loss. The geotechnical report shall assess potential consequences of any liquefaction and soil strength loss, estimation of settlement, lateral movement or reduction in foundation soil-bearing capacity, and discuss mitigation measures that may include building design consideration. Building design considerations shall include, but are not limited to: ground stabilization, selection of appropriate foundation type and depths, selection of appropriate structural systems to accommodate anticipated displacements or any combination of these measures.
- The Project shall comply with the conditions contained within the Department of Building and Safety's Geology and Soils Report Approval Letter for the proposed project, and as it may be subsequently amended or modified.

#### **Soil Stability**

Some seismically-induced settlement of the proposed structures should be expected as a result of strong ground-shaking. However, due to the uniform nature of the underlying geologic materials, excessive differential settlements are not expected to occur. Implementation of Mitigation Measure D-2 would ensure that no significant impacts related to soil stability would occur.

#### **Mitigation Measures – Soil Stability**

##### **D-2 Geological Engineering Investigation Recommendations**

The Project shall comply with the Recommendations found on pages 10 through 47 of the Geotechnical Engineering Investigation, Geotechnologies, Inc., November 29, 2012, to the satisfaction of the Department of Building and Safety.

*Findings*

The City Council finds that Regulatory Compliance Measure D-1 and Mitigation Measure D-2 are hereby incorporated into the Project and avoid or substantially lessen the significant impact related to liquefaction and soil stability to less than significant as identified in the EIR.

**Hazards & Hazardous Materials**

The Final EIR discussed the impacts related to hazards and hazardous materials in Section 4.F.

**Upset Conditions Involving the Release of Hazardous Materials (Asbestos Containing Materials [ACMs])**

The structures on the Project Site were constructed prior to 1978. Therefore, it is likely that these structures contain ACMs. Compliance with Regulatory Compliance Measure F-1 would ensure that no significant impacts related to ACMs would occur.

**Regulatory Compliance Measure – ACMs****F-1 Explosion/Release (Existing Toxic/Hazardous Construction Materials)**

- (Asbestos) Prior to the issuance of any permit for the demolition or alteration of the existing structures, the Applicant shall provide a letter to the Department of Building and Safety from a qualified asbestos abatement consultant indicating that no Asbestos-Containing Materials (ACM) are present in the building. If ACMs are found to be present, it will need to be abated in compliance with the South Coast Air Quality Management District's Rule 1403 as well as all other applicable State and Federal rules and regulations.

**Upset Conditions Involving the Release of Hazardous Materials (Lead Based Paint [LBP])**

The structures on the Project Site were constructed prior to 1978. Therefore, it is likely that these structures contain LBP. Compliance with Regulatory Compliance Measure F-2 would ensure that no significant impacts related to LBP would occur.

**Regulatory Compliance Measure - LBP****F-2 Explosion/Release (Existing Toxic/Hazardous Construction Materials)**

- (Lead Paint) Prior to issuance of any permit for the demolition or alteration of the existing structures, a lead-based paint survey shall be performed to the written satisfaction of the Department of Building and Safety. Should lead-based paint materials be identified, standard handling and disposal practices shall be implemented pursuant to OSHA regulations.

**Interfere with an Emergency Response or Evacuation Plan (Operation)**

The Project would comply with the City's requirements for an emergency response/evacuation plan, as required through implementation of Regulatory Compliance Measure F-3. No significant impacts would occur.

**Regulatory Compliance Measure – Emergency Evacuation Plan****F-3 Emergency Evacuation Plan**

Prior to the issuance of a building permit, the Applicant shall develop an emergency response plan in consultation with the Fire Department. The emergency response plan shall include but not be limited to the following: mapping of emergency exits, evacuation routes for vehicles and pedestrians, location of nearest hospitals, and fire departments.



*Findings*

The City Council finds that Regulatory Compliance Measures F-1 through F-3 are hereby incorporated into the Project and avoid or substantially lessen the significant hazards and hazardous materials impacts to less than significant as identified in the EIR.

**Hydrology & Water Quality**

The Final EIR discussed the impacts related to hydrology and water quality in Section 4.G.

**Water Quality – Construction and Operation**

Construction and operational activities associated with the Project have the potential to result in water quality impacts. However, the Project would be required to comply with regulatory requirements of Mitigation Measures G-1 through G-13 and Regulatory Compliance Measure G-14, which would ensure the Project's water quality impacts would be less than significant.

**Mitigation Measures – Water Quality****G-1 Stormwater Pollution (Demolition, Grading, and Construction Activities)**

- Leaks, drips and spills shall be cleaned up immediately to prevent contaminated soil on paved surfaces that can be washed away into the storm drains.
- All vehicle/equipment maintenance, repair, and washing shall be conducted away from storm drains. All major repairs shall be conducted off-site. Drip pans or drop clothes shall be used to catch drips and spills.
- Pavement shall not be hosed down at material spills. Dry cleanup methods shall be used whenever possible.
- Dumpsters shall be covered and maintained. Uncovered dumpsters shall be placed under a roof or be covered with tarps or plastic sheeting.

G-2 Excavation and grading activities shall be scheduled during dry weather periods, to the extent feasible. If grading occurs during the rainy season (October 15 through April 1), diversion dikes shall be constructed to channel runoff around the Project Site. Channels shall be lined with grass or roughened pavement to reduce runoff velocity.

G-3 Appropriate erosion control and drainage devices shall be provided to the satisfaction of the Building and Safety Department. These measures include interceptor terraces, berms, vee-channels, and inlet and outlet structures, as specified by Section 91.7013 of the Los Angeles Building Code, including planting fast-growing annual and perennial grasses in areas where construction is not immediately planned.

G-4 Stockpiles and excavated soil shall be covered with secured tarps or plastic sheeting.

G-5 All waste shall be disposed of properly. Use appropriately labeled recycling bins to recycle construction materials including: solvents, water-based paints, vehicle fluids, broken asphalt and concrete, wood, and vegetation. Non-recyclable materials/wastes shall be taken to an appropriate landfill. Toxic wastes shall be discarded at a licensed regulated disposal site.

G-6 The Project Applicant shall implement storm water best management practices (BMPs) to treat and infiltrate the runoff from a storm event producing 0.75 inch of rainfall in a 24-hour period. The design of structural BMPs shall be in accordance with the Development Best Management Practices Handbook, Part B, Planning Activities. A signed certificate from a California licensed civil engineer or licensed architect that the proposed BMPs meet this numerical threshold standard shall be required.

- G-7 The amount of impervious surface shall be reduced to the extent feasible by using permeable pavement materials where appropriate, including: pervious concrete/asphalt, unit pavers (e.g., turf block), and granular materials (e.g., crushed aggregates, cobbles, etc.).
- G-8 All storm drain inlets and catch basins within the Project area shall be stenciled with prohibitive language (such as NO DUMPING - DRAINS TO OCEAN) and/or graphical icons to discourage illegal dumping.
- G-9 Legibility of stencils and signs shall be maintained.
- G-10 Materials with the potential to contaminate storm water shall be placed in an enclosure, such as a cabinet or shed or similar structure that prevents contact with or spillage to the storm water conveyance system.
- G-11 Storage areas shall be paved and sufficiently impervious to contain leaks and spills.
- G-12 An efficient irrigation system shall be designed and implemented by a certified landscape contractor to minimize runoff including: drip irrigation for shrubs to limit excessive spray; a SWAT-tested weather-based irrigation controller with rain shutoff; matched precipitation (flow) rates for sprinkler heads; rotating sprinkler nozzles; minimum irrigation system distribution uniformity of 75 percent; and flow reducers.
- G-13 Toxic wastes shall be discarded at a licensed regulated disposal site.

#### Runoff – Construction and Operation

Construction and operational activities of the Project have the potential to contribute additional sources of pollutants to runoff from the Project site. However, compliance with Regulatory Compliance Measure G-13 would ensure that impacts related to runoff would be less than significant.

#### Regulatory Compliance Measure – Runoff

- G-13 The Project Applicant shall comply with all mandatory storm water permit requirements (including, but not limited to NPDES, SWPPP and SUSMP, and LID requirements) at the Federal, State and local level.

#### *Findings*

The City Council finds that Mitigation Measures G-1 through G-1 and Regulatory Compliance Measure G-14 are hereby incorporated into the Project and avoid or substantially lessen the significant hydrology and water quality impacts to less than significant as identified in the EIR.

#### Land Use & Planning

The Final EIR discussed the impacts related to land use and planning in Section 4.H.

#### Compatibility Analysis

The Project's land uses would generally be compatible with the adjacent television facility. Implementation of Mitigation Measure B-4 would minimize compatibility impacts of the Project related to the adjacent television facility, and no significant impacts would occur.

#### Mitigation Measure – Compatibility

Refer to Mitigation Measure B-4, list previously under 5.4.B (Aesthetics).

#### *Findings*

The City Council finds that Mitigation Measure B-4 is hereby incorporated into the Project and avoids or substantially lessens the significant compatibility impact to less than significant as

identified in the EIR.

### **Noise**

The Final EIR discussed the impacts related to noise in Section 4.I.

#### **Conflicts with Land Use Compatibility**

Based on the results of the noise measurement program, the CNEL along Bundy Drive is 72 dBA and 73 dBA along Olympic Boulevard. According to the City of Los Angeles' General Plan Guidelines for noise Compatible land use, these noise levels are considered normally unacceptable for multi-family land use. At this noise exposure, new construction of development generally should be discouraged. If new construction does proceed, a detailed analysis of noise reduction requirements must be made and noise insulation features included in the design. Office buildings exposed to this noise exposure are considered conditionally acceptable and a detailed analysis should be made. Conventional construction, but with closed windows and fresh air supply or air-conditioning, would normally suffice. This is a potentially significant noise impact.

#### **Land Use Compatibility Mitigation Measures**

Traffic noise at the Site would exceed the normally acceptable levels for the types of noise sensitive development proposed for the Project. This is a potentially significant impact. The implementation of Regulatory Compliance Measure I-9 would reduce the land use compatibility noise impact to a less than significant level.

#### **Regulatory Compliance Measure – On-Site Noise**

- I-9 The Project shall comply with the interior noise requirement of the Green Building Code ( $L_{eq}$  of 50 dBA or less) for the non-residential buildings and the California Building Code (interior CNEL of 45 dBA or less) for the residential buildings.

#### ***Findings***

The City Council finds that Regulatory Compliance Measure I-9 is hereby incorporated into the Project and avoids or substantially lessens the significant noise-related land use compatibility impact to less than significant as identified in the EIR.

### **Public Services – Fire Protection, Police Protection, Schools, and Parks and Recreation**

The Final EIR discussed the impacts related to Public Service in Section 4.K.

#### **Fire Protection**

Construction and operational activities associated with the Project would increase the need for fire protection services. However, implementation of Mitigation Measures K.1-1 through K.1-7 would ensure that the Project would not result in any significant impacts related to fire protection services.

#### **Mitigation Measures – Fire Protection**

- K.1-1 During demolition and construction, LAFD access from major roadways shall remain clear and unobstructed.
- K.1-2 The Project Applicant shall submit a plot plan to the LAFD prior to occupancy of the Project, for review and approval, which shall provide the capacity of the fire mains serving the Project Site. Any required upgrades shall be identified and implemented prior to occupancy of the Project.
- K.1-3 The design of the Project Site shall provide adequate access for LAFD equipment and personnel to the structure.

- K.1-4 No building or portion of a building shall be constructed more than 300 feet from an approved fire hydrant. Distance shall be computed along the path of travel, except for dwelling units, where travel distances shall be computed to the front door of the unit.
- K.1-5 During the plan check process, the Project Applicant shall submit plot plans for LAFD approval of access and fire hydrants.
- K.1-6 The Project shall provide adequate off-site public and on-site private fire hydrants in its final designs.
- K.1-7 The Project Applicant shall submit an emergency response plan to LAFD prior to occupancy of the Project for review and approval. The emergency response plan would include but not be limited to the following: mapping of emergency exits, evacuation routes for vehicles and pedestrians, location of nearest hospitals, and fire departments. Any required modifications shall be identified and implemented prior to occupancy of the Project.

#### Police Protection

Construction and operational activities associated with the Project would increase the need for police protection services. However, implementation of Mitigation Measures K.2-1 through K.2-9 and Project Design Feature K.2-10 would ensure that the Project would not result in any significant impacts related to police protection services.

#### Mitigation Measures – Police Protection

- K.2-1 Fences shall be constructed around the site to minimize trespassing, vandalism, short-cut attractions and attractive nuisances.
- K.2-2 The Project shall provide for the deployment of a private security guard to monitor and patrol the Project Site on an as-needed basis appropriate to the phase of construction throughout the construction period.
- K.2-3 Emergency access shall be maintained to the Project Site during construction through marked emergency access points approved by the LAPD.
- K.2-4 If there are partial closures to streets surrounding the Project Site, flagmen shall be used to facilitate the traffic flow until such temporary street closures are complete.
- K.2-5 The Project shall incorporate landscaping designs that will allow high visibility around the buildings, and shall consult with the LAPD with respect to its landscaping plan.
- K.2-6 The Project shall provide security lighting around buildings and parking areas in order to improve security, and shall consult with the LAPD as to its lighting plan.
- K.2-7 The Project Site's public and private recreational facilities shall be designed to ensure a high visibility of these areas, including the provision of adequate lighting for security.
- K.2-8 The Project Applicant shall provide the LAPD with the opportunity to review Project plans at the plan check stage of plan approval and shall incorporate any reasonable LAPD recommendations.
- K.2-9 The Project Applicant shall provide the LAPD with a diagram of each portion of the Project Site, showing access routes and additional access information as requested by the LAPD, to facilitate police response.

#### Project Design Feature – Police Protection

- K.2-10 The Project shall provide for on-site security measures and controlled access systems for residents and tenants to minimize the demand for police protection services.

### Schools

The Project would increase the need for school services. However, implementation of Regulatory Compliance Measure K.3-1 would ensure that the Project would not result in any significant impacts to schools.

#### Regulatory Compliance Measure - Schools

K.3-1 The Applicant shall pay all applicable school fees to the Los Angeles Unified School District to offset the impact of additional student enrollment at schools serving the Project area.

### Parks and Recreation

The Project would increase the need for parks and recreational services. However, implementation of Regulatory Compliance Measures K.4-1 through K.4-3 would ensure that the Project would not result in any significant impacts to parks and recreation.

#### Regulatory Compliance Measures – Parks and Recreation

K.4-1 The Project shall provide the minimum of usable open space for each dwelling unit pursuant to the requirements of LAMC Section 12.21(G). In addition, one tree is required for every four dwelling units.

K.4-2 The Project Applicant shall pay all applicable fees associated with the Dwelling Unit Construction Tax set forth in LAMC Section 21.10.3(a)(1). The applicable dwelling unit tax shall be paid to the Department of Building and Safety and placed into a “Park and Recreational Sites and Facilities Fund” to be used exclusively for the acquisition and development of park and recreational sites.

K.4-3 Pursuant to Section 17.12 of the Los Angeles Municipal Code, the Project Applicant shall pay all applicable Quimby fees to the City of Los Angeles for the construction of condominium dwelling units prior to approval and recordation of the final map or zone change.

### *Findings*

The City Council finds that Mitigation Measures K.1-1 through K.1-7 and K.2-1 through K.2-9, Project Design Feature K.2-10, and Regulatory Compliance Measure K.3-1, K.4-1 through K.4-3 are hereby incorporated into the Project and avoid or substantially lessen the significant impacts to public services (fire protection, police protection, schools, and parks and recreation) to less than significant as identified in the EIR.

### **Transportation & Traffic**

The Final EIR discussed the impacts related to transportation/traffic in Section 4.L.

#### Hazards Due to Design Feature

With implementation of Project Design Feature L-10, the Project would not include any hazardous design features that would interfere with traffic or pedestrian/bicycle circulation. Therefore, no impact would occur.

#### Project Design Feature – Hazards Due to Design Feature

##### L-10 Access and Circulation

- Access and circulation shall substantially conform to the Site Plan.
- The Project shall have three driveways:
  - A full-access-in/right-turn-out driveway from Bundy Drive on the east side of the

#### Project Site

- A full-in/right-turn-out driveway from Olympic Boulevard on the south side of the Project Site.
  - A right-turn in/right-turn out truck and emergency only access driveway along the north edge at Bundy Drive. This driveway will be gated and shall not be used as a regular visitor/employee/customer access.
- The width of each driveway shall be limited to the minimum required.

#### Emergency Access

To ensure that the Project would not result in any significant impacts related to emergency access, the Project would be required to implement Mitigation Measures K.1-7 and K.2-3.

#### Mitigation Measures – Emergency Access

Refer to Mitigation Measures K.1-7 and K.2-3 listed under 5.4.K-1 (Public Services).

#### *Findings*

The City Council finds that Project Design Feature L-10 and Mitigation Measures K.1-7 and K.2-3 are hereby incorporated into the Project and avoid or substantially lessen the significant impacts to hazards due to design feature and emergency access to less than significant as identified in the EIR.

#### Utilities & Service Systems

The Final EIR discussed the impacts related to utilities and service systems in Section 4.M.

#### Wastewater

Development of the Project would increase the need for wastewater service. However, compliance with Regulatory Compliance Measure M.1-1 would ensure that the Project would not result in any significant impacts related to wastewater.

#### Regulatory Compliance Measure - Wastewater

- M.1-1 As part of the normal construction/building permit process, the Project Applicant shall confirm with the City that the capacity of the local and trunk lines are sufficient to accommodate the Project's wastewater flows during the construction and operation phases. If the public sewer has insufficient capacity, then the Project Applicant shall be required to build sewer lines to a point in the sewer system with sufficient capacity.
- The existing 8-inch line (510 feet) on Olympic Boulevard shall require upsizing to a 12-inch line, or
  - Connection is made to the 18-inch line on Bundy Drive with the installation of a private trap.

#### Water

The Project would increase the need for water at the Project Site. However, with implementation of Mitigation Measures M.2-1 and M.2-2 and Regulatory Compliance Measures M.2-3 through M.2-8, Project impacts related to water would be less than significant.

#### Mitigation Measures – Water

- M.2-1 As part of the normal construction/building permit process, the Project Applicant shall confirm with the City that the capacity of the existing water infrastructure can supply the domestic needs of the Project during the construction and operation phases. The Project

Applicant shall implement any upgrade to the water infrastructure serving the Project Site that is needed to accommodate the Project's water consumption needs.

M.2-2 In the event of temporary partial public street closures, the Project Applicant shall employ flagmen during the construction of water line work, to facilitate the flow of traffic.

#### Regulatory Compliance Measures – Water

##### M.2-3 Utilities (Local Water – Landscaping)

- The project shall comply with Ordinance No. 170,978 (Water Management Ordinance), which imposes numerous water conservation measures in landscape, installation, and maintenance (e.g., use drip irrigation and soak hoses in lieu of sprinklers to lower the amount of water lost to evaporation and overspray, set automatic sprinkler systems to irrigate during the early morning or evening hours to minimize water loss due to evaporation, and water less in the cooler months and during the rainy season).
- In addition to the requirements of the Landscape Ordinance, the landscape plan shall incorporate the following:
  - Weather-based irrigation controller with rain shutoff
  - Matched precipitation (flow) rates for sprinkler heads
  - Drip/microspray/subsurface irrigation where appropriate
  - Minimum irrigation system distribution uniformity of 75 percent
  - Proper hydro-zoning, turf minimization and use of native/drought tolerant plan materials
  - Use of landscape contouring to minimize precipitation runoff
- A separate water meter (or submeter), flow sensor, and master valve shutoff shall be installed for existing and expanded irrigated landscape areas totaling 5,000 sf and greater.

##### M.2-4 Utilities (Local Water Supplies – All New Construction)

- If conditions dictate, the Department of Water and Power may postpone new water connections for this project until water supply capacity is adequate.
- Install high-efficiency toilets (maximum 1.28 gpf), including dual-flush water closets, and high-efficiency urinals (maximum 0.125 gpf), including no-flush or waterless urinals, in all restrooms as appropriate.
- Install restroom faucets with a maximum flow rate of 0.5 gallons per minute.
- A separate water meter (or submeter), flow sensor, and master valve shutoff shall be installed for all landscape irrigation uses.
- Single-pass cooling equipment shall be strictly prohibited from use. Prohibition of such equipment shall be indicated on the building plans and incorporated into tenant lease agreements. (Single-pass cooling refers to the use of potable water to extract heat from process equipment, e.g. vacuum pump, ice machines, by passing the water through equipment and discharging the heated water to the sanitary wastewater system.)

##### M.2-5 Utilities (Local Water Supplies – New Commercial or Industrial)

- All restroom faucets shall be of a self-closing design.

**M.2-6 Utilities (Local Water Supplies – New Residential)**

- Install no more than one showerhead per shower stall, having a flow rate no greater than 2.0 gallons per minute.
- Install and utilize only high-efficiency clothes washers (water factor of 6.0 or less) in the project, if proposed to be provided in either individual units and/or in a common laundry room(s). If such appliance is to be furnished by a tenant, this requirement shall be incorporated into the lease agreement, and the applicant shall be responsible for ensuring compliance.
- Install and utilize only high-efficiency Energy Star-rated dishwashers in the project, if proposed to be provided. If such appliance is to be furnished by a tenant, this requirement shall be incorporated into the lease agreement, and the applicant shall be responsible for ensuring compliance.

**M.2-7 LID Ordinance and Stormwater BMPs**

The Applicant shall comply with the City of Los Angeles Low Impact Development Ordinance (City Ordinance No. 181899) and to implement Best Management Practices that have stormwater recharge or reuse benefits for the Project (as applicable and feasible).

- Infiltration trench to capture and infiltrate rainwater, with storm run-off filtration system for more efficient filtration
- Catch Basin Screens (as appropriate)
- Hydro-mod cistern system (if feasible).

**M.2-8 Water Conservation Commitments**

- Kitchen Faucets with flow rate of 1.5 gallons per minute or less
- Showerheads with flow rate of 1.5 gallons per minute or less
- Rotating Sprinkler Nozzles for Landscape Irrigation – 0.5 gallons per minute
- Drought Tolerant Plants – Wherever feasible drought tolerant plants will be used.
- High Efficiency Commercial Clothes Washers (Commercial) – water factor of 4.5 or less (where applicable)
- Utilizing of central boilers/storage tanks with water recirculation so hot water is available on demand for more efficient energy and water use (unless mitigated by the utilization of tankless/on-demand water heaters)
- Individual metering and billing for water use (where feasible)
- Heat pumps and fan coils and/or mini-splits for dwelling units and common areas.
- Open loop solar heating for pools (where feasible)
- Drip/subsurface and micro-spray Irrigation
- Proper hydro-zoning wherever feasible
- Zoned irrigation
- Landscaping contouring to minimize precipitation runoff
- Artificial turf (where feasible) or water conserving turf



**Solid Waste**

The Project would increase the need for landfill capacity. However, with implementation of Regulatory Compliance Measures M.3-1 through M.3-4, the Project would not result in any significant impacts related to solid waste.

**Regulatory Compliance Measures – Solid Waste****M.3-1 Utilities (Solid Waste Recycling – Construction/Demolition)**

Prior to the issuance of any construction permit, the Project Applicant shall provide a copy of the receipt or contract from a waste disposal company providing services to the project, specifying recycled waste service(s), to the City of Los Angeles Department of Building and Safety. The construction contractor(s) shall only contract for waste disposal services with a company that recycles construction-related waste.

**M.3-2 Utilities (Solid Waste Recycling)**

To facilitate on-site separation and recycling of demolition and construction-related wastes, the contractor(s) shall provide temporary waste separation bins on-site during demolition and construction. These bins shall be emptied and the contents recycled accordingly as a part of the project's regular solid waste disposal program.

**M.3-3 Utilities (Solid Waste Disposal)**

All waste shall be disposed of properly. Use appropriately labeled recycling bins to recycle demolition and construction materials including: solvents, water-based paints, vehicle fluids, broken asphalt and concrete, bricks, metals, wood, and vegetation. Non-recyclable materials/wastes shall be taken to an appropriate landfill. Toxic wastes must be discarded at a licensed regulated disposal site.

**M.3-4 Utilities (Solid Waste Recycling - Operational)**

Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material. These bins shall be emptied and recycled accordingly as a part of the project's regular solid waste disposal program.

***Findings***

The City Council finds that Mitigation Measures M.2-1 and M.2-2 and Regulatory Compliance Measures M.1-1, M.2-3 through M.2-8, and M.3-1 through M.3-4 are hereby incorporated into the Project and avoid or substantially lessen the significant impacts to wastewater, water, and solid waste to less than significant as identified in the EIR.

**VII. ENVIRONMENTAL IMPACTS FOUND TO BE SIGNIFICANT AND UNAVOIDABLE**

The EIR determined that the Project would result in potentially significant environmental impacts related to air quality and transportation/traffic. The EIR identified all feasible mitigation measures to reduce these impacts, but even with implementation of feasible mitigation measures, impacts would remain significant and unavoidable for the following impacts:

Air Quality – Regional Operational Emissions

Noise – Construction Noise and Vibration

Transportation/Traffic – Construction Traffic, Intersection LOS

The City Council again ratifies, adopts, and incorporates the full analysis, explanation, findings, responses to comments, and conclusions of the EIR.

## **Air Quality**

### **Regional Operational Emissions**

Based on the information and analysis set forth in the EIR and the record of proceedings, the Project's impacts related to regional operational emissions are significant and unavoidable.

The Project would produce long-term air quality impacts to the region primarily from motor vehicles associated with the Project. The Project's operational emissions of NO<sub>x</sub> would exceed SCAQMD significance threshold. Therefore, Project impacts related to regional operational emissions would be significant.

As stated, the majority of regional operational NO<sub>x</sub> emissions are a result of mobile sources. As described in the EIR, the Project includes a variety of characteristics to reduce pollutant emissions from mobile sources to the extent feasible, such as: pedestrian access from both Bundy Drive and Olympic Boulevard; the Site's location across the street from the Metro Expo Line Station; inclusion of plaza and gathering spaces throughout the Project Site; and inclusion of Code required bicycle parking.

As described in the Draft EIR, the Project would not exceed the growth assumptions for the Project Site. Specifically, the Project would be consistent with the City of Los Angeles' General Plan, as well as population growth projections used by the Southern California Association of Governments (SCAG) to identify future air quality emissions that must be mitigated through the 2012 AQMP.

### ***Findings***

For the reasons discussed above and based on the substantial evidence in the whole of the record, the City Council finds that Project-specific impact related to regional NO<sub>x</sub> emissions would be significant and unavoidable and no feasible mitigation measures beyond those already identified in the EIR are available. As set forth in the Statement of Overriding Considerations, these impacts are acceptable in the light of the Project's benefits.

## **Noise**

### **Construction Noise and Vibration (Annoyance)**

The Project's construction activities would result in noise levels in excess of the City's noise standards and in excess of applicable vibration standards. Implementation of Regulatory Compliance Measures I-1 and I-7 and Mitigation Measures I-2 through I-6, I-8, and I-10 through I-12 would lessen the noise and vibration impact of construction activities to the maximum extent feasible. Nevertheless, because construction noise levels are likely to exceed existing ambient noise levels by more than 5 dBA for more than 10 days in a three-month period, by more than 10 dBA for more than one day, and construction vibration is likely to exceed annoyance thresholds at the Fox TV Center and Tribeca West offices, construction noise and vibration (annoyance) impacts would be significant and unavoidable.

### **Regulatory Compliance Measures – Construction Noise and Vibration (Annoyance)**

- I-1 The Project shall comply with the City of Los Angeles Noise Ordinance Nos. 144,331 and 161,574, and any subsequent ordinances, which prohibit the emission or creation of noise beyond certain levels at adjacent uses unless technically infeasible.
- I-7 The Project shall comply with the City of Los Angeles Building Regulations Ordinance No. 178,048, which requires a construction site notice to be provided that includes the following information: job site address, permit number, name and phone number of the contractor and owner or owner's agent, hours of construction allowed by code or any discretionary approval for the site, and City telephone numbers where violations can be

reported. The notice shall be posted and maintained at the construction site prior to the start of construction and displayed in a location that is readily visible to the public and approved by the City's Department of Building and Safety.

**Mitigation Measures – Construction Noise and Vibration (Annoyance)**

- I-2 Exterior noise generating construction activities shall be limited to Monday through Friday from 7:00 A.M. to 6:00 P.M., and from 8:00 A.M. to 6:00 P.M. on Saturday, and prohibited on all Sundays and federal holidays.
- I-3 Noise and groundborne vibration construction generating activities whose specific location on the Project Site may be flexible (e.g., operation of compressors and generators, cement mixing, general truck idling) shall be conducted as far as possible from the nearest noise- and vibration-sensitive land uses.
- I-4 Effective temporary noise barriers, when they are feasible, shall be used to block the line-of-sight between the construction equipment and the noise-sensitive receptors. The barrier material should be solid with no cracks or gaps and have a minimum surface density of 2 pounds per square foot.
- I-5 Noise-generating construction equipment operated at the Project Site shall be equipped with effective noise control devices, i.e., mufflers, lagging, and/or motor enclosures. All equipment shall be properly maintained to assure that no additional noise, due to worn or improperly maintained parts, would be generated.
- I-6 All construction truck traffic shall be restricted to truck routes approved by the City of Los Angeles Department of Building and Safety, which shall avoid residential areas and other sensitive receptors to the extent feasible.
- I-8 Two weeks prior to the commencement of construction at the Project Site, notification must be provided to the immediate surrounding off-site residential, school and office uses that discloses the construction schedule, including the various types of activities and equipment that would be occurring throughout the duration of the construction period.
- I-10 Temporary Barrier. A noise barrier will be constructed along the southern property line adjacent to Fox. The barrier may consist of a heavy mass loaded noise control blanket attached to the existing metal fence at the property line. This treatment will reduce the construction noise exposure for people outdoors by about 5 dBA when the construction is occurring at or below ground level. Figure 1 shows the location of the noise barrier.
- I-11 Elimination of Use of Vibratory Roller. Use of vibratory roller will be eliminated during Project construction and will be replaced with weight compaction method.
- I-12 Coordinate Construction Activities with Good Day LA Outdoor Filming. This would involve meeting between representatives of the Project construction team and Fox to coordinate days and times when noisy construction activities near the Fox property line might be limited or eliminated to allow for outdoor filming of Good Day LA.

Figure 1, Construction Noise Barrier Near Fox Studios

*Findings*

The City Council finds that Regulatory Compliance Measures I-1 and I-7 and Mitigation Measures I-2 through I-6, I-8, and I-10 through I-12 are hereby incorporated into the Project. For the reasons discussed above and based on the substantial evidence in the whole of the record, the City Council finds that Project-specific impact related to construction noise and vibration (annoyance) would be significant and unavoidable, and no feasible mitigation measures beyond

those already identified in the EIR are available. As set forth in the Statement of Overriding Considerations, these impacts are acceptable in the light of the Project's benefits.

### **Transportation & Traffic**

The Final EIR discussed the impacts related to transportation/traffic in Section 4.L.

#### **Construction Traffic**

Traffic associated with the construction activity including construction worker trips, haul trucks trips, and equipment/delivery truck trips could disrupt traffic in the vicinity of the Project Site. Mitigation Measures L-1 through L-6 could potentially reduce the impact. However, it is conservatively concluded that construction traffic impacts would be significant and unavoidable.

#### **Mitigation Measures**

- L-1 Off-site truck staging shall be provided in a legal area furnished by the construction truck contractor. The route to and from the Project Site shall be as follows: enter the north-east side of the Project Site from Bundy Drive and exit by making a right turn from the Project Site onto Bundy Drive. Trucks shall not be permitted to travel along residential streets to the north and east of the Project Site.
- L-2 A flagman shall be placed at the truck entry and exit from the Project Site onto Bundy Drive to control the flow of exiting trucks and to coordinate the entering and exiting trucks with the traffic signal at Bundy Drive and Olympic Boulevard.
- L-3 Deliveries and pick-ups of construction materials shall be scheduled during non-peak travel periods and coordinated to reduce the potential of trucks waiting to load or unload for protracted periods of time.
- L-4 Access shall remain unobstructed for land uses in proximity to the Project Site during Project construction.
- L-5 Full-time lane closures are not anticipated for the Project. Temporary lane closures, when needed, shall be scheduled to avoid peak commute hours and peak school drop-off and pick-up hours to the extent possible. In the event of a lane closure, a worksite traffic control plan, approved by the City of Los Angeles, shall be implemented to route traffic around any such lane closures.
- L-6 A construction management plan shall be developed by the contractor and approved by the City of Los Angeles. In addition to the measures identified above, a construction management plan shall include the following: the measures identified above, which mitigate any construction-related impacts, and other measures as may be deemed appropriate. The construction management plan shall identify the locations of the off-site truck staging and off-site worker parking to be provided and shall detail measures to ensure that trucks use the specified haul route, and do not travel through nearby residential neighborhoods.
  - Schedule vehicle movements to ensure that there are no vehicles waiting off-site and impeding public traffic flow on the surrounding streets.
  - Establish requirements for loading/unloading and storage of materials on the Project Site, where parking spaces would be encumbered, length of time traffic travel lanes can be encumbered, sidewalk closings or pedestrian diversions to ensure the safety of the pedestrian and access to local businesses.
  - Coordinate with the City and emergency service providers to ensure adequate access is maintained to the Project Site and neighboring businesses.

- In the event of temporary lane or sidewalk closures, a worksite traffic control plan, approved by the City of Los Angeles, shall be implemented to route vehicular traffic or pedestrians around any such closures.
- During construction activities when construction worker parking cannot be accommodated on the Project Site, the plan shall identify alternate parking location(s) for construction workers and the method of transportation to and from the Project Site (if beyond walking distance) for approval by the City 30 days prior to commencement of construction.
- The Construction Worker Parking Plan shall include appropriate measures to ensure that the parking location requirements for construction workers will be strictly enforced. These could include but are not limited to the following measures:
  - Provide all construction contractors with written information on where their workers and their subcontractors are permitted to park, and provide clear consequences to violators for failure to follow these regulations. This information shall clearly state that no parking is permitted on residential streets.

#### LOS Impacts

The traffic impact analysis prepared for the Revised Project, which demonstrates that the Revised Project would have fewer impacts than the Conceptual Plan, determined that the Project would result in significant impacts at 7 intersections (listed below) under the Existing Plus Project scenario, 14 intersections (listed below) under the Future Year 2018 Plus Project scenario, and 16 intersections (listed below) under the Horizon Year 2030 Plus Project scenario during one or both peak hours. Mitigation Measures L-7 and L-8 would be able to mitigate impacts at intersections 25 and 26 under both scenarios. However, the physical improvements are subject to LADOT's acceptance and approval, and if LADOT determines that one or more of proposed improvements are not feasible, the impacts at intersections 25 and 26 would remain significant and unavoidable.

The Project would also incorporate a TDM plan (Mitigation Measure L-9) and would be required to comply with LADOT's Approval Letter Requirements (Project Design Feature L-11). While the overall reduction in trips due to these TDM measures would be high, because TDM measures are often complementary, simply adding the percent reduction for each measure would result in an overestimation. However, to maintain a conservative approach, a TDM credit was not applied to the incremental V/C increase attributable to the Project.

#### *Existing Plus Project LOS Impacts*

- 13. Centinela Avenue & I-10 WB On-/Off-Ramps
- 25. Bundy Drive & Olympic Boulevard
- 26. Bundy Drive & Pico Boulevard
- 30. Bundy Drive & Ocean Park Boulevard
- 33. Barrington Avenue & Santa Monica Boulevard
- 42. Sawtelle Boulevard & Olympic Boulevard
- 47. Cotner Avenue & Olympic Boulevard

#### *Future Year 2018 Plus Project LOS Impacts*

- 7. Centinela Avenue & Santa Monica Boulevard

10. Centinela Avenue (west) & Olympic Boulevard
12. Centinela Avenue (east) & Olympic Boulevard
13. Centinela Avenue & I-10 WB On/off-ramp
25. Bundy Drive & Olympic Boulevard
26. Bundy Drive & Pico Boulevard
28. Bundy Drive & I-10 EB On-ramp
30. Bundy Drive & Ocean Park Boulevard
33. Barrington Avenue & Santa Monica Boulevard
37. Barrington Avenue & Olympic Boulevard
38. Barrington Avenue & Pico Boulevard
41. Purdue Avenue & Olympic Boulevard
42. Sawtelle Boulevard & Olympic Boulevard
47. Cotner Avenue & Olympic Boulevard

*Horizon Year 2030 Plus Project*

7. Centinela Avenue & Santa Monica Boulevard
8. Centinela Avenue & Colorado Avenue/Idaho Avenue
9. Centinela Avenue & Nebraska Avenue
10. Centinela Avenue (west) & Olympic Boulevard
12. Centinela Avenue (east) & Olympic Boulevard
13. Centinela Avenue & I-10 WB On-/Off-Ramps
25. Bundy Drive & Olympic Boulevard
26. Bundy Drive & Pico Boulevard
28. Bundy Drive & I-10 EB On-Ramp
30. Bundy Drive & Ocean Park Boulevard
31. Bundy Drive & National Boulevard
33. Barrington Avenue & Santa Monica Boulevard
38. Barrington Avenue & Pico Boulevard
41. Purdue Avenue & Olympic Boulevard
42. Sawtelle Boulevard & Olympic Boulevard
47. Cotner Avenue & Olympic Boulevard

Mitigation Measures – Intersection LOS

L-7 25. Bundy Drive & Olympic Boulevard

The intersection of Bundy Drive & Olympic Boulevard has a significant impact during the AM and PM peak hours under existing, future year 2018, and horizon year 2030 conditions. The improvement at this intersection would involve restriping the northbound and southbound approaches to allow dual left-turn lanes. If implemented, the improvement would result in

mitigating the Project-related traffic impact to less than significant levels.

#### L-8 26. Bundy Drive & Pico Boulevard

The intersection of Bundy Drive & Pico Boulevard has a significant impact during the AM and PM peak hours under existing, future year 2018, and horizon year 2030 conditions. The improvement at this intersection would involve restriping the eastbound and westbound shared through/right-turn lanes to have exclusive through and right-turn lanes. The improvement would allow for one left-turn lane, two through lanes, and one right-turn lane in both the eastbound and westbound approaches. If implemented, the improvement would result in mitigating the Project-related traffic impact to less than significant levels.

#### L-9 Transportation Demand Management Plan

A TDM plan shall be prepared that will detail additional program elements beyond the Site design features described above. The plan, as stated, would be approved by LADOT prior to the issuance of the certificate of occupancy. Additional TDM program elements could include unbundled parking, rideshare programs and discounted transit passes, although the exact measures to be implemented will be determined when the plan is prepared.

- **Unbundled Parking** – Unbundling parking typically separates the cost of purchasing or renting parking spaces from the cost of the purchasing or renting a dwelling unit. Saving money on a dwelling unit by forgoing a parking space acts as an incentive that minimizes auto ownership. Similarly, paying for parking (by purchasing or leasing a space) acts as a disincentive that discourages auto ownership and trip-making. The research literature shows that unbundled parking costs can reduce VMT by up to 13% (CAPCOA, 2010).
- **Rideshare Programs** – Rideshare programs typically include the provision of an on-site transit and rideshare information center that provides assistance to help people form carpools or access transit alternatives. Rideshare programs often also include priority parking for carpools. The research literature shows that rideshare programs can reduce commuting VMT by up to 15% (CAPCOA, 2010).
- **Transit Pass Discount Program** – Transit pass discount programs are typically negotiated with transit service providers to purchase transit passes in bulk, and therefore at a discounted rate. Discounted passes are then sold to interested residents or employees, helping them to obtain price discounts through the economies of scale of bulk purchasing. The research literature shows that discounted transit passes can reduce commuting VMT by up to 20% (CAPCOA, 2010).
- **Bicycle Parking and Bike Share Program** – As described in Chapter 9, the project will provide both long term and short-term bicycle parking per the Los Angeles Municipal Code (LAMC). In addition, the Project could provide complementary amenities such as shower facilities, a self-service bike repair area, and potentially a bike share service among residents, employees and visitors of the Site.
- **Car Share Program** – The Project would allow space for a car-share service within its proposed parking facilities. A car share program is a model of car rental where people rent cars for short periods of time, often by the hour. The programs are attractive to customers who make only occasional use of a vehicle, as well as others who would like occasional access to a vehicle of a different type than they use day-to-day.
- **Upgrade to Transit Amenities** – The Project, in conjunction with Los Angeles Metropolitan Transportation Authority and Los Angeles Department of Transportation, could identify nearby bus-stops to upgrade stop location to further encourage the use of transit within the area.

### Project Design Feature

#### L-11 LADOT Approval Letter Project Requirements

- The Project Requirements within the LADOT Approval Letter issued for the Project, shall be adopted as conditions of Project approval. The requirements are listed fully as items A through I within the LADOT Approval Letter (and included as Appendix L-3 of this EIR).

### *Findings*

The City Council finds that Mitigation Measures L-1 through L-9 and Project Design Feature L-11 are hereby incorporated into the Project. As stated previously, the mitigation measures and Project design feature would substantially lessen but not avoid the impacts to traffic level of service for the intersections listed above under the Existing Plus Project, Future Year 2018 Plus Project, and Horizon Year 2030 Plus Project scenarios. Mitigation Measures L-7 and L-8 would be able to mitigate impacts at intersections 25 and 26 under both the 2018 and 2030 scenarios. However, the physical improvements are subject to LADOT's acceptance and approval, and if LADOT determines that one or more of proposed improvements are not feasible, the impacts at intersections 25 and 26 would remain significant and unavoidable.

As set forth in the Statement of Overriding Considerations, these impacts are acceptable in the light of the Project's benefits.

## **VIII. ALTERNATIVES TO THE PROJECT**

Section 15126.6(f) of the CEQA Guidelines requires that an EIR include "a range of reasonable alternatives to the project, or to the location of the project, which would avoid or substantially lessen any significant effects of the project." As discussed in Section 6 of these Findings above, and based on the analysis in the EIR, the Project is expected to result in significant and unavoidable impacts to regional operational air quality emissions, construction noise and vibration (annoyance), construction traffic, Existing Plus Project LOS, Future Year 2018 Plus Project LOS, and Future Year 2030 Plus Project LOS.

Five alternatives were scoped and studied in the EIR. Section 6 (Alternatives to the Project) of the Draft EIR also identified one other type of alternative that was considered by rejected without further analysis, an Alternate Project Site Alternative. Further analysis of any Alternate Project Site Alternative was rejected from further consideration because the Project Applicant does not own any other developable property in the City and cannot "reasonably acquire, control or otherwise have access to [an] alternative site" (refer to Section 15126.6[f][1] of the CEQA Guidelines) and because development of the Project on an alternate site (if one were controlled by the Applicant) in the Project area would likely result in environmental impacts similar to those identified in this EIR, including significant and unavoidable impacts to regional operational emissions, construction noise and vibration (annoyance), construction traffic, Existing Plus Project LOS, Future Year 2018 Plus Project LOS, and Future Year 2030 Plus Project LOS, due to similar existing environmental conditions as those associated with the Project Site (i.e., the developed nature of the Project area, regional air quality, and traffic conditions).

Section 6 (Alternatives to the Project) of the Draft EIR discussed several alternatives to Project in order to present a reasonable range of options. These alternatives evaluated included the following:

Alternative 1: No Project

Alternative 2: Existing Zoning

Alternative 3: Reduced Density



Alternative 4: Station Area Plan

Alternative 5: Additional Project Components

- 5A: Proposed Project w/ 50 additional parking spaces for Expo
- 5B: Reduced Project w/ 50 additional parking spaces for Expo
- 5C1: Proposed Project w/ digital billboards replacing existing billboards
- 5C2: Proposed Project w/ non-digital billboards replacing existing billboards
- 5C3: Reduced Project w/ digital billboards replacing existing billboards
- 5C4: Reduced Project w/ non-digital billboards replacing existing billboards

The City finds that Alternative 1 No Project (Continuation of Existing Conditions) is the environmentally superior alternative. Where the environmentally superior alternative is also the no project alternative, CEQA Guidelines Section 15126.6(e)(2) requires the EIR to identify an environmentally superior alternative from among the other alternatives. In this case, Alternative 3 (Reduced Density) was selected as the Environmentally Superior Alternative because this Alternative would result in the greatest avoidance of significant and unavoidable intersection impacts and has the least amount of trip generation (as compared to all the other Alternatives, except the No Project Alternative) and would result in less need for traffic improvements that could result in secondary environmental impacts.

To facilitate comparison of the Project impacts to the impacts associated with each alternative, the objectives of the Project contained in Section 2 (Project Description) of the Final EIR are restated as follows:

*Redevelopment of Underutilized Site*

1. Redevelop a currently underutilized site into a mixed-use development that combines complementary uses, such as community serving retail, creative office, and residential uses.
2. Provide the opportunity to maintain some auto dealership uses on site (which have been a part of the Westside community since 1950, and on the current site since 1975).

*Transit*

3. Through multiple development strategies, further local and regional objectives of reducing vehicular trips by increasing the use of existing bus and transit systems and the future Expo rail system. Strategies could include:
  - a. Develop an integrated mix of uses near transit nodes.
  - b. Develop increased density near transit nodes.
  - c. Develop the type of uses that are more apt to use transit.
  - d. Develop connections between the Project Site and nearby transit nodes.

*Pedestrian and Bicycle Activity*

4. Activate the Olympic Boulevard and Bundy Drive corridors by attracting residents and visitors, both day and night by providing open and green spaces, walkways, plazas, and other gathering spaces.
5. Encourage pedestrian and bicycle activity by providing bicycle parking and pedestrian linkages within the Project, as well as an attractive pedestrian experience on Bundy Drive and Olympic Boulevard.
6. Improve public safety by creating a development that provides the level of density and mix

of uses necessary to activate the area both day and night.

#### *Architecture/Design*

7. Create an iconic design identity at the intersection of Olympic Boulevard and Bundy Drive.
8. Improve the aesthetic quality of the site by removing older structures and developing new efficient buildings that are more sensitive to adjacent uses.

#### *Energy Conservation Features*

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

#### *Economics*

10. Create a range of construction and permanent jobs.
11. Increase tax revenue to local governmental agencies.

#### *Housing Needs*

12. To improve the job-housing balance in the West LA area by providing new housing within a major employment center.
13. Provide housing along a major public transportation corridor in furtherance of City's goals and policies, and in close proximity to the future Metro Expo Line Station.

The City Council again ratifies, adopts, and incorporates the full analysis, explanation, findings, responses to comments, and conclusions of the EIR related to the analysis of Alternatives to the Project.

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

The Draft EIR discusses Alternative 1 and compares this alternative to the Project in Section 6 and provides a summary comparative matrix on Table 6-68.

For the purposes of this EIR, Alternative 1 assumes that the Project Site would remain in its current condition. Although no new development would occur on the Project Site under Alternative 1, this alternative assumes the development of other reasonably foreseeable future projects in the area of the Project Site.

#### **ENVIRONMENTAL IMPACTS**

Because Alternative 1 does not include any development of the Project Site, none of the impacts identified for the Project would occur under this alternative.

#### **Findings**

CEQA requires that an EIR alternatives analysis include designation of an "environmentally superior" alternative. Based on the analysis presented in this section, Alternative 1: No Project would result in the greatest reduction in Project impacts and would be the environmentally superior alternative. However, CEQA requires that if the environmentally superior alternative is the "no project" alternative, the EIR shall also identify an environmentally superior alternative from among the other alternatives (CEQA Guidelines, Section 15126.6[e][2]). For this reason, Alternative 1 is not environmentally superior to the Project.

Alternative 1, identified in the EIR and described above, is an infeasible alternative as it would not satisfy any of the Project objectives, such as revitalizing the Project Site from its existing use to a mixed-use, transit-oriented development.

## ALTERNATIVE 2: EXISTING ZONING

The Draft EIR discusses Alternative 2 and compares this alternative to the Project in Section 6 and provides a summary comparative matrix on Table 6-68.

Alternative 2 would consist of the Existing Zoning Alternative. Like the Project, this Alternative would involve the demolition of all existing buildings on the Project Site. Under this Alternative, the Project Site would be built-out to the maximum allowed under the existing zoning (approximately 311,000 square feet). The M2 zone allows uses such as office, manufacturing, and retail. For the purpose of this analysis, the Existing Zoning Alternative was assumed to consist of 311,000 square feet of retail uses, with a corresponding FAR of 1.5:1. The proposed height would be two stories (30 feet to the top of the roof; 35 feet to the top of the parapet). The parking requirement would be 1,244 spaces, which would be provided in 2.5 subterranean parking levels.

## ENVIRONMENTAL IMPACTS

Alternative 2 would result in less population growth, fewer AM peak-hour traffic trips (but more PM peak-hour trips), less consumption of water, electricity, and natural gas, and less generation of wastewater and solid waste as compared to the Project, but the degree to which impacts would occur related to these issues under Alternative 2 would be similar as for the Project. Alternative 2 would result in three additional LOS impacts under the Existing Plus Project scenario, four additional LOS impacts under the Future 2018 Plus Project scenario, and four additional LOS impacts under the Horizon Year 2030 Plus Project scenario, as compared to the Revised Project, which has fewer intersection impacts than the Conceptual Plan. All other impacts under this alternative would occur to a similar degree as under the Project. For this reason, Alternative 2 is slightly environmentally superior to the Project, but is not designated the environmentally superior alternative.

## Findings

Alternative 2 would not provide the critical mass, at the same levels of density, necessary to activate the area. In addition, it does not provide a mix of diverse land uses or housing and would not provide the same support and usage of the existing and future transit infrastructure and, therefore, would not meet the Project objectives to the same degree as the Project. Although Alternative 2 could encourage pedestrian activity, this alternative would not provide the necessary density and height to support the mix of uses necessary to activate the street, sidewalks, and other public spaces, both day and night.

Due to a reduction in overall square footage when compared to the Project, Alternative 2 would not fully meet the Project objective to generate maximum community benefits by maximizing land use opportunities and density. Alternative 2 would not create as great of a long-term increase in tax revenue to the City, or create as many additional jobs, or attract as much business activity in the West LA Area when compared to the Project. Particularly, Alternative 2 would not include adequate density, mix of uses, and housing to ensure the necessary level of economic activity needed for the Project Site. Finally, since Alternative 2 does not include housing, it would not meet the housing need for the jobs-housing balance in West LA. Thus, Alternative 2 would meet some of the Project objectives, but not all of them, and to a lesser degree than that of the Project. Alternative 2 would have additional significant traffic impacts (under Existing, Future 2018, and Horizon Year 2030) as compared to the Project.

## ALTERNATIVE 3: REDUCED DENSITY

The Draft EIR discusses Alternative 3 and compares this alternative to the Project in Section 6 and provides a summary comparative matrix on Table 6-68.

Alternative 3 would consist of the Reduced Project Alternative. Like the Project, this Alternative

would involve the demolition of all existing buildings on the Project Site. The Reduced Density Alternative consists of 516 units, 115,600 square feet of office, and 67,000 square feet of retail space. Compared to the Project, the difference in the Reduced Density land use is a reduction of 84,400 square feet of office space and 32,000 square feet of retail space. The total amount of development is also reduced by 84,400 square feet (or 10.5 percent), to 722,800 square feet (with an FAR of 3.5:1), as compared to 807,200 square feet under the Project (with an FAR of 3.91:1). Building A would be 6 stories + mezzanine over podium (85 feet to top of roof; 90 feet to the top of the parapet); Building B would be 11 stories over podium (125 feet to top of roof; 130 feet to the top of the parapet); and Building C would be 6 stories over podium (99 feet to top of roof; 104 feet to the top of the parapet). The parking requirement would be 1,248 spaces, which would be provided in one ground level and 2.5 subterranean parking levels.

## ENVIRONMENTAL IMPACTS

Alternative 3 would result in one fewer significant LOS impact under the Existing Plus Project scenario, three fewer significant LOS impacts under the Future Year 2018 Plus Project scenario, and the same number of significant LOS impacts under the Horizon Year 2030 Plus Project scenario as compared to the Project. This alternative would result in less consumption of water and electricity and natural gas, and less generation of wastewater and solid waste as compared to the Project, but the degree to which impacts would occur related to these issues under Alternative 3 would be similar as for the Project. All other impacts under this alternative would occur to a similar degree as under the Project. For this reason, Alternative 3 is considered the environmentally superior alternative to the Project.

## Findings

Alternative 3 does not maximize the development potential at the Site and reduces the number of office and retail employees who could activate the area and support the usage of the existing and future transit infrastructure and, therefore, would not meet the Project objectives to the same degree as the Project. Alternative 3 is similar to the Project in that it creates a mixed-use development that satisfies the Project objectives to some degree, while reducing certain environmental impacts (number of significantly impacted intersections) associated with the Project. However, due to a reduction in overall square footage (and reduced office and retail space) when compared to the Project, Alternative 3 would not fully meet the Project objective to generate maximum community benefits by maximizing land use opportunities and density. Alternative 3 would not create as great of a long-term increase in tax revenue to the City, or create as many additional jobs, or attract as much business activity in the West LA Area when compared to the Project. Thus, Alternative 3 would meet most of the Project objective, but to a lesser degree than that of the Project.

## ALTERNATIVE 4: STATION AREA PLAN

The Draft EIR discusses Alternative 4 and compares this alternative to the Project in Section 6 and provides a summary comparative matrix on Table 6-68.

The draft Exposition Corridor Transit Area Plan (the "Station Area Plan") is a draft plan that intends to direct growth around the Expo Light Rail transit stations. Alternative 4 consists of the Station Area Plan Alternative, which analyzes a project consistent with the designations for the Project Site as proposed in the draft version of the Station Area Plan. Alternative 4 presents a land use mix with more retail and office space and fewer residential units as compared to the Project. This Alternative consists of 400 residential units, 138,000 square feet of retail, and 276,000 square feet of office. For purposes of this analysis, the following retail breakdown is assumed: 12,000 square feet of fast food, 47,000 square feet of grocery store, 25,000 square feet of restaurant, and 54,000 square feet of general retail. However, the retail breakdown of a project developed under Alternative 4 may differ from these assumptions, although the total

amount of retail square footage would not exceed 138,000 square feet. The total amount of development would be increased by 733 square feet, to 807,933 square feet (with an FAR of 3.91:1), as compared to 807,200 square feet under the Project (with an FAR of 3.91:1). The residential area would be reduced by 114,267 square feet, to 393,933 square feet, as compared to 508,200 square feet under the Project. The retail area would be increasing by 14,000 square feet, to 54,000 square feet, as compared to 40,000 square feet under the Project. The grocery store would decrease by 3,000 square feet, to 47,000 square feet, compared to 50,000 square feet for the Project. The restaurant area would be increasing by 28,000 square feet to 37,000 square feet from 9,000 square feet under the Project. Building A would be 6 stories + mezzanine over podium (85 feet to top of roof; 90 feet to the top of the parapet); Building B would be 6 stories over podium (75 feet to top of roof; 80 feet to the top of the parapet); and Building C would be 14 stories over podium (211 feet to top of roof; 216 feet to the top of the parapet). The parking requirement would be 1,607 spaces, which would be provided in 3.5 subterranean levels.

## ENVIRONMENTAL IMPACTS

Additionally, Alternative 4 would result in eight additional significant LOS impacts under the Existing Plus Project scenario, 12 additional significant LOS impacts under the Future 2018 Plus Project scenario, and 10 more significant LOS impacts under the Horizon Year 2030 Plus Project scenario as compared to the Project. Alternative 4 would result in less population growth, less solid waste generation, and less consumption of electricity and natural gas as compared to the Project, but the degree to which impacts would occur related to these issues under Alternative 4 would be similar as for the Project. All other impacts under this alternative would occur to a similar degree as under the Project. Overall, Alternative 4 is considered environmentally inferior to the Project based on the number of additional traffic impacts.

### Findings

Under Alternative 4, demolition and construction would occur, and the Project Site would be developed with the same land uses as the Project (but with more retail and office space and fewer residential units). Thus, Alternative 4 does not maximize the residential development potential at the Site by reducing the number of housing units and density at the Site. The number of residents would activate the area and support the usage of the existing and future transit infrastructure but, because of the reduction in units, would meet the Project objectives to a lesser degree as compared with the Project. In addition, Alternative 4 would not improve the job-housing balance in the West LA area to the same extent as the Project, as fewer residential units are proposed. However, the number of employees would increase. Alternative 4 is similar to the Project in that it creates a mixed-use, transit-oriented development that satisfies the Project objectives, but increases the number of traffic intersection impacts (under Existing, Future Year 2018, and Horizon Year 2030) as compared to the Project.

## ALTERNATIVE 5: ADDITIONAL PROJECT COMPONENTS

The Draft EIR discusses Alternative 5 and compares this alternative to the Project in Section 6 and provides a summary comparative matrix on Table 6-68.

Alternative 5 includes development of the Project Site with development that is similar to the Project but considers three various additional Project components, as follows:

Alternative 5A: Proposed Project + 50 additional parking spaces for Expo Line

Alternative 5A has the same land use mix as the Project and includes 50 parking spaces for Expo users.

Alternative 5B: Reduced Project + 50 additional parking spaces for Expo Line

Alternative 5B has the same land use mix as the Reduced Project (Alternative 3) and includes 50 parking spaces for Expo users.

#### Alternative 5C: Billboard Components

Alternative 5C1 is the Proposed Project with digital billboards replacing existing billboards.

Alternative 5C2 is the Proposed Project with non-digital billboards replacing existing billboards.

Alternative 5C3 is the Reduced Project (Alternative 3) with digital billboards replacing existing billboards.

Alternative 5C4 is the Reduced Project (Alternative 3) with non-digital billboards replacing existing billboards.

### ENVIRONMENTAL IMPACTS

Alternative variations 5A, 5C1, and 5C2 would result in essentially all the same impacts and to the same degree as identified for the Project. Alternative variations 5B, 5C3, and 5C4 would result in essentially all the same impacts and to the same degree as identified for Alternative 3 (refer to 7.3.1, Environmental Impacts, for Alternative 3). For this reason, Alternative variations 5A, 5C1, and 5C2 are considered environmentally comparable to the Project, whereas Alternative variations 5B, 5C3, and C4 are considered environmentally superior to the Project, as the impacts are reduced when compared to the Project.

#### Findings

All variations of Alternative 5 that would redevelop the underutilized site with the Project would provide a greater maximization of uses as compared to the Reduced Project. The addition of 50 Expo Line parking spaces would help increase transit usage and connection to the Expo Line, which is an objective of the Project. An additional benefit of the transit connection is an increase in pedestrian and bicycle activity. The Reduced Project (5B, 5C3, and 5C4) is a reduction of 84,400 square feet of office space, and would reduce an equivalent amount of employees. This is a reduction of users that could activate the area and support the usage of the existing and future transit infrastructure and, therefore, would not meet the Project objective to activate the area to the same degree as the Project.

The Project objectives related to architectural design and energy conservation features would be met by all variations of Alternative 5 (5A to 5C4). However, as Alternatives 5C1 and 5C3 would replace the existing billboards with digital billboards, these variations of Alternative 5 would result in greater impacts with respect to light and glare when compared to the Project, although these impacts would still be expected to be less than significant. The housing needs Project objective would be met by all variations of Alternative 5 (5A to 5C4), as all would include 516 dwelling units. Overall, Alternatives 5A, 5C1, and 5C2 would meet the Project objectives in a similar manner as the Project. Alternatives 5B, 5C3, and 5C4 would meet the Project objectives, but to a lesser degree than the Project. Alternative 5A increases the number of traffic intersection impacts (under Existing) as compared to the Project. Alternative 5B reduces the number of traffic intersection impacts (under Existing, Future Year 2018, and Horizon Year 2030) as compared to the Project. Alternative 5C does not change the traffic evaluation as previously analyzed.

### VIV. OTHER CEQA CONSIDERATIONS

#### Findings on Mitigation Monitoring Plan

Pursuant to Section 15091 (a)(1) of the CEQA Guidelines, the City finds that implementation of the mitigation measures, regulatory compliance measures, and project design features included

in Section 4 of the Final EIR would substantially lessen the significant environmental effects resulting from the Project. These mitigation measures regulatory compliance measures, and project design features have been required in, or incorporated into the Project. In accordance with Section 15091 (d) and Section 15097 of the CEQA Guidelines that require a public agency to adopt a program for reporting or monitoring required changes or conditions of approval to substantially lessen significant environmental effects, the Mitigation Monitoring Plan provided as Section 4 of the Final EIR is hereby adopted as the mitigation monitoring plan for this Project.

#### Findings on Changes to the Draft EIR and Recirculation

##### Changes to the Draft EIR

In response to comments from the public and other public agencies, the Project has incorporated changes subsequent to publication of the Draft EIR. All of the changes to the Draft EIR are described in Section 3 of the Final EIR.

##### Findings Regarding the Final EIR

Pursuant to CEQA, on the basis of the review and consideration of the Final EIR, the City finds the following:

1. Factual corrections and minor changes have been set forth as clarifications and modifications to the Draft EIR;
2. The factual corrections and minor changes to the Draft EIR are not substantial changes in the Draft EIR that would deprive the public of a meaningful opportunity to comment on a substantial adverse environmental effect of the Project, a feasible way to mitigated or avoid such an effect, or a feasible project alternative;
3. The factual corrections and minor changes to the Draft EIR will not result in new significant environmental effects or substantially increase the severity of the previously identified significant effects disclosed in the Draft EIR;
4. The factual corrections and minor changes in the Draft EIR will not involve mitigation measures or alternatives that are considerably different from those analyzed in the Draft EIR that would substantially reduce one or more significant effect on the environment; and
5. The factual corrections and minor changes to the Draft EIR do not render the Draft EIR so fundamentally inadequate and conclusory in nature that meaningful public review and comment would be precluded.

Thus, none of the conditions set forth in CEQA requiring recirculation of a Draft EIR have been met. Incorporation of the factual corrections and minor changes to the Draft EIR into the Final EIR does not require the Final EIR to be circulated for public comment.

#### **X. STATEMENT OF OVERRIDING CONSIDERATIONS**

As described in Section 1 through 7 of these CEQA Findings of Fact, the City Council has considered all potentially feasible mitigation measures to substantially lessen or avoid the Project's significant and unavoidable impacts. Where feasible, mitigation measures have been adopted as part of the Project. As discussed in Section 6, the imposition of these measures will reduce all impacts to a less than significant level, with the exception of the identified regional air quality emissions, construction traffic impacts, and traffic/transportation level of service impacts. The City Council finds that it is not feasible to fully mitigate these Project impacts.

After review of the entire administrative record, including, but not limited to, the EIR, the staff reports, the oral and written testimony, and evidence presented at public hearings, the City Council finds that following specific economic, social, region-wide environmental benefits, and

other anticipated benefits of the Project outweigh the significant and unavoidable impacts and therefore, justify the approval of the Project notwithstanding the identified significant and unavoidable impacts.

The CEQA Guidelines provide the following:

*CEQA requires the decision-maker to balance the benefits of a proposed project against its unavoidable adverse risks in determining whether to approve a project. If the benefits of the proposed project outweigh the unavoidable adverse environmental effects, the adverse impacts may be considered acceptable. Where the decision of the public agency allows the occurrence of significant effects which are identified in the Final Environmental Impact Report (EIR) but are not at least substantially mitigated, the agency must state in writing the reasons to support its action based on the Final EIR and/or other information in the record. This statement may be necessary if the agency also makes the finding under Section 15091 (a)(2) or (a)(3). If an agency makes a statement of overriding considerations, that statement should be included in the record of the project approval and should be mentioned in the Notice of Determination. (Section 15093 of the CEQA Guidelines)*

Pursuant to the CEQA Guidelines and to the extent that any impacts from adoption of the Project are significant and have not been mitigated to a less than significant level, the City adopts and makes the following Statement of Overriding Considerations regarding the potential significant unavoidable environmental impacts of the Project and the anticipated benefits and considerations of the Project.

The City Council has balanced the Project's benefits against the Project's significant unavoidable impacts related to air quality, construction noise/vibration and transportation/traffic. The City Council finds that the Project's benefits outweigh the Project's significant unavoidable impacts, and the impacts are therefore considered acceptable in light of the Project's benefits. The City Council finds that each of the overriding considerations expressed as benefits constitutes a separate and independent ground for such a finding. Any one of the reasons for approval cited below is sufficient to justify approval of the Project. Thus, even if a court were to conclude that not every reason is supported by substantial evidence, the City Council will stand by its determination that each individual reason is sufficient by itself. The substantial evidence supporting the various benefits can be found in the findings within this document and in the documents found in the record of proceedings regarding this Project.

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

The following impacts are not mitigated to a less than significant level for the Project: Air Quality for regional operational emissions, Noise concerning construction noise and vibration, and Transportation/Traffic concerning construction traffic and operational intersection level of



service, as identified in the Final EIR, and it is not feasible to mitigate such impacts to a less than significant level.

Accordingly, the City adopts the following Statement of Overriding Considerations. The City recognizes that significant and unavoidable impacts will result from implementation of the Project. Having (i) adopted all feasible mitigation measures, (ii) rejected as infeasible alternatives to the Projects discussed above, (iii) recognized all significant, unavoidable impacts, and (iv) balanced the benefits of the Project against their significant and unavoidable impacts, the City hereby finds that the benefits outweigh and override the significant unavoidable impacts for the reasons stated below.

The below stated reasons summarize the benefits, goals and objectives of the Project, and provide the rationale for the benefits of the Project. Any one of the overriding considerations of economic, social, aesthetic, and environmental benefits individually would be sufficient to outweigh the adverse environmental impacts of the Project and justify their adoption and certification of the Final EIR.

1. Implementation of the Project will redevelop a currently underutilized site into a mixed-use development that combines complementary uses, such as community-serving retail, creative office, and residential uses.
2. Implementation of the Project will provide housing, retail, and office uses along a major public transportation corridor in furtherance of City's goals and policies, and in close proximity to the future Metro Expo Line Station.
3. Implementation of the Project will improve the job-housing balance in the West LA area by providing new housing within a major employment center.
4. Implementation of the Project will maximize the development potential of the Project Site in context with the area through quality design and development controls that ensure a unified and cohesive development that will improve the aesthetic quality of the site by removing older structures and developing new efficient buildings that are more sensitive to adjacent uses
5. Implementation of the Project will support local and regional sustainability goals through an urban infill development that supports and encourages transit usage and reduces automobile trips by providing retail and office amenities on-site that can be utilized by Project residents or others within walking distance of the Project.
6. Implementation of the Project will generate community benefits by maximizing land use opportunities and providing a vibrant mixed-use environment with new amenities, public spaces and improvements.
7. Implementation of the Project will promote alternative methods of transportation and create provisions for non-vehicular travel by providing pedestrian pathways/linkages within the Project Site and providing bicycle parking and storage.
8. Implementation of the Project will incorporate sustainable and green building design and construction to promote resource conservation, including waste reduction, efficient water management techniques, and conservation of electricity and energy to achieve a LEED-qualified equivalent development in compliance with the City's green building code.
9. Implementation of the Project will create a range of construction and permanent jobs

10. Implementation of the Project will provide for logical, consistent planning within the Project Site, and will provide for proper integration with a large commercial corridor in close proximity to major transit facilities.

Accordingly, the City Council adopts this Statement of Overriding Considerations, recognizing that significant unavoidable impacts will result from implementation of the Project and having (i) adopted all feasible mitigation measures, including a Mitigation Monitoring Plan, as discussed in the EIR and this CEQA Findings of Fact; (ii) considered and rejected the Alternatives to the Project as discussed in the EIR and Section 6 of these CEQA Findings of Fact; and (iii) recognized the significant unavoidable impacts of the Project, the City Council hereby finds that each of the separate benefits of the Project, as stated herein, is determined to be unto itself an overriding consideration, independent of other benefits, that warrants approval of the Project and outweighs and overrides its significant unavoidable impacts, and thereby justifies the approval of the Project.

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

In connection with the approval of Vesting Tentative Tract Map No. 72213, 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 WILL BE/IS CONSISTENT WITH APPLICABLE GENERAL AND SPECIFIC PLANS.**

The proposed project is located on one parcel, totaling 207,209 square feet, or approximately 4.76 acres and is zoned M2-1 with a Light Manufacturing land use designation.

The West Los Angeles Community Plan includes several policies intended to guide development in order to create a healthful and pleasing environment. The project satisfies several relevant policies of the Plan, including but not limited to:

A safe, secure, and high quality residential environment for all economic, age, and ethnic segments of the community.

A strong and competitive commercial sector which promotes economic vitality, serves the needs of the community through well designed, safe, and accessible areas while preserving historic and cultural character.

Sufficient open space in balance with new development to serve the residential, environmental, health, and safety needs of the community and to protect environmental and aesthetic resources.

Encourage alternative modes of travel over the use of single occupancy vehicles (SOV) to reduce vehicular trips.

- 1-1.1: Protect existing single-family residential neighborhoods from new out-of-scale development and other incompatible uses.
- 1-1.3: Provide for adequate multi-family residential development.
- 1-2.1: Locate higher residential densities near commercial centers and major bus routes where public service facilities and infrastructure will support this development.
- 1-3.1: Require architectural compatibility and adequate landscaping for new multi-family residential development to protect the character and scale of existing residential neighborhoods.

- 2-1.1: New commercial uses shall be located in existing established commercial areas or shopping centers.
- 2-2.1: Encourage pedestrian-oriented design in designated areas and in new development.
- 2-2.2: Promote mixed-use projects along transit corridors and in appropriate commercial areas.
- 2-2.5: Require that the first-floor street frontage of structures, including mixed-use projects and parking structures located in pedestrian oriented districts, incorporate commercial uses directed at pedestrian traffic.
- 2-3.2: Require that commercial projects be designed and developed to achieve a high level of quality, distinctive character and compatibility with surrounding uses and development.

The applicant is proposing a mixed-use development involving 516 residential units and 299,000 square feet of commercial use. The applicant is requesting a Zone Change and Height District Change from M2-1 to [T][Q]C2-2D, and is also seeking a General Plan Amendment to change the West Los Angeles Community Plan land use designation from Light Industrial to General Commercial and to amend Footnote No.1 to add an additional exception for Height District No.1 to permit Height District No. 2 on the property site. The amended Footnote 1 would read as follows:

"1. Height District No. 1. except for Height District No. 2 at the following locations:

- East side of Avenue of the Stars between Olympic Boulevard and Galaxy Way.
- East side of Century Park West between Garden Lane and Olympic Boulevard.
- South side of Wilshire Boulevard between Granville Avenue and Federal Avenue.
- Tract P M 4059, Lot C, Map Reference BK 103-51/52."

The zone change to [T][Q]C2-2D and designation of the entire site as General Commercial would further the goals and policies identified in the West Los Angeles Community Plan for the provision of housing and commercial uses that is compatible with existing development and the adjoining public transportation system. To that end, the project will meet West Los Angeles Community Plan Objective 1-2 of Goal 1, "to reduce vehicular trips and congestion by developing new housing in proximity to adequate services and facilities." Specifically, Policy 1-2.1 states that higher residential densities shall be located near commercial centers and major bus routes where public service facilities and infrastructure will support this development. Existing Santa Monica municipal bus routes 5, 10 and 14 currently serve both Bundy Drive and Olympic Boulevard along the project site, and the mixed-use project will be located less than 500 feet of a future Metro transit station. The last West Los Angeles Community Plan update was adopted in 1999, at a time when the Expo line and Expo/Bundy station were not yet proposed, as a result, specific policies related to the Transit Oriented District were not yet realized at the time of its inception.

The site is not subject to the Specific Plan for the Management of Flood Hazards (floodways, floodplains, mud prone areas, coastal high-hazard and flood-related erosion hazard areas). The project conforms with both the specific provisions and the intent of the Specific Plan for the Management of Flood Hazards (Section 5 of Ordinance No. 172,081). Therefore, as conditioned, the proposed tract map is consistent with the intent and purpose of the applicable General and Specific Plans.

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

The design and improvement of the site is consistent with the West Los Angeles Community Plan. Olympic Boulevard is designated a Boulevard II in the Mobility Element 2035, dedicated to a 110-foot width along the project site's southern street frontage. Bundy Drive is designated an Avenue I dedicated to a 90-foot width along the project site's eastern street frontage. The project will be required to make improvements to these adjoining rights of way. Specifically, a 2-foot and variable width right-of-way will be dedicated along Bundy drive adjoining the tract to complete a 45-foot wide half right-of-way in accordance with Secondary Highway Standards if necessary including a 20-foot radius property line return or 15-foot by 15-foot property line cut corner.

With approval of the request General Plan Amendment Zone Change from M2-1 to C2-2D, the proposed mixed-use project will be more compatible with the existing nearby single-family residential, retail and office uses as compared to the existing auto-oriented land use. Furthermore, the project will provide needed housing and jobs to the region and contribute to the jobs/housing balance while being within walking distance to a forthcoming light-rail station. Therefore, the proposed subdivision is consistent with the intent and purpose of the applicable General and Specific Plans.

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

The site is currently improved with the Martin Cadillac dealership, consisting of surface parking, a service building with rooftop parking, and a dealership/office building totaling 99,400 square feet. The project vicinity is urbanized and built out. The project is an infill development located next to several bus routes and the Bundy/Olympic Metro light rail station (Exposition Line). The project site is immediately surrounded by a mix of office, retail, and industrial uses contained in structures ranging from low-rise to high-rise buildings, which are physically separated from the project site by major highways, secondary streets, and arterial roadways. Single-family residential homes in the R1-1 Zone are located 480 feet south of the project site and separated by Exposition Boulevard. Office buildings near the project site include the Cornerstone Plaza, an eight-story structure, to the north at 1990 Bundy Drive in the M2-1 Zone; the Westside Towers, two triangular-shaped 12-story buildings about 750 feet to the east at 11835-45 Olympic Boulevard in the M2-2 zone; and, four-story structures about 100 feet south, on Olympic Boulevard in the M2 zone. Therefore the 7- and 10-story Martin Expo project will be compatible with nearby buildings in height and massing.

The site is level and is not located in a slope stability study area, high erosion hazard area, landslide or a fault-rupture study zone, but is potentially located in a liquefaction area. However Mitigation D-1 of the Mitigation and Monitoring Program will require the applicant to comply with the conditions contained within the Department of Building and Safety's Geology and Soils Report Approval Letter for the proposed project and as it may be subsequently amended or modified. Therefore, the site is physically suitable for the proposed type of development.

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

The project site is suitable for the proposed density of development because it is in an urbanized and built out area. In addition, the site has frontage on Olympic Boulevard and Bundy Drive next to an existing commercial and office corridor and major transit hub.

The proposed project includes demolition and removal of all existing structures and an approximately 807,200 square-foot transit-oriented, mixed-use development with 516 multi-family residential units and 299,000 square feet of commercial floor area. The project would further local and regional objectives of reducing vehicle miles traveled and greenhouse gas emissions by providing a mix of uses and increased density in close proximity to existing bus and transit systems, including the Bundy Drive and Expo Line Station and Santa Monica municipal bus routes 5, 10 and 14. The proposed commercial uses would be compatible with existing commercial businesses and shops located along Bundy Drive and Olympic Boulevard. In addition, the project's design would be compatible with the adjoining uses along Olympic Boulevard and surrounding streets through the use of complementary building materials and color palette, and ground-level pedestrian entrances on Bundy Drive and Olympic Boulevard. Therefore, the 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 is presently developed with the Martin Cadillac dealership, which consists of surface parking, a service building with rooftop parking, and a dealership/office building 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 likely possess any areas of significant biological resource value. Therefore, 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.

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

There appear to be no potential public health problems caused by the design of the proposed subdivision with the exception of the project's regional operational air quality impacts construction noise and vibration and traffic impacts. All other categories can be reduced to a less-than-significant impact.

The development is required to be connected to the City's sanitary sewer system, where the sewage will be directed to the LA Hyperion Treatment Plant, which has been upgraded to meet Statewide ocean discharge standards. The Bureau of Engineering has confirmed that the subdivision is surrounded by the public sewer system. In addition, it has been determined that the proposed project will have only a minor incremental impact on the capacity of Hyperion Treatment Plant.

- (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.

No such easements are known to exist. Needed public access for roads and utilities will be acquired by the City prior to recordation of the proposed tract.

- (h) THE DESIGN OF THE PROPOSED SUBDIVISION WILL PROVIDE, TO THE EXTENT FEASIBLE, FOR FUTURE PASSIVE OR NATURAL HEATING OR COOLING

**OPPORTUNITIES IN THE SUBDIVISION. (REF. SECTION 66473.1)**

In assessing the feasibility of passive or natural heating or cooling opportunities in the proposed subdivision design, the applicant has prepared and submitted materials which consider the local climate, configuration of the parcel(s) to be subdivided and other design and improvement requirements. The lot layout of the subdivision is on an east-west axis to take advantage of the southern exposure.

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.

In addition, prior to obtaining a building permit, the subdivider shall consider building construction techniques, such as overhanging eaves, location of windows, and insulation in windows and exterior skin of buildings. Therefore, the design of the proposed subdivision will provide, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision.

These findings shall apply to both the tentative and final maps for Vesting Tentative Tract Map No. 72298-MU.

Vincent P. Bertoni, AICP  
Advisory Agency



Luciralia Ibarra  
Deputy Advisory Agency

LI:si:dn

**Note:** If you wish to file an appeal, it must be filed within 10 calendar days from the decision date as noted in this letter. For an appeal to be valid to the City Planning Commission, it must be accepted as complete by the City Planning Department and appeal fees paid, prior to expiration of the above 10-day time limit. Such appeal must be submitted on Master Appeal Form No. CP-7769 at the Department's Development Services Center, located at:

Figueroa Plaza  
201 N. Figueroa St., 4<sup>th</sup> Floor  
Los Angeles, CA 90012  
213 482-7077

Marvin Braude San Fernando Valley  
Development Service Center  
6262 Van Nuys Blvd., Room 251  
Van Nuys, CA 91401  
818 374-5050

**Forms are also available on-line at <http://planning.lacity.org/>.**

If you seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, the petition for writ of mandate pursuant to that section must be filed no later than the 90th day following the date on which the City's decision became final pursuant to California Code of Civil Procedure Section 1094.6. There may be other time limits which also affect your ability to seek judicial review.

If you have any questions, please call the Development Services Center staff at (213) 482-7077.









NOTES:

CONTACT INFORMATION:

OWNER/. . . . . PHILENA PROPERTIES, L.P.  
SUBDIVIDER C/O PHILENA PROPERTY MANAGEMENT, LLC, DANA R. MARTIN, JR.  
12101 WEST OLYMPIC BOULEVARD  
LOS ANGELES, CA 90064  
(310) 826-3879

SURVEYOR/ENGINEER. . . . . PSOMAS  
ATTN: JOHN CHIAPPE  
555 SOUTH FLOWER STREET, SUITE 4300  
LOS ANGELES, CA 90071  
(213) 223-1400

PROJECT INFORMATION:

PROJECT ADDRESS. . . . . 12101 WEST OLYMPIC BOULEVARD  
LOS ANGELES, CA 90064

APN . . . . . 4259-019-008

DISTRICT MAP. . . . . 123B149

THOMAS BROS. GUIDE. . . . . LA591-J7

FLOOD ZONE . . . . . SUBJECT PROPERTY LIES WITHIN FLOOD ZONE "X" (AREAS OF 0.2% ANNUAL CHANCE FLOOD; AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE; AND AREAS PROTECTED BY LEVEES FROM 1% ANNUAL CHANCE FLOOD) AS SHOWN ON FLOOD INSURANCE RATE MAP COMMUNITY PANEL NO. 060137C1590F, DATED SEPTEMBER 26, 2008, AS PUBLISHED BY FEDERAL EMERGENCY MANAGEMENT AGENCY.

PUBLIC EASEMENTS . . . . . THERE ARE NO PUBLIC EASEMENTS ON THE PROPERTY.

AREA . . . . . BASED UPON RECORD BEARINGS AND DISTANCES AS SHOWN HEREON, THE AREA IS:  
  
GROSS: 269,052 SQ. FT. = 6.1766 ACRES  
FEE: 207,198 SQ. FT. = 4.7566 ACRES  
NET: 206,563 SQ. FT. = 4.7420 ACRES

WHERE "GROSS" IS DEFINED AS THE AREA TO THE CENTERLINE OF THE ADJUTING STREET, "FEE" IS DEFINED AS THE AREA OF THE PROPERTY TO BE SUBDIVIDED, THE "NET" IS "FEE" MINUS THE EXISTING STREET EASEMENTS AND ANTICIPATED STREET DEDICATIONS, IF ANY.

TREES . . . . . THERE ARE NO PROTECTED TREES ON THE SUBJECT PROPERTY. ALL TREES TO BE REMOVED.

STREET DESIGNATION . . . . . BUNDY DRIVE - SECONDARY HIGHWAY, 90' WIDE ULTIMATE WIDTH WITH 45' HALF WIDTH  
OLYMPIC BOULEVARD - MAJOR HIGHWAY, CLASS III, 104' WIDE ULTIMATE WIDTH WITH 52' HALF WIDTH OR 114' WIDE ULTIMATE WIDTH WITH 57' HALF WIDTH IF LADOT DETERMINATION REQUIRES ADDITIONAL TURN LANES.

COMMUNITY PLAN . . . . . WEST LOS ANGELES

EXISTING GENERAL PLAN DESIGNATION . . . . . LIGHT MANUFACTURING

PROPOSED GENERAL PLAN DESIGNATION . . . . . GENERAL COMMERCIAL

SPECIFIC PLAN AREA. . . . . WEST LOS ANGELES TRANSPORTATION IMPROVEMENT AND MITIGATION PLAN

EXISTING ZONING . . . . . M2-1 (LIGHT INDUSTRIAL)

PROPOSED ZONING . . . . . C2-2D GENERAL COMMERCIAL

BUILDING SETBACKS . . . . . GENERAL COMMERCIAL RESIDENTIAL  
FRONT YARD: 0 FEET 0 FEET  
SIDE YARD: 0 FEET 10 FEET (5' + 1' FOR EACH STORY OVER 2ND STORY)

SUBDIVIDER REQUESTS OLYMPIC BLVD. AND BUNDY DRIVE TO BE DESIGNATED AS FRONT YARDS AND NORTH AND WEST PROPERTY LINES DESIGNATED AS SIDE YARDS.

PROJECT SYNOPSIS. . . . . THE PROJECT CONSISTS OF 26 LOTS (AIRSPACE LOTS). CONCEPT PLAN: 516 RESIDENTIAL CONDOMINIUM UNITS, 67,000 SQUARE FEET OF COMMERCIAL/RETAIL/RESTAURANT SPACE AND 200,000 SQUARE FEET OF OFFICE SPACE. LAND USE EQUIVALENCY AND DESIGN FLEXIBILITY ARE REQUESTED.

PROPOSED PARKING . . . . . A TOTAL OF 1,402 SPACES IF APARTMENTS AND 1,414 SPACES IF CONDOMINIUMS. SUBDIVIDER IS REQUESTING WAIVER OF ADVISORY AGENCY POLICY 2000-1 (CONDOMINIUM PARKING).

PROPOSED UTILITIES. . . . . SEWAGE AND DRAINAGE WILL BE PROVIDED BY THE CITY OF LOS ANGELES SYSTEMS.

EXISTING UTILITIES. . . . . UNDERGROUND UTILITIES SPECIFICALLY LISTED IN THE UTILITY INFORMATION TABLE ARE PLOTTED ON THIS SURVEY. OTHER UNDERGROUND UTILITIES NOT LISTED (E.G., TRAFFIC SIGNAL AND STREET LIGHTING CONDUIT, ABANDONED LINES, ETC.) HAVE NOT BEEN PLOTTED. THE LOCATION OF THOSE PLOTTED UTILITIES WERE OBTAINED FROM UTILITY MAPS AND PLANS AS LISTED UNDER THE SUBSTRUCTURE PLAN INDEX.

PROJECT NOTES:

1. LOT SIZES AND CONFIGURATIONS ARE ILLUSTRATIVE ONLY AND WILL BE FINALIZED ON THE FINAL MAP.

2. UTILITIES ARE AVAILABLE AND SERVICING THE SITE.

3. SEWAGE DISPOSAL AND DRAINAGE TO BE PROVIDED BY CITY SYSTEMS.

4. SUBDIVIDER RESERVES THE RIGHT TO CONSOLIDATE LOTS.

5. ALL EXISTING BUILDINGS ARE TO BE DEMOLISHED.

6. PROPERTY IS NOT IN A SPECIAL HAZARD AREA.

7. PROPERTY IS NOT IN THE HILLSIDE GRADING AREA.

8. PROPERTY IS NOT IN A FLOODWAY.

9. PROPERTY IS NOT IN A MUD-PRONE AREA.

10. PROPERTY IS NOT IN A METHANE ZONE.

11. PROPERTY IS IN AN EARTHQUAKE-INDUCED LIQUEFACTION AREA.

12. REQUEST IS MADE FOR A HAUL ROUTE.

13. REQUEST THE ABILITY TO FILE PHASED FINAL MAPS.

14. FINAL ELEVATION LIMITS FOR AIRSPACE LOTS TO BE DETERMINED BY CONSTRUCTION PLANS.

SHEET INDEX

SHEET 1 COVER PAGE, PROJECT INFORMATION, EXISTING CONDITIONS

SHEET 2 PROPOSED CONDITIONS, MASTER LOTS, PS LEVEL

SHEET 3 P4, P3, P2/P1 AND GROUND LEVEL

SHEET 4 PODIUM, MID LEVELS AND ABOVE

SHEET 5 SOUTH ISOMETRIC

SHEET 6 NORTH ISOMETRIC

LEGAL DESCRIPTION

PARCEL C, PARCEL MAP L.A. NO. 4059, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 103, PAGES 51 AND 52 OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

UTILITY INFORMATION

UTILITY	SERVICE BY	TELEPHONE NO.	ADDRESS
POWER	CITY OF LOS ANGELES, DWP	(213) 212-2307	1111 NORTH HOPE STREET
WATER	CITY OF LOS ANGELES, DWP	(213) 212-2307	1111 NORTH HOPE STREET
TELEPHONE	THE GAS COMPANY	(800) 427-2200	PO BOX 3150 SAN DIMAS, CA
GAS	CITY OF LOS ANGELES	(213) 486-4523	1149 S BROADWAY, LA
STORM DRAIN	CITY OF LOS ANGELES	(213) 486-1448	1149 S BROADWAY, LA
SEWER	CITY OF LOS ANGELES	(213) 486-1448	1149 S BROADWAY, LA

SUBSTRUCTURE PLAN INDEX			
CITY OF LOS ANGELES P-8024	LINE-21744		
P-8114	P-20508	LINE-20508	
D-499	P-30391	YMAP 123B149 NW	
P-7714	P-20508	YMAP 123B149 SW	
D-10227	P-15467		
DMAP 520	SUB-813		

The only utility information made available to public agencies and public utilities is that location within public rights-of-way, therefore no on-site substructures are shown on this map. The location of on-site substructures should be determined and verified from other sources before the beginning of any excavation.

CALL UNDERGROUND SERVICE ALERT (USA) 1 - 800 - 227 - 2800 USA represents many but not necessarily all utility and oil companies that have underground lines and/or pipes. It is recommended that you call USA to have your lines located before you start any digging or excavation. USA will assist in identifying those companies that they represent which have utility lines in the area and contacting the respective companies they represent to have those lines marked on the ground.

LEGEND

=====	PROPERTY / BOUNDARY LINE
-----	STREET R/W LINE
-----	CURB LINE (FROM 1"=20' ON TO 1"=200')
-----	CURB LINE (1"=10', 1"=8', 1"=16')
-----	CENTER LINE
-----	FLOW LINE
-----	LOT LINE / PARCEL LINE
-----	EASEMENT LINE (W/WIDTH)
-----	CONTOUR LINE (APPROXIMATE)
-----	BUILDING FOOT PRINT LINE
-----	OVERHANG LINE
-----	FENCE LINE
-----	GUARD RAIL
-----	RETAINING WALL
-----	CONC. BLOCK WALL
-----	EDGE OF ASPHALT PAVING
-----	CONCRETE PAVING
-----	AREA DRAIN
-----	CATCH BASIN W/ACCESS HOLE
-----	MANHOLE (SEWER, STORM DRAIN, POWER, TELEPHONE)
-----	POWER POLE (P.I.) / TELEPHONE POLE (T.P.)
-----	SIGN (ALL KINDS)
-----	STREET LIGHT
-----	TRAFFIC SIGNAL
-----	TRAFFIC SIGNAL W/STREET LIGHT
-----	YARD LIGHT
-----	FIRE HYDRANT
-----	DOWNSPOUT
-----	FIRE DEPARTMENT CONNECTION
-----	POST INDICATOR VALVE
-----	DIRECTION OF WATER DRAINAGE FLOW
-----	PARKING METER
-----	GAS / WATER METER
-----	GAS / WATER VALVE
-----	ELEC./STREET LIGHT/TRAFFIC/UNKNOWN PULL BOX
-----	TREE IN WELL W/TRUNK DIAMETER
-----	PLANTER
-----	GUARD POST
-----	APPROACH (DRIVEWAY)
-----	BACKFLOW PREVENTER
-----	CLEAN OUT
-----	CHAIN LINK (FENCE/GATE)
-----	BENCHMARK
-----	TOPOGRAPHIC SPOT ELEVATION, NO LEADER
-----	BACK OF WALK ELEVATION
-----	EDGE OF CONCRETE ELEVATION
-----	EDGE OF CUTTER ELEVATION
-----	EDGE OF PAVEMENT ELEVATION
-----	FLOW LINE ELEVATION
-----	TOP OF CURB ELEVATION
-----	TOP OF GRATE ELEVATION
-----	TOP OF WALL ELEVATION
-----	MANHOLE RIM ELEVATION
-----	MANHOLE INVERT ELEVATION
-----	CURB DRAIN
-----	PROPOSED FINISHED SURFACE

SIGNIFICANT ON-SITE TREES

TREE NUMBER	COMMON NAME	CALIPER (INCHES)*
1	CARROTWOOD	15
2	LEMON-SCENTED GUM	13
3	LEMON-SCENTED GUM	17
4	LEMON-SCENTED GUM	19.5
5	RUSTYLEAF FIG	17.5
6	PYGMY DATE PALM	5'
7	FERN PINE	7.5
8	FERN PINE	7
9	RUSTYLEAF FIG	17
10	PYGMY DATE PALM	4'
11	PYGMY DATE PALM	3.5'
12	PYGMY DATE PALM	4'
13	PYGMY DATE PALM	4'
14	PYGMY DATE PALM	4'
15	PYGMY DATE PALM	3'
16	PYGMY DATE PALM	2'
A	INDIAN LAUREL FIG	13
B	INDIAN LAUREL FIG	10
C	INDIAN LAUREL FIG	10
D	INDIAN LAUREL FIG	11.5
E	INDIAN LAUREL FIG	10
F	INDIAN LAUREL FIG	11.5
G	INDIAN LAUREL FIG	12

\* - Multiple numbers indicate multi-trunk measurements  
Source: Carlberg Associates, June 7, 2013

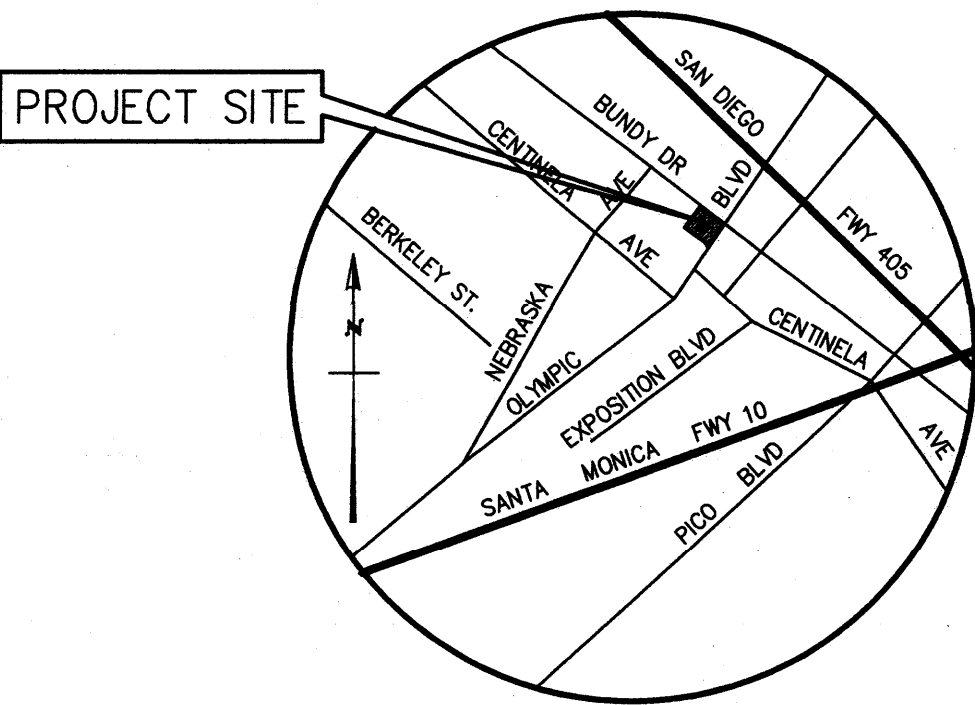
SUMMARY OF ON-SITE TREES

COMMON NAME	SCIENTIFIC NAME	NUMBER OBSERVED
CARROTWOOD	<i>Cupressus Arborescens</i>	1
LEMON-SCENTED GUM	<i>Eucalyptus Citriodora</i>	3
RUSTYLEAF FIG	<i>Ficus Rubiginosa</i>	2
PYGMY DATE PALM	<i>Phoenix Roebelenii</i>	8
FERN PINE	<i>Podocarpus Gracillior</i>	2
INDIAN LAUREL FIG	<i>Ficus Microcarpa</i>	7
TOTAL		23

Source: Carlberg Associates, June 7, 2013

LOT SUMMARY

- LOT 1 MASTER LOT  
LOT 2 RESIDENTIAL CONDOMINIUM LOT  
LOT 3 RETAIL LOT  
LOT 4 RESIDENTIAL PARKING  
LOT 5 RETAIL PARKING  
LOT 6 RESIDENTIAL CONDOMINIUM LOT  
LOT 7 RESIDENTIAL CONDOMINIUM LOT  
LOT 8 RETAIL LOT  
LOT 9 COMMERCIAL / RETAIL PARKING  
LOT 10 MASTER LOT  
LOT 11 RESIDENTIAL CONDOMINIUM LOT  
LOT 12 COMMERCIAL / RETAIL LOT  
LOT 13 COMMERCIAL / RETAIL LOT  
LOT 14 COMMERCIAL / RETAIL LOT  
LOT 15 COMMERCIAL / RETAIL LOT  
LOT 16 COMMERCIAL / RETAIL LOT  
LOT 17 PARKING  
LOT 18 OFFICE TOWER LOT  
LOT 19 COMMERCIAL / RETAIL PARKING  
LOT 20 RESIDENTIAL PARKING  
LOT 21 OFFICE TOWER  
LOT 22 OFFICE TOWER  
LOT 23 OFFICE TOWER  
LOT 24 OFFICE TOWER  
LOT 25 COMMUNITY OPEN SPACE LOT  
LOT 26 COMMERCIAL / RETAIL LOT

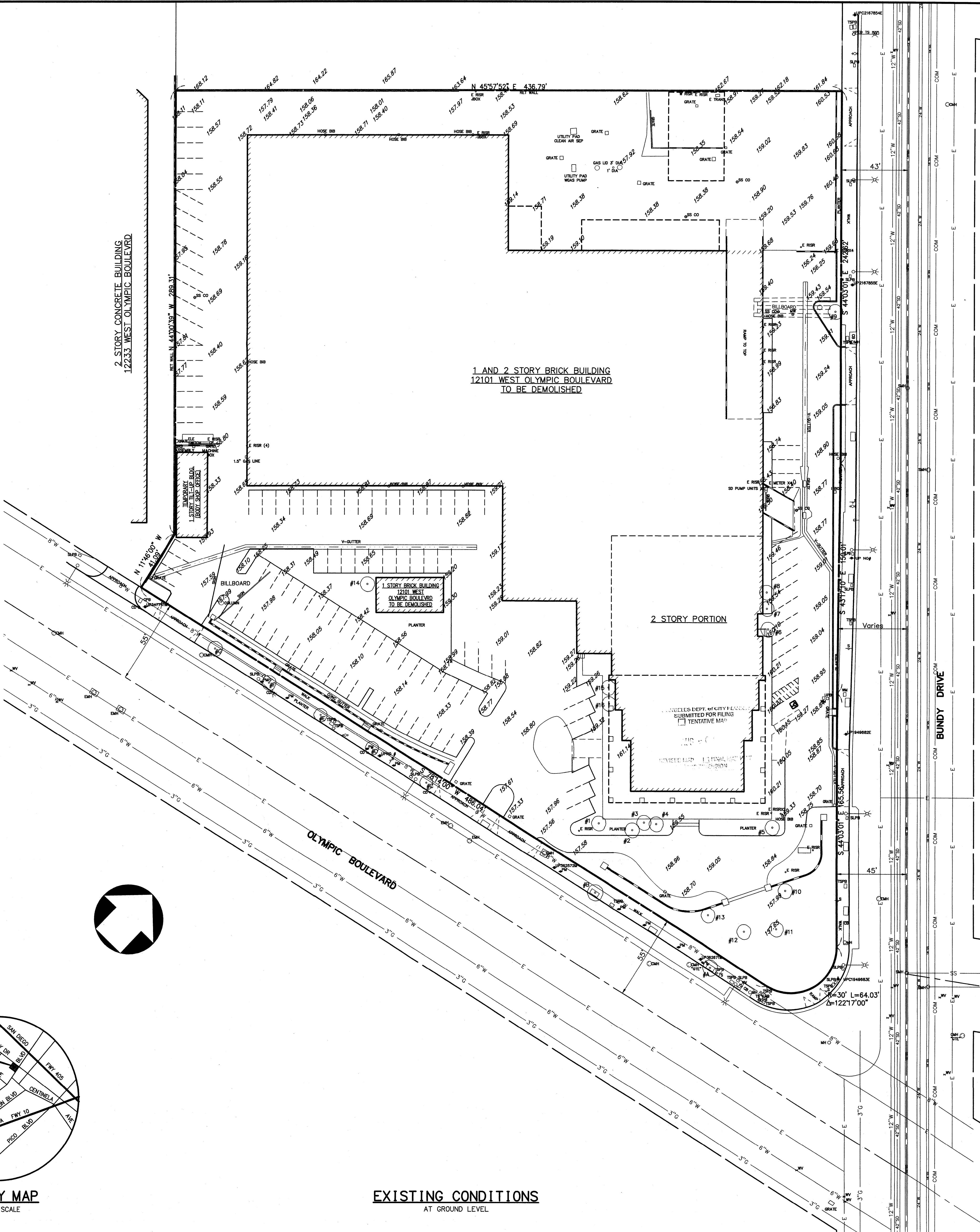


VICINITY MAP

NOT TO SCALE

EXISTING CONDITIONS

AT GROUND LEVEL



VESTING TENTATIVE TRACT MAP FOR SUBDIVISION AND CONDOMINIUM PURPOSES

VESTING TENTATIVE TRACT NO. 72298  
12101 WEST OLYMPIC BOULEVARD

IN THE CITY OF LOS ANGELES COUNTY OF LOS ANGELES STATE OF CALIFORNIA

DATE	8/13/2013	SHEET	1
SCALE	1" = 60'		6
PROJECT NUMBER	1MAR490100		

REF:

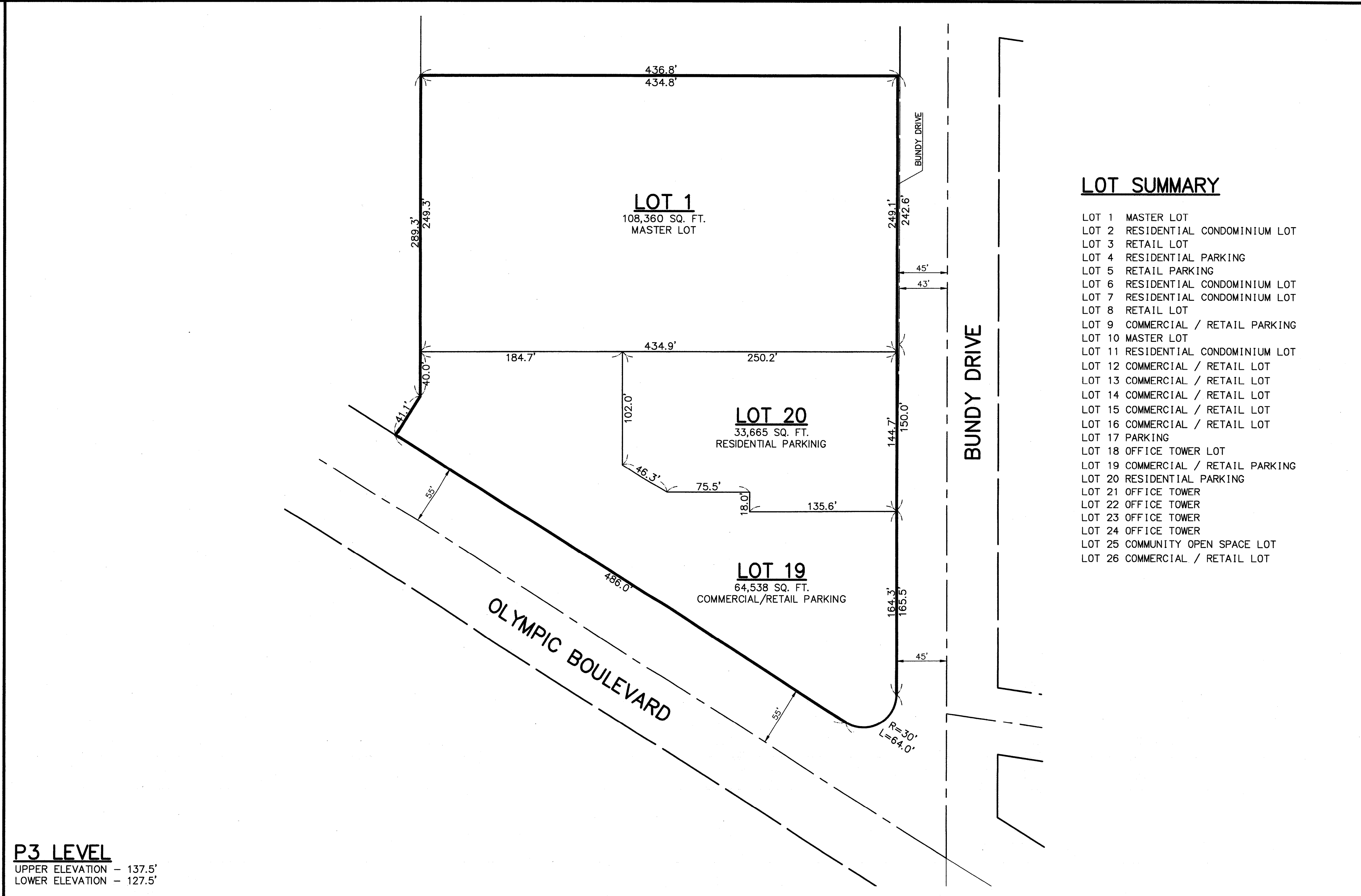
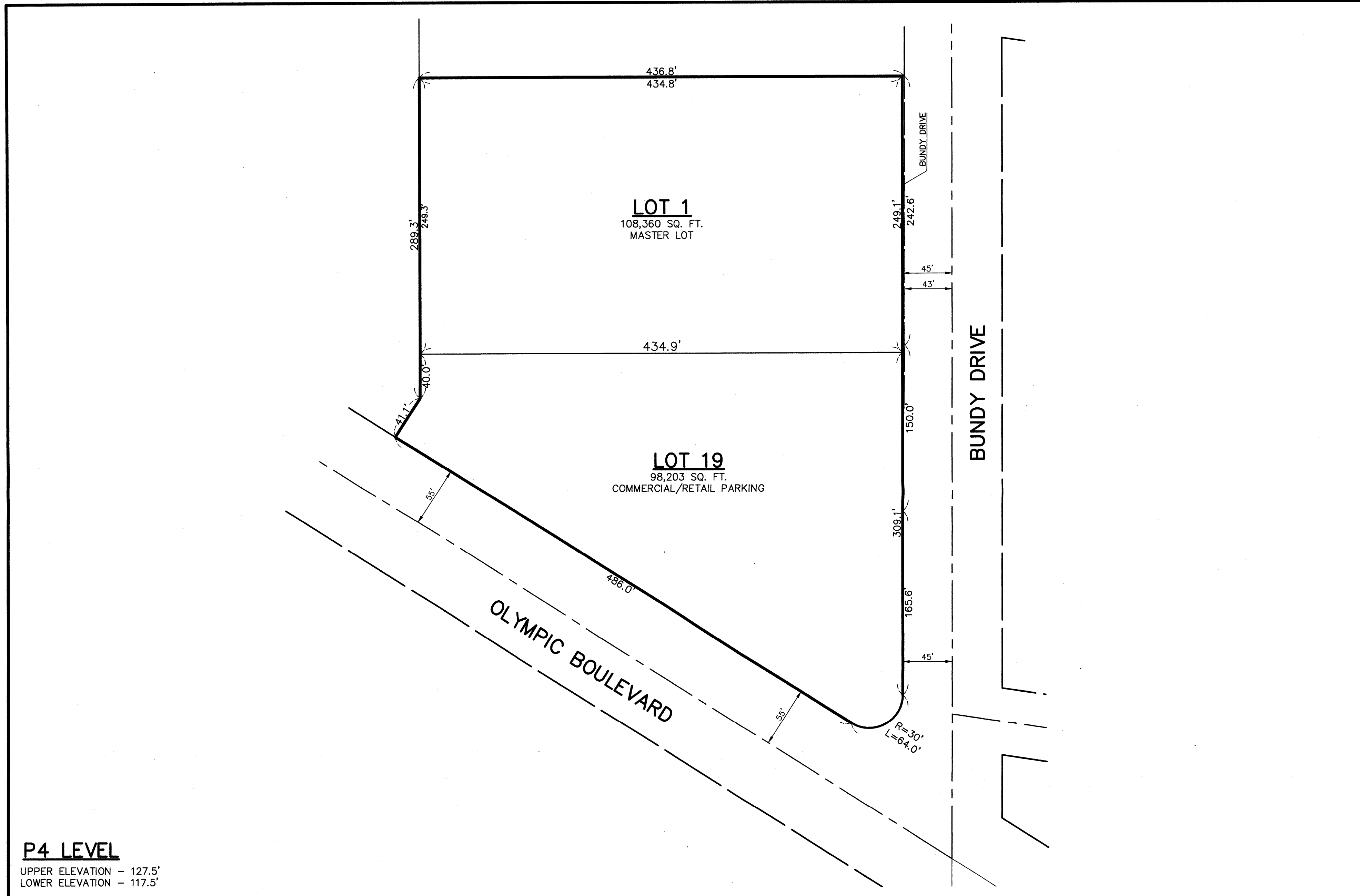






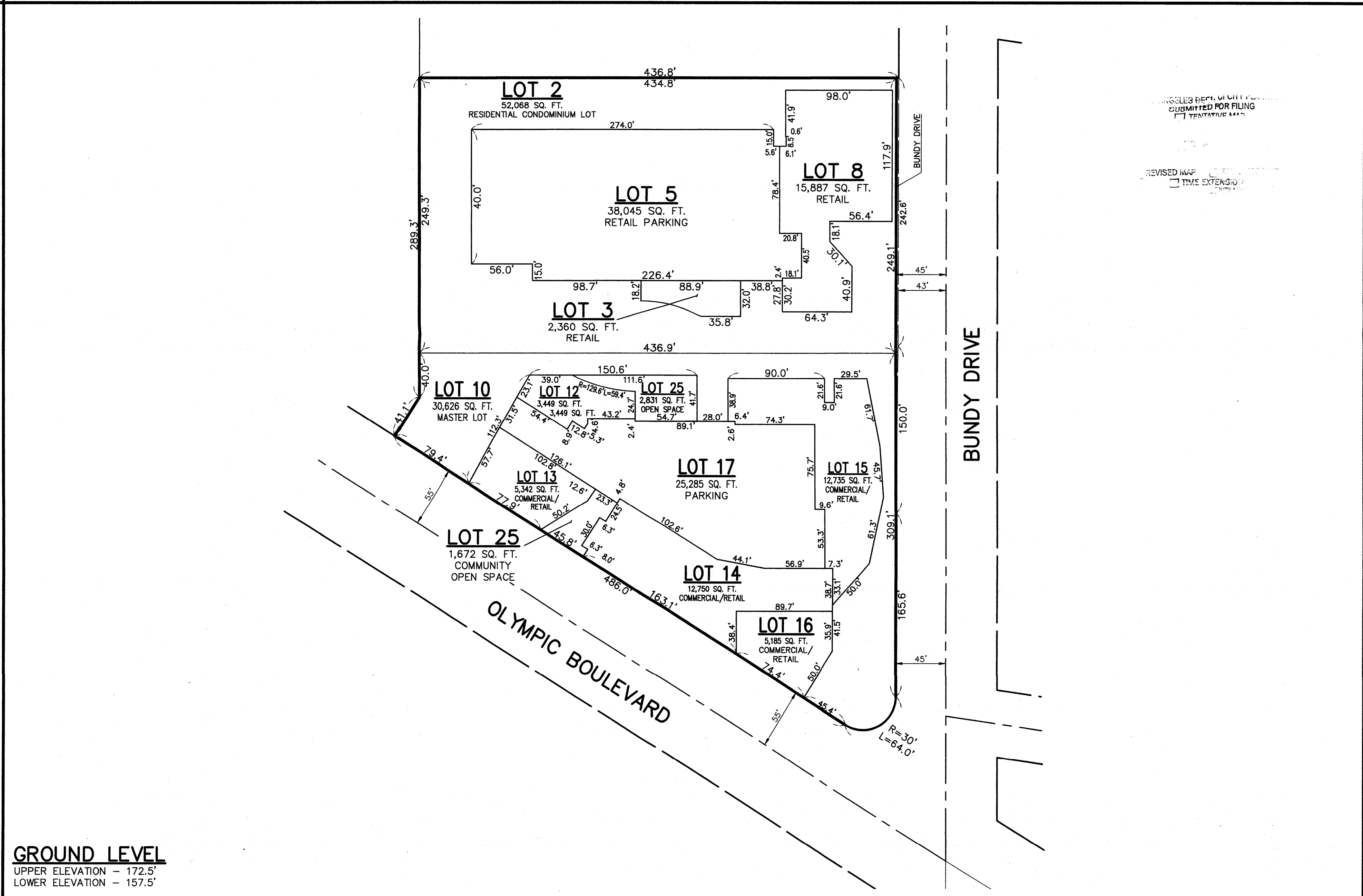
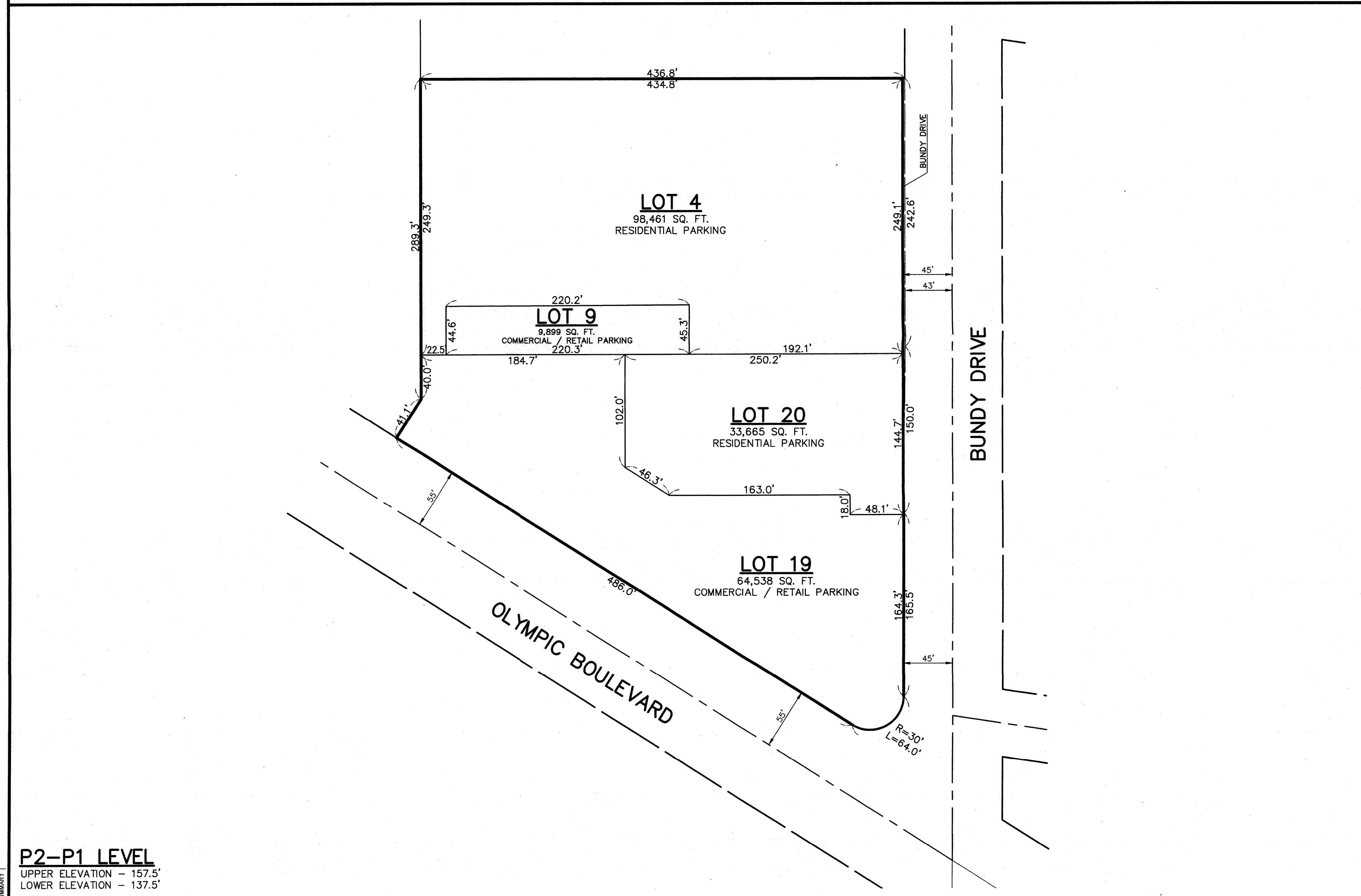






**LOT SUMMARY**

- LOT 1 MASTER LOT
- LOT 2 RESIDENTIAL CONDOMINIUM LOT
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- LOT 15 COMMERCIAL / RETAIL LOT
- LOT 16 COMMERCIAL / RETAIL LOT
- LOT 17 PARKING
- LOT 18 OFFICE TOWER LOT
- LOT 19 COMMERCIAL / RETAIL PARKING
- LOT 20 RESIDENTIAL PARKING
- LOT 21 OFFICE TOWER
- LOT 22 OFFICE TOWER
- LOT 23 OFFICE TOWER
- LOT 24 OFFICE TOWER
- LOT 25 COMMUNITY OPEN SPACE LOT
- LOT 26 COMMERCIAL / RETAIL LOT

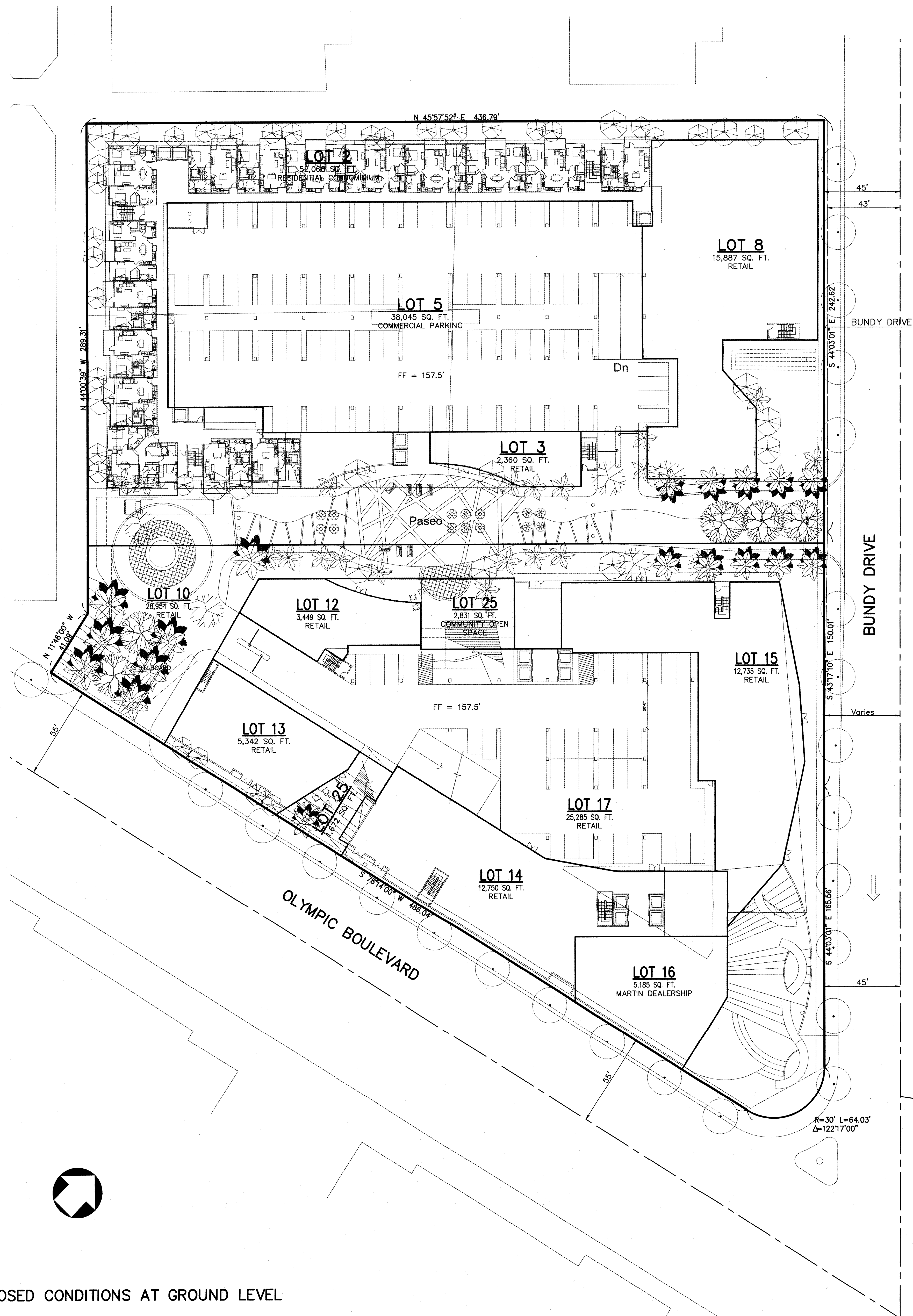


REVISOR'S NAME  
DATE  
TIME EXTENSION  
REVISIONS

	DESIGNED	G. R. G.	<table><tr><td>NO.</td><td>1</td><td>2</td><td>3</td><td>4</td><td>5</td><td>6</td><td>7</td><td>8</td><td>9</td><td>10</td><td>11</td><td>12</td><td>13</td><td>14</td><td>15</td><td>16</td><td>17</td><td>18</td><td>19</td><td>20</td><td>21</td><td>22</td><td>23</td><td>24</td><td>25</td><td>26</td><td>27</td><td>28</td><td>29</td><td>30</td><td>31</td><td>32</td><td>33</td><td>34</td><td>35</td><td>36</td><td>37</td><td>38</td><td>39</td><td>40</td><td>41</td><td>42</td><td>43</td><td>44</td><td>45</td><td>46</td><td>47</td><td>48</td><td>49</td><td>50</td><td>51</td><td>52</td><td>53</td><td>54</td><td>55</td><td>56</td><td>57</td><td>58</td><td>59</td><td>60</td><td>61</td><td>62</td><td>63</td><td>64</td><td>65</td><td>66</td><td>67</td><td>68</td><td>69</td><td>70</td><td>71</td><td>72</td><td>73</td><td>74</td><td>75</td><td>76</td><td>77</td><td>78</td><td>79</td><td>80</td><td>81</td><td>82</td><td>83</td><td>84</td><td>85</td><td>86</td><td>87</td><td>88</td><td>89</td><td>90</td><td>91</td><td>92</td><td>93</td><td>94</td><td>95</td><td>96</td><td>97</td><td>98</td><td>99</td><td>100</td></tr></table>	NO.	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100	DRAWN	G. R. G.	<table><tr><td>NO.</td><td>1</td><td>2</td><td>3</td><td>4</td><td>5</td><td>6</td><td>7</td><td>8</td><td>9</td><td>10</td><td>11</td><td>12</td><td>13</td><td>14</td><td>15</td><td>16</td><td>17</td><td>18</td><td>19</td><td>20</td><td>21</td><td>22</td><td>23</td><td>24</td><td>25</td><td>26</td><td>27</td><td>28</td><td>29</td><td>30</td><td>31</td><td>32</td><td>33</td><td>34</td><td>35</td><td>36</td><td>37</td><td>38</td><td>39</td><td>40</td><td>41</td><td>42</td><td>43</td><td>44</td><td>45</td><td>46</td><td>47</td><td>48</td><td>49</td><td>50</td><td>51</td><td>52</td><td>53</td><td>54</td><td>55</td><td>56</td><td>57</td><td>58</td><td>59</td><td>60</td><td>61</td><td>62</td><td>63</td><td>64</td><td>65</td><td>66</td><td>67</td><td>68</td><td>69</td><td>70</td><td>71</td><td>72</td><td>73</td><td>74</td><td>75</td><td>76</td><td>77</td><td>78</td><td>79</td><td>80</td><td>81</td><td>82</td><td>83</td><td>84</td><td>85</td><td>86</td><td>87</td><td>88</td><td>89</td><td>90</td><td>91</td><td>92</td><td>93</td><td>94</td><td>95</td><td>96</td><td>97</td><td>98</td><td>99</td><td>100</td></tr></table>	NO.	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100	CHECKED	J. D. C.	<table><tr><td>NO.</td><td>1</td><td>2</td><td>3</td><td>4</td><td>5</td><td>6</td><td>7</td><td>8</td><td>9</td><td>10</td><td>11</td><td>12</td><td>13</td><td>14</td><td>15</td><td>16</td><td>17</td><td>18</td><td>19</td><td>20</td><td>21</td><td>22</td><td>23</td><td>24</td><td>25</td><td>26</td><td>27</td><td>28</td><td>29</td><td>30</td><td>31</td><td>32</td><td>33</td><td>34</td><td>35</td><td>36</td><td>37</td><td>38</td><td>39</td><td>40</td><td>41</td><td>42</td><td>43</td><td>44</td><td>45</td><td>46</td><td>47</td><td>48</td><td>49</td><td>50</td><td>51</td><td>52</td><td>53</td><td>54</td><td>55</td><td>56</td><td>57</td><td>58</td><td>59</td><td>60</td><td>61</td><td>62</td><td>63</td><td>64</td><td>65</td><td>66</td><td>67</td><td>68</td><td>69</td><td>70</td><td>71</td><td>72</td><td>73</td><td>74</td><td>75</td><td>76</td><td>77</td><td>78</td><td>79</td><td>80</td><td>81</td><td>82</td><td>83</td><td>84</td><td>85</td><td>86</td><td>87</td><td>88</td><td>89</td><td>90</td><td>91</td><td>92</td><td>93</td><td>94</td><td>95</td><td>96</td><td>97</td><td>98</td><td>99</td><td>100</td></tr></table>	NO.	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100	REV	DATE	DESCRIPTION	BY	APPD
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BENCHMARK CITY OF LOS ANGELES BENCHMARK NO. 13-09750 SPK E CURB BUNDY DR; 1.0 FT S/O BCR S/O OLYMPIC BLVD		<b>P S O M A S</b> 555 South Flower Street, Suite 4300 Los Angeles, CA 90071 (213) 223-1400 (213) 223-1444 fax www.psomas.com		VESTING TENTATIVE TRACT MAP FOR SUBDIVISION AND CONDOMINIUM PURPOSES <b>VESTING TENTATIVE TRACT NO. 72298</b> 12101 WEST OLYMPIC BOULEVARD IN THE CITY OF LOS ANGELES COUNTY OF LOS ANGELES STATE OF CALIFORNIA		DATE 8/13/2013 SCALE 1" = 60' PROJECT NUMBER 1MAR490100	SHEET 3 OF 6
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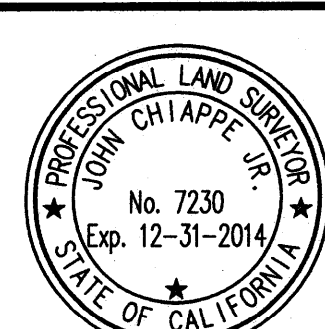
**MASTER LOTS**  
 ABOVE ELEVATION - AS NOTED  
 BELOW ELEVATION - AS NOTED

**P5 LEVEL**  
 UPPER ELEVATION - 117.5'  
 LOWER ELEVATION - 107.5'

**LOT SUMMARY**

- LOT 1 MASTER LOT
- LOT 2 RESIDENTIAL CONDOMINIUM LOT
- LOT 3 RETAIL LOT
- LOT 4 RESIDENTIAL PARKING
- LOT 5 RETAIL PARKING
- LOT 6 RESIDENTIAL CONDOMINIUM LOT
- LOT 7 RESIDENTIAL CONDOMINIUM LOT
- LOT 8 RETAIL LOT
- LOT 9 COMMERCIAL / RETAIL PARKING
- LOT 10 MASTER LOT
- LOT 11 RESIDENTIAL CONDOMINIUM LOT
- LOT 12 COMMERCIAL / RETAIL LOT
- LOT 13 COMMERCIAL / RETAIL LOT
- LOT 14 COMMERCIAL / RETAIL LOT
- LOT 15 COMMERCIAL / RETAIL LOT
- LOT 16 COMMERCIAL / RETAIL LOT
- LOT 17 PARKING
- LOT 18 OFFICE TOWER LOT
- LOT 19 COMMERCIAL / RETAIL PARKING
- LOT 20 RESIDENTIAL PARKING
- LOT 21 OFFICE TOWER
- LOT 22 OFFICE TOWER
- LOT 23 OFFICE TOWER
- LOT 24 OFFICE TOWER
- LOT 25 COMMUNITY OPEN SPACE LOT
- LOT 26 COMMERCIAL / RETAIL LOT

REVISIONS SHEET, 6/1/15  
 SUBMITTED FOR FILING  
 TENTATIVE MAP  
 REVISION MAP  
 FINAL MAP  
 TIME EXTENSION



DESIGNED	G. R. G.
DRAWN	G. R. G.
CHECKED	J. D. C.
REV	DATE
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BENCHMARK CITY OF LOS ANGELES BENCHMARK NO. 13-09750  
 SPK E CURB BUNDY DR; 1.0 FT S/O BCR  
 S/O OLYMPIC BLVD

ELEVATION 155.941 FEET ADJUSTMENT 2000 ADJ. (NAVD88)

PATHELOT DATE  
 Aug. 13, 2013 - 10:05:28 DWG Name: \\wells\projects\140490100\SUBDIVISION\TENTATIVE\140490100.dwg Updated By: gregg

**PSOMAS**  
 555 South Flower Street, Suite 4300  
 Los Angeles, CA 90071  
 (213) 223-1400 (213) 223-1444 fax  
 www.psomas.com

VESTING TENTATIVE TRACT MAP FOR SUBDIVISION AND CONDOMINIUM PURPOSES

**VESTING TENTATIVE TRACT NO. 72298**

12101 WEST OLYMPIC BOULEVARD

IN THE CITY OF LOS ANGELES COUNTY OF LOS ANGELES STATE OF CALIFORNIA

DATE	8/13/2013	SHEET	2
SCALE	1" = 30'		
PROJECT NUMBER	140490100		
			6

REF: