**Planning Environmental Review <planning.envreview@lacity.org>**

# Support Inclusive Housing.

2 messages

**Robert A Sutton** <rasutton@icloud.com> Tue, May 17, 2016 at 11:03 PM
To: Planning.envreview@lacity.org

Planning commission of LA City,

Los Angeles is a beautiful city with a number of opportunities, this city offers such amazing experiences that people can have and limiting those opportunities and experiences to one economic standard is ineffective to the progression of our communities throughout Los Angeles county. 28 affordable units of housing won't solve Los Angeles' need for housing, especially affordable housing; however, it is a great start in the right direction.

I am fully supportive of this project and how it will provide more jobs which will better the economy. With these jobs being in the community there will be a reduction in traffic congestion, increase in LA's employment rate and possibly . I support this project because it will provide the opportunity for everyone to experience the Sunset Strip as a resident. Let's approve this project!

Thank You,

Robert Sutton
1418 ½ N. Hayworth Ave.
Los Angeles, CA 90046
323.850.1818

Robert

**Planning Environmental Review** <planning.envreview@lacity.org> Tue, May 17, 2016 at 11:03 PM
To: rasutton@icloud.com

*This reply is automatically generated. If you have specific questions or would like an immediate response, please contact the project planner identified on the notice directly.*

**Planning Environmental Review <planning.envreview@lacity.org>**

# ENV-2013-2552-EIR

**Mail Delivery Subsystem** <mailer-daemon@googlemail.com> Mon, May 16, 2016 at 6:48 PM
To: planning.envreview@lacity.org

Delivery to the following recipient failed permanently:

sbslobal@ad.com

Technical details of permanent failure:
The recipient server did not accept our requests to connect. Learn more at https://support.google.com/mail/answer/7720
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Fri, 13 May 2016 14:18:05 -0700 (PDT)
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**Planning Environmental Review <planning.envreview@lacity.org>**

# ENV-2013-2552-EIR

**Mail Delivery Subsystem** <mailer-daemon@googlemail.com> Mon, May 16, 2016 at 5:29 PM
To: planning.envreview@lacity.org

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scuscuna@mac.om

Technical details of permanent failure:
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Fri, 13 May 2016 14:18:05 -0700 (PDT)
Sender: william.lamborn@lacity.org
X-Google-Sender-Delegation: william.lamborn@lacity.org
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Subject: ENV-2013-2552-EIR

From: Planning Environmental Review <planning.envreview@lacity.org>
To: undisclosed-recipients:;
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Bcc: scuscuna@mac.com
[Quoted text hidden]

**William Lamborn <william.lamborn@lacity.org>**

# VTT-72370-CN Staff Report and Hearing Agenda

**William Lamborn** <william.lamborn@lacity.org> Tue, May 17, 2016 at 9:00 PM
To: jeff@creedla.com
Cc: Christina Toy <christina.toy-lee@lacity.org>

Mr. Modrzejewski,
Pursuant to your request to receive notice regarding the subject case, please see attached staff report and Hearing Agenda for the 8150 Sunset Mixed Use Project.

Regards,

--

William Lamborn
Major Projects
Department of City Planning
200 N. Spring Street, Rm 750
Ph: 213.978.1470
Please note that I am out of the office every other Friday.

**2 attachments**

**DWTN AGENDA template.pdf**
18K

**VTT-72370-CN.pdf**
14094K

VESTING TENTATIVE TRACT MAP NO. 72370-CN (stamped map-dated April 13, 2016)

HEARING DATE: Tuesday, May 24, 2016

PLANNING DEPARTMENT STAFF REPORT

PURSUANT TO ORDINANCE NO. 164,845, IF A CERTIFICATE OF POSTING HAS NOT BEEN SUBMITTED BEFORE THE DATE OF THE PUBLIC HEARING, IT MUST BE PRESENTED AT THE HEARING, OR THE CASE MUST BE CONTINUED.

REQUEST

Pursuant to Los Angeles Municipal Code (LAMC) Section 17.03, Vesting Tentative Tract Map No. VTT-72370-CN to permit the merger and re-subdivision of a 111,339 square-foot site into one Master Lot and 10 airspace lots, for a mixed-use development consisting of 249 residential apartment units, including 28 affordable units, and 111,339 square feet of commercial retail and restaurant uses, and 849 parking spaces, located in the C4-1D Zone. The project request includes Haul Route approval for the export of approximately 58,500 cubic yards of material.

Pursuant to Section 21082.1(c) of the California Public Resources Code, certification of the Environmental Impact Report, findings, Statement of Overriding Considerations and accompanying mitigation measures and Mitigation Monitoring Program for ENV-2013-2552-EIR (SCH No. 2013091044).

PROJECT ADDRESS (8150 Sunset Boulevard)

8148-8182 West Sunset Boulevard; 1438-1486 North Havenhurst Drive; 1435-1443 North Crescent Heights Boulevard.

RELEVANT CASES

**ON-SITE:**

Case No. CPC-2013-2551-MCUP-DB-SPR: This is a concurrent request seeking: a 22% Density Bonus to provide 45 additional units, in lieu of the 35% density bonus, where 11% (28 units) of the total units will be set aside for Very Low Income Households, and the utilization of Parking Option 1 to allow one on-site parking space for each Residential Unit of zero to one bedrooms, two on-site parking spaces for each Residential Unit of two to three bedrooms, and two-and-one-half on-site parking spaces for each Residential Unit of four or more bedrooms; an Off-Menu Incentive to allow the lot area including any land to be set aside for street purposes to be included in calculating the maximum allowable floor area, in lieu of as otherwise required by LAMC Section 17.05; an Off-Menu Incentive to allow a 3:1 Floor Area Ratio for a Housing Development Project located within 1,560 feet of a Transit Stop, in lieu of the 1,500 foot distance specified in LAMC Section 12.22-A,25(f)(4)(ii); a Master Conditional Use for the sale and/or dispensing of a full line of alcoholic beverages for on-site consumption in conjunction with four restaurant/dining uses, and the sale of a

full line of alcoholic beverages for off-site consumption in conjunction with a grocery store; and a Site Plan Review for a project which creates or results in an increase of 50 or more dwelling units and 50,000 gross square feet of nonresidential floor area.

Ordinance No. 182,960: On April 2, 2014, the City Council voted to set aside the approval of the 2012 Hollywood Community Plan Update, reverting the zoning designations and policies, goals, and objectives that were in effect immediately prior to the approval of the 2012 Hollywood Community Plan update.

Case No. CPC-2014-669-CPU (Ordinance No. 182,960): On March 13, 2014, the City Planning Commission: Approved a Resolution vacating, rescinding, and setting aside the previously approved General Plan Amendment relative to the Hollywood Community Plan Update and all related actions to the Transportation Element and Framework Element that was made part of the General Plan of the City of Los Angeles; Approved an Ordinance rescinding, vacating, and setting aside Ordinance No. 182,173, thereby reverting the zoning ordinances and regulations in place immediately prior to the City Council's adoption of Ordinance No. 182,173; and, Approved a Resolution for the General Plan Framework Element Amendment reaffirming the City's historic interpretation and implementation of the Framework Element's monitoring policies and programs, as modified by the Commission.

Ordinance No. 182,173: On June 19, 2012, the City Council adopted the 2012 Hollywood Community Plan Update, which updated the 1988 Hollywood Community plan, including land use designations and policies addressing development through 2030.

Case No. CPC-2005-6082-CPU (Ordinance No. 182,173-SA4:5C): On February 24, 2012, the City Planning Commission approved an Update to the Hollywood Community Plan, adopting changes to the Hollywood Community Plan text, maps, footnotes and nomenclature changes, as well as rezoning actions. Amendments were made to the Highways and Freeways Map of the Transportation Element of the General Plan, and the Long-Range Land Use Diagram of the Citywide General Plan Framework Element.

Ordinance No. 164,714: At its meeting of March 22, 1989, the City Council passed an ordinance, effective May 16, 1989, establishing a "D" limitation to allow a floor area ratio not to exceed 1:1 on the project site in the C4-1D zone.

**OFF-SITE:**

Case No. VTT-54281-CC: On October 14, 2003, the Advisory Agency approved a 10-unit condominium conversion located at 1471-1475 N. Havenhurst Drive.

## PUBLIC RESPONSES

At the time of the preparation of this report, staff has received two telephone calls from the public in opposition to the proposed project. The first commenter expressed concerns about traffic impacts, aesthetic impacts related to building height and scale, and concerns about the proposed conversion of the traffic island to public space, to be maintained by the applicant. The second commenter expressed concerns regarding traffic, seismic risks, truck access to the project site, waste water capacity, hazardous materials, and air quality impacts to nearby residents. Staff received one telephone call in opposition to the proposed project but in support of Alternative 9, identified as "Enhanced View Corridor and Additional Underground Parking Alternative" in the EIR. Staff has also received telephone calls with inquiries on the time and procedures associated with the public hearing.

## GENERAL COMMENTS

*Project Site*

The project site is an irregular-shaped 2.56-acre lot consisting of two parcels, one with primary frontage on Sunset Boulevard and one with frontage on Havenhurst Drive. The project site is zoned C4-1D. The site is currently improved with two commercial buildings, including bank and fast food uses, and associated parking. The property has a frontage along Havenhurst Drive, Sunset Boulevard, and Crescent Heights Boulevard. The Hollywood Community Plan map designates the project site for Neighborhood Office Commercial land uses. There are no protected trees on the site.

*Project Vicinity*

The project is an infill development located within a commercial area of Sunset Boulevard. The project vicinity is highly urbanized and generally built out, and is characterized by a mix of uses, including commercial, restaurant, bar, hotel, single- and multi-family residential uses in the C4-1D, (Q)C2-2D, CR-1D, R4-1D, R2-1XL, and R1-1 zones. A mix of commercial uses is concentrated along Sunset Boulevard to the east and west of the project site. Areas to the north of Sunset Boulevard demonstrate hillside topography and consist of predominately single-family residential uses. Areas immediately to the west of the project site along Havenhurst Drive are characterized by multi-family residential uses. Areas immediately to the south of the project site are located in the City of West Hollywood and are characterized by multi-family residential uses. Notable uses in the project vicinity Boulevard include hotel and multi-family residential buildings constructed in the 1920s and 1930s, including the Chateau Marmont on Sunset Boulevard to the west; the Colonial House and Ronda Apartments on Havenhurst Drive to the south; the Andalusia Apartments on Havenhurst Drive to the west; and The Granville, The Tuscany, and the Savoy Plaza on Crescent Heights Boulevard to the southeast.

*Circulation*

The applicant has filed a Vesting Tentative Tract request, and as such is subject to the street designations of the Transportation Element, which were in effect at the time of filing.

Sunset Boulevard is a Major Highway Class II dedicated to a 95-foot width along the project site's northern street frontage (Avenue I under the Mobility Plan 2035).

Crescent Heights Boulevard is a Major Highway Class II dedicated to a variable width of up to 95 feet along the project site's eastern street frontage (Avenue II under the Mobility Plan 2035).

Havenhurst Drive is a Local Street dedicated to a 60-foot width along the project site's western street frontage (Local Street under the Mobility Plan 2035).

*Public Transit*

The following lines provide service to and around the project site:
Metro Rapid Line: 780
Metro Regional/Local Lines: 2/302, 217, 218,
West Hollywood Cityline: Orange, Blue

*Hazards*

The project site is located within an Alquist-Priolo Zone. The project site is not located within a Fault Rupture Study Area. The project site is located approximately 0.25 kilometers from the nearest fault (Hollywood Fault).

The property is not located in Landslide, Liquefaction, Tsunami Inundation, Very High Fire Hazard Severity Zone, Flood Zone, Methane Hazard, or High Wind Velocity areas.

*Economic Development*

The property is not located within a Business Improvement District or a State Enterprise Zone.

REPORTS RECEIVED

BUREAU OF ENGINEERING: Reports that the Tract Map layout is satisfactory as submitted and recommends approval subject to conditions pertaining to dedications and improvements along Crescent Heights Boulevard and Sunset Boulevard in a memo dated November 17, 2014. See recommended conditions in **Draft Tentative Tract Report with Conditions** under department.

DEPARTMENT OF BUILDING AND SAFETY, GRADING DIVISION: Tentatively approves subject to conditions stated in the memo dated October 19, 2015. See recommended conditions in **Draft Tentative Tract Report with Conditions** under department.

DEPARTMENT OF BUILDING AND SAFETY, ZONING DIVISION: A clearance letter will be issued stating that no Building and Zoning Code violations exist on the subject site once the items identified in the memo dated November 3, 2014 have been satisfied. See recommended conditions in **Draft Tentative Tract Report with Conditions** under department.

DEPARTMENT OF TRANSPORTATION: Recommends that the project be subject to conditions stated in the memo dated April 21, 2016. See recommended conditions in **Draft Tentative Tract Report with Conditions** under department.

FIRE DEPARTMENT: Recommends that the project be subject to conditions stated in the memo dated October 22, 2014. See recommended conditions in **Draft Tentative Tract Report with Conditions** under department.

LOS ANGELES UNIFIED SCHOOL DISTRICT: No comments were available at the writing of the staff report.

DEPARTMENT OF WATER AND POWER: Reports that this tract can be supplied with water from the municipal system subject to LADWP's Water System Rules and requirements as stated in the memo dated December 10, 2014.

BUREAU OF STREET LIGHTING: No comments were available at the writing of the staff report.

BUREAU OF SANITATION: Wastewater Collection Systems Division of the Bureau of Sanitation has inspected the sewer/storm drain lines serving the subject tract and found no potential problems to their structures or potential maintenance problem.

ENVIRONMENTAL CLEARANCE

The Department of City Planning issued a Final Environmental Impact Report No. ENV-2013-2552-EIR on May 13, 2016. See **Draft Tentative Tract Report with Conditions.**

STAFF RECOMMENDATIONS

The Planning Department staff recommends that the Deputy Advisory Agency approve Alternative 9, identified as "Enhanced View Corridor and Additional Underground Parking Alternative" in the EIR, and as shown on map stamp-dated April 13, 2016.

Alternative 9 would have the same overall development intensity as the project (maximum of FAR 3.0), but with a reduction in commercial floor area from 111,339 to 65,000 square feet. Under Alternative 9, the North Building height would be three stories at the Sunset Boulevard retail frontage. The South Building would include three tower elements, one along Havenhurst Drive at 15 stories in height (approximately 234 feet above grade), one along Crescent Heights at 11 stories (approximately 174 feet above grade), and one at the central portion of the South Building between the East and West tower elements at five stories (or approximately 110 feet above). In comparison, the project includes heights ranging from 2 to 16 stories (with an overall building height of approximately 216 feet). The massing of the buildings under Alternative 9 would vary from that of the project, providing views southward across the Project Site from locations to the north and vice-versa.

The majority of other project-related improvements, facilities, and amenities such as landscaping and the conversion of the adjacent City-owned traffic island to provide a 9,134 square foot public space would be similar to those of the project. Variations from the Project regarding such improvements, facilities, and amenities include a reduced Central Plaza, which would be 27,000 square feet (compared to 34,050 square feet under the project); separate resident amenities for apartment and condominium units totaling 10,337 square feet (compared to 6,881 square feet under the project); and increased private/resident terraces, balconies, and common areas totaling 41,150 square feet (compared to 27,041 square feet under the project).

The Planning Department staff recommends approval of Vesting Tentative Tract Map No. 72370-CN subject to the standard conditions and the additional conditions in the **Draft Tentative Tract Report with Conditions.**

Prepared by:

WILLIAM LAMBORN
Planning Assistant
(213) 978-1470

**Note:** Recommendation does not constitute a decision. Changes may be made by the Advisory Agency at the time of the public hearing.

## DRAFT TENTATIVE TRACT REPORT WITH CONDITIONS

In accordance with provisions of Section 17.03 of the Los Angeles Municipal Code (LAMC), the Advisory Agency approved Vesting Tentative Tract Map No. 72370-CN, located at 8148-8182 West Sunset Boulevard; 1438-1486 North Havenhurst Drive; 1435-1443 North Crescent Heights Boulevard, consisting of **one master lot and 10 air space lots** for the development of **249 residential condominiums, including 28 units set-aside for Very Low Income households, and 65,000 square feet of commercial uses**, as shown on map stamp-dated April 13, 2016 in the Hollywood Community Plan. This unit density is based on the C4-1D Zone, the High Residential Density category of the Hollywood Community Plan, and LAMC Section 12.22-A,25. (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) 978-1362 or (818) 374-5050. 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. That a 2-foot wide strip of land be dedicated along Crescent Heights Boulevard adjoining the tract to complete a 52-foot wide half right-of-way in accordance with Major Highway Standards including a 98-foot radius property line return at the intersection with Sunset Boulevard.

2. That a 2-foot wide strip of land be dedicated along Sunset Boulevard adjoining the tract to complete a 52-foot wide half right-of-way including a 20-foot radius property line return at the intersection with Havenhurst Drive.

3. That the subdivider make a request to the Central District Office of the Bureau of Engineering to determine the capacity of existing sewers in this area.

4. That a set of drawings for airspace lots be submitted to the City Engineer showing the following:
   a. Plan view at different elevations
   b. Isometric views
   c. Elevation views
   d. Section cuts at all locations where air space lot boundaries change.

5. That the owners of the property record an agreement satisfactory to the City Engineer stating that they will grant the necessary private easement 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.

6. That all existing public utility easements be correctly shown on the final map.

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

7. 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, with all the requirements and conditions contained in Inter-Departmental Letter dated October 19, 2015, Log No. 83343-02 and attached to the case file for Tract No. 72370-CN.

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

8. 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. Provide a copy of CPC cases CPC-2014-669-CPU and CPC-2013-MCUP-ZV-DB-SPR. Show compliance with all the conditions/requirements of the CPC cases as applicable.

   b. Comply with D conditions from Ordinance 164714 that limits the total floor area of all buildings on the lot to not exceed one times the buildable area of the lot or obtain City Planning approval to exceed this limit as proposed.

   c. Provide a copy of affidavits OB-15548, AFF-3066, AFF-2837, and AF-89-146951. Show compliance with all the conditions/requirements of the above affidavits as applicable. Termination of above affidavits may be required after the Map has been recorded. Obtain approval from the Department, on the termination form, prior to recording.

   d. 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.

   e. 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 proposed building plans have not been checked for and shall comply with Building and Zoning Code requirements. With the exception of revised health or safety standards, the subdivider shall have a vested right to proceed with the proposed development in substantial compliance with the ordinances, policies, and standards in effect at the time the subdivision application was deemed complete. 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**

9. Prior to recordation of the final map, satisfactory arrangements shall be made with the Department of Transportation to assure:

   a. A minimum 60-foot and 40-foot reservoir space(s) be provided between any ingress security gate(s) and the property line when driveway is serving more than 300 and 100 parking spaces respectively.

   b. Parking stalls shall be designed so that a vehicle is not required to back into or out of any public street or sidewalk, LAMC 12.21 A-5(i)a.

   c. The applicant complies with the mitigation measures as stated in the February 28, 2014 DOT letter to Karen Hoo, City Planner, Department of City Planning. All subsequent revisions and modifications shall remain in effect.

   d. Driveways and vehicular access to projects shall be consistent with LADOT's Case No. CEN 13-41328 in the February 28, 2014 DOT letter to Karen Hoo, City Planner, Department of City Planning.

   e. A parking area and driveway plan be submitted to the Citywide Planning Coordination Section of the Department of Transportation for approval prior to submittal of building permit plans for plan check by the Department of Building and Safety. Transportation approvals are conducted at 201 N. Figueroa Street, Room 550.

**FIRE DEPARTMENT**

10. 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:

    a. 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.

    b. Adequate public and private fire hydrants shall be required.

    c. Access for Fire Department apparatus and personnel to and into all structures shall be required.

    d. The Fire Department may require additional vehicular access where buildings exceed 28 feet in height

    e. Any required fire hydrants to be installed shall be fully operational and accepted by the Fire Department prior to any building construction.

    f. No framing shall be allowed until the roadway is installed to the satisfaction of the Fire Department.

    g. Where rescue window access is required, provide conditions and improvements necessary to meet accessibility standards as determined by the Los Angeles Fire Department.

    h. 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.

    i. Entrance to the main lobby shall be located off the address side of the building.

    j. Any required Fire Annunciator panel or Fire Control Room shall be located within 50ft visual line of site of the main entrance stairwell or to the satisfaction of the Fire Department.

    Note: 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.

**DEPARTMENT OF WATER AND POWER**

11. Satisfactory arrangements shall be made with the Los Angeles Department of Water and Power (LADWP) for compliance with LADWP's Water System Rules and requirements. Upon compliance with these conditions and requirements in a letter dated December 10, 2014, LADWP's Water Services Organization 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.(c).)

**BUREAU OF STREET LIGHTING**

12. 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.

**BUREAU OF SANITATION**

13. 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**

14. 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, 12th Floor, Los Angeles, CA 90012, 213 922-8363.

**DEPARTMENT OF RECREATION AND PARKS**

15. That the Quimby fee be based on the C4 Zone. (MM)

**URBAN FORESTRY DIVISION AND THE DEPARTMENT OF CITY PLANNING**

16. Prior to the issuance of a grading permit, a plot plan prepared by a reputable tree expert, indicating the location, size, type, and condition of all existing trees on the site shall be submitted for approval by the Department of City Planning. All trees in the public right-of-way shall be provided per the current Urban Forestry Division standards.

Replacement by a minimum of 24-inch box trees in the parkway and on the site of the trees to be removed, shall be required for the unavoidable loss of desirable trees on the site, and to the satisfaction of the Advisory Agency. **Note**: Removal of all trees in the public right-of-way shall require approval of the Board of Public Works. Contact: Urban Forestry Division at: 213 485-5675. Failure to comply with this condition as written shall require the filing of a modification to this tract map in order to clear the condition.

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

17. Density Bonus. Prior to the issuance of a building permit for any dwelling unit on the subject property, the applicant shall execute and record a rental covenant agreement running with the land, to the satisfaction of the Los Angeles Housing Department ("LAHD"). The covenant shall bind the applicant and/or any subsequent property owner to reserve 28 of the proposed 249 units for occupancy by Very Low Income households. The 22% density bonus, grants the applicant an additional 45 units in excess of the 204 otherwise permitted by the High Density Residential category under the Hollywood Community Plan, which is more restrictive than the density permitted by the C4 Zone. These units will be restricted as affordable for sale or rental dwelling units, pursuant to California Government Code Section 65915 and Los Angeles Municipal Code Section 12.22-A.25. All density bonus calculations resulting in fractional units shall be rounded up to the nearest whole number (Gov. Code Section 65915 (g)(5)). Applicant must provide an affordable unit dispersal proposal to be approved by LAHD to ensure that affordable units are not segregated or otherwise distinguishable from market rate units.

Parking Option 1. Provide a minimum one on-site parking space for each studio and one-bedroom unit, two on-site parking spaces for each two- to three-bedroom unit, and two-and-one-half parking spaces for each unit of four or more bedrooms.

18. 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. Limit the proposed development to 249 units and 65,000 square feet of commercial uses.

b. Prior to issuance of a certificate of occupancy, a minimum 6-foot-high slumpstone or decorative masonry wall shall be constructed adjacent to neighboring residences, if no such wall already exists, except in required front yard.

c. Commercial parking shall comply with LAMC Section 12.24-A,4(c).

d. The applicant shall install air filters capable of achieving a Minimum Efficiency Rating Value of 11 or better in order to reduce the effects of diminished air quality on the occupants of the project.

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.

h. The applicant shall install shielded lighting to reduce any potential illumination affecting adjacent properties.

19. Prior to the issuance of the building permit or the recordation of the final map, a copy of CPC-2013-2551-MCUP-DB-SPR shall be submitted to the satisfaction of the Advisory Agency. In the event that CPC-2013-2551-MCUP-DB-SPR is not approved, the subdivider shall submit a tract modification.

20. Prior to the issuance of a grading permit, the subdivider shall record and execute a Covenant and Agreement (Planning Department General Form CP-6770), binding the subdivider to the following haul route conditions:

a. Hauling occurs typically over an approximately 7 hour work day, beginning at 9:00 A.M. and ending at 4:00 P.M.

b. No hauling activity occurs on Sunday.

c. Haul vehicles are 10.0 cubic yard capacity semi-trailer trucks.

d. Total net excavation of material for export is approximately 136,000 cubic yards.

e. General construction debris shall be taken to a landfill in Sun Valley.

f. Concrete, asphalt and soil shall be hauled to a location in Irwindale.

g. Steel removed from the Project site shall be salvaged at a location in Wilmington.

h. All haul vehicles travel to and from the project vicinity via the US-101 Hollywood Freeway, accessing the freeway from Sunset Boulevard.

i. Haul vehicles utilizing the Irwindale and Wilmington facilities access the Hollywood Freeway directly from Sunset Boulevard

j. Haul vehicles traveling to the Sun Valley facility turn north from Sunset Boulevard on Wilton Place, then West on Hollywood Boulevard to the northbound Hollywood Freeway on-ramp.

k. Haul vehicles returning from the Sun Valley facility exit the Hollywood Freeway using the Hollywood Boulevard exit, then travel south on Van Ness Avenue to Sunset Boulevard.

21. **Indemnification.** Applicant shall do all of the following:

(i) Defend, indemnify and hold 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**

22. Prior to recordation of the final map the subdivider shall prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770 and Exhibit CP-6770. M) in a manner satisfactory to the Planning Department requiring the subdivider to identify (a) mitigation monitor(s) who shall provide periodic status reports on the implementation of mitigation items required by Mitigation Condition Nos. 15, 17 and 18 of the Tract's approval satisfactory to the Advisory Agency. The mitigation monitor(s) shall be identified as to their areas of responsibility, and phase of intervention (pre-construction, construction, post-construction/maintenance) to ensure continued implementation of the above mentioned mitigation items.

23. 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 Program ("MMP") 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 MMP. 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 MMP 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 MMP 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 MMP 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 MMP.

After review and approval of the final MMP by the City, minor changes and modifications to the MMP 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 MMP, 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 MMP continues to satisfy the requirements of CEQA, as determined by the City.

**MITIGATION MEASURES AND PROJECT DESIGN FEATURES**

**Aesthetics/Visual Resources**

**Project Design Features**

**PDF-AES-1:** The Project shall provide landscaping features, or features that contribute to landscaping, such as a green wall and vine-covered stone cladding along the exposed podium structure on Havenhurst Drive and landscaping treatment of the exposed podium structure on the south edge of the property where adequate space exists to allow for landscape maintenance.

**Enforcement Agency:** Los Angeles Department of City Planning
**Monitoring Agency:** Los Angeles Department of City Planning
**Monitoring Phase**: Prior to occupancy and post-occupancy
**Monitoring Frequency:** Field inspection(s) following construction
**Action Indicating Compliance:** Field inspection sign-off

**Mitigation Measures**

**Mitigation Measure AES-1:** The Applicant shall provide a 12-foot construction fence for neighborhood protection during construction of the Project.

**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; Compliance certification report by Project contractor

**Mitigation Measure AES-2:** The Applicant shall ensure through appropriate postings and daily visual inspections that no unauthorized materials are posted on any temporary construction barriers or temporary pedestrian walkways, and that such temporary barriers

and walkways are maintained in a visually attractive manner 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:** Daily field inspections during construction
**Action Indicating Compliance:** Field inspection sign-off; Compliance certification report by Project contractor

**Air Quality**

**Project Design Features**

**PDF AQ-1: Green Building Measures:** The Project would be designed and operated to meet or exceed the applicable requirements of the State of California Green Building Standards Code and the City of Los Angeles Green Building Code and achieve the U.S. Green Building Council (USGBC) LEED® Silver Certification. The Project would incorporate measures and performance standards to support its LEED® Silver Certification, which include but are not limited to the following:

- The Project would implement a construction waste management plan to recycle and/or salvage a minimum of 75 percent of nonhazardous construction debris or minimize the generation of construction waste to 2.5 pounds per square foot of building floor area. (LEED® Materials and Resources Credit 5 [v4]1)
- The Project would be designed to optimize energy performance and reduce building energy cost by 10 percent for new construction compared to ASHRAE 90.1-2010, Appendix G and the Title 24 Building Standards Code. The energy optimization would be achieved by incorporating energy efficient designs that may include energy efficient heating, ventilation, and HVAC systems, energy efficient windows, energy efficient insulation, or other appropriate measures. Prior to building permit issuance, sufficient proof of energy optimization shall be made available in accordance with LEED®, which may include building energy simulations, past energy simulation analyses for similar buildings, or published data from analyses for similar buildings. (LEED® Energy and Atmosphere Credit 2 [v4])
- The Project would reduce emissions through the use of grid-source, renewable energy technologies and carbon mitigation projects. The Project would engage in a contract for qualified resources, for a minimum of five years, to be delivered at least annually. The contract would specify the provision of 100 percent of the Project's energy from green power, carbon offsets, and/or renewable energy certificates ("RECs") during the first five years of operation. The Project would commit to providing a minimum of 15 percent of the Project's energy from green power, carbon offsets, and/or RECs for two years after the minimum five year period. (LEED® Energy and Atmosphere Credit 7 [v4]); and

- The Project would reduce indoor water use by a minimum of 35 percent by installing water fixtures that exceed applicable standards. (LEED® Water Efficiency Credit 2 [v4]).

  **Enforcement Agency:** SCAQMD; Los Angeles Department of Building and Safety
  **Monitoring Agency:** Los Angeles Department of Building and Safety
  **Monitoring Phase:** Pre-Construction; Operation
  **Monitoring Frequency:** Once at plan check prior to issuance of building permit; once after occupancy
  **Action Indicating Compliance:** Issuance of Building Permit (Pre-Construction); Compliance certification report (Operation)

**Mitigation Measures**

**Mitigation Measure AQ-1:** The Applicant shall utilize off-road diesel-powered construction equipment that meet the Tier 4 off-road emissions standards for those equipment rated at 50 hp or greater. To the extent possible, pole power will be made available for use with electric tools, equipment, lighting, etc. The Applicant shall utilize electric or alternative non-diesel fuel (e.g., propane) for certain heavy-duty equipment, including concrete/industrial saws, tower cranes, scissor and man lifts, concrete placing booms, water pumps, and welders. These requirements shall be included in applicable bid documents and successful contractor(s) must demonstrate the ability to supply such equipment. A copy of each unit's certified tier specification and CARB or SCAQMD operating permit shall be available upon request at the time of mobilization of each applicable unit of equipment. The Applicant shall encourage construction contractors to apply for SCAQMD "SOON" finds. 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 the following website: http://www.aqmd.gov/tao/Implementation/SOONProgram.htm.

**Enforcement Agency:** Los Angeles Department of Building and Safety; SCAQMD
**Monitoring Agency:** Los Angeles Department of Building and Safety
**Monitoring Phase**: Pre-Construction and Construction
**Monitoring Frequency:** Construction bid document verification and periodic field inspections during construction
**Action Indicating Compliance:** Construction bid document sign-off; Compliance certification report by Project contractor

**Cultural Resources**

**Archaeological and Paleontological Resources**

**Mitigation Measures**

**Mitigation Measure ARCH-1:** The Applicant shall retain a qualified archaeological monitor who meets the Secretary of the Interior's Professional Qualifications Standards for anarchaeologist. The monitor shall be present during construction excavations such as grading, trenching, grubbing, or any other construction excavation activity associated with the Project. The frequency of monitoring shall be determined by the monitor based on the rate of excavation activities, the materials being excavated (native versus fill sediments), and the depth of excavation, and, if found, the proximity, abundance, and type of archaeological resources encountered.

**Enforcement Agency:** Los Angeles Department of City Planning
**Monitoring Agency:** Los Angeles Department of City Planning; Los Angeles Department of Building and Safety
**Monitoring Phase:** Construction
**Monitoring Frequency:** Periodic per recommendations of archaeological monitor
**Action Indicating Compliance:** Compliance report by qualified archaeological monitor.

**Mitigation Measure ARCH-2:** In the event that archaeological resources are unearthed during ground-disturbing activities, the archaeological monitor shall be empowered to halt or redirect ground-disturbing activities away from the vicinity of the find so that the find can be evaluated. Work shall be allowed to continue outside of the vicinity of the find. All archaeological resources unearthed by Project construction activities shall be evaluated by the archaeologist. The Applicant shall coordinate with the archaeologist and the City to develop an appropriate treatment plan for the resources if they are determined to be potentially eligible for the California Register or potentially qualify as unique archaeological resources pursuant to CEQA. Treatment may include implementation of archaeological data recovery excavations to remove the resource or preservation in place.

**Enforcement Agency:** Los Angeles Department of City Planning; Los Angeles Department of Building and Safety
**Monitoring Agency:** Los Angeles Department of Building and Safety
**Monitoring Phase:** Construction
**Monitoring Frequency:** At time of resource discovery, should it occur
**Action Indicating Compliance:** If archaeological resources are unearthed, submittal of compliance certification report and treatment plan by a qualified archaeological monitor

**Mitigation Measure ARCH-3:** The archaeological monitor shall prepare a final report at the conclusion of archaeological monitoring. The report shall be submitted by the Applicant to the City, the South Central Coastal Information Center, and representatives of other appropriate or concerned agencies to signify the satisfactory completion of the Project and required mitigation measures. The report shall include a description of resources unearthed, if any, treatment of the resources, and evaluation of the resources with respect to the California Register. The Applicant, in consultation with the

archaeologist and the City, shall designate repositories meeting State standards in the event that archaeological material is recovered. Project material shall be curated in accordance with the State Historical Resources Commission's Guidelines for Curation of Archaeological Collections.

**Enforcement Agency:** Los Angeles Department of City Planning
**Monitoring Agency:** Los Angeles Department of City Planning
**Monitoring Phase:** Post-construction
**Monitoring Frequency:** Once upon completion of excavation
**Action Indicating Compliance:** Compliance report by qualified archaeological monitor.

**Mitigation Measure ARCH-4:** If human remains are encountered unexpectedly during construction of the Project, State Health and Safety Code Section 7050.5 requires that no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to Public Resources Code (PRC) Section 5097.98. If the remains are determined to be of Native American descent, the coroner has 24 hours to notify the Native American Heritage Commission ("NAHC"). The NAHC shall then identify the person(s) thought to be the Most Likely Descendent ("MLD"). The MLD may, with the permission of the Applicant, inspect the site of the discovery of the Native American remains and may recommend means for treating or disposing, with appropriate dignity, the human remains and any associated grave goods. The MLD shall complete their inspection and make their recommendation within 48 hours of being granted access by the Applicant to inspect the discovery. The recommendation may include the scientific removal and nondestructive analysis of human remains and items associated with Native American burials. Upon the discovery of the Native American remains, the Applicant shall ensure, according to generally accepted cultural or archaeological standards or practices, that the immediate vicinity where the Native American human remains are located is not damaged or disturbed by further development activity until the Applicant has discussed and conferred, as prescribed in this mitigation measure, with the MLD regarding their recommendations, if applicable, taking into account the possibility of multiple human remains. The Applicant shall discuss all reasonable options with the descendants regarding the descendants' preferences for treatment. Whenever the NAHC is unable to identify a MLD, or the MLD identified fails to make a recommendation, or the Applicant or his or her authorized representative rejects the recommendation of the descendants and the mediation provided for in Subdivision (k) of PRC Section 5097.94, if invoked, fails to provide measures acceptable to the Applicant, the Applicant or his or her authorized representative shall inter the human remains and items associated with Native American human remains with appropriate dignity on the property in a location not subject to further and future subsurface disturbance.

**Enforcement Agency:** Los Angeles Department of City Planning; Los Angeles Department of Building and Safety
**Monitoring Agency:** Los Angeles Department of Building and Safety

**Monitoring Phase:** Construction
**Monitoring Frequency:** Ongoing through grading and excavation
**Action Indicating Compliance:** If human remains are encountered unexpectedly, submittal of written evidence to the Los Angeles Department of City Planning of compliance with State Health and Safety Code Section 7050.0 and Public Resources Code Section 5097.98

**Mitigation Measure PALEO-1:** A qualified Paleontologist shall attend a pre-grade meeting and develop a paleontological monitoring program for excavations into older Quaternary Alluvium deposits. A qualified paleontologist is defined as a paleontologist meeting the criteria established by the Society for Vertebrate Paleontology. The qualified Paleontologist shall supervise a paleontological monitor who shall be present during construction excavations into older Quaternary Alluvium deposits. Monitoring shall consist of visually inspecting fresh exposures of rock for larger fossil remains and, where appropriate, collecting wet or dry screened sediment samples of promising horizons for smaller fossil remains. The frequency of monitoring inspections shall be determined by the Paleontologist and shall be based on the rate of excavation and grading activities, the materials being excavated, and the depth of excavation, and if found, the abundance and type of fossils encountered.

**Enforcement Agency:** Los Angeles Department of City Planning; Los Angeles Department of Building and Safety
**Monitoring Agency:** Los Angeles Department of Building and Safety
**Monitoring Phase:** Pre-Construction, Construction
**Monitoring Frequency:** Once prior to issuance of building permits for program approval; Periodic during excavation
**Action Indicating Compliance:** Issuance of grading permit and development of paleontological resources monitoring program; Compliance report by qualified paleontologist.

**Mitigation Measure PALEO-2:** If a potential fossil is found, the Paleontological Monitor shall be allowed to temporarily divert or redirect grading and excavation activities in the area of the exposed fossil to facilitate evaluation and, if necessary, salvage. At the Paleontologist's discretion and to reduce any construction delay, the grading and excavation contractor shall assist in removing rock samples for initial processing.

**Enforcement Agency:** Los Angeles Department of Building and Safety; Los Angeles
Department of Building and Safety
**Monitoring Agency:** Los Angeles Department of Building and Safety
**Monitoring Phase:** Construction
**Monitoring Frequency:** At time of resource discovery, should it occur
**Action Indicating Compliance:** If no unanticipated discoveries are found and grading occurs within the older Quaternary Alluvium, compliance certification

report by qualified paleontologist; if unanticipated discoveries are found, submittal of a report and mitigation plan(s) by a qualified paleontologist.

**Mitigation Measure PALEO-3:** Any fossils encountered and recovered shall be prepared to the point of identification and catalogued before they are donated to their final repository. Any fossils collected shall be donated to a public, non-profit institution with a research interest in the materials, such as the Natural History Museum of Los Angeles County. Accompanying notes, maps, and photographs shall also be filed at the repository.

**Enforcement Agency:** Los Angeles Department of City Planning
**Monitoring Agency:** Los Angeles Department of City Planning;
**Monitoring Phase:** Construction
**Monitoring Frequency:** At time of resource recovery, should resources be discovered
**Action Indicating Compliance:** If no unanticipated discoveries are found and grading occurs within the older Quaternary Alluvium, compliance certification report by qualified paleontologist; if unanticipated discoveries are found, submittal of a report by a qualified paleontologist.

**Mitigation Measure PALEO-4:** Following the completion of the above measures, the Paleontologist shall prepare a report summarizing the results of the monitoring and salvaging efforts, the methodology used in these efforts, as well as a description of the fossils collected and their significance. The report shall be submitted by the Project Applicant to the lead agency, the Natural History Museum of Los Angeles County, and representatives of other appropriate or concerned agencies to signify the satisfactory completion of the Project and required mitigation measures.

**Enforcement Agency:** Los Angeles Department of City Planning
**Monitoring Agency:** Los Angeles Department of City Planning
**Monitoring Phase:** Construction
**Monitoring Frequency:** Once upon the completion of excavation
**Action Indicating Compliance:** If no unanticipated discoveries are found and grading occurs within the older Quaternary Alluvium, compliance certification report by qualified paleontologist; if unanticipated discoveries are found, submittal of a by a qualified paleontologist

**Historical Resources**

**Mitigation Measures**

**Mitigation Measure HIST-1:** Recordation. Prior to demolition and rehabilitation, the project applicant shall prepare a Historic American Buildings Survey (HABS) Level II documentation for the Bank and remaining historic property setting, including the parking lot ramp to the former rooftop of the Lytton Center, the staircase and planter from the former Lytton Center on the west side of the Project Site, landscape along the primary

Bank elevation, Bouquet Canyon stone wall extending from the primary Bank elevation to the corner of Sunset and Havenhurst, and patio in front of the west Bank elevation. The HABS document shall be prepared by a qualified architectural historian, historic architect, or historic preservation professional who satisfies the *Secretary of the Interior's Professional Qualification Standards for History, Architectural History, or Architecture*, pursuant to 36 CFR 61. This document shall record the history of the property and architecture, as well as important events or other significant contributions to the patterns and trends of history with which the property is associated, as appropriate. The property's physical condition, both historic and current, shall be documented through site plans; historic maps and photographs; original as-built drawings; large format photographs; and written data. The building exteriors, representative interior spaces, character-defining features, as well as the property setting and contextual views shall be documented. Field photographs and notes shall also be included. All documentation components shall be completed in accordance with the *Secretary of the Interior's Standards and Guidelines for Architectural and Engineering Documentation* (HABS standards). The HABS documentation shall be submitted to the National Park Service for transmittal to the Library of Congress, and archival copies shall be sent to the City of Los Angeles Office of Historic Resources and Los Angeles Public Library.

**Enforcement Agency:** Los Angeles Department of City Planning, Office of Historic Resources
**Monitoring Agency:** Los Angeles Department of City Planning, Office of Historic Resources
**Monitoring Phase:** Pre Construction, Construction, Operations
**Monitoring Frequency:** Submittal of draft Survey Report prior to issuance of building permits; approval of final Survey Report by OHR prior to issuance of demolition permit(s)
**Action Indicating Compliance:** Approval of Plan by OHR; Compliance report by historic consultant/monitor

**Mitigation Measure HIST-2:** Relocation of Two Art Works. Pursuant to CEQA and the California Art Preservation Act, the two existing integrated artworks on the Project Site including Roger Darricarrere's *Screen* and David Green's *The Family* are of recognized quality and shall be relocated and incorporated into the Project design or preserved at an off-site location. The families of the artists shall be notified of the extant artworks and every attempt shall be made to relocate the artworks to an appropriate setting. A relocation plan would be prepared by a qualified professional conservator and implemented in accordance with nationally recognized conservation guidelines including the Code of Ethics and the Guidelines for Practice of the American Institute for Conservation of Historic and Artistic Works.

**Enforcement Agency:** Los Angeles Department of City Planning, Office of Historic Resources
**Monitoring Agency:** Los Angeles Department of City Planning, Office of Historic Resources

**Monitoring Phase:** Pre Construction, Construction, Operations
**Monitoring Frequency:** Submittal of draft Relocation Plan prior to issuance of building permits; approval of final Plan by OHR prior to issuance of demolition permit(s)
**Action Indicating Compliance:** Approval of Plan by OHR; Compliance report by historic consultant/monitor

**Mitigation Measure HIST-3:** Relocation of Bank. Since retention of the Bank is not feasible for implementation and development of the Project, a feasibility study, subject to City review and approval, shall be prepared weighing the costs, advantages, and disadvantages of relocation. If the study concludes it is feasible to relocate the Bank, the structure's availability in historic preservation websites shall be advertised for a period of not less than thirty (30) days by the Applicant. Any such relocation efforts shall be undertaken in accordance with a Relocation and Rehabilitation Plan prepared by the party taking possession of the structure to be moved. The Relocation and Rehabilitation Plan shall be developed in conjunction with a qualified architectural historian, historic architect, or historic preservation professional who satisfies the Secretary of the Interior's Professional Qualifications Standards for History, Architectural History, or Architecture, pursuant to 36 CFR 61. The Plan shall include relocation methodology recommended by the National Park Service, which are outlined in the booklet entitled "Moving Historic Buildings," by John Obed Curtis (1979). Upon relocation of the structure to the new site, any maintenance, repair, stabilization, rehabilitation, preservation, conservation, or reconstruction work performed in conjunction with the relocation of the building shall be undertaken in a manner consistent with the *Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Properties*. The Relocation and Rehabilitation Plan shall be reviewed and approved by the City of Los Angeles Office of Historic Resources prior to its implementation. In addition, a plaque describing the date of the move and the original location shall be placed in a visible location on of the Bank. Relocation shall not take place until the Bank is first recorded pursuant to Mitigation Measure HIST-1: Recordation. If after three (3) months it is evident that no party is interested in purchasing the Bank per the mitigation measure stipulated above, then Mitigation Measures HIST-1 and HIST-2 would be required to document and salvage the important history and architecture of the Bank.

**Enforcement Agency:** Los Angeles Department of City Planning, Office of Historic Resources
**Monitoring Agency:** Los Angeles Department of City Planning, Office of Historic Resources
**Monitoring Phase:** Pre-Construction, Construction
**Monitoring Frequency:** Submittal of draft Plan prior to issuance of building permits; approval of final Plan by OHR prior to issuance of demolition permit(s)
**Action Indicating Compliance:** Approval of Plan by OHR; Compliance report by historic consultant/monitor

**Mitigation Measure HIST-4:** Demolition Monitoring and Salvage. The project applicant shall retain a qualified architectural historian to conduct construction monitoring during demolition. Any important historic fabric associated with the period of significance from 1959-1969, shall be fully recorded in photographic images and written manuscript notes. Prior to the commencement of demolition, significant material such as the concrete-folded plate roof shall be inventoried and evaluated for potential salvage, analysis and interpretation. A qualified architectural historian or historic preservation professional who satisfies the Secretary of the Interior's Professional Qualification Standards for Architectural History, pursuant to 36 CFR 61, shall prepare the necessary written and illustrated documentation in a construction monitoring and salvage report. This document shall record the history of the Bank's reinforced concrete construction methods during the period of significance as well document its present physical condition through site plans; historic maps and photographs; sketch maps; digital photography; and written data and text. All documentation components shall be completed in accordance with the Secretary of the Interior's Standards and for Archaeological Documentation for above ground structures. The completed documentation shall be placed on file at the South Central Coastal Information Center, California State University, Fullerton, CA; and the City of Los Angeles Public Library. Findings shall be incorporated into the HABS report (see Mitigation Measure HIST-1 above).

**Enforcement Agency:** Los Angeles Department of City Planning, Office of Historic Resources
**Monitoring Agency:** Los Angeles Department of City Planning, Office of Historic Resources
**Monitoring Phase:** Pre Construction, Construction, Operations
**Monitoring Frequency:** Submittal of draft salvage report prior to issuance of building permits; approval of final report by OHR prior to issuance of final certificates of occupancy.
**Action Indicating Compliance:** Approval of Plan by OHR; Compliance report by historic consultant/monitor

**Geology and Soils**

**Mitigation Measures**

**Mitigation Measure GS-1:** Prior to issuance of a grading permit, a qualified geotechnical engineer shall prepare and submit to the Department of Building and Safety a final Geotechnical Report that provides recommendations to address seismic safety and design requirements for foundations, retaining walls/shoring, and excavation. A qualified geotechnical engineer shall be retained by the Applicant to be present on the Project Site during excavation, grading, and general site preparation activities to monitor the implementation of the recommendations specified in the Geotechnical Report as well as other recommendations made in subsequent Geotechnical Reports prepared for the project subject to City review and approval. When/if needed, the geotechnical engineer shall provide structure-specific geologic and geotechnical recommendations which shall

be documented in a report to be approved by the City and appended to the project's previous Geotechnical Reports.

**Enforcement Agency:** Los Angeles Department of Building and Safety
**Monitoring Agency:** Los Angeles Department of Building and Safety
**Monitoring Phase:** Pre-Construction and Construction
**Monitoring Frequency:** Once, prior to issuance of grading permit; Periodic field inspections during construction
**Action Indicating Compliance:** Issuance of grading permits; Field inspection sign-off;
Geotechnical Engineers site visit reports as needed

**Greenhouse Gas Emissions**

**Project Design Features**
Refer to PDF-AQ-1, Green Building Measures, above.

**Hazards and Hazardous Materials**

**Mitigation Measures**

**Mitigation Measure VIII-1:** Prior to demolition of the existing on-site Chase bank building, all asbestos containing material (ACM) identified on the property shall be properly removed by a licensed and Cal/OSHA-registered asbestos abatement contractor.

**Enforcement Agency:** Los Angeles Department of Building and Safety; SCAQMD
**Monitoring Agency:** Los Angeles Department of Building and Safety
**Monitoring Phase:** Pre- Construction; Construction if asbestos found
**Monitoring Frequency:** Once at onset of building activities; ongoing if ACM found
**Action Indicating Compliance:** Compliance report by Project contractor

**Mitigation Measure VIII-2:** Prior to the issuance of a demolition permit for the existing Chase bank building, a lead-based paint (LBP) survey shall be conducted in and around the structure and any LBP identified shall be abated in accordance with all applicable City, State, and federal regulations.

**Enforcement Agency:** Los Angeles Department of Building and Safety; Cal EPA
**Monitoring Agency:** Los Angeles Department of Building and Safety
**Monitoring Phase:** Pre- Construction; Construction if LBP found
**Monitoring Frequency:** Once prior to demolition
**Action Indicating Compliance:** Compliance report by Project contractor

**Noise**

**Project Design Features**

**PDF NOISE-1:** The project contractor(s) would equip all construction equipment, fixed or mobile, with properly operating and maintained noise mufflers, consistent with manufacturers' standards.

**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
**Action Indicating Compliance:** Field Inspection Sign-off within compliance report

**PDF NOISE-2:** Exterior amplified music from the event areas (i.e. Sunset Terrace, Rooftop Lounge Terrace, etc.) shall be limited to a maximum sound level of 86 dBA at approximately 25 feet from the event area boundaries. The business operator(s) and/or event coordinators shall ensure that sound equipment is calibrated semi-annually. No live bands, public address (PA) system use, or loud amplified music shall be permitted.

**Enforcement Agency:** Department of Building and Safety; Los Angeles Police Department
**Monitoring Agency:** Department of Building and Safety; Los Angeles Police Department
**Monitoring Phase:** Operations
**Monitoring Frequency:** As needed during special events on the Project Site
**Action Indicating Compliance:** Noise measurement data and equipment calibration records; Field inspection report sign-off

**PDF NOISE-3:** Exterior amplified music from the event areas of Internal Patios and Central Plaza shall be limited to a maximum sound level of 80 dBA at approximately 10 feet from the event area boundaries. The business operator(s) and/or event coordinators shall ensure that sound equipment is calibrated semi-annually. No live bands, PA system use, or loud amplified music shall be permitted.

**Enforcement Agency:** Department of Building and Safety; Los Angeles Police Department
**Monitoring Agency:** Department of Building and Safety; Los Angeles Police Department
**Monitoring Phase:** Operations
**Monitoring Frequency:** As needed during special events on the Project Site
**Action Indicating Compliance:** Noise measurement data and equipment calibration records; Field inspection report sign-off

**Mitigation Measures**

**Mitigation Measure NOISE-1:** Temporary noise barriers shall be used to block the line-of-site between construction equipment and noise-sensitive receptors during project construction, as follows:

- Provide a temporary 15-foot tall noise barrier along the eastern boundary of the
- Project construction site to reduce construction noise at the multi-family residential uses along Crescent Heights Boulevard (Location R3).
- Provide a temporary 15-foot tall noise barrier along the southern and western boundaries of the Project construction site to reduce construction noise at the multifamily residential uses along Havenhurst Drive (Location R4).
- Provide a temporary 15-foot tall noise barrier along the northern boundary of the
- Project construction site to reduce construction noise at the single-family residential uses along Selma Avenue (Location R5).

**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
**Action Indicating Compliance:** Field inspection sign-off; Compliance certification report submitted by Project contractor

**Mitigation Measure NOISE-2:** Construction activities which have the potential to produce substantial vibration shall be scheduled so as to allow only one piece of such equipment to operate within 50 feet of the multi-family residential uses along the southern boundary of the Project 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 inspections
**Action Indicating Compliance:** Field inspection sign-off; Compliance certification report submitted by Project contractor

**Public Services**

**Fire Protection**

**Mitigation Measures**
Please refer to Mitigation Measures TR-1 and TR-2 under Transportation and Circulation below.

**Police Protection**

**Mitigation Measures**

**Mitigation Measure POL-1:** Prior to issuance of building permits, the Project applicant shall consult with the LAPD Crime Prevention Unit regarding incorporation of Crime Prevention Through Environmental Design (CPTED) techniques into the Project design in order to minimize potential criminal activity at the Project Site.

**Enforcement Agency:** Los Angeles Police Department
**Monitoring Agency:** Los Angeles Police Department; Los Angeles Department of building and Safety
**Monitoring Phase:** Construction
**Monitoring Frequency**: Once, prior to issuance of building permits
**Action Indicating Compliance:** Sign-off on LAPD reviewed diagrams; Issuance of building permits

**Schools**

**Mitigation Measures**

**Mitigation Measure XIV-1:** The project shall pay required school mitigation fees pursuant to Government Code Section 65995 and in compliance with SB 50 (payment of developer fees).

**Enforcement Agency:** Los Angeles Department of Building and Safety; LAUSD
**Monitoring Agency:** Los Angeles Department of Building and Safety; LAUSD
**Monitoring Phase:** Pre-Construction
**Monitoring Frequency:** Once at Plan Check
**Action Indicating Compliance:** Receipt of payment from LAUSD

**Parks and Recreation**

**Mitigation Measures**

**Mitigation Measure PRK-1:** In the event that the Project's amenities do not provide sufficient credit against the Project's land dedication and/or in lieu fee requirement, the Applicant shall do one or more of the following: (1) dedicate additional parkland to meet the requirements of Los Angeles Municipal Code Section 17.12; (2) pay in-lieu fees for any land dedication requirement shortfall; or (3) provide on-site improvements equivalent in value to said in-lieu fees.

**Enforcement Agency:** Los Angeles Department of Recreation and Parks; Los Angeles
Department of Building and Safety
**Monitoring Agency:** Los Angeles Department of Recreation and Parks; Los Angeles
Department of Building and Safety

**Monitoring Phase:** Pre-operations
**Monitoring Frequency:** Once prior to certification of occupancy
**Action Indicating Compliance:** Certificate of occupancy

**Transportation and Circulation**

**Project Design Features**

**PDF-Traffic-1**: In order to ensure the vehicles exiting from the Project's Havenhurst Drive driveway do not make left-turns onto southbound Havenhurst Drive, the Applicant shall construct a physical barrier or other equivalent improvement, subject to review and approval by LADOT.

**Enforcement Agency:** Los Angeles Department of Transportation;
**Monitoring Agency:** Los Angeles Department of Transportation; Los Angeles Department of Building and Safety
**Monitoring Phase:** Construction
**Monitoring Frequency:** Periodic field inspections
**Action Indicating Compliance:** Field inspection sign-off and compliance certification report submitted by project contractor

**PDF-Traffic-2, Special Event Traffic and Parking Management Plan.** A Traffic and Parking Management Plan shall be developed for future special events on the Project Site in order to minimize potential operational parking and traffic impacts on the surrounding street system to the maximum extent feasible. The Traffic and Parking Management Plan, which would be subject to review and approval by LADOT, would address traffic and parking management for all future special events on the Project Site. Prior to Project occupancy, the Project Applicant shall enter into an agreement with LADOT that establishes the maximum attendance of future special events above which coordination with LADOT prior to the event would be required. Components of the plan, which would be implemented as necessary on an event-by-event basis depending on various factors including number of attendees, day and time of the event, or other event-specific circumstances, would include measures to effectively direct traffic and manage parking demand during occasional special events that may occur at the Project Site. Traffic and Parking Management Plan strategies, which are anticipated, in part, to facilitate more direct routing to off-street parking lots (if necessary), may include but not be limited to the following:

- Establish an Event Coordination Plan with affected on-site commercial tenants and residential management that may include additional measures related to events, visitor enhancements, parking, loading, etc.
- Implement traffic and parking management measures for the Project, as appropriate;
- Encourage and identify alternate travel options (ridesharing, public transit) in event-related marketing/media information;

- Deploy lane use signs, changeable message signs, etc., as may be necessary to direct traffic to use designated travel routes;
- Reschedule Project operating hours, activities, programs, etc., that are not related to a planned special event to a different day or non-peak periods whenever possible inorder to minimize typical Project-related traffic on event days;
- Contract with parking operators to provide attendants, flagmen, valets, etc., to expedite vehicle movement in or out of the Project parking garage;
- Secure additional off-site parking spaces and locations, which may include round-trip shuttle service to the site for selected events;
- Assign personnel (e.g., parking monitors) to redirect traffic as needed between the onsite parking areas depending on congestion, and to direct any overflow vehicles to approved designated off-site locations; and
- Provide and promote certain designated passenger loading areas as approved by the City.

**Enforcement Agency:** Los Angeles Department of Transportation
**Monitoring Agency:** Los Angeles Department of Transportation
**Monitoring Phase:** Prior to occupancy
**Monitoring Frequency:** Periodic field inspections during special events
**Action Indicating Compliance:** LADOT approval of the Special Event Traffic and Parking Management Plan.

**Mitigation Measures**

**Mitigation Measure TR-1:** The applicant shall install a new traffic signal at Fountain Avenue/Havenhurst Drive. The new signal shall be a simple, two-phase signal (one for Fountain Avenue traffic and one for Havenhurst Drive traffic). The signal shall be fully actuated so as to minimize disruption to Fountain Avenue through traffic flows, but provide a "green" indication for both northbound and southbound Havenhurst Drive when traffic on one or both of those approaches begins to exhibit unacceptable delays due to high volumes and/or limited gaps in Fountain Avenue traffic, particularly during the A.M. and P.M. peak traffic periods.

**Enforcement Agency:** Los Angeles Department of Transportation; Los Angeles Department of Building and Safety
**Monitoring Agency:** Los Angeles Department of Transportation;
**Monitoring Phase:** Prior to occupancy
**Monitoring Frequency:** Once prior to occupancy
**Action Indicating Compliance:** Field inspection sign-off and compliance certification report submitted by project contractor

**Mitigation Measure TR-2:** The on-street valet drop-off turnout lane shall be restricted to right-turn entry only from southbound Crescent Heights Boulevard (no left-turn entry from northbound Crescent Heights Boulevard).

**Enforcement Agency:** Los Angeles Department of Transportation; Los Angeles Department of Building and Safety
**Monitoring Agency:** Los Angeles Department of Transportation
**Monitoring Phase:** Prior to occupancy
**Monitoring Frequency:** Once prior to occupancy
**Action Indicating Compliance:** Field inspection sign-off and compliance certification report submitted to LADOT by Project contractor

**Utilities and Service Systems**

**Wastewater**

**Project Design Features**

**PDF-WW-1:** In order to address potential future improvements to sewage conveyance facilities within the City of West Hollywood that serve the Project Site, the Project shall contribute fair-share payments to the City of West Hollywood commensurate with the Project's incremental impact to affected facilities. The Project's specific fair-share contribution for West Hollywood sewage system upgrades shall be determined by the City of Los Angeles and City of West Hollywood at such a time that the necessary improvements and associated capital costs are known, and shall be proportional to the Project's contribution to total wastewater flows in each affected West Hollywood-owned sewer.

**Enforcement Agency:** Los Angeles Department of Public Works
**Monitoring Agency:** Los Angeles Department of City Planning; Los Angeles Department of Public Works
**Monitoring Phase:** Pre-Construction
**Monitoring Frequency:** Once prior to construction
**Action Indicating Compliance:** Agreement with City of West Hollywood or documentation of fair-share payments

24. **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:

    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 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.

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. The project sponsor shall comply with the Noise Insulation Standards of Title 24 of the California Code Regulations, which insure an acceptable interior noise environment.

CM-13. 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-14. Incorporate appropriate erosion control and drainage devices to the satisfaction of the Building and Safety Department shall be incorporated, such as interceptor terraces, berms, vee-channels, and inlet and outlet structures, as specified by Section 91.7013 of the Building Code, including planting fast-growing annual and perennial grasses in areas where construction is not immediately planned. These will shield and bind the soil.

CM-15. Stockpiles and excavated soil shall be covered with secured tarps or plastic sheeting.

CM-16. 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-17. Clean up leaks, drips and spills immediately to prevent contaminated soil on paved surfaces that can be washed away into the storm drains.

CM-18. Do not hose down pavement at material spills. Use dry cleanup methods whenever possible.

CM-19. Cover and maintain dumpsters. Place uncovered dumpsters under a roof or cover with tarps or plastic sheeting.

CM-20. Use gravel approaches where truck traffic is frequent to reduce soil compaction and limit the tracking of sediment into streets.

CM-21. 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 cloths to catch drips and spills.

**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 LAMC Sections 12.22-A,10 and 11 and LAMC Section 17.05-O 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 LAMC Section 64.11.2.

(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 any necessary drainage facilities.

(c) Install street lighting facilities to serve the tract as required by the Bureau of Street Lighting.

(d) Plant street trees and remove any existing trees within dedicated streets or proposed dedicated streets as required by the Urban Forestry Division of the Bureau of Street Maintenance. All street tree plantings shall be brought up to current standards. When the City has previously been paid for tree planting, the subdivider or contractor shall notify the Urban Forestry Division (213-485-5675) upon completion of construction to expedite tree planting.

(e) Repair or replace any off-grade or broken curb, gutter and sidewalk satisfactory to the City Engineer.

(f) Construct access ramps for the handicapped as required by the City Engineer.

(g) Close any unused driveways satisfactory to the City Engineer.

(h) Construct any necessary additional street improvements to comply with the Americans with Disabilities Act (ADA) of 1990.

(i) That the following improvements be either constructed prior to recordation of the final map or that the construction be suitably guaranteed:

a. Improve Sunset Boulevard and Crescent Heights Boulevard being dedicated and adjoining the subdivision by the construction of additional concrete sidewalks within the newly dedicated areas to complete the necessary full-width sidewalks with tree wells including any necessary transitions to join the existing improvement.

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 17.05-N.

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

AG-SCH 8150 Sunset Boulevard Owner, L.P., (the "Project Applicant" or "Applicant") proposes to redevelop the 2.56-acre property located at 8150 Sunset Boulevard (the "Project Site" or "Site") with a mixed-use residential and retail project. The Project Site is located within the western portion of the Hollywood Community of the City of Los Angeles ("City"), at the foot of the Hollywood Hills, approximately seven miles northwest of Downtown Los Angeles. Located within the block bounded by Sunset Boulevard on the north, Havenhurst Drive on the west, Crescent Heights Boulevard on the east, and multi-family residential uses within the City of West Hollywood on the south, the Project Site is part of the eastern gateway to the Sunset Strip. The Project vicinity is highly urbanized and generally built-out. Specifically, the Project Site, with frontage on Sunset Boulevard, lies in the more active regional center of Hollywood with its mixed-use blend of commercial, restaurant, bar, studio/production, office, entertainment and high density residential uses. The Project Site currently contains two commercial structures and other improvements, all of which would be demolished and removed.

To evaluate the environmental impacts of the Project in accordance with the California Environmental Quality Act ("CEQA"), the City of Los Angeles ("City") prepared a Draft Environmental Impact Report ("Draft EIR" or "DEIR"). The project, as proposed in the Draft EIR, would consist of two buildings over a single podium structure with various elements ranging in height from two stories to 16 stories (approximately 42 feet above the ground elevation at the intersection of Sunset and Crescent Heights Boulevards [the "North Building"], increasing to approximately 108 feet for the nine-story portion and approximately 191 feet for the 16-story portion of the building [the "South Building"]; the overall building height would be approximately 216 feet as measured from the lowest point of the Site along Havenhurst Drive to the top of the South Building). As proposed in the Draft EIR, the North Building would include two levels with a rooftop terrace containing exclusively commercial uses. The South Building would contain commercial uses on the first two levels, residential uses on levels three through 15, and a rooftop

restaurant/lounge on the top level. Collectively, these improvements are referred to herein as the "Original Project." The Draft EIR additionally considered a No Project alternative and six other build alternatives that explored different building heights, layouts and preservation of existing structures.

During the public review period the City Planning Department received 975 written comment letters and emails on the Draft EIR from agencies, organizations, and individuals. Based on comments received on the Draft EIR, the Applicant developed a new project alternative – Alternative 9, the Enhanced View Corridor and Additional Underground Parking Alternative. Accordingly, the City made available for public comment Recirculated Portions of the Draft EIR ("Recirculated DEIR" or "RP-DEIR"), which set forth a full description and analysis of Alternative 9 and made other related changes to the Draft EIR in response to public comments.

The Project, as proposed for approval by the Lead Agency (Alternative 9, Enhanced View Corridor and Additional Underground Parking Alternative) would respond to various comments about the Original Project, including concerns that the Original Project would obstruct views, impair overall visual quality, result in operational impacts on air quality, increase traffic, and provide insufficient on-site parking. The Applicant commissioned architect Frank Gehry to design project buildings that meet the project's functional objectives while addressing these concerns. Alternative 9 includes development of a mixed-use residential commercial project on the Project Site with the same maximum floor-area ratio ("FAR") as the Original Project (3.0), but with a reduction in commercial floor area of over 40% and a commensurate reduction in traffic. Residential uses and amenities would be expanded to cover the area taken out of commercial use, which will allow the project to achieve most of its objectives while reducing certain potential project-related impacts, to aesthetics, noise, traffic and parking (notwithstanding the fact that many of these impacts were less than significant for the Original Project, Alternative 9 would further reduce such impacts). As with the Original Project, Alternative 9 would involve removal of all existing buildings and associated improvements on the Project Site.

Under Alternative 9, development would consist of 249 residential units, including 28 affordable housing units, and 65,000 square feet of commercial uses. Residential uses would include 219 rental apartment units, of which 28 would be affordable (very low income) housing units, and 30 would be for-sale condominium units. Commercial uses under this Alternative would include a grocery store use of approximately 24,811 square feet, retail uses of approximately 11,937 square feet), restaurant uses of approximately 23,158 square feet, and walk-in bank use of approximately 5,094 square feet.

Building heights under Alternative 9 would range from three stories at the Sunset Boulevard retail frontage to 15 stories at the South Building, similar to the Original Project, though the massing of the buildings would vary from those originally proposed. Specifically, the South Building would include three tower elements, one along Havenhurst at 15 stories in height (or approximately 234 feet above grade as measured from the lowest point on the Project Site at the southwest corner of the property), one along Crescent Heights at 11 stories (or approximately 174 feet above grade as

measured from the southwest corner of the property), and one at the central portion of the South Building between the East and West tower elements at five stories (or approximately 110 feet above grade as measured from the southwest corner of the property). This arrangement would create an approximately 150-foot-wide, north-south-oriented view corridor between the taller East and West tower elements that would maintain views southward across the Project Site from locations to the north and vice-versa. The Sunset Boulevard retail frontage of the North Building would include a new retail structure varying in heights from one story to three stories, which would include an outdoor terrace over the first floor retail uses (i.e., on Level 2), as well as a smaller, single-story retail structure within the interior of the Project Site. Although building heights for the North Building would be limited to three stories, an architectural projection (or "marquis element") at the northwest corner of the North Building would extend up to a height of 7 stories (or approximately 80 feet) above the Sunset Boulevard grade. Outdoor semiprivate areas for the residences would occur at the third and seventh floors of each of the East and West tower elements of the South Building. The rooftop bar/lounge would be eliminated to address concerns raised in the Draft EIR comment letters regarding potential noise and privacy impacts. Parking would be reconfigured such that the above-grade structured parking in the southwest portion of the property would be eliminated, and would be provided largely underground to address concerns raised in the Draft EIR comment letters regarding potential noise and air quality impacts resulting from the above-grade and open parking structure proposed as part of the Original Project and other alternatives.

For purposes of these findings, "the Project" evaluated in these CEQA Findings shall refer to Alternative 9 as described in the Recirculated DEIR and not the Original Project proposed in the Draft EIR, except as expressly noted or as context requires. Unless referring to a specific document, "EIR" shall mean the Final EIR, including the Draft EIR, the Recirculated DEIR, and the Comments and Responses document.

## II. Environmental Documentation Background

The Project was reviewed by the Los Angeles Department of City Planning (serving as Lead Agency) in accordance with the requirements of the California Environmental Quality Act ("CEQA") (Pub Resources Code §21000et seq.; 14 California Code Regs. §15000 et seq.). The City prepared an Initial Study in accordance with Section 15063(a) of the State Guidelines for Implementation of the California Environmental Quality Act ("CEQA Guidelines"). Pursuant to Section 15082 of the CEQA Guidelines, the City then circulated a Notice of Preparation (NOP) to State, regional, and local agencies, and members of the public for a 33-day review period commencing September 12, 2013 and ending October 15, 2013. The purpose of the NOP was to formally inform the public that the City was preparing a Draft EIR for the Project, and to solicit input regarding the scope and content of the environmental information to be included in the Draft EIR.

In addition, a public scoping meeting was conducted on October 2, 2013 from 5:30 P.M. to 7:30 P.M. at the Will and Ariel Durant Branch Library, located at 7140 W. Sunset Boulevard, Los Angeles, California 90046. The meeting provided interested individuals,

groups and public agencies the opportunity to provide oral and written comments to the Lead Agency regarding the scope and focus of the Draft EIR as described in the NOP and Initial Study. 151 written comments responding to the NOP were submitted to the City. Responses to the NOP were provided by various public agencies, including the California Governor's Office of Planning and Research, California Native Heritage Commission, South Coast Air Quality Management District, City Bureau of Engineering, Los Angeles Police Department, Los Angeles County Metropolitan Transportation Authority, and the City of West Hollywood; several private organizations, including the Los Angeles Conservancy, Laurel Canyon Association, Crescent Heights-Havenhurst Neighborhood Preservation Association, the Federation of Hillside and Canyon Associations, the Alla Nazimova Society, Granville Homeowners Association, the Stanley Hills Drive Community of Neighbors, and West Hollywood Preservation Alliance; and 102 individuals. In addition, approximately 70 individuals attended the public scoping meeting, and comments were received in writing on scope and content of the Draft EIR. The NOP letters and comments received during the comment period are included in Appendix A-2 of the Draft EIR.

In accordance with CEQA Guidelines Section 15085, the City of Los Angeles Planning Department published a Draft EIR, a Notice of Completion and Availability ("NOCA") as well as CD copies of the Draft EIR, which were submitted to the State Clearinghouse, Governor's Office of Planning and Research for distribution to State Agencies. The Draft EIR was circulated for a 62-day public review on November 20, 2014 through January 20, 2015, fulfilling (and going beyond) the requirements of Section 15105(a) of the CEQA Guidelines. As required under Section 15086 of the CEQA Guidelines, a NOCA requesting comments on the Draft EIR and CDs of the Draft EIR were distributed to approximately 54 public agencies and other interested parties. In addition, copies of the NOCA and, in some cases, CDs of the Draft EIR were mailed to approximately 133 agencies, organizations, or individuals who had previously requested notice or expressed an interest in the Project, commented on the Project during the public review period, or attended the public scoping meeting conducted for preparation of the Draft EIR. Furthermore copies of the NOCA were mailed to approximately 950 property owners and/or occupants located within a 500-foot radius of the Site. In compliance with CEQA Guidelines, Section 15087 the NOCA was published in the Los Angeles Times and filed with the Los Angeles County Clerk on November 20, 2014. Copies of the Draft EIR were placed at the Will and Ariel Durant Branch Library, Fairfax Branch Library, John C. Fremont Branch Library, and Los Angeles Central Library. The Draft EIR was also available for review at the City's Planning Department, Environmental Analysis Section and on the City's website. Also available for review at the City's Planning Department was a CD of references used in preparation of the Draft EIR.

During the public review period the City Planning Department received 975 comment letters on the Draft EIR from agencies, organizations, and individuals through written correspondence and emails. Based on comments received on the Draft EIR, the Applicant developed a new project alternative, Alternative 9 (the Project). The City determined that recirculating portions of the Draft EIR was desirable, with the purpose being to foster

further public input and informed decision-making associated with the CEQA process for the Project.

The RP-DEIR was prepared in accordance with the CEQA Guidelines, as amended to date and City of Los Angeles Guidelines for the implementation of CEQA. Because the revisions were limited to a specific portion of the EIR (the new discussion of Alternative 9) and other insubstantial corrections to the Draft EIR, the City elected to only recirculate the modified portions of the document. (CEQA Guidelines § 15088.5, subd. (c)). As was done for the Draft EIR, the City submitted a NOCA and CD copies of the RP-DEIR to the State Clearinghouse, Governor's Office of Planning and Research for distribution to State Agencies. The RP-DEIR was circulated for a 61-day public review on September 10, 2015 through November 9, 2015, exceeding the requirements of Section 15105(a) of the State CEQA Guidelines. The City also directly distributed the NOCA and CD copies of the RP-DEIR to approximately 54 public agencies and other interested parties. In addition, copies of the NOCA and, in some cases, CDs of the Draft EIR were mailed to approximately 133 agencies, organizations, or individuals who had previously requested notice or expressed an interest in the Project, commented on the Project during the public review period, or attended the public scoping meeting conducted for preparation of the Draft EIR. Furthermore copies of the NOCA were mailed to approximately 950 property owners and/or occupants located within a 500-foot radius of the site. In compliance with State CEQA Guidelines, Section 15087 the NOCA was published in the Los Angeles Times and filed with the Los Angeles County Clerk on September 10, 2015. Copies of the RP-DEIR were placed at the Will and Ariel Durant Branch Library, Fairfax Branch Library, John C. Fremont Branch Library, and Los Angeles Central Library. Along with the Draft EIR, the RP-DEIR was also available for review at the City's Planning Department, Environmental Analysis Section and on the City's website. Also available for review at the City's Planning Department was a CD of references used in preparation of the RP-DEIR.

The City published a Final EIR for the Project on May 13, 2016, which is hereby incorporated by reference in full. The Final EIR is intended to serve as an informational document for public agency decision-makers and the general public regarding the objectives and the components of the proposed project. The Final EIR addresses the environmental effects associated with implementation of the proposed project, identifies feasible mitigation measures and alternatives that may be adopted to reduce or eliminate these impacts, and includes responses to comments received on both the Draft EIR and the RP-DEIR during their respective public review periods. Responses were sent to all public agencies that made comments on the Draft EIR and RP-DEIR at least 10 days prior to certification of the Final EIR pursuant to CEQA Guidelines Section 15088(b). The Final EIR was also made available for review on the City's website. Hard copies of the Final EIR were also made available at four libraries and the City of Los Angeles Department of City Planning. Notices regarding the availability of the Final EIR were sent to those within a 500-foot radius of the project site as well as individuals who commented on the Draft EIR and RP-DEIR, attended the NOP scoping meeting, and provided comments during the NOP comment period.

A duly noticed public hearing on the project will be held jointly by the Hearing Officer for the City Planning Commission and the Deputy Advisory Agency on May 24, 2016.

The documents and other materials that constitute the record of proceedings on which the City of Los Angeles' CEQA findings are based are located in the Department of City Planning Environmental Review Section, 200 North Spring Street, Room 750, Los Angeles, California 90012. This information is provided in compliance with CEQA Section 21081.6(a)(2).

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

Section 21081 of the California Public Resources Code and Section 15091 of the CEQA Guidelines require a public agency, prior to approving a project, to identify significant impacts of the project and make one or more of three possible findings for each of the significant impacts:

- Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR. (State CEQA Guidelines Section 15091, subd. (a)(1))

- Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency. (State CEQA Guidelines Section 15091, subd. (a)(2))

- Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR. (State CEQA Guidelines Section 15091, subd. (a)(3))

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

- Description of Significant Effects - A specific description of the environmental effects identified in the EIR, including a judgment regarding the significance of the impact.

- Project Design Features – Identified project design features or actions that are included as part of the Project (numbering of the Project Design Features

corresponds to the Mitigation Monitoring Program, which is included as Section 4.0 of the Final EIR).

- Mitigation Measures - Identified mitigation measures or actions that are required as part of the Project (numbering of the Mitigation Measures corresponds to the Mitigation Monitoring Program, which is included as Section 4.0 of the Final EIR).

- Finding - One or more of three specific findings in direct response to CEQA Section 21081 and CEQA Guidelines Section 15091 as discussed in the previous paragraph.

- Rationale for Finding - A summary of the reasons for the finding(s).

- Reference – A notation on the specific section of the Draft EIR and RP-DEIR which includes the evidence and discussion of the identified impact.

## IV. Description of the Project (Alternative 9)

### A. PROJECT LOCATION AND SURROUNDING USES

The Project Site is located at 8150 West Sunset Boulevard in the Hollywood Community of the City of Los Angeles, at the foot of the Hollywood Hills, approximately seven miles northwest of Downtown Los Angeles. The Site is well served by a network of regional transportation facilities. Various public transit stops operated by the Los Angeles County Metropolitan Transportation Authority ("Metro") are located in close proximity to the Project Site, the Hollywood Freeway (State Route 101) is approximately two miles northeast of the Site, Interstate 10 is approximately four miles south of the Project Site, and Interstate 405 is approximately six miles southwest of the Site.

As noted above, the Project Site is part of the eastern gateway to the Sunset Strip. The Project vicinity is highly urbanized and generally built-out. Specifically, the Project Site, with frontage on Sunset Boulevard, lies in the more active regional center of Hollywood with its mixed-use blend of commercial, restaurant, bar, studio/production, office, entertainment and high density residential uses.

### B. Existing Conditions

#### 1. SITE IMPROVEMENTS

The Project Site encompasses approximately 2.56 acres (111,339 square feet) of land area currently occupied by two commercial buildings and associated parking. The two structures on the Site were built between 1960 and 1988 and contain 80,000 square feet of retail tenancy inclusive of the following uses: fast food restaurants, check cashing facility, dry-cleaners (off-site dry cleaning), an ice cream shop, walk-in bank facility, fitness center, massage parlor, pet grooming services, a storage facility and a dental office. The

main retail structure, completed in 1988, is a three-level concrete and light-gauge steel structure inclusive of a one-level, partial below-grade parking garage, three levels of above-grade retail uses, and surface parking. The second structure is a two-story building constructed in 1960 that fronts Sunset Boulevard, which is associated with the former Lytton Savings and Loan Association and was presumed to be eligible for designation as a local Historic Cultural Monument in the FEIR. In addition, there is a standard-sized billboard at the Site that until recently was digital. All existing on-site structures, parking, signage, and landscaping would be removed from the Site prior to construction of the Project. The Project Site is generally flat, with a topography that slopes down from the north to the south. Landscaping on the Site is limited to a small number of ornamental trees.

## 2. LAND USE AND ZONING DESIGNATIONS

The Project Site is located within the Hollywood Community Plan area in the City. The Project Site is zoned C4-1D and has a General Plan land use designation of Neighborhood Office Commercial with corresponding zones of C1, C2, C4 and P Zones in the Hollywood Plan. The Project Site is not located within any Specific Plan area and is not subject to any interim control ordinances. The site's "1D" designation permits a FAR of 1:1 as the Site is subject to a "D" development condition, which provides that the total floor area of all buildings on a lot may not exceed one (1) times the buildable area of the lot. The zoning designation does not restrict height. The Commercial Corner standards set forth in the Los Angeles Municipal Code (the "LAMC") Section 12.22-A,23, including the 45-foot height limit, are not applicable to the Project, since qualified mixed-use development projects, such as the proposed Project, are exempt from these provisions pursuant to LAMC Section 12.22-A,23(d)(1).

The Project will include 28 very-low income units, or 11% of the total number of units in the Project, which qualifies the Project for a 35% density bonus. Development projects that qualify for a density bonus pursuant to California Government Code Section 65915 *et seq.* and LAMC Section 12.22-A.25 *et seq.* by providing on-site affordable housing units must be granted incentives. Specifically, under LAMC Section 12.22-A.25, a project that is eligible for a 35% density bonus must be granted an "on-menu" incentive to allow an FAR of 3:1 if the project is in a commercial zone in Height District 1, fronts on a Major Highway as identified in the City's General Plan, and 50% or more of the property is located within 1,500 feet of a Transit Stop, which is defined to include Metro Rapid Bus stops. In the case of the Project Site, it is commercially zoned within Height District 1, fronts on Sunset Boulevard (a Major Highway according to the City's General Plan), and 50% of it is located within approximately 1,560 feet of a the Metro Rapid Bus stop located at the southwest corner of Sunset Boulevard and Fairfax Avenue. Because, by a matter of 60 feet the Project does not satisfy the 1,500 foot distance criteria for an on-menu incentive allowing a 3:1 floor area ratio, the Applicant is requesting approval of an "off-menu" incentive to permit a 3:1 floor area ratio for a Housing Development Project located within approximately 1,560 feet of a Transit Stop (LAMC Section 12.22-A,25(f)(4)(ii)).

The Applicant is seeking development incentives for the Project to provide for the development of affordable housing units, pursuant to the provisions of California Government Code Section 65915 et seq. and LAMC Section 12.22-A.25 et seq. Government Code Section 65915(e)(1) provides that a city shall not apply any development standard that will have the effect of physically precluding the construction of a development that qualifies for a density bonus, and that an applicant may submit a proposal for the waiver or reduction of development standards that physically preclude the construction of such a development. Further, Government Code Section 65915(d)(1) provides that a city shall grant requested concessions or incentives to support the construction of affordable housing unless it makes a finding that: (1) the concession or incentive is not required to provide for affordable housing costs or (2) the concession would have a specific, adverse impact, as defined in Government Code Section 65589.5(d)(2), upon public health and safety or the physical environment or on any property listed in the California Register of Historical Resources, and for which there is no feasible method to mitigate or avoid the specific adverse impact without rendering the development unaffordable to low- and moderate-income households. Government Code Section 65589.5(d)(2), which defines "specific, adverse impact," states that "[i]nconsistency with the zoning ordinance or general plan land use designation shall not constitute a specific, adverse impact upon the public health or safety."

The proposed 249 residential units, with the associated affordable housing units, would only be added as a result of the granting of the incentives requested by the Applicant pursuant to Government Code § 65915 and LAMC §12.22-A,25.

The Original Project was also certified by Governor Brown as an eligible project under the Jobs and Economic Improvement through Environmental Leadership Act of 2011 (AB 900). AB 900, which is codified in Sections 21178 – 21189.3 of the California Public Resources Code, was intended to encourage California's economic recovery by providing a streamlined process for judicial review of compliance with CEQA for development projects that qualify as an Environmental Leadership Development Project ("ELDP"). On April 8, 2014, Governor Brown certified that the Original Project met the criteria set forth in the statute. In certifying the Original Project, the Governor determined that the Original Project would result in a minimum investment of $100 million, would create high-wage jobs, and would not result in net additional greenhouse gas ("GHG") emissions, as determined by the California Air Resources Board ("CARB"). The Governor further determined that the Original Project would be located on an infill site, is designed to achieve Leadership in Energy & Environmental Design ("LEED") silver certification, is consistent with the relevant regional sustainable communities strategy, and exceeds by at least 10 percent the transportation efficiency for comparable projects. The ELDP does not explicitly preclude a Lead Agency from considering the adoption of an alternative. To maintain status as an eligible project, such an alternative would likewise need to meet the criteria set forth in the statute, including minimum investment, high-wage jobs, LEED certification, and transportation efficiency. The Project as recommended for approval by the Lead Agency (Alternative 9) is not materially different from the Original Project with

respect to the ELDP criteria described above, and as an alternative to the Original Project considered under CEQA is likewise eligible for the ELDP program.

### C. PROJECT CHARACTERISTICS

As proposed in the Draft EIR, the Original Project would have included approximately 111,339 square feet of commercial retail and restaurant uses within three lower levels (of which one level would be subterranean) and one rooftop level. Above that, 249 apartment units, including 28 affordable housing units, would be located on twelve levels encompassing a total of 222,564 gross square feet of residential space. The Original Project would also provide a new, approximately 9,134 square-foot public space at the northeast corner of the Project Site (this area is, and would continue to be, owned by the City, although the Applicant would be required to improve and maintain the area), a 34,050 square-foot central public plaza at the Site interior, public rooftop deck/garden areas along Sunset Boulevard, a private pool and pool deck area for residents, as well as other resident-only amenities totaling approximately 6,900 square feet that would include a residential lobby, resident recreation room, fitness center, business center, changing rooms and library. Parking for all proposed uses would be provided on-site via a seven-level (of which three levels are subterranean or semi-subterranean) parking structure. The parking structure would have 849 parking spaces (295 for residential uses and 554 for commercial retail and restaurant uses). Short- and long-term bicycle parking totaling approximately 985 spaces would also be provided on-site, including 428 spaces for residential uses and 557 spaces for commercial uses. The total development would include up to 333,903 square feet of commercial and residential space with a maximum floor-area ratio FAR of 3:1.

Under Alternative 9 (the Project), development would consist of 249 residential units, including 28 affordable housing units (equivalent to the Original Project), and 65,000 square feet of commercial uses (compared to 111,339 square feet under the Original Project). Residential uses would include 219 rental apartment units, of which 28 would be affordable (very low income) housing units, and 30 for-sale condominium units. Commercial uses under this Alternative would include a grocery store use of approximately 24,811 square feet (equivalent to the Original Project), reduced retail uses of approximately 11,937 square feet (compared to 51,150 square feet under the Original Project), similar restaurant uses of approximately 23,158 square feet (compared to 22,189 square feet under the Original Project), and walk-in bank use of approximately 5,094 square feet (equivalent to the Original Project). The approximately 8,095 square foot health club/fitness use included in the Original Project has been eliminated in Alternative 9, and would instead be retail uses (included in 11,937 square feet mentioned above).

Building heights for the Project would range from three stories at the Sunset Boulevard retail frontage to 15 stories at the South Building, similar to the Original Project, though the massing of the buildings would vary from that of the Original Project. Specifically, the South Building would include three tower elements, one along Havenhurst at 15 stories

in height (or approximately 234 feet above grade as measured from the lowest point on the Project Site at the southwest corner of the property), one along Crescent Heights at 11 stories (or approximately 174 feet above grade as measured from the southwest corner of the property), and one at the central portion of the South Building between the East and West tower elements at five stories (or approximately 110 feet above grade as measured from the southwest corner of the property). This arrangement would create an approximately 150-foot-wide, open north-south-oriented view corridor between the East and West tower elements that provides views southward across the Project Site from locations to the north and vice-versa. The Sunset Boulevard retail frontage of the North Building would include a new retail structure varying in heights from one story to three stories, which would include an outdoor terrace over the first floor retail uses (i.e., on Level 2), as well as a smaller, single-story retail structure within the interior of the Project Site. Although building heights for the North Building are limited to three stories, an architectural projection (or "marquis element") at the northwest corner of the North Building would extend up to a height of 7 stories (or approximately 80 feet) above the Sunset Boulevard grade. Outdoor semiprivate areas for the residences would be located on the third and seventh floors of each of the East and West tower elements of the South Building. In addition, the rooftop bar/lounge contained in the Original Project was eliminated to address concerns raised in the Draft EIR comment letters regarding potential noise and privacy impacts.

Parking under the Project would be provided largely underground to address concerns raised in the Draft EIR comment letters regarding potential noise and air quality impacts resulting from the above-grade and open parking structure originally proposed. The Project includes 820 parking spaces (198 more spaces than required by the City's Zoning Code), and offers a substantially higher parking ratio than would originally have been provided due to the substantial reduction in commercial uses under the Project, even though the total amount of parking spaces would be slightly less than under the Original Project (i.e., 29 fewer spaces). The additional parking above and beyond the Code requirements proposed under the Project addresses concerns raised in the Draft EIR comment letters regarding the sufficiency of parking provided under the Original Project and the potential for spillover parking effects in the surrounding area. Access to the Project Site on Sunset Boulevard would be eliminated, which addresses concerns raised in the Draft EIR comment letters regarding congestion along Sunset Boulevard and pedestrian safety. Changes were made to the excavation plans compared to the Original Project to accommodate four rather than three subterranean parking levels for the increased underground capacity of the garage.

The majority of other Project-related improvements, facilities, and amenities such as landscaping and the conversion of the adjacent City-owned traffic island to provide a 9,134 square foot public space would be similar to the Original Project considered in the Draft EIR. Variations regarding such improvements, facilities, and amenities include a reduced Central Plaza, which would be 27,000 square feet (compared to 34,050 square feet under the Original Project); separate resident amenities for apartment and condominium units totaling 10,337 square feet (compared to 6,881 square feet under the

Original Project); and increased private/resident terraces, balconies, and common areas totaling 41,150 square feet (compared to 27,041 square feet under the Original Project).

## V. IMPACTS DETERMINED IN THE INITIAL STUDY TO HAVE NO IMPACTS, TO BE LESS THAN SIGNIFICANT, OR LESS THAN SIGNIFICANT WITH MITIGATION

The City prepared an Initial Study for the Original Project that is included in Appendix A-1 of the Draft EIR. The Initial Study provides a detailed discussion of the potential environmental impacts by topic and the reasons that each topical area is or is not analyzed further in the Draft EIR. As further described in the Initial Study, the City determined that the Original Project would not result in significant impacts related to Agricultural and Forest Resources; Air Quality (related to odors); Biological Resources; Geology and Soils (related to waste water); Hazards and Hazardous Materials; Hydrology and Water Quality; Land Use and Planning (relating to physically dividing a community and conflict with habitat or natural community plans); Noise (related to airports and airstrips); Mineral Resources; Population and Housing (related to off-site replacement housing); Transportation and Circulation (related to air traffic); and Utilities and Services Systems (related to local drainage systems and electrical transmission). The rationale for the conclusion that no significant impact will occur in each of these issue areas is summarized below (and set forth in Draft EIR Chapter 6 and in the Initial Study (Appendix A-1 of the Draft EIR)). The City finds that this rationale is equally applicable to the Project since Alternative 9 creates no additional environmental impacts to those discussed in the Initial Study for the Original Project. Based on that rationale and other evidence in the administrative record, the City finds and determines that the Project will not result in any significant impacts in the following environmental impact categories and that no mitigation measures are needed, except for impacts to Hazards and Hazardous Material and Schools, which include mitigation measures that will reduce the impacts to less than significant, all as more fully discussed below.

### A. ENVIRONMENTAL CATEGORIES THE INITIAL STUDY DETERMINED HAD NO IMPACTS

The Initial Study determined that the Original Project would have no impact in the following environmental categories. The City finds that the rational set forth in the Initial Study is equally applicable to the Project, and the Project similarly will have no impact on the following resources for the reasons set forth below and as explained in more detail in the Initial Study.

#### 1. AGRICULTURAL RESOURCES

The Project Site is not located on designated Prime Farmland, Unique Farmland, or Farmland of Statewide Importance ("Farmland") as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program. Therefore, the Project would not convert Farmland to non-agricultural uses.

The Project Site is designated Neighborhood Office Commercial in the General Plan and is zoned Commercial (C4-1D) with corresponding zones of Limited Commercial (C1), Commercial (C2), Commercial (C4), and Automobile Parking – Surface and Underground (P) within the Hollywood Community Plan. Agricultural uses are not permitted within the C1, C2, C4, C4-1D, or P zones, and the Project Site is not under a Williamson Act contract. Further, no agricultural zoning is present in the surrounding area, and no nearby lands are enrolled under the Williamson Act. Therefore, the Project would not conflict with existing zoning for agricultural use or a Williamson Act contract.

Consistent with the built, urbanized area surrounding the Project Site, the larger project vicinity is also zoned for commercial uses. Therefore, the Project would not conflict with existing zoning, or cause the rezoning of forest land, timberland, or timberland production land.

The Project Site is located within a built, urbanized area and no forest lands exist within the project vicinity. Therefore, the Project will not result in the loss of forest land or conversion of forest land to non-forest use.

No agricultural resources or operations currently exist on or near the Project Site, which is located in Hollywood, a highly urbanized regional center. Therefore, the Project would not involve changes in the existing environment that would result in the conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use.

2. BIOLOGICAL RESOURCES

The Project Site is located in a highly urbanized area and consists of retail uses with paved surface parking. There is limited ornamental landscaping on the Site – mainly a variety of palm trees (e.g. Mexican fan palms and queen palms) and Hawthorne bushes throughout the Site interior and along the street frontages, as well as jacaranda trees along Havenhurst Drive. Because of the urbanized nature of the Project Site and surrounding area, the Site is not in a location that supports habitat for candidate, sensitive, or special status species. Therefore, no impacts to candidate, sensitive, or special status species would occur.

The Project Site does not contain any riparian habitat or other sensitive natural communities as indicated in the City or regional plans or in regulations by the California Department of Fish and Wildlife (formerly the California Department of Fish and Game) or the U.S. Fish and Wildlife Service. Furthermore, the Project Site is not located in, or adjacent to, a Significant Ecological Area ("SEA") as defined by the City of Los Angeles. Therefore, the Project would not have a substantial adverse effect on any riparian habitat or other sensitive natural community.

The surrounding area is highly urbanized and neither the Project Site nor surrounding area contain wetlands as defined by Section 404 of the Clean Water Act. Therefore, the Project would not have an adverse effect on Federally protected wetlands.

The Project Site does not contain substantial habitat for native resident or migratory species, or native nursery sites, and therefore, the Project would not interfere with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native nursery sites.

The Project Site is not located within a habitat conservation plan, natural community conservation plan, or other approved local, regional, or State habitat conservation plan. Therefore, the Project would not conflict with the provisions of any adopted conservation plan.

3. GEOLOGY AND SOILS – DISPOSAL OF WASTEWATER

The Project Site is located in an urbanized area where wastewater infrastructure is currently in place. The Project would connect to existing infrastructure and would not use septic tanks or alternative wastewater disposal systems. Therefore, no impact would occur relative to the Project having soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems.

4. HAZARDS/HAZARDOUS MATERIALS - SAFETY HAZARD DUE TO LOCATION WITHIN AIRPORT LAND USE PLAN, WITHIN TWO MILES OF PUBLIC AIRPORT, OR WITHIN VICINITY OF PRIVATE AIRSTRIP

The Project Site is not within an airport land use plan and it is not within two miles of a public use airport. The nearest airport is the Burbank Bob Hope Airport located approximately 6.5 miles north of the Project Site. Therefore, the Project would not result in an airport-related safety hazard for people residing or working in the Project area, and no impact would occur in this regard.

There are no private airstrips in the vicinity of the Project Site and the Site is not located within a designated airport hazard area. Therefore, the Project would not result in airport-related safety hazards for the people residing or working in the area.

5. HYDROLOGY AND WATER QUALITY - HOUSING OR STRUCTURES WITHIN 100-YEAR FLOOD PLAIN AND OTHER FLOOD RISK

The Project Site is mapped by the Federal Emergency Management Agency (FEMA) as located within a 0.2% Annual Change Flood Hazard Zone, defined as an area with a 0.2% annual chance of flooding in any given year (500-year flood). The site is also located in a 500-year flood zone as delineated by the City. Since the Project Site is not located within a 100-year flood plain, no impact would occur in this regard. Moreover, since the Project Site is not located within a 100-year flood plain, the Project would have no potential to place structures that would impede or redirect flood flows within a 100-year flood plain. In addition, the Site is not mapped within the potential inundation area of any dams or large water bodies. Therefore, no impact would occur.

## 6. LAND USE AND PLANNING

### a) DIVIDING AN ESTABLISHED COMMUNITY

The Project Site is located within the Hollywood Community Plan area of the City of Los Angeles. The Project Site currently includes a variety of commercial and retail uses. The Project vicinity is highly urbanized and generally built out. The Project Site, with frontages on Sunset Boulevard and Crescent Heights Boulevard, lies in the more active regional center, heart of Hollywood. Interspersed amongst these uses are a variety of studio/production uses, notable office uses, numerous entertainment venues, retail uses, restaurants, bars, hotels (including the Chateau Marmont Hotel located to the northwest), and residential uses. The Project would provide a mixed-use development consisting of residential, retail, and restaurant uses. As such, the Project would be an in-fill project providing uses in keeping with the mixed-use character of the surrounding area. Given the mix of uses in the project vicinity, and the in-fill character of the Project, the Project would not be expected to physically divide an established community.

### b) CONFLICT WITH HABITAT CONSERVATION PLAN OR NATURAL COMMUNITY CONSERVATION PLAN

The Project Site is developed with retail uses and paved parking and is located within the highly urbanized community of Hollywood. The Project Site is not located within, or in close proximity to, a habitat conservation plan or natural community conservation plan area. Therefore, the Project would not conflict with the provisions of any adopted conservation plan. No mitigation measures are required.

## 7. MINERAL RESOURCES

The Project Site is not classified by the City of Los Angeles as an area containing significant mineral deposits, nor is the Site designated as an existing mineral resource extraction area by the State of California. Additionally, the Project Site is designated for Neighborhood Office Commercial uses within the City of Los Angeles General Plan Framework and Hollywood Community Plan, and is not designated as a mineral extraction land use. Therefore, the chances of uncovering mineral resources during construction and grading would be minimal. Project implementation would not result in the loss of availability of a known mineral resource of value to the region and residents of the State, nor of a locally important mineral resource recovery site. No impacts to mineral resources would occur.

## 8. NOISE – AIRPORTS AND AIRSTRIPS

The Project Site is not located within an airport land use plan or within two miles of an airport or private airstrip. The closest airport to the Project Site is the Burbank Bob Hope Airport, which is located approximately 6.5 miles north of the Project Site. Therefore, the

Project would not expose site population in the project area to excessive noise levels from airport use. No mitigation measures are required.

9. POPULATION AND HOUSING – REPLACEMENT HOUSING

There is no existing housing located on the Project Site. Thus, the Project would not displace any housing or associated residential population. No impacts would occur. No mitigation measures are required.

10. TRANSPORTATION AND CIRCULATION – AIR TRAFFIC

The nearest airport is the Burbank Bob Hope Airport located approximately 6.5 miles north of the Project Site. As such, the Project would not result in a change in air traffic patterns including increases in traffic levels or changes in location that would result in substantial safety risks. No impact would occur in this regard.

## B. ENVIRONMENTAL CATEGORIES THE INITIAL STUDY DETERMINED HAD LESS THAN SIGNIFICANT IMPACTS

The Initial Study determined that the Original Project would have less than significant impacts in the following environmental categories. The City finds that the rational set forth in the Initial Study is equally applicable to the Project, and the Project similarly will have less than significant impact in these areas for the reasons set forth below and as explained in more detail in the Initial Study.

1. AIR QUALITY – ODORS

Odors are typically associated with industrial projects involving the use of chemicals, solvents, petroleum products, and other strong-smelling elements used in manufacturing processes. Odors are also associated with such uses as sewage treatment facilities and landfills. The Project involves the development of residential, retail and restaurant uses, and would not introduce any major odor-producing uses that would have the potential to affect a substantial number of people. Only limited odors associated with project operation would be generated by on-site waste generation and storage, cooking odors, and the use of certain cleaning agents all of which would be consistent with surrounding land uses. In addition, activities and materials associated with construction would be typical of construction projects of similar type and size. Any odors that may be generated during construction of the Project would be localized and temporary in nature, and would not be sufficient to affect a substantial number of people or result in a nuisance as defined by SCAQMD Rule 402. Impacts with regard to odors would be less than significant and no mitigation measures are required.

2. BIOLOGICAL RESOURCES - CONFLICT WITH LOCAL POLICIES OR ORDINANCES

There are decorative/ornamental trees located within the Project Site and along the public street frontages facing the Project Site. No locally protected biological resources, such as oak trees or California walnut woodlands, or other trees protected under the City of Los Angeles Protected Tree Ordinance (Chapter IV, Article 6 of the LAMC), exist on the Site. The Project would incorporate a landscape plan, which would include the planting of numerous trees, as well as new shrubs and groundcover. In addition, any street trees removed as part of the Project would be replaced in accordance with the City of Los Angeles Street Tree Ordinance. Therefore, the Project would not conflict with local policies or ordinances protecting biological resources.

3. HAZARDS/HAZARDOUS MATERIALS

a) HAZARDOUS EMISSIONS OR HANDLING OF HAZARDOUS OR ACUTELY HAZARDOUS MATERIALS WITHIN ONE-QUARTER MILE OF A SCHOOL

There are no existing or proposed schools located within one-quarter mile of the Project Site. During operation of the Project, the limited quantities and any prescribed handling procedures of hazardous materials would not pose a risk to schools located further than one-quarter mile from the Project Site but within the project vicinity. Furthermore, occupancy of the proposed residential, retail, and restaurant uses would not cause hazardous substance emissions or generate hazardous waste. As such, the Project would result in less than significant impacts regarding hazardous materials at any existing or proposed schools within a one-quarter mile radius of the Site.

b) INTERFERENCE WITH ADOPTED EMERGENCY RESPONSE PLAN OR EMERGENCY EVACUATION PLAN

While it is expected that the majority of construction activities and staging areas would be confined on-site, short-term construction activities for sidewalk improvements and infrastructure improvements may temporarily disrupt access on portions of street rights-of-ways. In these instances, the Project would implement traffic control measures (e.g., construction flagmen, signage, etc.) to maintain flow and access. Furthermore, in accordance with City requirements the Project would develop a Construction Management Plan, which includes designation of a haul route, to ensure that adequate emergency access is maintained during construction. Therefore, construction is not expected to impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan.

During operation, emergency access to the Project Site would continue to be provided on Sunset Boulevard, Crescent Heights Boulevard, and Havenhurst Drive. Given the relatively minor change in inbound and outbound traffic flows and the proposed parking design, access or circulation issues at the Project Site are not anticipated to be

problematic such that a measurable reduction in emergency vehicle access would occur. Emergency evacuation for the retail and residential uses would be provided via interior staircases. Exits for emergency evacuation would be clearly marked to ensure the safe evacuation of all occupants in the building. Based on the above, construction and operation of the Project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.

c) RISK FROM WILDLAND FIRES

The Project Site is located in the highly-urbanized Sunset Strip area, but is also located in relatively close proximity to steep hillsides within the Hollywood Hills community. Although no wildlands are present within the Project Site boundaries, the northern portion of the Site is located within a City-designated Mountain Fire District. Although a portion of the Project Site is located within a designated Mountain Fire District, due to the Site's proximity to the hillside areas located immediately to the north, the urbanized nature of the Project Site and surrounding area to the east, south, and west, as well as the nature of the proposed development's building materials would limit the potential for wildland fire hazards. Specifically, the Project would be constructed primarily of concrete, steel, and glass with little readily flammable building materials that could create a substantial fire risk. Additionally, the proposed development, consistent with existing City Fire Code and other fire safety requirements, would include smoke/fire alarms, fully sprinklered indoor spaces, and irrigated landscaped areas, which would serve to reduce potential hazards related to structure fires (i.e., fires potentially ignited by wildland fires in the hillside areas to the north). Based on the urbanized nature of the Project Site and the majority of surrounding area, as well as the types of building materials and fire safety features proposed as part of the proposed development, impacts in this regard would be less than significant.

4. HYDROLOGY AND WATER QUALITY

a) WATER QUALITY STANDARDS AND WASTE DISCHARGE REQUIREMENTS

Temporary construction activities would entail demolition of existing structures, removal of existing paved areas and vegetation, site grading and excavation, and building construction. Throughout these activities, on-site soil could be exposed to water- and wind-borne erosion, which could increase siltation in stormwater flows leaving the Site. Similarly, operation of construction vehicles and equipment could also introduce pollutants to on-site soils or other surfaces that could be conveyed off-site by stormwater flows during rain events. However, the Project would be required to comply with the conditions of the City's General Construction Permit, issued by the Los Angeles Regional Water Quality Control Board ("RWQCB"), including the preparation and implementation of a site-specific Stormwater Pollution Prevention Plan ("SWPPP") for construction activities. The SWPPP requires that all potential on-site stormwater pollution sources are addressed through the implementation of applicable stormwater quality Best Management Practices ("BMPs"), including BMPs to minimize erosion and sedimentation

and the generation and transport of other construction-related pollutants. As such, with implementation of an approved site-specific SWPPP, short-term construction activities would not result in violation of water quality standards or waste discharge requirements.

In addition, given the new uses and improvements proposed as part of the Project, long-term operational water quality impacts could occur. However, per the City of Los Angeles' Low Impact Development ("LID") Ordinance requirements for water quality, the Project would be required to implement a Project-specific Water Quality Management Plan ("WQMP") that includes a variety of BMPs, including site design, source control, and treatment control BMPs that would reduce the generation, release, and transport of water pollutants in stormwater flows leaving the Site. The WQMP, subject to review and approval by the City of Los Angeles Department of Public Works, would ensure that the Project would not violate any water quality standards or waste discharge requirements.

b) GROUNDWATER SUPPLY DEPLETION

Los Angeles Department of Water and Power ("LADWP") is the water purveyor for the City. Water is supplied to the City from three primary sources including groundwater. In 2009 – 2010 LADWP had an available water supply of roughly 550,000 acre-feet ("AF"), with approximately 14 percent coming from local groundwater. Groundwater levels in the City of Los Angeles are maintained through an active process via spreading grounds and recharge basins. Although open spaces do allow for seepage of water into smaller unconfined aquifers, the larger groundwater sources within the City of Los Angeles are actively recharged and supply the City with its water supply.

Since the Project Site has been previously developed and currently contains the two on-site buildings and adjacent hardscape/paved parking areas, the Site does not currently provide opportunity for recharge of groundwater. The proposed recharge on the Project Site would be similar to the Site's historic contribution to recharge. Furthermore, the small size of the Project Site limits its potential to substantially contribute to recharge of groundwater sources. Therefore, impacts due to interference with groundwater recharge would be less than significant.

According to the a Phase I Environmental Site Assessment ("ESA") prepared for the Project Site, groundwater depths on-site are anticipated to be approximately 166 feet below ground surface ("bgs"). Given the estimated depth to groundwater on-site and anticipated depths of proposed excavation, it is expected that a dewatering system would not be required for the Project. However, groundwater extraction from such a dewatering system, if it were required, would be minimal and would not affect the long-term water table conditions. Therefore, potential impacts due to depletion of groundwater supplies would be less than significant.

In summary, the Project would not substantially deplete groundwater supplies or result in a substantial net deficit in the aquifer volume or lowering of the local groundwater table. Impacts would be less than significant.

c) DRAINAGE PATTERN ALTERATION AND SURFACE RUNOFF

According to information provided in a Preliminary Due Diligence Report of Existing Infrastructure prepared by the Project Applicant's civil engineer, there is currently no on-site storm drain system. As such, all stormwater generated on-site currently flows via sheet flow to off-site storm drains within N. Crescent Heights Boulevard and Havenhurst Drive. As required by the City's LID Ordinance, the Project would implement a project-specific WQMP that would retain stormwater flows from a 0.75-inch storm event on-site, or the 85th percentile storm event, whichever is larger, as well as treat on-site stormwater prior to discharge to the City's storm drain system. Under the Project, stormwater flows generated on-site would be conveyed through the on-site collection, conveyance, and treatment BMPs before entering the existing storm drains in N. Crescent Heights Boulevard and Havenhurst Drive. Given implementation of a project-specific WQMP, the Project would not result in substantial erosion or siltation on- or off-site. Impacts would be less than significant.

While the Project Site is under construction, the rate and amount of surface runoff generated at the Project Site would fluctuate. However, because the construction period is temporary and an on-site storm drain system would be constructed in conjunction with the development, the potential for flooding during construction would be less than significant. The Project Site is generally flat and is entirely developed with buildings and paved services. Changes in project run-off would be minimal and the project would implement site drainage features pursuant to the City's LID Ordinance, which provides for storm water retention to preclude flooding. Since the Project Site is currently developed with asphalt parking and existing commercial buildings, the site imperviousness would not be increased as a result of the proposed mixed-use development. Additionally, given compliance with the City of Los Angeles' LID requirements for stormwater quality treatment that prohibit increases in runoff associated with new development, it is assumed that the existing County storm drain system will have sufficient capacity to carry the proposed development runoff. As such, the Project would not result in a change in the Site drainage pattern such that runoff rates or the amount of surface runoff would be increased causing flooding either on- or off-site. Impacts would be less than significant.

As there is currently no on-site storm drain system, all stormwater runoff sheet flows off the Site to either the west onto Havenhurst Drive or east to N. Crescent Heights Boulevard. Stormwater runoff that sheet flows to the west onto Havenhurst Drive is carried within the street gutter until reaching an existing catch basin at the intersection of Havenhurst Drive and Fountain Avenue. Once entering the catch basin, the stormwater is routed to an existing 36-inch Reinforced Concrete Pipe ("RCP"), County of Los Angeles main storm drain line located within Havenhurst Drive. Stormwater runoff that sheet flows to the east onto N. Crescent Heights Boulevard is carried within the street gutter until reaching an existing catch basin at the intersection of Crescent Heights Boulevard and Fountain Avenue. From there the flow is routed to an existing County of Los Angeles 30-

inch RCP main storm drain line that carries the flow west within Fountain Avenue. The Project would comply with the City's LID Ordinance, which requires the implementation and maintenance of project-specific BMPs that not only retain stormwater flows from a 0.75-inch storm event (or 85th percentile storm event, whichever is larger) on-site, but also capture and treat all stormwater prior to discharge to the public storm drain system. Implementation of LID requirements would ensure that there would be no increase in stormwater flow volumes leaving the Site relative to existing conditions. As such, given the adequacy of existing stormwater drainage infrastructure in the area and implementation of site-specific BMPs for water quality, the Project would not exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. Impacts would be less than significant.

d) OTHER WATER QUALITY DEGRADATION

Implementation of a project-specific SWPPP during construction activities and a WQMP in site design and long-term operation would preclude the potential for significant impacts relative to water quality. Given implementation of applicable stormwater management plans on-site impacts associated with degradation of water quality would be less than significant.

e) INUNDATION BY SEICHE, TSUNAMI, OR MUDFLOW

A seiche is an oscillation of a body of water in an enclosed or semi-enclosed basin, such as a reservoir, harbor, lake, or storage tank. A tsunami is a great sea wave, commonly referred to as a tidal wave, produced by a significant disturbance undersea, such as a tectonic displacement of sea floor associated with large, shallow earthquakes. Mudflows occur as a result of downslope movement of soil and/or rock under the influence of gravity. The Project Site is not located within a City-designated inundation hazard area. Relative to tsunami hazards, the Project Site is located approximately ten miles inland (northeast) from the Pacific Ocean, and therefore, would not be subject to a tsunami. Furthermore, the Project Site is not located on a City-designated tsunami hazard area. The Project Site itself is characterized by relatively flat topography, though relatively steep slopes of the Hollywood Hills are located just north of Sunset Boulevard. While there exists a nominal potential for mudflows in the hillsides north of the Project Site, the relatively high amount of urbanization, landscaping, and natural vegetation within these hillside areas would generally limit the potential for large volumes of earth materials to become unstable and form a significant mudflow. Further, intervening structures, vegetation, roadways, and other obstacles would generally limit adverse physical effects to on-site development if a mudflow were to occur north of the Project Site. Overall, therefore, no impacts would occur due to inundation by seiche or tsunamis, and mudflow impacts would be less than significant.

5. UTILITIES AND SERVICE SYSTEMS

a) CONSTRUCTION OF NEW STORMWATER DRAINAGE FACILITIES OR EXPANSION OF EXISTING FACILITIES, CAUSING SIGNIFICANT ENVIRONMENTAL EFFECTS

The Project Site currently contains two commercial buildings and related hardscape/paved parking area. Proposed site development would include drainage enhancement components consistent with the City's Low Impact Development Ordinance, and as such the Project would not be expected to adversely affect local drainage systems. Impacts related to construction of new or expanded stormwater drainage facilities would be less than significant and no mitigation is required.

b) OTHER UTILITIES AND SERVICE SYSTEMS

Electricity transmission to the Project Site is provided and maintained by LADWP. Future plans regarding the provision of electrical services are presented in regularly updated Integrated Resources Plans (IRPs). These Plans identify future demand for services and provide a framework for how LADWP plans on continuing to meet future consumer demand. The current IRP is based on a 20- year planning horizon. The LADWP is required to meet operational, planning reserve and reliability criteria, and the resource adequacy standards of the Western Electricity Coordinating Council (WECC) and the North American Electric Reliability Corporation (NERC). LADWP's Power System served approximately 4.1 million people in 2011 in the City of Los Angeles and areas of the Owens Valley and is the nation's largest municipal electric utility. LADWP has a net dependable generation capacity greater than 7,125 megawatts (MW).17 LADWP is fully resourced to meet peak demand but maintains transmission and wholesale marketing operations to keep production costs low and increase system reliability.

The LADWP December 2012 forecast, as presented in the 2012 IRP, indicates a 2017-2018 fiscal year demand for approximately 23,300 GWh per year. As set forth in the Initial Study, the existing development generates a demand for approximately 288 megawatt-hours (MWh) per year, and the Original Project would generate a demand for approximately 710 MWh per year. The Original Project would result in a net electrical demand increase of over 422 MWh per year over existing conditions. The Project would result in similar changes. The Original Project's energy consumption of 710 MWh per year would be approximately 0.000003 percent that of the estimated 2017-2018 demand of 23,300 GWh per year, as would be that of the Project. This amount is negligible, and is within the anticipated service capabilities of LADWP.

## C. ENVIRONMENTAL CATEGORIES THE INITIAL STUDY DETERMINED HAD LESS THAN SIGNIFICANT IMPACTS AS A RESULT OF MITIGATION MEASURES

The Initial Study determined that the Original Project would have less than significant impacts given the implementation of mitigation measures in the following environmental

categories. The City finds that the rationale set forth in the Initial Study is equally applicable to the Project, and the Project similarly will have less than significant impacts as a result of mitigation in these areas for the reasons set forth below and in the Initial Study.

1. HAZARDS/HAZARDOUS MATERIALS

a) DESCRIPTION OF EFFECTS

(1) ROUTINE TRANSPORT, USE OR DISPOSAL OF HAZARDOUS MATERIALS

The Project would involve the demolition and removal of all existing on-site structures, parking areas, and landscaping. Asbestos-containing material ("ACM") has been identified in the existing on-site Chase Bank building. Additionally, since this building was constructed in 1960, it is possible that lead-based paint ("LBP") and paint residues are present in the building. If released into the environment, these materials could pose a significant hazard to construction workers or the public.

Construction of the Project would involve the temporary use of hazardous substances in the form of paint, adhesives, surface coatings and other finishing materials, and cleaning agents, fuels, and oils.

Operation of the residential, retail, and restaurant uses would involve the use and storage of small quantities of potentially hazardous materials in the form of cleaning solvents, painting supplies, pesticides for landscaping, and pool maintenance.

(2) REASONABLY FORESEEABLE UPSET AND ACCIDENT CONDITIONS INVOLVING THE RELEASE OF HAZARDOUS MATERIALS

As noted above, the Project would involve the demolition of all on-site uses and the development of a mixed-use commercial and residential structure, which would not involve the routine use, storage, transport, or disposal of notable quantities of hazardous materials. Additionally, Project construction would not involve the use of hazardous materials in substantial amounts such that a measurable risk to on-site workers or off-site residents would result from temporary construction activities. However, short-term grading activities, including trenching and excavation, could expose construction workers or the public to unknown hazardous materials in site soil and/or groundwater should such materials be present. To address this potential risk, a Phase I ESA was prepared for the Project Site by IVI Assessment Services, Inc. ("IVI") in July 2011.

As concluded in the ESA, the investigation revealed no evidence of recognized environmental conditions ("RECs") in connection with the Project Site.

(3) LOCATION ON SITE INCLUDED ON A LIST OF HAZARDOUS MATERIALS SITES AND RESULTING SIGNIFICANT HAZARD

Two on-site properties are listed in the Resource Conservation and Recovery Act Information System ("RCRIS") Generators database, and nine off-site properties are listed in the Leaking Underground Storage Tanks ("LUST") and/or Spills, Leaks, Investigations and Cleanups ("SLIC") Records databases.

b) MITIGATION MEASURES

**Mitigation Measure VIII-1**: Prior to demolition of the existing on-site Chase Bank building, all ACM identified on the property shall be properly removed by a licensed and Cal/OSHA-registered asbestos abatement contractor.

**Mitigation Measure VIII-2**: Prior to the issuance of a demolition permit for the existing Chase Bank building, a LBP survey shall be conducted in and around the structure and any LBP identified shall be abated in accordance with all applicable City, State, and Federal regulations.

c) FINDINGS

Changes or alterations and mitigation measures have been required in, or incorporated into, the Project which avoid or substantially lessen the potentially significant impacts associated with hazards and hazardous materials, as identified in the Initial Study to the Draft EIR, to less than significant levels.

d) RATIONALE FOR FINDINGS

Regarding the routine use, transport, or disposal of hazardous materials, as discussed above, the Project would involve the demolition and removal of all existing on-site structures, parking areas, and landscaping. Asbestos-containing material ("ACM") has been identified in the existing on-site Chase Bank building. Additionally, since this building was constructed in 1960, it is possible that lead-based paint ("LBP") and paint residues are present in the building. If released into the environment, these materials could pose a significant hazard to construction workers or the public. However, mitigation measures provided above would require proper identification and abatement of such materials in order to minimize potential health risks associated with the handling, transport, and disposal of ACM and LBP. Therefore, impacts associated with ACM and LBP would be reduced to less than significant.

As discussed above, construction of the Project would involve the temporary use of hazardous substances in the form of paint, adhesives, surface coatings and other finishing materials, and cleaning agents, fuels, and oils. All materials would be used, stored, and disposed of in accordance with applicable laws and regulations and

manufacturers' instructions. Furthermore, any emissions from the use of such materials would be minimal and localized to the Project Site.

Operation of the residential, retail, and restaurant uses would involve the use and storage of small quantities of potentially hazardous materials in the form of cleaning solvents, painting supplies, pesticides for landscaping, and pool maintenance. The use of these materials would be in small quantities and in accordance with the manufacturers' instructions for use, storage, and disposal of such products. Therefore, neither construction nor operation of the Project would create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.

Regarding the reasonably foreseeable upset and accident conditions involving the release of hazardous materials, as noted above, the Project would involve the demolition of all on-site uses and the development of a mixed-use commercial and residential structure, which would not involve the routine use, storage, transport, or disposal of notable quantities of hazardous materials. Additionally, Project construction would not involve the use of hazardous materials in substantial amounts such that a measurable risk to on-site workers or off-site residents would result from temporary construction activities. However, short-term grading activities, including trenching and excavation, could expose construction workers or the public to unknown hazardous materials in site soil and/or groundwater should such materials be present. To address this potential risk, a Phase I ESA was prepared for the Project Site by IVI Assessment Services, Inc. ("IVI") in July 2011.

As concluded in the ESA, the investigation revealed no evidence of recognized environmental conditions ("RECs") in connection with the Project Site.

As noted above, impacts related to the release of ACM and LBP during site demolition activities would be reduced to less than significant with implementation of applicable mitigation measures. Additionally, in light of the information provided in the ESA as explained in the Initial Study, and given the lack of further on or off-site hazardous materials conditions that could pose a risk to construction workers or the public, impacts associated with the release of hazardous materials into the environment resulting from implementation of the Project would be less than significant.

Regarding being located on a site which is included on a list of hazardous materials sites and resulting significant hazard, as noted above, two on-site properties are listed in the Resource Conservation and Recovery Act Information System ("RCRIS") Generators database, and nine off-site properties are listed in the Leaking Underground Storage Tanks ("LUST") and/or Spills, Leaks, Investigations and Cleanups ("SLIC") Records databases. However, none of these listed properties were determined in the project ESA to represent an environmental risk to the Project Site. The bank is listed on the HAZNET site for disposal of ACMs. Although the release of ACM during site demolition activities would create a potentially significant hazard to construction workers and the public in the area if it were to occur, implementation of Mitigation Measure VIII-1, listed above, would reduce the potential impacts to less than significant. Therefore, with implementation of

Mitigation Measure VIII-1, the Project will not result in a significant hazard for people residing or working in the Project area.

e) REFERENCE

For a complete discussion of impacts to hazards and hazardous materials, please see Section B.VIII of the Initial Study, included as Appendix A-1 to the Draft EIR.

2. SCHOOLS

(1) DESCRIPTION OF EFFECTS

The Project Site is located within the jurisdiction of the Los Angeles Unified School District ("LAUSD"). Specifically, the Project Site is located in LAUSD District 4. The closest LAUSD schools to the Project Site are Gardner Street Elementary School located approximately 0.75 miles to the east; Fairfax High School located approximately one mile to the south; and Bancroft Middle School located approximately 1.75 miles to the southeast. Because the Project would introduce new residents to the Project Site, as well as new employees that might move to the area, the Project could generate new students attending nearby LAUSD schools. These new students would increase demand for school facilities and services. The LAUSD Developer Fee Program Office has established student generation rates for a variety of uses including multi-family attached residential uses and retail and services uses. The Original Project proposed 249 dwelling units and 111,308 square feet of commercial uses, which would generate an estimated total of 30 elementary school students, 15 middle school students, and 18 high school students, as explained in the Initial Study. The Project would also include 249 dwelling units, although it would include less commercial square footage, and it would have similar effects on schools.

Students would attend Gardner Street Elementary School, Bancroft Middle School, and Fairfax Senior High School. Project implementation, therefore, would increase the demand for seats at each of these schools beginning with the 2017-2018 school year, which could potentially exceed the available student capacity at each facility.

(2) MITIGATION MEASURES

**Mitigation Measure XIV-1**: The project shall pay required school mitigation fees pursuant to Government Code Section 65995 and in compliance with SB 50 (payment of developer fees)

(3) FINDINGS

Changes or alterations and mitigation measures have been required in, or incorporated into, the Project which avoid or substantially lessen the potentially significant impacts associated with schools, as identified in the Initial Study to the Draft EIR, to less than significant levels.

(4) RATIONALE FOR FINDINGS

As discussed above, the Project Site is located within the jurisdiction of the Los Angeles Unified School District ("LAUSD"). Specifically, the Project Site is located in LAUSD District 4. The closest LAUSD schools to the Project Site are Gardner Street Elementary School located approximately 0.75 miles to the east; Fairfax High School located approximately one mile to the south; and Bancroft Middle School located approximately 1.75 miles to the southeast. Because the Project would introduce new residents to the Project Site, as well as new employees that might move to the area, the Project could generate new students attending nearby LAUSD schools. These new students would increase demand for school facilities and services. The LAUSD Developer Fee Program Office has established student generation rates for a variety of uses including multi-family attached residential uses and retail and services uses. The Original Project proposed 249 dwelling units and 111,308 square feet of commercial uses, which would generate an estimated total of 30 elementary school students, 15 middle school students, and 18 high school students, as explained in the Initial Study. The Project would also include 249 dwelling units, although it would include less commercial square footage, and it would have similar effects on schools.
Students would attend Gardner Street Elementary School, Bancroft Middle School, and Fairfax Senior High School. Project implementation, therefore, would increase the demand for seats at each of these schools beginning with the 2017-2018 school year, which could potentially exceed the available student capacity at each facility.

However, as required by Mitigation Measure XIV-1, below, and in accordance with State law, including Government Code Section 65995 and Education Code Section 17620, issuance of building permits for the Project would require the payment of fees at a specified rate for the funding of improvements and expansion of school facilities. In accordance with Senate Bill 50 (SB 50) enacted in 1998, payment of this fee is deemed to fully mitigate any Project impacts to school facilities under CEQA. Therefore, with payment of the required fee set forth by the Government Code and Education Code, as required by the mitigation measure below, impacts to schools would be less than significant.

(5) REFERENCES

For a complete discussion of impacts to schools, please see Section B.XIV(c) of the Initial Study, included as Appendix A-1 to the Draft EIR.

## VI. IMPACTS THE EIR FOUND TO BE LESS THAN SIGNIFICANT

In the Initial Study for the Original Project, the City also identified impacts that required further study in an EIR. These topics included: Aesthetics & Views, Light & Glare, Shade/Shadow, Air Quality, Greenhouse Gas Emissions, Cultural Resources (Historic, Archaeological, Paleontological, Human Remains), Geologic and Soils, Greenhouse Gas Emissions, Land Use (Consistency with Plans and Policies), Noise, Population and Housing, Public Services (Police Protection, Fire Protection, and Emergency Medical

Services), Transportation and Circulation (Construction Traffic, Neighborhood Intrusion, Intersections, Regional Transportation Systems, Transit, Access and Parking), and Utilities. The impact areas discussed in this Section VI were determined to be less than significant in the DEIR and/or the RP-DEIR.

To the extent that the less-than-significant conclusions were reached in the DEIR, the City finds that the determinations in the DEIR are equally applicable to the Project since Alternative 9 creates no additional environmental impacts beyond those discussed in the DEIR for the Original Project. Based on the analysis in the DEIR and the RP-DEIR and other evidence in the administrative record relating to the Project, the City finds and determines that the following environmental impact categories will not result in any significant impacts and that no mitigation measures are needed:

## A. AESTHETICS

Section 21099(d)(1) of the CEQA Statute (SB 743) provides that aesthetic impacts of a residential, mixed-use residential, or employment center project on an infill site within a transit priority area shall not be considered significant impacts on the environment. The Project qualifies as an infill project as it lies on a previously developed parcel in an urban area where the entire parcel is surrounded by developed uses or improved public rights-of-way adjacent to parcels with qualified urban uses. The Project Site qualifies as a transit priority area as it is located less than one-half mile from a Major Transit Stop (as defined by Public Resources Code Section 21064.3) located at the intersection of Sunset Boulevard and Fairfax Avenue. Therefore, pursuant to State Law the Project's aesthetic impacts would not be significant impacts on the environment.

Notwithstanding the exempt status of the Project, analyses were undertaken to determine whether the Project's impacts would exceed thresholds normally used by the City for analyzing the significance of a Project's impacts on aesthetics.

### 1. DESCRIPTION OF EFFECTS

#### a) VISUAL CHARACTER – OPERATION

The Project's South Building would include three tower elements, one along Havenhurst at 15 stories in height, one along Crescent Heights at 11 stories, and one at the central portion of the South Building between the East and West tower elements at five stories. The Sunset Boulevard retail frontage would be modified by removing the existing Bank building, constructing a three-story retail building (with an approximately seven-story "marquee element" architectural projection) along the Sunset Boulevard street frontage, and constructing a separate single-story retail building at the center of the Project Site between the North and South Buildings. The Project would provide a stepped profile and articulation (contrast between taller and shorter components), which would soften the appearance of the Project's mass and scale when viewed from surrounding areas.

b) VIEW IMPACTS

The Project's 15-story South Building would be taller than other development in the immediate area and would be visible from many locations in the Hollywood Hills. The Project, therefore, has the potential to affect scenic views. View resources in the community include (1) Panoramic views of the Hollywood Hills, (2) Panoramic views of the Los Angeles Basin, including the Downtown Los Angeles skyline and other high-rise clusters and Baldwin Hills, and (3) Focal views of historically or architecturally prominent buildings in the Project vicinity.

c) LIGHT AND GLARE

The Project's exterior lighting program would consist of tenant and building identification signs, security lighting, and signage along the Sunset Boulevard frontage. No illuminated signs are anticipated on the west façade of the North Building or the south facades of the North and South Buildings. The Project would not involve any off-site signs or billboards. Lighting would primarily consist of a mix of standard incandescent light fixtures, as well as various types of efficient/low energy fixtures. Lighting would be designed and strategically placed to minimize glare and light spill onto adjacent properties. The Project would incorporate low-reflectivity window glass and architectural materials that would reduce the potential of glare from reflected sunlight at any glare-sensitive locations.

d) SHADING

Under the Project, the greatest extent of off-site shading is generated by the South Building during the morning hours and the North Building during the afternoon hours. However, as explained below, shade impacts would not exceed the established City of Los Angeles thresholds of more than three hours between the hours of 9:00 A.M. and 3:00 P.M. PST, or more than four hours between the hours of 9:00 A.M. and 5:00 P.M. PDT.

e) CONSISTENCY WITH REGULATORY FRAMEWORK

The Project would have a potentially significant impact if it would substantially conflict with applicable guidelines and regulations related to aesthetics and visual quality where significant impacts on the environment are involved.

f) CUMULATIVE IMPACTS

Related projects that are located within a similar view field or along the same roadways within several blocks of the Project have the potential to contribute to cumulative aesthetic impact including visual character, view blockage, light and glare, and shade impacts. A total of 38 related projects have been identified in the study area and, of these, eight are located along the same street, Sunset Boulevard, as the Project Site. Other related projects are not within proximity to the Project Site and would not contribute to significant cumulative impacts.

2. PROJECT DESIGN FEATURES

The Following Project Design Feature is relevant to visual character – operation:

**PDF-AES-1**, The Project shall provide landscaping features, or features that contribute to landscaping, such as a green wall and vine-covered stone cladding along the exposed podium structure on Havenhurst Drive and landscaping treatment of the exposed podium structure on the south edge of the property where adequate space exists to allow for landscape maintenance.

3. FINDINGS

The Project will have a less than significant impact with respect to aesthetic character. No mitigation is required.

The Project's impacts on views would be less than significant and no mitigation is required.

Potential impacts associated with nighttime illumination and glare from reflected sunlight would be less than significant. No mitigation is required.

The Project's impacts regarding shade and shadows would be less than significant. No mitigation is required.

The Project would be substantially consistent with applicable guidelines or regulations related to aesthetics or visual quality. Impacts would be less than significant. No mitigation is required.

The Project would have a less than cumulative impact on aesthetics. No mitigation is required.

Incorporation of Project Design Feature PDF-AES-1 will ensure that aesthetic impacts remain less than significant.

4. RATIONALE FOR FINDING

With regard to visual character, the Project would provide unified architecture, landscaping, and pedestrian amenities at a site currently characterized by surface parking, competing signage, fast food restaurants, and non-cohesive architectural design. Although taller than other structures in the immediate vicinity, the Project would be designed to complement the surrounding environment and provide visual interest through articulated design, variations in building heights, and setbacks. The Project would not damage or substantially degrade views of valued scenic resources, such as listed historical buildings in the area, and would provide public amenities, such as the Corner Plaza and landscaping improvements. The Project would also follow the existing pattern of development that juxtaposes more intense commercial uses along Sunset Boulevard to residential neighborhoods on the side streets. Because the Project would not create a

pattern of development that would substantially degrade or alter the existing visual character of the area, damage valued aesthetic resources, such as historical sites, or introduce elements that substantially detract from the visual character of the area, it would have a less than significant impact with respect to visual character.

With regard to views, Chapter 4.A of the Draft EIR and Section 2.0 Alternative 9: Enhanced View Corridor and Additional Underground Parking Alternative, Subsection B.1 of the Recirculated DEIR, provide composite simulations of the completed project from representative locations in the surrounding area that have panoramic or focal views of the resources described above. As shown and described therein, the Project Site is visible from Sunset Boulevard, Havenhurst Drive and Crescent Heights Boulevard in the vicinity of the site. The development associated with the Project would reduce the full extent of panoramic views across the Project Site, but would not obstruct views of valued resources. Based on these composite simulations and for the reasons discussed more fully in the EIR, the Project will not have a significant impact on views.

The Project was proposed as Alternative 9 in response to a number of comments received on the Draft EIR regarding visual impacts of the Original Project. As discussed in the Recirculated DEIR, the Project addresses many concerns regarding view impacts expressed by commenters by offering similar overall building heights as the Original Project but with massing and design elements that create a view corridor across the Project Site. The Project's impacts are less than significant for the reasons discussed above and in the Draft EIR and Recirculated DEIR.

With regard to light and glare, new light sources associated primarily with the Project's residential uses and terrace dining areas would not substantially alter the character of off-site areas surrounding the Project Site or result in substantial light spill/or glare onto adjacent light-sensitive receptors. The Project would be designed with non-reflective glass and trim and, thus, reduce reflection potential. Therefore, potential impacts associated with nighttime illumination and glare from reflected sunlight would be less than significant. For these reasons, as more fully discussed in the EIR, the Project's light and glare impacts are less than significant and no mitigation measures are required.

With regard to shade impacts, under the City of L.A. CEQA Thresholds Guide, a project may have a potential impact if it would shade shadow-sensitive uses more than three hours between the hours of 9:00 A.M. and 3:00 P.M., between late October and early April or more than four hours between the hours of 9:00 A.M. and 5:00 P.M. Pacific Daylight Time (PDT) between early April and late October. As shown in the shading diagrams set forth in Chapter 4.A of the Draft EIR as well as Section 2.0 Alternative 9: Enhanced View Corridor and Additional Underground Parking Alternative, Subsection B.1 of the Recirculated DEIR, the Project would not result in significant shading effects on any surrounding shade-sensitive uses during winter solstice, spring equinox, summer solstice, or fall equinox conditions. The maximum impact on sensitive uses during the worst-case winter solstice condition, as shown on Figure 2-6 of the Recirculated DEIR, would be less than one hour of shading, which is well below the applicable three-hour

significance threshold. For these reasons as more fully discussed in the EIR, the Project's shading impacts are less than significant.

The Project would be substantially consistent with applicable guidelines or regulations related to aesthetics or visual quality. These include the City of Los Angeles General Plan Framework, Citywide Design Guidelines, and the Hollywood Community Plan.

An evaluation comparing the Original Project to applicable policies of the General Plan Framework, the Citywide Design Guidelines, and the Hollywood Community Plan is provided in Table 4.A-1, Comparison of the Project to Applicable Policies of the General Plan Framework, in Chapter 4.A of the Draft EIR. The evaluation of consistency and rationale set forth in the Draft EIR with respect to the Original Project applies equally to the Project. The Project represents a reduction in intensity of commercial uses and makes modifications to the spacing of the tower elements. The Project does not differ from the relevant aesthetic factors set forth in the Draft EIR.

The Project would be consistent with the aesthetic policies set forth in the City's General Plan Framework. Primary aesthetic goals of the General Plan Framework are intended to promote pedestrian activity and to provide a quality experience for the City's residents. The Project would locate commercial, high-density residential use, and entertainment uses in a highly urbanized area and within walking distance of retail, restaurant, entertainment, residential, and other commercial uses, and would be consistent with policies to promote pedestrian activity and enhance community livability and improve the quality of the public realm.

The Project would improve the pedestrian character of the street front in an area that can serve as a focus of activity for the surrounding community (Policy 5.8.1). The Project would also be consistent with the General Plan Framework's signage policy to integrate signage into architectural character (Policy 5.8.4). In addition, in accordance with the Framework's open space policies, the Project would be consistent with applicable policies related to maximizing open space (Policy 6.4.1) and provision of usable public open space by private development (Policy 6.4.8).

Objective 5.8 of the General Plan Framework is to reinforce or encourage the establishment of a strong pedestrian orientation in designated neighborhood districts, community centers, and pedestrian-oriented subareas within regional centers, so that these districts and centers can serve as a focus of activity for the surrounding community and a focus for investment in the community. This urban design policy also acknowledges the need for the enhancement of pedestrian activity through the provision of well-lit exteriors to provide safety and comfort (Policy 5.8.1.e) and the screening or location of parking out of public view (Policy 5.8.1.g). Because the Project would be substantially consistent with the applicable urban design policies of the General Plan Framework, the impact of the Project with respect to regulatory compliance with the General Plan Framework would be less than significant.

The Project would be substantially consistent with the applicable provisions of the Commercial Citywide Design Guidelines for Pedestrian-Oriented/Commercial & Mixed-Use projects ("Design Guidelines"). The Project would be consistent with policies related to neighborhood context, employment of high quality architecture to define the character of commercial areas, and inclusion of open space for public gatherings. The Project would provide visual improvements related to signage, lighting, and utilities. High quality architectural principles would be implemented through building façade and form, which would incorporate of pedestrian scale by setting back the Project's taller elements from the street front. The Project would provide an active street front with direct access from the sidewalk from all three adjoining streets and a Grand Staircase to create a strong entrance. The Project would also incorporate a Central Plaza, which would provide street-to-street pedestrian linkage. Signage and lighting would be consistent with the design of the Project and mechanical equipment and utility lines would be underground or located where they would not be visible from the adjacent streets. Because the Project would be substantially consistent with the applicable urban design policies of the Citywide Design Guidelines, the impact of the Project with respect to regulatory compliance with the Design Guidelines would be less than significant.

The overall intent of the Hollywood Community Plan is to promote an arrangement of land use, circulation, and services which will encourage and contribute to the economic, social and physical health, safety, welfare, and convenience of the Community, within the larger framework of the City; guide the development, betterment, and change of the Community to meet existing and anticipated needs and conditions; balance growth and stability; reflect economic potentials and limits, land development and other trends; and protect investment to the extent reasonable and feasible. While the Community Plan does not provide specific design standards or guidelines, it does address design and compatibility issues in its stated objectives. The Project would be consistent with the applicable objectives of the Hollywood Community Plan to preserve and enhance the varied and distinctive residential character of the Community, protect lower density housing from the scattered intrusion of apartments, and promote the preservation of views, natural character, and topography of mountainous parts of the Community for the enjoyment of both local residents and persons throughout the Los Angeles region. Because the Project would be substantially consistent with the Community Plan's objectives, impacts with respect to the Hollywood Community Plan would be less than significant.

Because the Project would comply with the applicable urban design policies of the General Plan Framework, the impact of the Project with respect to General Plan Framework policy and regulatory compliance would be less than significant. Impacts would be less than significant and no mitigation measures are required.

With regard to cumulative impacts, the Project qualifies as an infill Project located within a transit area, and therefore, pursuant to State Law, the City finds that the Project's aesthetic impacts would be less than significant. As such the Project would not contribute to a cumulative significant impact.

At the same time, analyses have been undertaken to determine whether the Project's cumulative impacts would exceed thresholds normally used by the City for analyzing the significance of a Project's impacts on aesthetics. The analyses in Chapter 4.A of the Draft EIR and Section 2.0 Alternative 9: Enhanced View Corridor and Additional Underground Parking Alternative, Subsection B.2 of the Recirculated DEIR indicate that the Project's impacts would fall below the standards normally used by the City for determining impacts, as regards the following aesthetics components: aesthetic character, views, light and glare, shade/shadow, and consistency with adopted plans. Many of the related projects are not high-rises, or are not located in close enough proximity to cause cumulative impacts with regard to aesthetics, shadows, light, and glare. Other projects do create view blockage, but because of the orientation they would not be in the same line of site as the Project as viewed from relevant vantage points. In all cases, as explained in more detail in the EIR, considering related projects, the Project would have a less than cumulative impact on aesthetics.

5. REFERENCE

For a complete discussion of aesthetics impacts, please see Section 4.A of the Draft EIR and see Section 2.0 Alternative 9: Enhanced View Corridor and Additional Underground Parking Alternative, Subsection B.1 of the Recirculated DEIR.

## B. AIR QUALITY – PLAN CONSISTENCY AND OPERATIONAL IMPACTS

### 1. AIR QUALITY MANAGEMENT PLAN CONSISTENCY AND CONSISTENCY OF THE PROJECT WITH APPLICABLE PLANS AND POLICIES

#### a) DESCRIPTION OF EFFECTS

Construction and operation of the Project would not conflict with the growth projections in the South Coast Air Quality Management District ("SCAQMD") Air Quality Management Plan ("AQMP") and would comply with applicable control measures.

Project construction would comply with SCAQMD requirements in a manner consistent with and that meets or exceeds the AQMP requirements for control strategies intended to reduce emissions from construction equipment and activities. Because the Project would not conflict with the control strategies intended to reduce emissions from construction equipment, the Project would not conflict with or obstruct implementation of the AQMP. Further, operation of the Project would be consistent with the growth projections in the AQMP and would be supportive of relevant AQMP Transportation Control Measures aimed at reducing vehicle trips.

Project uses, including residential, retail, and restaurant uses, would also be consistent with adopted regulatory policies and guidance regarding air quality. The City's General Plan defines Citywide policies regarding a range of City resources and services, some of which are relevant to air quality. Table 4.B-9, Comparison of the Project to Applicable Air

Quality Policies of the General Plan, located in Chapter 4.B of the Draft EIR, evaluates the consistency of the Original Project with the applicable air quality goals, objectives, and policies in the Air Quality Element of the General Plan, and demonstrates consistency. The evaluation of consistency and rationale set forth in the Draft EIR with respect to the Original Project applies equally to the Project. The Project represents a reduction in intensity of commercial uses and makes modifications to the spacing of the tower elements. The Project does not differ from the relevant air quality factors set forth in the Draft EIR, as described in Section 2.0 Alternative 9: Enhanced View Corridor and Additional Underground Parking Alternative, Subsection B.2 of the Recirculated DEIR.

b) PROJECT DESIGN FEATURES

Relevant to the consistency of the Project with applicable plans and policies, the following Project Design Feature will be incorporated into the Project.

**PDF-AQ-1: Green Building Measures**: The Project would be designed and operated to meet or exceed the applicable requirements of the State of California Green Building Standards Code and the City of Los Angeles Green Building Code and achieve the USGBC LEED® Silver Certification. The Project would incorporate measures and performance standards to support its LEED® Silver Certification, which include but are not limited to the following:

- The Project would implement a construction waste management plan to recycle and/or salvage a minimum of 75 percent of nonhazardous construction debris or minimize the generation of construction waste to 2.5 pounds per square foot of building floor area. (LEED® Materials and Resources Credit 5 [v4]);
- The Project would be designed to optimize energy performance and reduce building energy cost by 10 percent for new construction compared to ASHRAE 90.1- 2010, Appendix G and the Title 24 Building Standards Code. The energy optimization would be achieved by incorporating energy efficient designs that may include energy efficient heating, ventilation, and HVAC systems, energy efficient windows, energy efficient insulation, or other appropriate measures. Prior to building permit issuance, sufficient proof of energy optimization shall be made available in accordance with LEED®, which may include building energy simulations, past energy simulation analyses for similar buildings, or published data from analyses for similar buildings. (LEED® Energy and Atmosphere Credit 2 [v4]);
- The Project would reduce emissions through the use of grid-source, renewable energy technologies and carbon mitigation projects. The Project would engage in a contract for qualified resources, for a minimum of five years, to be delivered at least annually. The contract would specify the provision of 100 percent of the Project's energy from green power, carbon offsets, and/or renewable energy certificates ("RECs") during the first five years of operation. The Project would commit to providing a minimum of 15 percent of the Project's energy from green

power, carbon offsets, and/or RECs for two years after the minimum five year period. (LEED® Energy and Atmosphere Credit 7 [v4]); and

- The Project would reduce indoor water use by a minimum of 35 percent by installing water fixtures that exceed applicable standards. (LEED® Water Efficiency Credit 2 [v4]).

c) FINDING

Impacts of the Project related to consistency with the AQMP and with applicable plans and policies would be less than significant. No mitigation is required. Incorporation of Project Design Feature PDF-AQ-1 would ensure that the Project's impacts remain less than significant.

d) RATIONALE FOR FINDING

As discussed above and in the EIR, the Project would not conflict with or obstruct implementation of the AQMP. The City finds that impacts related to consistency with the AQMP are therefore less than significant, and no mitigation measures are required. In addition, as set forth in detail in the EIR, the Project, which includes the Project Design Features identified above, is consistent with the applicable air quality goals, objectives, and policies in the Air Quality Element of the General Plan. The City finds that incorporation of the Project Design Feature allows the Project to meet several of the goals and objectives of the General Plan, including those related to energy consumption, energy efficiency, related pollution, and other matters, as described in more detail in the EIR. Based on this information, the City finds that air quality impacts associated with consistency with plans and policies would be less than significant. No mitigation is required.

2. OPERATIONAL AIR QUALITY

a) DESCRIPTION OF EFFECTS

(1) Air Quality Standards

The Project would generate emissions as a result of operational activity. However, as discussed in the EIR, operation of the Project would not exceed the SCAQMD daily regional numeric indicators. As a result, the Project would not violate any air quality standard or contribute substantially to an existing or projected air quality violation.

(2) Non-Attainment Pollutants

Operation of the Project would result in the emission of criteria pollutants, including those for which the region is in nonattainment. The Los Angeles County portion of the Air Basin is designated non-attainment for the ozone and $PM_{2.5}$ National Ambient Air Quality Standards ("NAAQS") and non-attainment for the ozone, $NO_2$, $PM_{10}$, and $PM_{2.5}$ California Ambient Air Quality Standards ("CAAQS"). As shown in Table 4.B-6 of the Draft EIR and

Section 2.B.2 of the Recirculated DEIR, maximum daily emissions from operation of the Project would not exceed the applicable daily regional numeric indicators for criteria pollutants, including non-attainment criteria pollutants.

(3) Substantial Pollutant Concentrations

A localized operational air quality analysis was conducted using the methodology described in the SCAQMD Localized Significance Threshold Methodology (June 2003, revised July 2008), as described in the EIR. The applicable screening criteria were used to determine localized operational emissions thresholds for the Project. The maximum daily localized emissions and localized significance thresholds are presented in Table 4.B-8 of the Draft EIR and Table 2-5 of the Recirculated DEIR. As shown therein, maximum localized operational emissions for sensitive receptors would not exceed the localized thresholds for $NO_x$, CO, $PM_{10}$ and $PM_{2.5}$.

(4) Cumulative Impacts

The SCAQMD's approach for assessing cumulative impacts related to operations or long-term implementation is based on attainment of ambient air quality standards in accordance with the requirements of the federal and State Clean Air Acts. The AQMP addresses the region's cumulative air quality condition.

A significant impact may occur if a project would add a cumulatively considerable contribution of a federal or state non-attainment pollutant. Because the Los Angeles County portion of the Air Basin is currently in nonattainment for ozone, $PM_{10}$, and $PM_{2.5}$, related projects could exceed an air quality standard or contribute to an existing or projected air quality exceedance.

The Project's incremental contribution to cumulative air quality impacts is determined based on compliance with the SCAQMD adopted 2012 AQMP. The Project would not conflict with or obstruct implementation of AQMP and would be consistent with the growth projections in the AQMP.

Nonetheless, SCAQMD no longer recommends relying solely upon consistency with the AQMP as an appropriate methodology for assessing cumulative air quality impacts. The SCAQMD recommends that project-specific air quality impacts be used to determine the potential cumulative impacts to regional air quality, and, as discussed previously, the Project would not exceed the SCAQMD regional numeric indicators.

b) PROJECT DESIGN FEATURES

The Project would incorporate the following Project Design Feature, relevant to operational air quality impacts.

**PDF-AQ-1: Green Building Measures**: The Project would be designed and operated to meet or exceed the applicable requirements of the State of California Green Building

Standards Code and the City of Los Angeles Green Building Code and achieve the USGBC LEED® Silver Certification. The Project would incorporate measures and performance standards to support its LEED® Silver Certification, which include but are not limited to the following:

- The Project would implement a construction waste management plan to recycle and/or salvage a minimum of 75 percent of nonhazardous construction debris or minimize the generation of construction waste to 2.5 pounds per square foot of building floor area. (LEED® Materials and Resources Credit 5 [v4]9);
- The Project would be designed to optimize energy performance and reduce building energy cost by 10 percent for new construction compared to ASHRAE 90.1- 2010, Appendix G and the Title 24 Building Standards Code. The energy optimization would be achieved by incorporating energy efficient designs that may include energy efficient heating, ventilation, and HVAC systems, energy efficient windows, energy efficient insulation, or other appropriate measures. Prior to building permit issuance, sufficient proof of energy optimization shall be made available in accordance with LEED®, which may include building energy simulations, past energy simulation analyses for similar buildings, or published data from analyses for similar buildings. (LEED® Energy and Atmosphere Credit 2 [v4]);
- The Project would reduce emissions through the use of grid-source, renewable energy technologies and carbon mitigation projects. The Project would engage in a contract for qualified resources, for a minimum of five years, to be delivered at least annually. The contract would specify the provision of 100 percent of the Project's energy from green power, carbon offsets, and/or renewable energy certificates ("RECs") during the first five years of operation. The Project would commit to providing a minimum of 15 percent of the Project's energy from green power, carbon offsets, and/or RECs for two years after the minimum five year period. (LEED® Energy and Atmosphere Credit 7 [v4]); and
- The Project would reduce indoor water use by a minimum of 35 percent by installing water fixtures that exceed applicable standards. (LEED® Water Efficiency Credit 2 [v4]).

c) FINDING

Project impacts related to operational air quality would be less than significant. No mitigation is required.

d) RATIONALE FOR FINDING

Operation of the Project would not exceed the SCAQMD daily regional numeric indicators, and therefore the Project would not violate any air quality standard or contribute substantially to an existing or projected air quality violation and impacts would be less than significant. No mitigation is required.

Operation of the Project would not exceed the SCAQMD daily regional numeric indicators for emissions of non-attainment pollutants, and thus the Project would not result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is non-attainment. As a result, operational impacts would be less than significant. No mitigation is required.

Operation of the Project would not exceed SCAQMD localized significance thresholds at nearby sensitive receptors for $NO_X$, CO, $PM_{10}$, or $PM_{2.5}$. Operation of the Project would not result in substantial emissions of toxic air contaminants at nearby sensitive receptors and would not exceed SCAQMD numeric indicators of an incremental increase in cancer risk of 10 in one million and non-cancer chronic and acute health impact of 1.0. Operation of the Project would not result in traffic congestion that would cause or contribute to formation of localized CO hotspots that exceed the CAAQS or NAAQS. As a result, Operation of the Project would not expose sensitive receptors to substantial pollutant concentrations, and operational impacts would be less than significant. No mitigation is required.

The Project's incremental contribution to cumulative air quality impacts is determined based on compliance with the SCAQMD adopted 2012 AQMP. The Project would not conflict with or obstruct implementation of the AQMP and would be consistent with the growth projections in the AQMP. In addition, the Project would not exceed the SCAQMD regional numeric indicators. Therefore, the Project's incremental contribution to long-term emissions of non-attainment pollutants and ozone precursors, considered together with related projects, would not be cumulatively considerable, and therefore impacts would be less than significant.

3. REFERENCE

For a complete discussion of air quality impacts, please see Section 4.B of the Draft EIR and see Section 2.0 Alternative 9: Enhanced View Corridor and Additional Underground Parking Alternative, Subsection B.2 of the Recirculated DEIR.

## C. GEOLOGY AND SOIL

1. DESCRIPTION OF EFFECTS

a) GEOLOGIC HAZARDS

Geologic hazards associated with surface fault rupture, liquefaction, landslides, and expansive soils would be less than significant given compliance with applicable building codes and seismic design standards, and no mitigation is required. However, Geologic hazards associated with seismic ground shaking and temporary excavations and site stability would be potentially significant. Those impacts are discussed separately along with other potentially significant impacts in Section VII., below.

Although the Project Site is located within a proposed State-designated Alquist-Priolo earthquake fault zone (the Hollywood Fault Zone), no known active or potentially active faults underlie the Project Site. Thus, the potential for surface ground rupture at the Project Site is considered low. Based on current information, development of the Project would not result in substantial damage to structures or infrastructure, or expose people to substantial risk of injury involving rupture of a known earthquake fault. Nonetheless, given the proximity of the Project Site to the Hollywood Fault Zone, all Project-related habitable structures are required to be set back from the fault trace by a minimum of 50 feet.

The Project Site is not included within a State of California Seismic Hazard Zone for earthquake liquefaction or seismic ground deformation. Site-specific liquefaction analysis described in the EIR indicated that the soils underlying the site would not be capable of liquefaction during an earthquake given the depth to groundwater (i.e., a minimum of 100 feet below ground surface across the Project Site based on recent Site investigations).

With regard to potential impacts associated with landslides, the Project Site is relatively flat with a gentle slope from northeast to southwest, ranging from approximately 408 feet above sea level at the northeast corner to approximately 382 feet above sea level at the southwest corner, for a total grade change of about 26 feet across the property. The Project Site includes the existing commercial buildings with adjacent paved parking areas, and is surrounded by urban development. Although the Hollywood Hills are located to the north of the Project Site, where there exists the potential for landslides to occur, it is anticipated that any landslides in this area would be limited to steeper slopes and would not physically affect the Project Site given the distance of the steeper hillsides from the Project Site and the presence of intervening structures and major roadways.

Settlement and expansive soils or collapsible soils were not encountered during on-site field explorations described in the EIR. Nevertheless, although not encountered in exploratory borings of the Project Site, the existence of such soils cannot be ruled out. However, the lack of shallow groundwater conditions at the Project Site (i.e., greater than 100 feet below ground surface in recent field explorations) would generally preclude the potential for soil expansion or collapse.

b) SEDIMENT AND EROSION

The Project Site is located in an urbanized area and as such the proposed development would be infill development. Construction activities would be required to comply with Municipal Code Sections 64.70.01 and 64.72, which would ensure implementation of appropriate measures, or Best Management Practices ("BMPs"), during Project grading activities to reduce soil erosion. Following construction of proposed structures, driveways, and hardscape areas, all remaining non-paved, exposed areas would be landscaped. The installation of landscaping would serve to protect the soil and preclude potential erosion and sedimentation.

### c) LANDFORM ALTERATION

The Project Site is currently completely developed with urban uses and does not contain any distinct or prominent geologic or topographic features that could be destroyed, permanently covered, or materially and adversely modified as a result of the Project. The Project Site is relatively flat with a gentle slope from northeast to southwest, ranging from approximately 408 feet above sea level at the northeast corner to approximately 382 feet above sea level at the southwest corner, for a total grade change of about 26 feet across the property. The Project Site includes the existing commercial buildings with adjacent paved parking areas, and is surrounded by urban development. No distinct or prominent geologic or topographic features are located on the Project Site such as hilltops, ridges, hillslopes, canyons, ravines, rock outcrops, water bodies, streambeds, or wetlands.

### d) CUMULATIVE IMPACTS

Impacts associated with geologic and soil issues are typically confined to a Project Site or within a very localized area. Cumulative development in the area would, however, potentially increase the number of people exposed to seismic hazards. The only nearby related project in the immediate Project vicinity is Related Project No. 31, located approximately ¼-mile west of the Project Site along Sunset Boulevard, which involves the development of 12,638 square feet of restaurant uses. Related projects would be subject to established guidelines and regulations pertaining to seismic hazards, and any other nearby projects (including those located in the City of West Hollywood) would be required to implement construction procedures that would avoid adverse effects at the Project Site.

## 2. PROJECT DESIGN FEATURES

There are no Project Design Features for this environmental issue.

## 3. FINDING

Geology and soil impacts related to geologic hazards, sediment and erosion, and landform alteration, as well as related cumulative impacts, would be less than significant. No mitigation is required.

## 4. RATIONALE FOR FINDING

No known active or potentially active faults underlie the Project Site, and the potential for surface ground rupture at the Project Site is therefore considered low. Development of the Project would not result in substantial damage to structures or infrastructure, or expose people to substantial risk of injury involving rupture of a known earthquake fault. Nonetheless, given the proximity of the Project Site to the Hollywood Fault Zone, all Project-related habitable structures are required to be set back from the fault trace by a minimum of 50 feet. Given compliance with this fault setback requirement, impacts regarding surface fault rupture would be less than significant, and no mitigation measures would be necessary.

The Project Site is not included within a State of California Seismic Hazard Zone for earthquake liquefaction or seismic ground deformation, and-specific liquefaction analysis indicated that the soils underlying the site would not be capable of liquefaction during an earthquake given the depth to groundwater (i.e., a minimum of 100 feet below ground surface across the Project Site based on recent Site investigations). As such, impacts regarding liquefaction on-site would be less than significant, and no mitigation measures would be necessary.

Impacts associated with landslides would also be less than significant. Although the Hollywood Hills are located to the north of the Project Site, where there exists the potential for landslides to occur, it is anticipated that any landslides in this area would be limited to steeper slopes and would not physically affect the Project Site given the distance of the steeper hillsides from the Project Site and the presence of intervening structures and major roadways. Therefore, landslides are not expected to pose a risk to people or structures on the Project Site, impacts associated with landslides or other forms of natural slope instability would be less than significant, and no mitigation is required.

Settlement and expansive soils or collapsible soils were not encountered during on-site field explorations. In addition, the lack of shallow groundwater conditions at the Project Site (i.e., greater than 100 feet below ground surface in recent field explorations) would generally preclude the potential for soil expansion or collapse. Due to this very low potential for expansion, no design recommendations regarding expansive soils beyond the minimum required by the California Building Code would be required. With adherence to the City's minimum standards, and compliance with the building code provisions, potential impacts regarding expansive soils would be less than significant. No mitigation is required.

Implementation of the Project would not result in substantial erosion or sedimentation given compliance with applicable regulations. The proposed development would be infill development. BMPs would be implemented during Project grading activities to reduce soil erosion. Following construction of proposed structures, driveways, and hardscape areas, all remaining non-paved, exposed areas would be landscaped, which would serve to protect the soil and preclude potential erosion and sedimentation. Therefore, given compliance with applicable regulations during construction and operation, impacts regarding soil erosion or the loss of topsoil would be less than significant, and no mitigation is required.

The Project Site is currently completely developed with urban uses and does not contain any distinct or prominent geologic or topographic features that could be destroyed, permanently covered, or materially and adversely modified as a result of the Project. No distinct or prominent geologic or topographic features are located on the Project Site such as hilltops, ridges, hillslopes, canyons, ravines, rock outcrops, water bodies, streambeds, or wetlands. Therefore, no impact from landslides or other forms of natural slope instability, or landform alteration would occur on the Project Site. No mitigation is required.

Impacts associated with geologic and soil issues are typically confined to a Project Site or within a very localized area. In addition, related projects would be subject to established guidelines and regulations pertaining to seismic hazards, and any other nearby projects (including those located in the City of West Hollywood) would be required to implement construction procedures that would avoid adverse effects at the Project Site. As such, adherence to applicable building regulations and standard engineering practices would ensure that cumulative impacts would be less than significant. No mitigation is required.

5. REFERENCE

For a complete discussion of geology and soils impacts, please see Section 4.D of the Draft EIR and see Section 2.0 Alternative 9: Enhanced View Corridor and Additional Underground Parking Alternative, Subsection B.4 of the Recirculated DEIR.

## D. GREENHOUSE GAS EMISSIONS

1. DESCRIPTION OF EFFECTS

a) EMISSIONS

Construction and operation of the Project would generate GHG emissions. Detailed calculations were performed in accordance with SCAQMD and CARB guidance and were included in the EIR as summarized in Chapter 4.E of the Draft EIR and Section 2.0 Alternative 9: Enhanced View Corridor and Additional Underground Parking Alternative, Subsection B.5 of the Recirculated DEIR. As shown there, the Project would not generate a net increase in annual GHG emissions, either directly or indirectly, in excess of the draft SCAQMD Tier 3 indicator of significance.

b) CONSISTENCY WITH GHG REDUCTION PLANS

Construction and operation of the Project would not conflict with applicable GHG emissions reductions plans, policies, or regulations. The Project would implement Project Design Features intended to achieve LEED® Silver Certification and incorporate water conservation, energy conservation, tree-planting, and other features consistent with the City's Green Building Code and applicable greenhouse gas reduction strategies as outlined in Table 4.E-6 of the Draft EIR.

c) CUMULATIVE IMPACTS

CEQA requires that lead agencies consider evaluating the cumulative impacts of GHGs from even relatively small (on a global basis) increases in GHG emissions. Small contributions to this cumulative impact (from which significant effects are occurring and are expected to worsen over time) may be potentially considerable and therefore significant. A cumulatively considerable impact is the impact of a proposed project in addition to the related projects. However, in the case of global climate change, the

proximity of the project to other GHG-generating activities is not directly relevant to the determination of a cumulative impact. Although the State requires Metropolitan Planning Organizations and other planning agencies to consider how region-wide planning decisions can impact global climate change, there is currently no established non-speculative method to assess the cumulative impact of proposed independent private-party development projects.

The Project would be consistent with applicable GHG reduction strategies recommended by the City and State. In addition, the Project would support and be consistent with relevant and applicable GHG emission reduction strategies in SCAG's Sustainable Communities Strategy. These strategies include providing residences, including affordable housing, and a range of shopping, entertainment and services in an urban infill location and within a relatively short distance of existing transit stops; providing employment near current transit stops and neighborhood commercial centers; and supporting alternative and electric vehicles via the installation of on-site electric vehicle charging stations. As a result, the Project would be consistent with the State's goals and result in a GHG emissions profile that is consistent with the draft SCAQMD Tier 3 mass emissions indicator.

2. PROJECT DESIGN FEATURES

The following project design feature was included in GHG calculations for GHG emissions.

**PDF-AQ-1: Green Building Measures**: The Project would be designed and operated to meet or exceed the applicable requirements of the State of California Green Building Standards Code and the City of Los Angeles Green Building Code and achieve the USGBC LEED® Silver Certification. The Project would incorporate measures and performance standards to support its LEED® Silver Certification, which include but are not limited to the following:

- The Project would implement a construction waste management plan to recycle and/or salvage a minimum of 75 percent of nonhazardous construction debris or minimize the generation of construction waste to 2.5 pounds per square foot of building floor area. (LEED® Materials and Resources Credit 5 [v4]);
- The Project would be designed to optimize energy performance and reduce building energy cost by 10 percent for new construction compared to ASHRAE 90.1- 2010, Appendix G and the Title 24 Building Standards Code. The energy optimization would be achieved by incorporating energy efficient designs that may include energy efficient heating, ventilation, and HVAC systems, energy efficient windows, energy efficient insulation, or other appropriate measures. Prior to building permit issuance, sufficient proof of energy optimization shall be made available in accordance with LEED®, which may include building energy simulations, past energy simulation analyses for similar buildings, or published data from analyses for similar buildings. (LEED® Energy and Atmosphere Credit 2 [v4]);

- The Project would reduce emissions through the use of grid-source, renewable energy technologies and carbon mitigation projects. The Project would engage in a contract for qualified resources, for a minimum of five years, to be delivered at least annually. The contract would specify the provision of 100 percent of the Project's energy from green power, carbon offsets, and/or renewable energy certificates ("RECs") during the first five years of operation. The Project would commit to providing a minimum of 15 percent of the Project's energy from green power, carbon offsets, and/or RECs for two years after the minimum five year period. (LEED® Energy and Atmosphere Credit 7 [v4]); and
- The Project would reduce indoor water use by a minimum of 35 percent by installing water fixtures that exceed applicable standards. (LEED® Water Efficiency Credit 2 [v4]).

3. FINDING

Impacts associated with greenhouse gas emissions would be less than significant. No mitigation is required. The incorporation of PDF-AQ-1 will ensure impacts remain less than significant.

4. RATIONALE FOR FINDING

Construction and operation of the Project would not generate a net increase in annual GHG emissions, either directly or indirectly, in excess of the draft SCAQMD Tier 3 indicator of significance, based on detailed calculations included in the EIR, and taking into account the Project Design Feature explained above. As a result, construction and operation of the Project, with the implementation of the Project Design Feature, would generate GHG emissions that would have a less than significant impact on the environment and no mitigation measures are required.

Construction and operation of the Project would also not conflict with applicable GHG emissions reductions plans, policies, or regulations. The implementation of the Project Design Feature would incorporate water conservation, energy conservation, tree-planting, and other features consistent with the City's Green Building Code and applicable greenhouse gas reduction strategies into the Project. As a result, construction and operation of the Project would not have a significant impact with respect to consistency with GHG reduction plans and impacts would be less than significant.

With regard to cumulative impacts, Project would be consistent with applicable GHG reduction strategies recommended by the City and State. The Project would be consistent with the State's goals and result in a GHG emissions profile that is consistent with the draft SCAQMD Tier 3 mass emissions indicator. Given that the Project would generate GHG emissions that are less than significant, and given that GHG emission impacts are cumulative in nature, the City finds that the Project's incremental contribution to cumulatively significant GHG emissions would be less than cumulatively considerable, and impacts would be less than significant. No mitigation is required.

5. REFERENCE

For a complete discussion of greenhouse gas impacts, please see Section 4.E of the Draft EIR and see Section 2.0 Alternative 9: Enhanced View Corridor and Additional Underground Parking Alternative, Subsection B.5 of the Recirculated DEIR

## E. LAND USE

1. DESCRIPTION OF EFFECTS

a) CONSISTENCY WITH APPLICABLE PLANS AND POLICIES

The Project, including land use, density, and FAR would be consistent with adopted regulatory policies and guidance governing the relationship between land uses in the Project vicinity. Specifically, as detailed further in the EIR, the Project is consistent with the following applicable regulations, plans and policies.

(1) City of Los Angeles General Plan Framework Element

The Project would be consistent with objectives of the Land Use, Housing, Urban Form and Neighborhood Design, Open Space and Conservation, and Transportation Chapters of the General Plan Framework Element. Specifically, the Project would provide a diverse set of uses that (1) facilitate vehicle trip reduction, reduce vehicle miles traveled, and reduce air pollution; (2) accommodate necessary residential growth and provide a mix of apartment sizes and affordability levels, including restricted very low income units; (3) reinforce an existing community center by providing an array of retail choices, streetscape, a landscaped Corner Plaza, and landscaped Central Plaza with direct sidewalk access that would be inviting to nearby residents and pedestrians along Sunset Boulevard. The Project would be consistent with the Open Space and Conservation Chapter Policies that encourage the improvement of open space on public and private property.

(2) "Do Real Planning" Document

The Project would be consistent with applicable sections of the Planning Commission's "Do Real Planning" document. As set forth in more detail in the EIR, the Project would be consistent with objectives related to uses and density, site design/walkability/parking location, improvement of housing stock, and green design.

(3) Walkability Checklist

The Project would be consistent with the City's Walkability Checklist in that it would link pedestrians to a landscaped plaza, extend the pedestrian environment to the retail businesses and residential access points within the Project Site, and include numerous design features to enhance the neighborhood character and pedestrian environment. These features specifically include the development of the Corner Plaza near the Project's entrance, landscaping and new street trees along the sidewalks, pavement

treatment, strong entrance; ground floor retail with glass frontages along Sunset Boulevard, wider sidewalks than under existing conditions, off-street parking and driveways, reduced signage and lighting, and ease of pedestrian movement through the reconfiguration of one of the two traffic islands in the Sunset Boulevard/Crescent Heights Boulevard intersection into a landscaped public open space, all as set forth in more detail in the EIR.

(4) Hollywood Community Plan

The Project would be consistent with the applicable policies of the Hollywood Community Plan. Specifically, the Project would (1) provide new commercial and residential development within the Hollywood community, which would increase employment opportunities, retail services, and additional housing for the growing population; (2) provide new commercial and residential uses on the Project Site that would help meet the growing market demands for housing and retail services; (3) provide additional housing opportunities, including low income housing, on a property that currently lacks residential uses, and would also preserve and enhance the residential character of the surrounding community by limiting development to the Project Site and providing residential uses on a commercially zoned property; (4) provide additional commercial space within the Hollywood community in order to meet current and future market demands and increase economic activity in the area; (5) provide all necessary infrastructure improvements to meet Project-related demands, and would also provide substantial public and private open space on the Project Site to meet the needs of both on-site residents and the public at-large; (6) implement a number of traffic system improvements in the Project area to accommodate Project-related traffic increases, relocate an existing transit stop along Sunset Boulevard in order to maintain public transit service at the Project Site, and locate new residential and commercial uses in proximity to transit stops and within two miles of a Metro Red Line station which would encourage additional public transit ridership by Project residents, patrons, and employees; and (7) not result in significant adverse effects to existing views of scenic resources, including views of and from the Hollywood Hills to the north of the Project Site, all as set forth in more detail in the EIR.

(5) Citywide Design Guidelines

The Project would be consistent with policies related to neighborhood context and employment of high quality architecture to define the character of commercial areas, and would also achieve relevant polices related to inclusion of open space for public gatherings. The Project would provide visual improvements related to signage, lighting, and utilities, and high quality architectural principles would be implemented through building façade and form, which would incorporate elements of pedestrian scale by orienting commercial uses to the street front and locating the taller structural elements to the rear of the Project Site. The Project would provide an active street front with direct access from the sidewalks of all three adjoining streets, and would also incorporate a Central Plaza, which would provide a continuous street-to-street pedestrian linkage across the site. Mechanical equipment and utility lines would be underground or located where they would not be visible from the adjacent streets. As set forth in more detail in

the EIR, the Project would be substantially consistent with the applicable urban design policies of the Citywide Design Guidelines.

(6) City of Los Angeles Municipal Code

The Project would be consistent with the applicable policies of the Los Angeles Municipal Code (LAMC) related to permitted uses in the underlying C4 zone, which provides for a range of commercial uses, as well as multi-family residential development consistent with the R4 zone. The Project would be consistent with setback regulations for commercial and residential uses. Project's provision of 28 very low income rental units allows the Project applicant to request an Affordable Housing Incentive to allow an increase of FAR to 3.0 pursuant to LAMC Section 12.22-A.25. Under the C4 zone density, the 249 units proposed under the Project are within the permitted unit density for the Project Site (278 units), the Project does not require approval of a density bonus to permit the number of units proposed. However, the High Residential Density category of the Hollywood Community Plan is more restrictive, allowing 80 dwelling units per gross acre, for a total of 204 base units. The Project applicant is requesting a 22% Density Bonus, which is less than the 35% Density Bonus request that is qualified for where 11% of the total units are set aside for Very Low Income households. With approval of the Density Bonus, the Project will be consistent with the Hollywood Community Plan. The Project would also be consistent with the applicable LAMC density and FAR requirements, as well as the common open space and landscaped open space requirements of the LAMC.

(7) Southern California Association of Governments 2012 – 2035 Regional Transportation Plan and Compass Blueprint Growth Vision

The Project would be consistent with applicable SCAG 2012 – 2035 RTP and Compass Blueprint goals and policies. SCAG's Growth Vision encourages: focusing growth in existing and emerging centers and along major transportation corridors; creating significant areas of mixed-use development and walkable communities; and directing the changes to the selected 2 percent of the land identified in the Compass Blueprint Growth Vision Plan. The Project is located within the Plan's designated 2% Strategy Opportunity Area for the City of Los Angeles. The Project is consistent with SCAG goals to foster livability by providing infill development and redevelopment to revitalize an existing community, providing a mix of uses, and by supporting a "people-scaled," walkable community; and focusing growth in an existing urban center. In accordance with SCAG policies, the Project would meet LEED standards to reduce energy demand, pollution, and waste.

b) LAND USE COMPATIBILITY

The Project would be consistent with the existing general pattern of development on Sunset Boulevard in which residential uses are juxtaposed to commercial uses located along Sunset Boulevard in the City of Los Angeles and the adjacent City of West Hollywood. Because the Project would be consistent with the existing pattern of

development along Sunset Boulevard and enhance patterns of movement and activity currently occurring at the Site, it would not adversely change the relationships between existing land uses or properties in the neighborhood and community. The Project would not adversely alter the neighborhood or community through ongoing disruption, division or isolation.

c) CUMULATIVE IMPACTS

Related projects that are located within a cohesive neighborhood have the potential to contribute to cumulative land use impacts including consistency with applicable plans and policies and land use compatibility. Because the land use effects of the Project would be focused on the Sunset Boulevard corridor and the relationship of the uses along this street and adjoining residential neighborhoods, related projects located along Sunset Boulevard or in the proximity of Sunset Boulevard would have the greatest potential to contribute to adverse land use impacts. There are approximately 38 related projects in the study area considered in the EIR and, of these, eight are located in proximity to the Project and on Sunset Boulevard. The types of land uses associated with these projects are consistent with the existing land use pattern in the area and are not expected to result in any cumulative changes in land use patterns. Further, these related projects would be reviewed by that City and are expected to be consistent with West Hollywood's General Plan and zoning regulations. All other related projects would be farther from the Project Site and located in neighborhoods that are distinctly different from Sunset Boulevard.

2. PROJECT DESIGN FEATURES

There are no Project Design Features for this environmental issue.

3. FINDING

Project impacts associated with land use would be less than significant. No mitigation is required.

4. RATIONALE FOR FINDING

The Project, including land use, density, and FAR would be consistent with adopted regulatory policies and guidance governing the relationship between land uses in the Project vicinity. Specifically, the City finds that the Project is consistent with the following applicable regulations, plans and policies of the City's General Plan Framework, the Do Real Planning Program, the related Citywide Design Guidelines and Walkability Checklist, the Hollywood Community Plan, the LAMC, the SCAGs 2012 RTP 2012 – 2035 Regional Transportation Plan and Compass Blue Print Growth Vision, the AQMP, the Community Plan and the transportation objectives of the General Plan. For the reasons detailed above and further in the EIR, the City finds that the Project, including land use, density, and FAR would be consistent with adopted regulatory policies and guidance governing the relationship between land uses in the Project vicinity. As a result, impacts would be less than significant, and no mitigation is required.

Because the Project would be consistent with the existing pattern of development along Sunset Boulevard and enhance patterns of movement and activity currently occurring at the Site, it would not adversely change the relationships between existing land uses or properties in the neighborhood and community. The Project would not adversely alter the neighborhood or community through ongoing disruption, division or isolation. As a result, impacts with respect to land use compatibility would not be significant, and no mitigation is required.

With regard to cumulative impacts, the types of land uses associated with related projects are consistent with the existing land use pattern in the area and are not expected to result in any cumulative changes in land use patterns. Further, these related projects would be reviewed by that City and are expected to be consistent with West Hollywood's General Plan and zoning regulations. Therefore, land use impacts associated with these projects would not cumulatively affect land use patterns in the Project area. Cumulative land use impacts would be less than significant. No mitigation is required.

5. REFERENCE

For a complete discussion of land use impacts, please see Section 4.F of the Draft EIR and see Section 2.0 Alternative 9: Enhanced View Corridor and Additional Underground Parking Alternative, Subsection B.6 of the Recirculated DEIR

## F. NOISE AND VIBRATION

1. DESCRIPTION OF EFFECTS

a) CONSTRUCTION

Off-site construction traffic would not increase ambient noise levels at residential uses along the haul route by 5 dBA or more. Thus, impacts would be less than significant. Note that other construction-related noise and vibration would result in significant impacts, discussed in the below Sections on potentially significant impacts, including certain significant and unavoidable impacts.

With regard to construction traffic noise, there would be construction-related truck trips throughout the construction period. The truck haul routes for soil export would comply with the approved truck routes designated within the City (no soil import would be necessary given required excavation for below-grade podium levels). Trucks traveling to and from the Project Site must travel along the designated truck route. Outbound traffic would travel eastbound on Sunset Boulevard to the Hollywood Freeway (US-101) and inbound traffic would exit the Hollywood Freeway using the Hollywood Boulevard exit, then travel south on Van Ness Avenue to Sunset Boulevard.

The Project's truck trips would generate noise levels of approximately 58 dBA CNEL at a distance of 25 feet along Sunset Boulevard. Based on the existing traffic noise levels, which range from 71.8 to 72.7 dBA CNEL along this roadway, traffic noise levels

generated by truck trips under the Project would not substantially increase traffic noise levels along Sunset Boulevard since mobile-source noise levels with the increased haul truck activity would be well below the existing traffic noise levels. Other construction-related traffic including worker vehicle trips and construction material delivery trucks would be not expected to produce any measurable impacts during travel to and from the Project Site.

b) OPERATION

Project implementation would increase noise levels at adjacent noise-sensitive receptors in the Project area. However, Project-related noise would not exceed established thresholds and therefore impacts would be less than significant.

Future roadway noise levels were calculated as described in the EIR along various arterial segments adjacent to the Project. Roadway-noise attributable to Project development was calculated using a traffic noise model and compared to baseline noise levels that would occur under the "without Project" condition. The maximum increase in Project-related traffic noise levels over existing traffic noise levels in all applicable locations will be well below the 5 dBA CNEL significance threshold.

Pool Terraces are proposed on the 3rd floor and 7th floor and would be located approximately 30 feet and 77 feet above ground, respectively. The nearest residential use is located approximately 20 linear feet from the Pool Terrace on the 3rd floor and residential use is located approximately 67 feet linear feet from the Pool Terrace on the 7th floor. The Pool Terraces would be potential noise sources for nearby sensitive receptors. Although pool-related activities would generate noise, the nearest noise-sensitive receptors south of the Project Site would not be exposed to adverse noise levels due to sound attenuation provided by parapet walls around the Pool Terrace and relatively high ambient noise levels, as well as the distances between the pool decks and closest residential uses.

The Project would also include typical commercial-grade stationary mechanical and electrical equipment such as air handling units, condenser units, and exhaust fans, which would produce vibration. In addition, the primary sources of transient vibration would include passenger vehicle circulation within the parking area activity. Ground-borne vibration generated by each of the above-mentioned activities would be similar to existing sources (i.e., traffic on adjacent roadways) adjacent to the Project Site. Maximum potential vibration levels from all Project operational sources at the closest off-site buildings would be up to 0.01 inches per second PPV and would be less than the significance threshold of 0.04 inches per second PPV for perceptibility. As such, vibration impacts associated with operation of the Project would be below the significance threshold and the City finds that the long-term operations under the Project would result in a less than significant vibration impacts. No mitigation is required.

### c) CUMULATIVE IMPACTS

The geographic context for the analysis of cumulative noise impacts depends on the impact being analyzed. Noise is by definition a localized phenomenon, and significantly reduces in magnitude as the distance from the source increases. As such, only projects and growth due to occur in the immediate project area would be likely to contribute to cumulative noise impacts.

The two closest related projects are situated approximately 1,000 feet to 1,800 feet from the Project Site. All other related projects are a minimum of 2,200 feet away. The potential for noise impacts to occur are specific to the location of each related project as well as the cumulative traffic on the surrounding roadway network.

Noise from construction of the Project and related projects would be localized, thereby potentially affecting areas immediately within 500 feet from the construction site. Due to distance attenuation (more than 1,000 feet away) and intervening structures, construction noise from one site would not result in a noticeable increase in noise at sensitive receptors near the other site, which would preclude a cumulative noise impact.

Cumulative operational noise impacts would occur primarily as a result of increased traffic on local roadways due to the Project and other projects. Therefore, cumulative traffic-generated noise impacts have been assessed based on the contribution of the Project to the future cumulative base traffic volumes in the Project vicinity. As discussed in the EIR, noise level increases in the Project area would reach a maximum of 1.0 dBA CNEL along Laurel Canyon Boulevard, between Hollywood Boulevard and Sunset Boulevard, Crescent Heights Boulevard, between Sunset Boulevard and Fountain Avenue, and Havenhurst Drive, south of Fountain Avenue, which would not exceed the Project's 3 dBA significance threshold.

Due to LAMC provisions that limit stationary-source noise from items such as roof-top mechanical equipment, noise levels would be less than significant at the property line for each related project. For this reason, on-site noise produced by any related project would not be additive to project-related noise levels.

Due to the rapid attenuation characteristics of ground-borne vibration and distance of the related projects to the Project, there is no potential for a cumulative construction- or operational-period impact with respect to ground-borne vibration.

## 2. PROJECT DESIGN FEATURES

Related to this impact, the following project design features would be incorporated into the Project.

**PDF-Noise-2**, Exterior amplified music from the event areas (i.e. Sunset Terrace, etc.) shall be limited to a maximum sound level of 86 dBA at approximately 25 feet from the event area boundaries. The business operator(s) and/or event coordinators shall ensure

that sound equipment is calibrated semiannually. No live bands, public address (PA) system use, or loud amplified music shall be permitted.

**PDF-Noise-3**, Exterior amplified music from the event areas of Internal Patios and Central Plaza shall be limited to a maximum sound level of 80 dBA at approximately 10 feet from the event area boundaries. The business operator(s) and/or event coordinators shall ensure that sound equipment is calibrated semiannually. No live bands, public address (PA) system use, or loud amplified music shall be permitted.

3. FINDING

Impacts associated with the above-described Project construction noise and Project operation noise and vibration would be less than significant. No mitigation is required. The incorporation of Project Design Features PDF-Noise-2 and PDF-Noise-3 will ensure impacts remain less than significant.

4. RATIONALE FOR FINDING

Based on the existing traffic noise levels, which range from 71.8 to 72.7 dBA CNEL along Sunset Boulevard, traffic noise levels generated by truck trips under the Project would not substantially increase traffic noise levels since mobile-source noise levels with the increased haul truck activity would be well below the existing traffic noise levels. Therefore, mobile-source noise impacts associated with haul trucks would be less than significant, and no mitigation is required.

Other construction-related traffic including worker vehicle trips and construction material delivery trucks would be not expected to produce any measurable impacts during travel to and from the Project Site, and therefore these impacts to be less than significant. No mitigation is required.

With regard to operation noise, roadway-noise attributable to the Project was calculated using a traffic noise model and compared to baseline noise levels that would occur under the "without Project" condition. The maximum increase in Project-related traffic noise levels over existing traffic noise levels in all applicable locations will be well below the 5 dBA CNEL significance threshold. As a result, roadway noise level increases would be less than significant, and no mitigation is required.

Noise impacts from on-site noise sources, including parking areas, mechanical equipment, loading dock and refuse collection areas, and outdoor and open spaces area and special events would be less than significant with implementation of the applicable Project Design Features, described above.

Although pool-related activities would generate noise, the nearest noise-sensitive receptors south of the Project Site would not be exposed to adverse noise levels due to sound attenuation provided by parapet walls around the Pool Terrace and relatively high ambient noise levels, as well as the distances between the pool decks and closest

residential uses. Therefore, Pool Terrace operations would not result in a substantial increase in ambient noise levels, and potential impacts would be less than significant. As such, operational noise impacts would be less than significant.

Maximum potential vibration levels from all Project operational sources at the closest off-site buildings would be up to 0.01 inches per second PPV and would be less than the significance threshold of 0.04 inches per second PPV for perceptibility. As such, vibration impacts associated with operation of the Project would be below the significance threshold and the long-term operations under the Project would result in a less than significant vibration impacts. No mitigation is required.

Regarding cumulative construction impacts, due to distance attenuation (more than 1,000 feet away) and intervening structures, construction noise from one site would not result in a noticeable increase in noise at sensitive receptors near the other site, which would preclude a cumulative noise impact. As such, cumulative impacts associated with construction noise would be less than significant, and no mitigation is required.

Cumulative operational noise impacts would occur primarily as a result of increased traffic on local roadways due to the Project and other projects. As discussed in the EIR, noise level increases in the Project area would reach a maximum of 1.0 dBA CNEL along Laurel Canyon Boulevard, between Hollywood Boulevard and Sunset Boulevard, Crescent Heights Boulevard, between Sunset Boulevard and Fountain Avenue, and Havenhurst Drive, south of Fountain Avenue, which would not exceed the Project's 3 dBA significance threshold. As such, roadway noise impacts due to cumulative traffic volumes would be less than significant, and no mitigation is required.

Due to LAMC provisions that limit stationary-source noise from items such as roof-top mechanical equipment, noise levels would be less than significant at the property line for each related project, and on-site noise produced by any related project would therefore not be additive to project-related noise levels. As the Project's composite stationary-source impacts would be less than significant, composite stationary-source noise impacts attributable to cumulative development would also be less than significant, and no mitigation is required.

Due to the rapid attenuation characteristics of ground-borne vibration and distance of the related projects to the Project, there is no potential for a cumulative construction- or operational-period impact with respect to ground-borne vibration. No mitigation is required.

5. REFERENCE

For a complete discussion of noise and vibration impacts, please see Section 4.G of the Draft EIR and see Section 2.0 Alternative 9: Enhanced View Corridor and Additional Underground Parking Alternative, Subsection B.7 of the Recirculated DEIR.

## G. POPULATION, HOUSING, AND EMPLOYMENT

### 1. DESCRIPTION OF EFFECTS

#### a) CONSTRUCTION

The Project's construction phase would have no impact on the supply of housing units or population growth. Construction activities would create work for an estimated 200 construction workers at any given time during construction. Construction workers would be drawn from a regional pool of workers. The short-term employment opportunities would contribute to the local and regional economy.

#### b) OPERATION

Project operation would not result in impacts regarding growth projections or consistency with the regulatory framework. The Project would create 249 new housing units and generate a new residential population of approximately 505, as well as generate new employment opportunities. This is consistent with SCAG's short-term and long-term growth projections for the Community Plan area and the City of Los Angeles, and helps the City meet its housing obligation under the SCAG RHNA allocation.

The Project also would not result in impacts regarding consistency with growth projections in other applicable plans. The Project represents a mixed-use development that would add residential, and commercial retail and restaurants uses to a developed area within the Hollywood Community Plan area. The types and amounts of development would be within the range anticipated in applicable policies and growth projections, including in the General Plan Framework, Hollywood Community Plan, General Plan Housing Element, and regional/SCAG policies. The Project also represents infill development that supports the development of increased population density outside of existing neighborhoods and enhanced retail services to serve existing nearby population.

The Project would not result in any significant impacts regarding introduction of unplanned infrastructure. The Project is an infill development in an urban area with an established infrastructure system. The Project would add no new infrastructure other than that needed to serve the Project Site. The Project would link with and tie-into an existing infrastructure system. New infrastructure that would be required, e.g. service connections to local water and sewer systems would be sized to serve the Project's needs. No new roadways would be created as a Project component. The Project would not open a new area currently not served by infrastructure nor add new facilities that would encourage growth, not otherwise planned in the Project vicinity.

#### c) CUMULATIVE IMPACTS

The analysis of cumulative development in the EIR included related projects in the Project vicinity within the Hollywood Community Plan area. The cumulative impact analysis addresses the impacts of known and anticipated development in the Project vicinity, in

combination with the Project, with respect to projected amounts and distribution of population, housing, and employment. As set forth in detail in the EIR, cumulative population and housing increases represented by the related projects combined with the Project are within SCAG's growth projections for the Hollywood Community Plan area and the City as a whole for the Plan's planning horizon and would not result in cumulatively significant impacts with respect to growth in these areas.

2. PROJECT DESIGN FEATURES

There are no Project Design Features for this environmental issue.

3. FINDING

Project impacts related to population, housing, and employment would be less than significant. No mitigation is required.

4. RATIONALE FOR FINDING

Project construction would not result in housing, population, or employment growth that substantially exceeds projected/planned levels, resulting in a significant adverse physical change in the environment. The Project's construction phase would have no impact on the supply of housing units or population growth and would create work for an estimated 200 construction workers at any given time during construction. Construction workers would be drawn from a regional pool of workers. The short-term employment opportunities would contribute to the local and regional economy. For these reasons, impacts would be less than significant, and no mitigation is required.

Project operation would also not result in housing, population, or employment growth that substantially exceeds projected/planned levels, resulting in a significant adverse physical change in the environment.

Project operation would not result in impacts regarding growth projections or consistency with the regulatory framework. The Project would create housing units and generate new residential population and employment opportunities consistent with SCAG's short-term and long-term growth projections for the Community Plan area and the City of Los Angeles, which helps the City meet its housing obligation under the SCAG RHNA allocation. Thus impacts regarding the relationship of the Project to SCAG growth projections would be less than significant, and no mitigation is required.

The Project also would not result in impacts regarding consistency with growth projections in other applicable plans. The types and amounts of development would be within the range anticipated in applicable policies and growth projections, including in the General Plan Framework, Hollywood Community Plan, General Plan Housing Element, and regional/SCAG policies. Therefore, impacts regarding consistency with the regulatory framework would be less than significant, and no mitigation is required.

The Project would not result in any significant impacts regarding introduction of unplanned infrastructure. The Project would add no new infrastructure other than that needed to serve the Project Site. New infrastructure that would be required would be sized to serve the Project's needs. Therefore, impacts regarding growth associated with the provision of new infrastructure would be less than significant, and no mitigation is required.

Cumulative population and housing increases represented by the related projects combined with the Project are within SCAG's growth projections for the Hollywood Community Plan area and the City as a whole for the Plan's planning horizon and would not result in cumulatively significant impacts with respect to growth in these areas. Therefore, the Project's incremental contribution to growth would therefore be less than cumulatively considerable, and would not contribute to a cumulatively significant impact with respect to growth projections. No mitigation is required.

5. REFERENCE

For a complete discussion of impacts associated with population, housing and employment, please see Section 4.H of the Draft EIR and see Section 2.0 Alternative 9: Enhanced View Corridor and Additional Underground Parking Alternative, Subsection B.8 of the Recirculated DEIR.

## H. PUBLIC SERVICES

1. DESCRIPTION OF EFFECTS

a) PARKS AND RECREATION - CONSTRUCTION

The nearest parks to the Project Site (i.e., within 0.5-mile) are Havenhurst Park and William S. Hart Park, both of which are located in the City of West Hollywood. Havenhurst Park is located approximately 400 feet to the south of the Project Site on the west side of Havenhurst Drive, and William S. Hart Park is located approximately 0.3-mile southwest of the Project Site on the north side of DeLongpre Avenue (immediately south of Sunset Boulevard, but the park is not accessible from Sunset Boulevard). These parks are not located along major streets that would provide Site access for construction equipment. The distance from construction activity would avoid potential noise or conflicts related to construction worker activities. A few construction workers may visit a park to eat lunch or for recreation activity after a day of work. However, construction workers are temporary employees with high turnover associated with the various phases of construction. Such park use would be rare.

The Project has incorporated park and recreation facilities within the Project itself to serve Project residents. Those facilities would be placed into the building envelope of the Project and would not cause construction impacts on the environment beyond those otherwise described as Project components and evaluated throughout the EIR.

b) LIBRARIES

The Project, which would provide 249 residential units, would generate approximately 505 new residents. This population increase would result in an incremental increase in demand for library services. The Project would constitute approximately 2.6 percent of 19,343 residents, the allowable population increase beneath the Los Angeles Public Library's ("LAPL") threshold for the consideration of the need for new facilities.

An on-site, 1,140-square-foot library for the sole use of Project would be constructed as part of the Project. With the provision of this on-site library, the Project's proximity to and expected use of the Will and Ariel Durant Branch Library, and the existing available capacity of that facility, existing library capacity would be sufficient to meet Project needs and no new facilities would be necessary. In addition, the Project would generate revenue for the City's general fund that could be used to provide public services such as library facilities if necessary.

Cumulative growth in the Project area would increase the number of people using library services. The Project's net new residential populations would represent relatively small increments of increased demand at local libraries. The existing libraries serving the Project are anticipated to be able to accommodate the increased cumulative growth in population.

2. PROJECT DESIGN FEATURES

There are no Project Design Features for this environmental issue.

3. FINDING

The Project's public service impacts to parks and recreation (construction) and libraries would be less than significant. No mitigation is required.

4. RATIONALE FOR FINDING

Project construction would not interfere with existing park usage in a manner that would substantially reduce the service quality of the existing parks in the Project area. The nearest parks to the Project Site are Havenhurst Park and William S. Hart Park. These parks are not located along major streets that would provide Site access for construction equipment. Some construction workers may visit parks to eat lunch or for recreation activity after work. However, construction workers are temporary employees with high turnover associated with various phases of construction, and such park use would be rare. Therefore, impacts on parks due to construction activities would be less than significant, and no mitigation is required.

The Project would not include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment. The Project has incorporated park and recreation facilities within the Project

itself to serve Project residents, allowing residents to have access to recreational facilities without leaving the Project Site. This would also reduce the Project's potential off-site traffic, air quality, and noise impacts during Project operations. The Project does not include a new off-site park facility. For these reasons, impacts regarding park expansion would be less than significant, and no mitigation is required.

The Project could generate a demand for use at the three LAPL library facilities serving the Project Site. However, there is sufficient capacity to accommodate that demand within the existing public libraries serving the Project. In addition, the Project proposes an on-site 1,140- square-foot library that would be for the sole use of Project residents. Because the Project would have an on-site library, would represent a small percentage of the LAPL 19,343-resident threshold, and would generate revenue to the City's general fund for the provision of public services such as library facilities, the Project would have a less than significant impact on library services, and no mitigation is required.

In addition, when considered together with related projects in the same library service area, the City finds that, as explained in the EIR, the existing libraries serving the Project are anticipated to be able to accommodate the increased cumulative growth in population. The Project's incremental contribution to impacts on library services would be less than cumulatively considerable and cumulative impacts on libraries would therefore be less than significant. No mitigation is required.

5. REFERENCE

For a complete discussion of public service impacts, please see Section 4.I of the Draft EIR and see Section 2.0 Alternative 9: Enhanced View Corridor and Additional Underground Parking Alternative, Subsection B.9 of the Recirculated DEIR.

## I. TRANSPORTATION AND CIRCULATION

The Project would result in a less than significant impact on the neighborhood street segments, regional transportation system, public transit, access, and parking. In addition, the Project would not conflict with applicable transportation programs, plans, and policies. Therefore, mitigation measures relative to these issue areas are not necessary.

1. DESCRIPTION OF EFFECTS

a) NEIGHBORHOOD STREETS

The Project would result in a less than significant impact on the four roadway segments analyzed in the TIA in the Existing Year (2013) With Project and Future Year (2018) with Project scenarios. Therefore, no mitigation measures are necessary.

The Project would restrict turns at the driveway on Havenhurst Drive to right-turn only movements. As under existing conditions, approximately five percent of the trips would travel along Fountain Avenue east of Crescent Heights Boulevard. Estimated trips on

neighborhood streets under the Project are summarized in Section 2.0 Alternative 9: Enhanced View Corridor and Additional Underground Parking Alternative, Subsection B.10 of the Recirculated DEIR. The Project would result in an increase of 53 trips per day on Havenhurst Drive north of Fountain Avenue; a reduction of 213 trips per day on Fountain Avenue west of Havenhurst Drive; a reduction of 212 trips per day on Fountain Avenue, between Havenhurst Drive and Crescent Heights Boulevard; and an increase of 46 trips per day on Fountain Avenue east of Crescent Heights Boulevard.

As explained in the EIR, Project-related trips on neighborhood streets would not exceed threshold standards and are thus considered to be less than significant. The net Project-related daily trips described above were added to the "Existing (2013)" (no project) and forecast "Future (2018) Without Project" traffic conditions for each of the subject streets to develop the existing and future "With Project" traffic volumes, and to identify the potential traffic impacts associated with the Project on each of these roadways. Based on this assessment, the Project is anticipated to result in a net increase in daily traffic on Havenhurst Drive, of 2.9 percent and 2.8 percent under 2013 and 2018 conditions, respectively, a net reduction in daily traffic of 0.6 percent on Fountain Avenue west of Crescent Heights Boulevard, and a slight increase of approximately 0.1 percent to Fountain Avenue east of Crescent Heights Boulevard.

b) REGIONAL TRAFFIC ANALYSIS

Project-generated traffic would be below the Los Angeles County Congestion Management Program's ("CMP's") 50-trip threshold at the CMP intersections. In addition, the Project's trip additions to any segment of the US-101 would be less than the CMP's 150-trip threshold.

The potential regional traffic impacts of the Project were evaluated in the EIR as required by the CMP. As detailed in the EIR, the CMP's project traffic impact analysis ("TIA") guidelines require detailed impact analyses for all CMP arterial monitoring intersections where the project could add a total of 50 or more trips during either peak hour, as well as analyses of all freeway segments where a project could add 150 or more trips in either direction during one or both of the peak hours.

Since the Project would result in a net reduction in site-related traffic of approximately 115 trips (with reductions in both the inbound and outbound site-related trips) during the A.M. peak hour, the net Project-generated traffic through any of the nearby CMP arterial monitoring intersections would not trigger the requirement of additional analyses during the A.M. peak period. During the P.M. peak hour, the Project would result in a total of approximately 106 net new trips, which exceeds the CMP's 50-trip threshold. However, the number of net Project-generated trips expected to travel outside the study area, particularly along those routes by which the nearby CMP arterial monitoring intersections can be accessed, is expected to be less than 50 total trips in all cases. As such, as explained further in the EIR, net Project-generated traffic at these CMP intersections would be below the CMP's 50-trip threshold, and no additional analyses of these intersections are required.

With regard to CMP freeway segment analysis, the Project would result in a net reduction in trips during the A.M. peak hour, and therefore, the Project would not affect the freeway system during this time period. During the P.M. peak hour at a total of approximately 106 net trips (103 inbound, three outbound), it would not meet the CMP's 150 directional trip threshold during this time period. Additionally, in the evaluation of the CMP arterial monitoring intersections, only a portion of Project's total of 106 net PM peak hour trips are actually expected to travel into or out of the immediate study area or to use any of the nearby freeways.

c) PUBLIC TRANSIT

The Project would have a nominal increase in transit ridership. The Project would result in a total of approximately 421 person trips per day on public transit facilities (bus lines), including approximately 20 person trips (6 inbound, 13 outbound) during the AM peak hour, and 37 person trips (23 inbound, 14 outbound) during the PM peak hour. After adjusting to account for existing public transit ridership associated with the existing site uses (most of which would be removed to construct Project improvements), the Project is expected to result in a net increase of approximately 103 daily person trips on the public transit facilities, including a net change of 1 new rider (decrease of 5 inbound, increase of 6 outbound) during the AM peak hour, and 16 new riders (13 inbound, 3 outbound) during the PM peak hour.

However, the Project Site is currently served by a total of nearly 270 buses per day, including about 20 buses during each of the peak hours. Therefore, the potential increases in ridership on any single bus under the Project are expected to be nominal (average of 1 or fewer new riders per bus during the peak commute periods).

d) ACCESS

The Project operational characteristics, expected minimum driveway capacities, and the projected peak hour driveway traffic volumes of the Project would provide adequate capacity to accommodate the anticipated maximum vehicular demands for both entering and exiting traffic at each of the driveways. In addition, the driveways would provide sufficient queuing. Therefore, the Project would result in a less than significant impact with regard to access.

Vehicular access to the on-site parking facilities under the Project is analyzed in depth in the EIR. The primary commercial access driveway on Crescent Heights Boulevard, which provides both entry and exit capability, has two entry lanes along with two exit lanes. All commercial traffic for the Project would enter and exit only at the Crescent Heights Boulevard driveway. The Project would also provide two dedicated entry and exit driveways for its residential components (apartment and condominium) along Havenhurst Drive. Each of the Havenhurst Drive residential component driveways would allow for both (southbound) left-turn and (northbound) right-turn entry moves, but would be restricted to right-turn exits only (to northbound Havenhurst Drive, toward Sunset Boulevard).

The Project provides an internal circulation design for the Project parking structure such that all of its residential component (apartment and condominium) traffic can circulate between the residential parking fields within the on-site parking garage and the Site's Crescent Heights Boulevard driveway. As such, the Project's residential component-related traffic would be able to enter and exit the Project Site via the primarily commercial traffic driveway on Crescent Heights Boulevard, and to access the parking garage via the two previously-described dedicated residential component traffic entry and exit driveways located on Havenhurst Drive.

The Project would provide an exclusive entry and exit truck/loading driveway along Havenhurst Drive. As with all Project driveways on Havenhurst Drive, the truck/loading exit moves would be restricted to right-turn exit only, while the entry to this driveway would also be restricted to left-turn access only, thereby requiring all truck/loading-related traffic to enter and exit the Project Site to and from Sunset Boulevard so as to minimize truck-related traffic along the residential portions of Havenhurst Drive south of the Project Site.

The Project also includes modifications to the Site-adjacent intersection of Sunset Boulevard and Crescent Heights Boulevard/Laurel Canyon Boulevard, which would remove the existing "free right-turn lane" configuration for the eastbound approach of Sunset Boulevard at this intersection and replace it with a more conventional right-turn only lane at the intersection itself. This improvement would allow for the removal of the current "No Left Turn" exit prohibition from the Crescent Heights Boulevard driveway, allowing both residential and commercial Project-related exiting traffic to turn left toward Sunset Boulevard from this driveway.

Based on these operational characteristics, expected minimum driveway capacities, and the projected A.M. and P.M. peak hour driveway traffic volumes as described more fully in the EIR, the proposed Site access would provide adequate capacity to accommodate the anticipated maximum vehicular demands for both entering and exiting traffic at each of the Project Site's individual driveways.

Each of the Project's driveways would function adequately, with sufficient entry and exit capacity and internal vehicular queuing space such that no significant vehicular queuing or disruption of either pedestrian or vehicular traffic flows on the Project Site-adjacent streets would occur.

e) PARKING

The Project would provide 820 vehicular parking spaces, including 494 commercial and 326 residential parking spaces, which would exceed the adjusted required parking by 198 spaces. In addition, the Project would provide a total of 622 bicycle spaces, which would meet the LAMC bicycle parking requirements.

The LAMC identifies the parking requirements for a variety of commercial and residential land uses, including the retail (both general retail and supermarket), restaurant, commercial (bank), and residential (apartment and condominium) uses provided as part

of the Project. The specific requirements for both vehicular and bicycle parking for the various component uses contained in the Project are calculated and discussed in detail in the EIR. Regarding vehicular parking, the Project is utilizing Density Bonus Parking Option 1, pursuant to LAMC 12.22-A,25, to allow one on-site parking space for each Residential Unit of zero to one bedrooms, two on-site parking spaces for each Residential Unit of two to three bedrooms, and two-and-one-half on-site parking spaces for each Residential Unit of four or more bedrooms.

Based on these calculations, the commercial components of the Project would require a total of approximately 389 vehicle and 64 bicycle parking spaces. However, the LAMC allows for reductions of up to 20 percent of the otherwise required vehicle parking based on the provision of the required (and additional) bicycle parking (at a ratio of four bicycle spaces for each vehicle space removed), resulting in an "adjusted" vehicle parking requirement of approximately 311 spaces, and an "adjusted" bicycle parking requirement of approximately 348 spaces. The Project would provide a total of approximately 494 vehicle parking spaces, or approximately 183 spaces more than are required. The Project would also provide the required 348 commercial-related bicycle parking spaces.

The Project would require a total of approximately 311 residential component vehicle parking spaces, along with a total of approximately 274 bicycle spaces. The Project would provide 326 residential vehicle parking spaces, or approximately 15 spaces more than are required. The Project would also provide the required 274 residential bicycle parking spaces. It should also be noted that, similar to the reduction for commercial uses, the LAMC allows for up to a 10 percent reduction in the amount of residential vehicular parking required, which is based on the number of bicycle parking spaces provided. However, in order to assure that an adequate amount of residential vehicular parking would be provided to accommodate the potential parking demands of the Project's residents and guests, this allowable vehicle parking reduction was not applied to the Project. Therefore, the Project would meet (apartment and condominium components) or exceed (commercial components) the applicable LAMC vehicular and bicycle parking requirements for its individual (residential and commercial) components, as well as for the development in its entirety. As a result, no significant off-site "spill over" parking impacts onto adjacent residential streets or nearby commercial parking areas due to inadequate on-site parking are anticipated to occur under the Project.

f) CONSISTENCY WITH REGULATORY FRAMEWORK

The Project would support the Community Plan in that the Project would not hinder the City's efforts to provide a circulation system coordinated with land uses and densities that is adequate to accommodate traffic. The Project would also be consistent with applicable regional plans related to transportation, including the Los Angeles County CMP and the policies of the SCAG and other relevant agencies. Therefore, as explained below in in more detail in the EIR, the Project would not conflict with the implementation of adopted transportation programs, plans, and policies would have less than significant impacts on the same.

As relates to the Hollywood Community Plan, the Project would not hinder the City's efforts to provide a circulation system coordinated with land uses and densities and adequate to accommodate traffic, as the Project's long-term operational impacts to the City's traffic system would be reduced to less than significant through implementation of applicable mitigation, and construction-related traffic impacts, although significant, would be temporary in nature (and would only occur during the four-month shoring and excavation phase). Further, the Project would provide improvements that encourage transit usage and accommodate the expansion and improvement of public transportation service. Therefore, the Project would be generally consistent with the Community Plan and would not conflict with the implementation of the Community Plan.

As explained above in connection with the Regional Traffic Analysis, the Project would not result in significant impacts to the CMP arterial monitoring intersections or the CMP freeway monitoring locations. Thus, the Project would be consistent with the CMP.

Also, the Project would be consistent with the policies of SCAG and other relevant agencies which encourage the use of transit, by locating a mixed-use project within proximity to public transit. The Project would not conflict with the implementation of adopted transportation programs, plans, and policies. As such, the Project would result in less than significant impacts relative to plan consistency.

g) CUMULATIVE IMPACTS

With regard to public transit, the Project-related increase in ridership on any single bus is expected to be nominal (an average of two or fewer new riders per bus during the peak commute periods). Therefore, the Project would not result in a significant transit-related impact to the existing bus service, and the Project would not contribute to a significant cumulative impact.

With regard to parking and access, the Project would provide sufficient parking on the Project Site and would thus result in a less than significant impact with regard to parking. In addition, the access evaluation indicated that the Project would result in less than significant impacts with regard to site access. It is anticipated that related projects would be subject to review by either the City of Los Angeles or the City of West Hollywood to ensure that adequate parking and access would be provided and maintained for each of the related projects.

2. PROJECT DESIGN FEATURE

**PDF-Traffic-1:** In order to ensure the vehicles exiting from the Project's Havenhurst Drive driveway do not make left-turns onto southbound Havenhurst Drive, the Applicant shall construct a physical barrier or other equivalent improvement, subject to review and approval by LADOT.

3. FINDING

The Project would result in a less than significant impact on the neighborhood street segments, regional transportation system, public transit, access, and parking. In addition, the Project would not conflict with applicable transportation programs, plans, and policies. Mitigation measures relative to these transportation and circulation issue areas are not necessary. The incorporation of PDF-Traffic-1 will further ensure that impacts to neighborhood street segments and access remain less than significant.

4. RATIONALE FOR FINDING

Project-related trips on neighborhood streets would not exceed threshold standards and are thus considered to be less than significant. The EIR assessed Project-related daily trips and projected the Project to result in a net increase in daily traffic on Havenhurst Drive, of 2.9 percent and 2.8 percent under 2013 and 2018 conditions, respectively, a net reduction in daily traffic of 0.6 percent on Fountain Avenue west of Crescent Heights Boulevard, and a slight increase of approximately 0.1 percent to Fountain Avenue east of Crescent Heights Boulevard. As such, the Project would not significantly impact any of the street segments analyzed. No mitigation is required.

The potential regional traffic impacts of the Project were evaluated in the EIR in accordance with the CMP, which requires analyses for all CMP arterial monitoring intersections where the project could add a total of 50 or more trips during either peak hour, as well as analyses of all freeway segments where a project could add 150 or more trips in either direction during one or both of the peak hours. The net Project-generated traffic at the CMP intersections were determined to be below the CMP's 50-trip threshold, and thus Project-generated traffic travelling through these intersections would not result in significant impacts, and no traffic mitigation measures are necessary. Similarly, the net Project-generated traffic at the applicable freeway sections was determined to be below the CMP's 150 directional trip threshold during relevant time periods. For these reasons, as discussed more thoroughly in the EIR, regional traffic system impacts would be less than significant, and no mitigation is required.

The Project is expected to result in a net increase of approximately 103 daily person trips on the public transit facilities, including a net change of 1 new rider (decrease of 5 inbound, increase of 6 outbound) during the AM peak hour, and 16 new riders (13 inbound, 3 outbound) during the PM peak hour. The Project Site is currently served by a total of nearly 270 buses per day, including about 20 buses during each of the peak hours. Therefore, the potential increases in ridership on any single bus under the Project are expected to be nominal, and no significant transit-related impacts are anticipated. The City therefore finds that impacts to public transit would be less than significant, and no mitigation is required.

With regard to access, based on the operational characteristics of the Project, expected minimum driveway capacities, and the projected A.M. and P.M. peak hour driveway traffic volumes as described above and more fully in the EIR, the proposed Site access would provide adequate capacity to accommodate the anticipated maximum vehicular demands for both entering and exiting traffic at each of the Project Site's individual driveways.

Therefore, the City finds that the Project driveways would accommodate the total traffic demands for the Project and no significant access impact would occur. In addition, each of the Project's driveways would function adequately, with sufficient entry and exit capacity and internal vehicular queuing space such that no significant vehicular queuing or disruption of either pedestrian or vehicular traffic flows on the Project Site-adjacent streets would occur. Further, the proposed vehicular circulation within the parking structure is designed to prevent internally-queued vehicles from interfering with on-site vehicular flows and minimizes other internal conflicts. As such, the Project would result in less than significant access or internal vehicular circulation impacts. No mitigation is required.

Regarding parking, the Project would meet (apartment and condominium components) or exceed (commercial components) the applicable LAMC vehicular and bicycle parking requirements for its individual (residential and commercial) components, as well as for the development in its entirety. Specifically, the Project would provide 820 vehicular parking spaces, including 494 commercial and 326 residential parking spaces, which would exceed the adjusted required parking by 198 spaces. In addition, the Project would provide a total of 622 bicycle spaces, which would meet the LAMC bicycle parking requirements. As a result, no significant off-site "spill over" parking impacts onto adjacent residential streets or nearby commercial parking areas due to inadequate on-site parking are anticipated to occur under the Project. As a result, the City finds that parking impacts would be less than significant and no mitigation is required.

As explained in more detail above and in the EIR, the Project would also be consistent with applicable regional plans related to transportation, including the Los Angeles County CMP and the policies of the SCAG and other relevant agencies. Therefore, the Project would not conflict with the implementation of adopted transportation programs, plans, and policies and a less than significant impact would occur. No mitigation is required.

With regard to cumulative public transit impacts, the Project-related increase in ridership on any single bus is expected to be nominal, and the Project would not result in a significant transit-related impact to the existing bus service. Thus, the City finds that the Project would not contribute to a significant cumulative impact, and no mitigation is required. With regard to cumulative parking and access impacts, the Project would provide sufficient parking on the Project Site and would thus result in a less than significant impact with regard to parking. The Project would also result in less than significant impacts with regard to site access, as described above. It is anticipated that related projects would be subject to review by either the City of Los Angeles or the City of West Hollywood to ensure that adequate parking and access would be provided and maintained for each of the related projects. Therefore, the City finds that the Project would not contribute to a cumulatively significant parking or access impact, and no mitigation is required.

5. REFERENCE

For a complete discussion of impacts associated with transportation and circulation, please see Section 4.J of the Draft EIR and see Section 2.0 Alternative 9: Enhanced View Corridor and Additional Underground Parking Alternative, Subsection B.10 of the Recirculated DEIR.

## J. UTILITIES AND SERVICE SYSTEMS

### 1. WATER SUPPLY

#### a) DESCRIPTION OF EFFECTS

Water demand during construction would be minimal and offset by the reduction in water consumption from existing uses. Water demand during operation of the Project would not exceed available water supplies, given compliance with applicable local ordinances and incorporation of water conservation measures, as explained below. In addition, the water distribution capacity with appropriate infrastructure improvements would be sufficient to serve the Project. Therefore, the Project would have a less than significant impact on water supply and infrastructure.

(1) Construction

The water demand generated by Project construction activities would be offset by the reduction in water consumption from demolition of the existing uses. Specifically, existing uses currently consume approximately 10,643 gallons per day, while construction-related water use on the 2.56-acre Site would be approximately 7,680 gallons per day based on the factor of 3,000 gallons per acre per day. Overall, demolition and construction activities would require minimal water demand and would not be expected to have any adverse impact on the existing water system or available water supplies.

(2) Operation

The Project would provide 249 residential units and 65,000 square feet of commercial floor area. Operation of the Project would increase existing water demand by approximately 44,748 gallons of water per day (gpd) or 50.3 acre-feet per year (AFY). The Project would be designed to comply with the City of Los Angeles Green Building Ordinance, and water conservation on the Project Site would be maximized through the use of water efficient fixtures and appliances. The Project Applicant would be responsible for providing the necessary water infrastructure on the Project Site, as well as any extensions to connect the Project Site to existing water lines in the area. The Project would connect to the existing 8-inch water main located in Sunset Boulevard. With regard to domestic water, these mains have adequate capacity to accommodate the water demand increase of 44,748 gpd that would be generated by the Project. Implementation of the Project's water conservation measures would reduce this demand further.

(3) Cumulative Impacts

The LADWP is responsible for providing water within the City limits and ensuring that the delivered water quality meets applicable California health standards for drinking water. As a public water service provider, LADWP is required to prepare and periodically update an Urban Water Management Plan ("UWMP") to plan and provide for water supplies to serve existing and projected demands. The UWMP prepared by LADWP accounts for existing development within the City, as well as projected growth anticipated to occur through redevelopment of existing uses and development of new uses. As explained in the EIR, the anticipated cumulative water demand from the development of the Project and related projects would fall within the available and projected water demand of LADWP's 2010 UWMP.

The City is faced with various ongoing challenges in securing its future water supplies due to, among other things, droughts, environmental restrictions, and climate change. In response to uncertainties regarding water supply, Mayor Villaraigosa and LADWP released a Water Supply Action Plan entitled "Securing L.A.'s Water Supply" dated May 2008. The plan will serve as a blueprint for creating sustainable sources of water for the City to reduce dependence on imported supplies. The plan calls for the City to meet this future increased demand through water conservation and water recycling. LADWP is planning to achieve these goals by expanding its water conservation efforts through public education, installing high efficient water fixtures, providing incentives, and expanding the City's outdoor water conservation program. To increase recycled water use, LADWP is expanding the recycled water distribution system to provide water for irrigation, industrial use, and groundwater recharge. For these and other reasons explained in the EIR, it is anticipated that LADWP would be able to supply the demands of the Project and related projects through the foreseeable future. In addition, compliance with the City's recommended water conservation measures would reduce the water consumption estimates of the Project and related projects, thereby reducing the demand on City supplies.

With regard to the water system infrastructure, development of the Project in conjunction with the related projects would cumulatively increase water demand on the existing infrastructure. However, each related project would be subject to discretionary review to assure that the existing public utility facilities would be adequate to meet the domestic and fire water demands of each project. Furthermore, LADWP, as well as the City of Los Angeles Department of Public Works, conducts ongoing evaluations to ensure facilities are adequate.

b) PROJECT DESIGN FEATURES

There are no Project Design Features for this environmental issue.

c) FINDING

Water supply impacts of the Project would be less than significant. No mitigation is required.

d) RATIONALE FOR FINDING

Demolition and construction activities would require minimal water demand and would not be expected to have any adverse impact on the existing water system or available water supplies. In addition, demand would be offset by the reduction in water consumption from demolition of the existing uses. Therefore, impacts to water supply during construction activities would be less than significant. No mitigation is required.

Operation of the Project would increase existing water demand by approximately 44,748 gallons of water per day (gpd) or 50.3 acre-feet per year (AFY). The Project would comply with the City of Los Angeles Green Building Ordinance, and water conservation on the Project Site would be maximized through the use of water efficient fixtures and appliances, which would further reduce demand. As described above and further in the EIR, there is adequate capacity in existing water mains to meet Project demand. The Project Applicant would be responsible for providing the necessary water infrastructure on the Project Site, as well as any extensions to connect the Project Site to existing water lines in the area. As discussed further in the EIR, water infrastructure and water supply are sufficient to meet the Project's demands without the need to implement mitigation measures, and the impact of the Project on the provision of water services would be less than significant.

Regarding cumulative impacts, the LADWP's UWMP accounts for existing development within the City, as well as projected growth anticipated to occur through redevelopment of existing uses and development of new uses. The anticipated cumulative water demand from the development of the Project and related projects would fall within the available and projected water demand of LADWP's 2010 UWMP. Therefore, LADWP would have adequate amounts of water to meet future water demands for the service area with the addition of the Project and related projects, and no significant cumulative impacts related to water demand would occur. No mitigation is required.

With regard to the water system infrastructure, each related project would be subject to discretionary review to assure that the existing public utility facilities would be adequate to meet the domestic and fire water demands of each project. Furthermore, LADWP, as well as the City of Los Angeles Department of Public Works, conducts ongoing evaluations to ensure facilities are adequate. Therefore, cumulative impacts on the water infrastructure system would be less than significant, and no mitigation is required.

## 2. WASTEWATER

### a) DESCRIPTION OF EFFECTS

#### (1) Construction

The Project would generate a negligible amount of wastewater during construction. Therefore, construction impacts on wastewater would be less than significant.

Construction of the Project would include all necessary on- and off-site sewer pipe improvements and connections to adequately connect to the City's existing sewer system. Construction relative to the wastewater system for the Project would occur at the Project Site and immediate vicinity. The design of these connections would be developed by a registered engineer and approved by the City of Los Angeles Bureau of Engineering. It is not anticipated that any substantial off-site sewer system improvements would be necessary to accommodate the additional wastewater flows generated by the Project, based on the results of a Sewer Area Study prepared in June 2015, which concluded that all the sewer lines serving the Project Site, including those within the City of West Hollywood, are currently operating well below their design capacity. In the event that, during development, wastewater lines were found to be substandard or in deteriorated condition, the applicant would be required to make necessary improvements to achieve adequate service, under City of Los Angeles Building and Safety Code and LADWP requirements. All necessary improvements would be verified through the permit approval process of obtaining a sewer capacity and connection permit from the City.

During construction of the Project, a negligible amount of wastewater would be generated by construction workers. It is anticipated that portable toilets would be provided by a private company and the waste disposed of off-site. Wastewater generation from construction activities is not anticipated to cause a measurable increase in wastewater flows at a point where, and at a time when, a sewer's capacity is already constrained or that would cause a sewer's capacity to become constrained. In addition, construction is not anticipated to generate wastewater flows that would substantially or incrementally exceed the future scheduled capacity of any one treatment plant by generating flows greater than those anticipated in the Wastewater Facilities Plan or General Plan.

#### (2) Operation

The Project would generate an increase in wastewater that could be accommodated in the existing system. The existing wastewater system is not constrained or at capacity and there is sufficient capacity to accommodate the Project.

The Project Site would continue to be served by existing City water and utility lines. The Project would provide 249 residential units and 65,000 square feet of commercial floor area. The net wastewater generation of the Project would be approximately 37,291 gpd.

All wastewater generated within the City and LADWP's service area is transported through the Hyperion Treatment Conveyance System to one of four wastewater treatment plants owned and operated by LADWP, including the Hyperion Treatment Plant ("HTP"). The Project's wastewater generation would represent approximately 0.046 percent of HTP's total remaining capacity of 88 mgd. The Project would be designed to comply with the City of Los Angeles Green Building Ordinance, and wastewater reduction would be maximized through the use of high efficiency shower heads and toilets. The Project would not exceed the City's existing wastewater treatment capacity or future wastewater treatment capacity set forth by the LADWP's Integrated Resources Plan ("IRP"), and adequate wastewater treatment capacity would be available to serve the Project without the need to implement mitigation measures. The Project would not result in a measurable increase in wastewater flows at a point where, and a time when, a sewer's capacity is already constrained or that would cause a sewer's capacity to become constrained. Further, as described in the EIR, the Project would not generate wastewater flows in an amount that would substantially or incrementally exceed the future scheduled capacity of the system.

(3) Cumulative Impacts

As explained in the EIR, LADWP anticipates ample wastewater treatment services to the City of Los Angeles and contracting cities through 2020.

HTP currently meets applicable water quality standards as set forth by the NPDES. As such, the cumulative Projects' wastewater effluent discharged to the Santa Monica Bay would have a less than significant impact on water quality. The LADWP has developed the IRP to incorporate greater efficiency for future, water, wastewater, and runoff management in the City and surrounding service areas. Implementation of the IRP, upgrades in the advanced treatment processes at HTP, and continual monitoring by the EMD would ensure that effluent discharged into Santa Monica Bay are within applicable limits.

As with the Project, all related projects in the City of Los Angeles would be subject to LAMC Section 64.15 requiring a determination by LADWP that there is allotted sewer capacity available for each project. Therefore, cumulative impacts on the local sewer infrastructure would be addressed, with required sewer improvements, if needed. Additionally, as further detailed in the Sewer Area Study, there still remains ample capacity in the sewer system serving the Project site to accommodate flow generated by the Project and other future developments.

b) PROJECT DESIGN FEATURES

Related to this impact, the following project design feature would be incorporated into the Project:

**PDF-WW-1:** In order to address potential future improvements to sewage conveyance facilities within the City of West Hollywood that serve the Project Site, the Project shall

contribute fair-share payments to the City of West Hollywood commensurate with the Project's incremental impact to affected facilities. The Project's specific fair-share contribution for West Hollywood sewage system upgrades shall be determined by the City of Los Angeles and City of West Hollywood at such a time that the necessary improvements and associated capital costs are known, and shall be proportional to the Project's contribution to total wastewater flows in each affected West Hollywood-owned sewer.

c) FINDING

Wastewater impacts of the Project would be less than significant. No mitigation is required. The incorporation of Project Design Feature PDF-WW-1 will ensure Project impacts remain less than significant.

d) RATIONALE FOR FINDING

Construction of the Project would include all necessary on- and off-site sewer pipe improvements and connections to adequately connect to the City's existing sewer system. It is not anticipated that any substantial off-site sewer system improvements would be necessary to accommodate the additional wastewater flows generated by the Project, based on the results of a Sewer Area Study prepared in June 2015, which concluded that all the sewer lines serving the Project Site, including those within the City of West Hollywood, are currently operating well below their design capacity. Wastewater generation from construction activities is not anticipated to cause a measurable increase in wastewater flows at a point where, and at a time when, a sewer's capacity is already constrained or that would cause a sewer's capacity to become constrained. Therefore, construction impacts to the local wastewater conveyance and treatment system would be less than significant. No mitigation is required.

Project operation would generate an increase in wastewater that could be accommodated in the existing system. The Project would provide 249 residential units and 65,000 square feet of commercial floor area. The net wastewater generation of the Project would be approximately 37,291 gpd. The existing wastewater system is not constrained or at capacity. Further, as described in the EIR, the Project would not generate wastewater flows in an amount that would substantially or incrementally exceed the future scheduled capacity of the system. Therefore, impacts related to wastewater treatment and infrastructure would be less than significant. No mitigation is required.

As explained in the EIR, LADWP anticipates ample wastewater treatment services to the City of Los Angeles and contracting cities through 2020. Implementation of the IRP, upgrades in the advanced treatment processes at HTP, and continual monitoring by the EMD would ensure that effluent discharged into Santa Monica Bay are within applicable limits. Thus, cumulative impacts on Santa Monica Bay water quality would be less than significant and the Project's contribution to the impact would not be cumulatively considerable. As with the Project, all related projects in the City of Los Angeles would be subject to LAMC Section 64.15 requiring a determination by LADWP that there is allotted

sewer capacity available for each project. Therefore, cumulative impacts on the local sewer infrastructure would be addressed, with required sewer improvements, if needed, and the Project would not contribute to a cumulative impact on such facilities. Therefore, cumulative impacts of the Project on sewer infrastructure would be less than significant. No mitigation is required.

3. SOLID WASTE

a) DESCRIPTION OF EFFECTS

(1) Construction

Construction of the Project would require demolition of the existing buildings and associated parking as well as excavation and construction of the new buildings on the Site. Each of these activities would generate demolition waste including, but not limited to, soil, asphalt, wood, paper, glass, plastic, metals, and cardboard that would be disposed of in the County's inert landfill site (Azusa Land Reclamation) or one of a number of inert debris engineered fill operations that are located throughout Los Angeles County.

Pursuant to the Waste Hauler Permit Program, all construction and demolition ("C&D") waste collected at the Project Site would be taken to a City-certified waste processing facility for sorting and final distribution. The City-certified waste processing facilities recycle amounts varying from 70 percent to 94 percent of the waste stream. Therefore, the most waste that would require disposal at a landfill site (i.e., 30 percent) would be approximately 22,907 tons during the construction period. As discussed in the EIR, the County's inert fill landfills would have adequate capacity to accommodate Project-generated inert waste.

(2) Operation

The Project would provide 249 residential units and 65,000 square feet of commercial floor area. The net solid waste generation of the Project would be approximately 3.01 tons per day and 1,119.90 tons per year. The Project's annual solid waste generation, not accounting for diversion, would for less than 0.001-percent of the remaining 129.2-million-ton capacity in the County's Class III landfills. The County evaluates and updates the remaining landfill capacity and landfill disposal needs in the 2012 Los Angeles County Integrated Waste Management Plan ("ColWMP") Annual Report. As described in the ColWMP 2012 Annual Report, future disposal needs over the next 15-year planning horizon (2027) would be adequately met through the use of in-County and out-of-County facilities through a number of strategies that would be carried out over the years. Project-generated waste would not exacerbate the estimated landfill capacity requirements or alter the ability of the County to address landfill needs via existing capacity and other options for increasing capacity.

(3) Compliance with Applicable Laws and Policies

The Project would be implemented pursuant to applicable requirements that would further City objectives regarding diversion of solid waste from landfills and efficient use of County landfill facilities. Thus, impacts would be less than significant.

The Project would comply with applicable regulations related to solid waste, including those pertaining to waste reduction and recycling. With regard to construction, the Waste Hauler Permit Program would require that C&D materials be hauled from the Site by a permitted waste hauler and taken to permitted diversion/disposal facilities that subject to oversight from the City for achieving the required 70 percent diversion rate.

With regard to operation, in accordance with the City's Space Allocation Ordinance (Ordinance No. 171687), which requires that all new development projects provide an adequate recycling area, the Project would provide on-site recycling collection facilities for residents. In addition, the Project would promote compliance with the California Integrated Waste Management Act of 1989 (AB 939) through source reduction and recycling programs, including compliance with the City's Waste Hauler Permit Program. The City has taken an aggressive stance on diverting solid waste from landfills, achieving 62 percent reduction in landfill deposited waste in 2009 and increasing to 76.4 percent in Fiscal Year 2013, with a goal of 90 percent diversion by 2025 and zero waste by 2030. Detailed Project components would be finalized at the time of plan submittal to the City for the necessary building permits and would be reviewed pursuant to checklist items in the City's Green Building Code. Therefore, the Project would comply with all State, and local statues and regulations related to solid waste.

(4) Cumulative Impacts

Solid waste disposal is a regional issue addressed by regional agencies, in this case the County of Los Angeles. The State requires that the Siting Element show the provision of a minimum of 15-years of combined disposal capacity through existing or planned solid waste disposal and transformation facilities, or through additional strategies. Projected growth is included in the analysis and the required Annual Report updates the disposal demand and supply each year. The County's 2012 Annual Report anticipates an 11.4 percent increase in population growth within the County of Los Angeles by 2027 and an increase of 16.4 percent in employment.

The cumulative development in the Project area would contribute an increment of the overall projected demand for waste disposal. There are 38 related projects located in the vicinity of the Project Site that would contribute to the demand for solid waste disposal. The cumulative annual solid waste generation, not accounting for diversion, would be a negligible increment to the County's annual waste generation. Future disposal needs over the next 15-year planning horizon (2027) would be adequately met through the use of in-County and out-of-County facilities through a number of strategies that would carried out over the years.

As discussed in the EIR, the Project impacts on solid waste disposal would be less than significant. As noted above, the County evaluates and updates the remaining landfill capacity and landfill disposal needs in the CoIWMP. Cumulative waste generation is provided for in the CoIWMP for the 15-year planning period ending in 2027 as the analysis includes projected growth. Therefore, the cumulative development would not alter the County's ability to address landfill needs via existing capacity and other options for increasing capacity.

b) PROJECT DESIGN FEATURES

There are no Project Design Features for this environmental issue.

c) FINDING

Project impacts related to solid waste would be less than significant. No mitigation is required.

d) RATIONALE FOR FINDING

The Project would generate construction debris due to removal of the existing buildings, parking lot paving, excavation, and construction of new buildings. Construction and demolition waste would be disposed of at an inert disposal facility, which has sufficient capacity. Therefore, construction impacts on solid waste would be less than significant.

The Project would generate solid waste as the result of operation of the residential and retail uses that would occur on the Project Site. The Project would comply with City requirements regarding waste, such as the provision of space for recycling. With the City and County's ongoing efforts to reduce the amount of waste disposed of at Class III landfills, the Project would not exceed the permitted capacity of the facilities serving the Project. Project-generated waste would not exacerbate the estimated landfill capacity requirements or alter the ability of the County to address landfill needs via existing capacity and other options for increasing capacity. Therefore, impacts on solid waste disposal from Project operations would be less than significant, and no mitigation is required.

The Project would be implemented pursuant to applicable requirements that would further City objectives regarding diversion of solid waste from landfills and efficient use of County landfill facilities. With regard to construction, these include the Waste Hauler Permit Program. With regard to operation, these include the City's Space Allocation Ordinance (Ordinance No. 171687), the California Integrated Waste Management Act of 1989 (AB 939), the City's Waste Hauler Permit Program, the City's Green Building Code. The Project would comply with all State, and local statues and regulations related to solid waste. The City impacts regarding consistency with the applicable state and local statutes, ordinances, policies, and objectives would be less than significant, and no mitigation is required.

The cumulative development in the Project area would contribute an increment of the overall projected demand for waste disposal. The cumulative annual solid waste generation, not accounting for diversion, would be a negligible increment to the County's annual waste generation. Future disposal needs would be adequately met through the use of in-County and out-of-County facilities through a number of strategies that would carried out over the years. Therefore, as discussed further in the EIR, cumulative development would not alter the County's ability to address landfill needs via existing capacity and other options for increasing capacity. Therefore, impacts to the solid waste system from cumulative development would be less than significant and thus, the Project would not contribute to a cumulatively significant solid waste impact. No mitigation is required.

4. REFERENCE

For a complete discussion of impacts associated with utilities, please see Section 4.K of the Draft EIR and see Section 2.0 Alternative 9: Enhanced View Corridor and Additional Underground Parking Alternative, Subsection B.11 of the Recirculated DEIR.

## VII. IMPACTS THE EIR FOUND TO BE LESS THAN SIGNIFICANT AFTER MITIGATION

The following impact areas were concluded by the Draft EIR and the Recirculated Draft EIR to be less than significant with the implementation of mitigation measures described in the Final EIR. Based on that analysis and other evidence in the administrative record relating to the Project, the City finds and determines that mitigation measures described in the Final EIR will reduce potentially significant impacts identified for the following environmental impact categories to below the level of significance:

### A. AESTHETICS – VISUAL CHARACTER - CONSTRUCTION

1. DESCRIPTION OF EFFECTS

Section 21099(d)(1) of the CEQA Statute (SB 743) provides that aesthetic impacts of a residential, mixed-use residential, or employment center project on an infill site within a transit priority area shall not be considered significant impacts on the environment. The Project qualifies as an infill project as it lies on a previously developed parcel in an urban area where the entire parcel is surrounded by developed uses or improved public rights-of-way adjacent to parcels with qualified urban uses. The Project Site qualifies as a transit priority area as it is located less than one-half mile from a Major Transit Stop (as defined by Public Resources Code Section 21064.3) located at the intersection of Sunset Boulevard and Fairfax Avenue. Therefore, pursuant to State Law the Project's aesthetic impacts would not be significant impacts on the environment.

Notwithstanding the exempt status of the Project, analyses were undertaken to determine whether the Project's impacts would exceed thresholds normally used by the City for analyzing the significance of a Project's impacts on aesthetics.

The Project would provide a modern building design, street trees, and landscaped public open space. As such, and as discussed in Section VI.A, once constructed, the Project would have a less than significant impact with respect to aesthetic character. However, construction activities on-site could substantially alter or degrade the existing visual character of the area on a temporary basis. Therefore, the Project would have a potentially significant impact with respect to aesthetic character during construction.

2. PROJECT DESIGN FEATURES

There are no Project Design Features for this environmental issue.

3. Mitigation Measures

**Mitigation Measure AES-1**: The Applicant shall provide a 12-foot construction fence for neighborhood protection during construction of the Project.

**Mitigation Measure AES-2**: The Applicant shall ensure through appropriate postings and daily visual inspections that no unauthorized materials are posted on any temporary construction barriers or temporary pedestrian walkways, and that such temporary barriers and walkways are maintained in a visually attractive manner throughout the construction period.

4. Findings

Changes or alterations and mitigation measures have been required in, or incorporated into, the Project which avoid or substantially lessen the potentially significant, temporary, visual character impacts associated with construction, as identified in the Draft EIR, to less than significant levels.

5. Rationale for Findings

Construction fencing would provide security to pedestrians and adjacent residents, and also serve to reduce views of grading and other site disturbance from the adjacent streets and sidewalks. In order to fully screen construction activities, a 12-foot perimeter construction fence is required (Mitigation Measure AES-1). Construction fencing and other temporary barriers have the potential to attract graffiti or posting of unauthorized materials if not appropriately monitored. Mitigation Measure AES-2 accordingly requires daily visual inspection of the fence, temporary barriers, and walkways. Any observed graffiti or unauthorized materials must be removed.

A potentially significant impact with respect to visual quality of construction activities would be reduced to a less than significant level through the implementation of Mitigation Measures AES-1 and AES-2. With the implementation of these mitigation measures, no significant impacts associated with aesthetics and visual resources are anticipated.

6. Reference

For a complete discussion of visual character impacts, please see Section 4.A of the Draft EIR and Section 2.0 Alternative 9: Enhanced View Corridor and Additional Underground Parking Alternative, Subsection B.1 of the Recirculated DEIR.

## B. AIR QUALITY – CONSTRUCTION IMPACTS

1. DESCRIPTION OF EFFECTS

a) AIR QUALITY STANDARDS

Construction of the Project would not exceed the applicable SCAQMD daily numeric indicators for VOC, CO, SO2, $PM_{10}$, or $PM_{2.5}$ but would potentially exceed the numeric indicator for $NO_X$. Operation of the Project would not exceed the SCAQMD daily regional numeric indicators. As a result, construction of the Project would result in a potentially significant air quality impact for $NO_X$ during construction.

b) NON-ATTAINMENT POLLUTANTS

Construction of the Project would potentially exceed the SCAQMD daily regional numeric indicators for emissions of $NO_X$, which is an ozone precursor. Thus, construction of the Project would potentially result in a cumulatively considerable net increase of a criteria pollutant for which the Project region is in nonattainment and construction impacts would be potentially significant.

c) SUBSTANTIAL POLLUTANT CONCENTRATIONS

Construction of the Project would not exceed SCAQMD localized significance thresholds for $NO_X$ and CO at nearby sensitive receptors but would potentially exceed the localized significance threshold for $PM_{10}$ and $PM_{2.5}$. Construction of the Project would not result in substantial emissions of toxic air contaminants at nearby sensitive receptors and would not exceed SCAQMD numeric indicators of an incremental increase in cancer risk of 10 in one million and non-cancer chronic and acute health impact of 1.0. Construction of the Project would not result in traffic congestion that would cause or contribute to formation of localized CO hotspots that exceed the CAAQS or NAAQS. As a result, construction of the Project would not expose sensitive receptors to substantial pollutant concentrations, with the exception of localized $PM_{10}$ and $PM_{2.5}$ emissions. Thus, localized emissions of $PM_{10}$ and $PM_{2.5}$ during construction would result in a potentially significant impact.

d) CUMULATIVE IMPACTS

There are a number of related projects in the Project area that have not yet been built or are currently under construction. Since the Applicant has no control over the timing or sequencing of the related projects, any quantitative analysis to ascertain daily construction emissions that assumes multiple, concurrent construction projects would be speculative.

With respect to the Project's short-term construction-related air quality emissions and cumulative conditions, the SCAQMD has developed strategies to reduce criteria pollutant emissions outlined in the AQMP pursuant to the federal Clean Air Act mandates. As such, construction of the Project would comply with SCAQMD Rule 403 requirements and the Airborne Toxic Control Measure ("ATCM") to limit heavy duty diesel motor vehicle idling to no more than 5 minutes at any given time. In addition, the Project would utilize a construction contractor(s) that complies with required and applicable Best Available Control Technology ("BACT") and the In-Use Off- Road Diesel Vehicle Regulation. Per SCAQMD rules and mandates as well as the CEQA requirement that significant impacts be mitigated to the extent feasible, these same requirements (i.e., Rule 403 compliance, the implementation of all feasible mitigation measures, and compliance with adopted AQMP emissions control measures) would also be imposed on construction projects in the Air Basin, which would include each of the related projects in the Project area.

Regional and localized construction emissions associated with the Project would not exceed the SCAQMD numeric indicators, with the exception of regional $NO_X$ emissions and localized $PM_{10}$ and $PM_{2.5}$. As such, the Project's contribution to cumulatively significant construction impacts to air quality would be potentially significant for regional $NO_X$ and localized $PM_{10}$ and $PM_{2.5}$ during construction. Since construction would exceed the regional numeric indicator of significance for $NO_X$, and the localized numeric indicators of significance for $PM_{10}$ and $PM_{2.5}$, the Project would have the potential to cause or substantially contribute to cumulative short-term and temporary exceedance of an applicable ambient air quality standards for $NO_X$, $PM_{10}$, and $PM_{2.5}$ and have the potential to cause or substantially contribute to cumulative regional short-term and temporary $NO_X$ -related health impacts and localized short-term and temporary $PM_{10}$ and $PM_{2.5}$-related health impacts.

2. PROJECT DESIGN FEATURES

There are no project design features related to reducing air quality impacts of construction.

3. MITIGATION MEASURES

**Mitigation Measure AQ-1**: The Applicant shall utilize off-road diesel-powered construction equipment that meet the Tier 4 off-road emissions standards for those equipment rated at 50 hp or greater. To the extent possible, pole power will be made available for use with electric tools, equipment, lighting, etc. The Applicant shall utilize electric or alternative non-diesel fuel (e.g. propane) for certain heavy-duty equipment, including concrete/industrial saws, tower cranes, scissor and man lifts, concrete placing booms, water pumps and welders. These requirements shall be included in applicable bid documents and successful contractor(s) must demonstrate the ability to supply such equipment. A copy of each unit's certified tier specification and CARB or SCAQMD operating permit shall be available upon request at the time of mobilization of each applicable unit of equipment. The Applicant shall 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 the following website: http://www.aqmd.gov/tao/Implementation/SOONProgram.htm.

4. FINDINGS

Changes or alterations, project design features and mitigation measures have been required in, or incorporated into, the Project which avoid or substantially lessen the potentially significant air quality impacts, as identified in the EIR, to less than significant levels.

5. RATIONALE FOR FINDINGS

The Project would have potentially significant impacts during construction with respect to regional $NO_X$ emissions and localized $PM_{10}$ and $PM_{2.5}$ emissions in excess of the SCAQMD numeric indicators. The primary generator of regional construction $NO_X$ emissions and localized $PM_{10}$ and $PM_{2.5}$ emissions would be heavy-duty construction equipment. Implementation of mitigation measure AQ-1 would reduce $NO_X$, $PM_{10}$, and $PM_{2.5}$ emissions from construction sources by requiring equipment to meet stringent emissions standards.

The maximum mitigated daily regional emissions during construction were estimated using the CalEEMod (Version 2013.2.2) software using the Tier 4 construction equipment input values as described in Mitigation Measure AQ-1. The maximum mitigated regional construction emissions would not exceed the regional numeric indicators, and the maximum mitigated localized construction emissions would not exceed the localized numeric indicators. Since Mitigation Measure AQ-1 would reduce construction emissions of $NO_X$ to below the regional numeric indicator of significance and emissions of $PM_{10}$ and $PM_{2.5}$ to below the localized numeric indicators of significance, the mitigated Project would not cause or substantially contribute to regional $NO_X$ -related and localized $PM_{10}$ and $PM_{2.5}$-related health impacts.

The numeric indicators of significance are based on the recognition that the Air Basin is a distinct geographic area with a critical air pollution problem for which ambient air quality standards have been promulgated to project public health including protecting the health of sensitive populations such as asthmatics, children, and the elderly, and to incorporate a reasonable margin of safety. Therefore, given that construction emissions would be mitigated to below the numeric indicators of significance, construction of the Project after implementation of Mitigation Measure AQ-1 would not conflict with the purpose of the ambient air quality standards to protect the health of sensitive populations such as asthmatics, children, and the elderly, and to incorporate a reasonable margin of safety.

Based on the analysis using CalEEMod with the use of Tier 4 construction equipment as described in Mitigation Measure AQ-1, implementation of Mitigation Measure AQ-1 would reduce regional $NO_X$ emissions and localized $PM_{10}$ and $PM_{2.5}$ emissions from

construction to below the numeric indicators of significance. For these reasons, discussed in more detail in the below-referenced sections of the EIR, construction air quality impacts would be less than significant after mitigation.

6. REFERENCE

For a complete discussion of air quality impacts, please see Section 4.B of the Draft EIR and see Section 2.0 Alternative 9: Enhanced View Corridor and Additional Underground Parking Alternative, Subsection B.2 of the Recirculated DEIR.

## C. CULTURAL RESOURCES – ARCHAEOLOGICAL RESOURCES

1. DESCRIPTION OF EFFECTS

The Project would involve excavation into sediments where there is potential for the existence of archaeological resources below the existing built environment on the Project Site. Therefore, impacts on buried archaeological resources are considered potentially significant.

The Project would involve excavation into sediments where there is potential for the existence of human remains below the existing built environment on the Project Site. Therefore, impacts on buried human remains are considered potentially significant.

Cumulative growth would increase the amount of excavation in the Project vicinity and therefore the potential to encounter archaeological resources. However, impacts of the Project regarding archaeological resources would be less than significant with mitigation. Related Projects would be subject to regulations and CEQA Guidelines to avoid adverse effects on archaeological resources. Cumulative impacts would be less than significant.

2. PROJECT DESIGN FEATURES

There are no Project Design Features for this environmental issue.

3. MITIGATION MEASURES

**Mitigation Measure ARCH-1**: The Applicant shall retain a qualified archaeological monitor who meets the Secretary of the Interior's Professional Qualifications Standards for an archaeologist. The monitor shall be present during construction excavations such as grading, trenching, grubbing, or any other construction excavation activity associated with the Project. The frequency of monitoring shall be determined by the monitor based on the rate of excavation activities, the materials being excavated (native versus fill sediments), and the depth of excavation, and, if found, the proximity, abundance, and type of archaeological resources encountered.

**Mitigation Measure ARCH-2**: In the event that archaeological resources are unearthed during ground-disturbing activities, the archaeological monitor shall be empowered to halt or redirect ground-disturbing activities away from the vicinity of the find so that the find

can be evaluated. Work shall be allowed to continue outside of the vicinity of the find. All archaeological resources unearthed by Project construction activities shall be evaluated by the archaeologist. The Applicant shall coordinate with the archaeologist and the City to develop an appropriate treatment plan for the resources if they are determined to be potentially eligible for the California Register or potentially qualify as unique archaeological resources pursuant to CEQA. Treatment may include implementation of archaeological data recovery excavations to remove the resource or preservation in place.

**Mitigation Measure ARCH-3**: The archaeological monitor shall prepare a final report at the conclusion of archaeological monitoring. The report shall be submitted by the Applicant to the City, the South Central Coastal Information Center, and representatives of other appropriate or concerned agencies to signify the satisfactory completion of the Project and required mitigation measures. The report shall include a description of resources unearthed, if any, treatment of the resources, and evaluation of the resources with respect to the California Register. The Applicant, in consultation with the archaeologist and the City, shall designate repositories meeting State standards in the event that archaeological material is recovered. Project material shall be curated in accordance with the State Historical Resources Commission's Guidelines for Curation of Archaeological Collections.

**Mitigation Measure ARCH-4**: If human remains are encountered unexpectedly during construction of the Project, State Health and Safety Code Section 7050.5 requires that no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to Public Resources Code Section 5097.98. If the remains are determined to be of Native American descent, the coroner has 24 hours to notify the Native American Heritage Commission ("NAHC"). The NAHC shall then identify the person(s) thought to be the Most Likely Descendent ("MLD"). The MLD may, with the permission of the Applicant, inspect the site of the discovery of the Native American remains and may recommend means for treating or disposing, with appropriate dignity, the human remains and any associated grave goods. The MLD shall complete their inspection and make their recommendation within 48 hours of being granted access by the Applicant to inspect the discovery. The recommendation may include the scientific removal and nondestructive analysis of human remains and items associated with Native American burials. Upon the discovery of the Native American remains, the Applicant shall ensure, according to generally accepted cultural or archaeological standards or practices, that the immediate vicinity where the Native American human remains are located is not damaged or disturbed by further development activity until the Applicant has discussed and conferred, as prescribed in this mitigation measure, with the MLD regarding their recommendations, if applicable, taking into account the possibility of multiple human remains. The Applicant shall discuss all reasonable options with the descendants regarding the descendants' preferences for treatment.

Whenever the NAHC is unable to identify a MLD, or the MLD identified fails to make a recommendation, or the Applicant or his or her authorized representative rejects the

recommendation of the descendants and the mediation provided for in Subdivision (k) of PRC Section 5097.94, if invoked, fails to provide measures acceptable to the Applicant, the Applicant or his or her authorized representative shall inter the human remains and items associated with Native American human remains with appropriate dignity on the property in a location not subject to further and future subsurface disturbance.

4. FINDINGS

Changes or alterations and mitigation measures have been required in, or incorporated into, the Project which avoid or substantially lessen the potentially significant impacts to archaeological resources, as identified in the EIR, to less than significant levels.

5. RATIONALE FOR FINDINGS

With implementation of the Mitigation Measures ARCH-1 through ARCH-4, above, the Project would not cause a substantial adverse change in the significance of an archaeological resource pursuant to the CEQA Guidelines §15064.5; nor would it destroy any human remains, including those interred outside of formal cemeteries. The implementation of the above mitigation measures provide for appropriate treatment and/or preservation of resources if encountered. For these reasons, as more fully set forth in the referenced EIR provisions below, potentially significant impacts to archaeological resources, and human remains, including those interred outside of formal cemeteries, would be reduced to a less than significant level.

6. REFERENCE

For a complete discussion of impacts to archaeological resources, please see Section 4.C.1 of the Draft EIR and see Section 2.0 Alternative 9: Enhanced View Corridor and Additional Underground Parking Alternative, Subsection B.3.1 of the Recirculated DEIR.

## D. CULTURAL RESOURCES – PALEONTOLOGICAL RESOURCES

1. DESCRIPTION OF EFFECTS

The Project would involve excavation into sediments where there is potential for the existence of paleontological resources below the existing built environment on the Project Site. Therefore, impacts on buried unique or significant paleontological resources are considered potentially significant.

Cumulative growth would increase the amount of excavation in the Project vicinity and therefore the potential to encounter paleontological resources. However, impacts of the Project regarding paleontological resources would be less than significant with implementation of the mitigation measures. Related Projects would be expected to implement standard mitigation measure to avoid adverse effects on paleontological resources. Therefore, cumulative impacts would be less than significant.

2. PROJECT DESIGN FEATURES

There are no Project Design Features for this environmental issue.

3. MITIGATION MEASURES

**Mitigation Measure PALEO-1**: A qualified Paleontologist shall attend a pre-grade meeting and develop a paleontological monitoring program for excavations into older Quaternary Alluvium deposits. A qualified paleontologist is defined as a paleontologist meeting the criteria established by the Society for Vertebrate Paleontology. The qualified Paleontologist shall supervise a paleontological monitor who shall be present during construction excavations into older Quaternary Alluvium deposits. Monitoring shall consist of visually inspecting fresh exposures of rock for larger fossil remains and, where appropriate, collecting wet or dry screened sediment samples of promising horizons for smaller fossil remains. The frequency of monitoring inspections shall be determined by the Paleontologist and shall be based on the rate of excavation and grading activities, the materials being excavated, and the depth of excavation, and if found, the abundance and type of fossils encountered.

**Mitigation Measure PALEO-2**: If a potential fossil is found, the Paleontological Monitor shall be allowed to temporarily divert or redirect grading and excavation activities in the area of the exposed fossil to facilitate evaluation and, if necessary, salvage. At the Paleontologist's discretion and to reduce any construction delay, the grading and excavation contractor shall assist in removing rock samples for initial processing.

**Mitigation Measure PALEO-3**: Any fossils encountered and recovered shall be prepared to the point of identification and catalogued before they are donated to their final repository. Any fossils collected shall be donated to a public, non-profit institution with a research interest in the materials, such as the Natural History Museum of Los Angeles County. Accompanying notes, maps, and photographs shall also be filed at the repository.

**Mitigation Measure PALEO-4**: Following the completion of the above measures, the Paleontologist shall prepare a report summarizing the results of the monitoring and salvaging efforts, the methodology used in these efforts, as well as a description of the fossils collected and their significance. The report shall be submitted by the Project Applicant to the lead agency, the Natural History Museum of Los Angeles County, and representatives of other appropriate or concerned agencies to signify the satisfactory completion of the Project and required mitigation measures.

4. FINDINGS

Changes or alterations and mitigation measures have been required in, or incorporated into, the Project which avoid or substantially lessen the potentially significant impacts to paleontological resources, as identified in the EIR, to less than significant levels.

5. RATIONALE FOR FINDINGS

The implementation of Mitigation Measures PALEO-1 through PALEO-4, above, provide for avoidance and recovery of resources if encountered. Therefore, the Project would not directly or indirectly destroy a unique paleontological resource or site, or a unique geologic feature. For these reasons, as set forth in more detail in the below referenced sections of the EIR, potentially significant impacts to paleontological resources would be reduced to a less than significant level.

6. REFERENCE

For a complete discussion of impacts to paleontological resources, please see Section 4.C.1 of the Draft EIR and see Section 2.0 Alternative 9: Enhanced View Corridor and Additional Underground Parking Alternative, Subsection B.3.1 of the Recirculated DEIR.

## E. GEOLOGY AND SOILS – GEOLOGIC HAZARDS

1. DESCRIPTION OF EFFECTS

Implementation of the Project could result in significant risks to life or property given the seismic conditions at the Project Site. While impacts regarding surface fault rupture, liquefaction, landslides, and expansive soils would be less than significant given compliance with applicable building codes and seismic design standards, impacts associated with seismic ground shaking and temporary excavations and site stability would be potentially significant.

2. PROJECT DESIGN FEATURES

There are no Project Design Features for this environmental issue.

3. MITIGATION MEASURES

**Mitigation Measure GS-1**: Prior to issuance of a grading permit, a qualified geotechnical engineer shall prepare and submit to the Department of Building and Safety a final Geotechnical Report that provides recommendations to address seismic safety and design requirements for foundations, retaining walls/shoring, and excavation. A qualified geotechnical engineer shall be retained by the Applicant to be present on the Project Site during excavation, grading, and general site preparation activities to monitor the implementation of the recommendations specified in the Geotechnical Report as well as other recommendations made in subsequent Geotechnical Reports prepared for the project subject to City review and approval. When/if needed, the geotechnical engineer shall provide structure-specific geologic and geotechnical recommendations which shall be documented in a report to be approved by the City and appended to the project's previous Geotechnical Reports.

4. FINDINGS

Changes or alterations and mitigation measures have been required in, or incorporated into, the Project which avoid or substantially lessen the potentially significant impacts associated with geologic hazards, as identified in the EIR, to less than significant levels.

5. RATIONALE FOR FINDINGS

The Project Site is located within the seismically active region of southern California. The level of ground shaking that would be experienced at the Project Site from active, potentially active, or blind thrust faults in the region, including, but not limited to, the adjacent Hollywood Fault and nearby Newport-Inglewood, Santa Monica, and Raymond Faults, would be a function of several factors including earthquake magnitude, type of faulting, rupture propagation path, distance from the epicenter, earthquake depth, duration of shaking, site topography, and site geology.

Moderate to strong ground motion (acceleration) could be caused by an earthquake on any of the local or regional faults. As with any new project development in the State of California, building design and construction would conform to the current seismic design provisions of the City of Los Angeles Building Code, which incorporates relevant provision of the California Building Code. The Los Angeles Building Code incorporates the latest seismic design standards for structural loads and materials.

The Geotechnical Report performed for the Project indicated that development of the Project is feasible from a geotechnical perspective provided that the applicable regulations are met and construction and design are performed in a manner that mitigates potential impacts arising from the Project Site's geologic conditions. Prior to issuance of a grading permit, a final Geotechnical Report with final design recommendations would be prepared and reviewed by the Department of Building and Safety, and would be subject to modification as/if necessary to meet all regulatory requirements. This design-specific report would identify seismic considerations to be addressed in the site design and include recommendations for foundations, retaining walls/shoring, and excavation. Mitigation Measure GS-1 would assure proper implementation of the regulatory protections for public safety and compliance with the California Building Code and Los Angeles Municipal Code, as applicable. With implementation of Mitigation Measure GS-1, potential impacts of the Project associated with seismic ground shaking would be reduced to less than significant levels.

Project excavation would cause disturbance of existing soil conditions and result in a Project Site that is prone to local raveling or caving. However, the final Geotechnical Report required for the Project in Mitigation Measure GS-1 would include design recommendations with regard to slope stability and shoring, such as the use of retaining walls. Implementation of this mitigation measure would reduce impacts to less than significant levels.

With implementation of Mitigation Measure GS-1, for the reasons discussed above and in greater detail in the provisions of the EIR referenced below, potential impacts of the Project associated with seismic ground shaking and temporary excavations site stability would be reduced to less than significant levels.

6. Reference

For a complete discussion of impacts to geologic hazards, please see Section 4.D of the Draft EIR and see Section 2.0 Alternative 9: Enhanced View Corridor and Additional Underground Parking Alternative, Subsection B.4 of the Recirculated DEIR.

## F. PUBLIC SERVICES – FIRE PROTECTION AND EMERGENCY MEDICAL SERVICES

### 1. DESCRIPTION OF EFFECTS

#### a) CONSTRUCTION

Project construction would result in an increased demand for fire services due to the potential exposure of combustible materials, such as wood, plastics, sawdust, coverings and coatings, to heat sources such as machinery and equipment sparking, exposed electrical lines, welding activities, and chemical reactions in combustible materials and coatings. However, construction managers and personnel would be trained in fire prevention and emergency response in compliance with Occupational Safety and Health Administration ("OSHA") and Fire and Building Code requirements. Implementation of fire safety measures would reduce the effects of construction on fire services demand. The Project's construction activities may also involve temporary lane closures for utility construction and development of the island at the southwest corner of the Sunset Boulevard/Crescent Heights Boulevard intersection for the Corner Plaza. Construction-related traffic could result in increased travel time due to flagging or stopping of traffic to accommodate trucks entering and exiting the Project Site during construction. The shoring and excavation phase could result in a potentially significant, short-term impact on intersection service levels during some of the midday (off-peak) hours. Truck traffic along designated haul routes would result in a net increase of 75 passenger car equivalent ("pce") trips per hour (or 38 net pce trips in either direction), which is not expected to result in substantially increased impacts to intersections or freeway facilities during the midday off-peak period. The Project's impacts would be of short duration and would be reduced through the implementation of a Construction Management Plan described in Section 4.J, Transportation and Circulation, of the Draft EIR. With the implementation of OSHA regulations and the Construction Management Plan, the Project would result in a less than significant impact on fire protection services during construction.

b) OPERATION

The Project would increase occupancy of the Site and would generate a greater demand for fire protection services than under existing conditions. The Project would provide hydrants capable of delivering 9,000 gpm to meet the LAFD's fire flow requirements for the proposed high-rise development, or a combination of lesser fire flow rates, building design and other fire life safety features subject to review and approval by LAFD, and implement all LAFD requirements related to fire-resistant building materials and fire-safe building design. The Project would provide one emergency and fire control elevator in each bank of elevators, an emergency smoke control system, a standby and emergency power system, and a dependable alarm system. The building design would include stair shaft doors for fire department use and pressurized stair shafts. To comply with Fire Code requirements, smoke detectors would also be maintained in all residential units and public areas. Additionally, in compliance with Fire Code Division 33 (Section 57.33.17), stairways would be numbered on each floor, and fire safety signage on all floors would be placed in required locations. In case of fire emergencies, access to the roof would also be available. The Project would also include implementation of an Emergency Plan in accordance with LAMC Section 57.33.19. The provision of adequate fire flow and fire safety design would reduce fire hazard and demand for fire safety services. The Project would implement Mitigation Measure TR-1 for the provision of a traffic signal to reduce the potential service level impact at the intersection of Fountain Avenue/Havenhurst Drive. This would reduce the potential effect on emergency vehicle response times in the area. With the implementation of fire safety features and adequate fire flow, the Project would have a less than significant impact on fire protection services during the operational phase.

c) CUMULATIVE IMPACTS

Of the 38 related projects that have been identified in the vicinity of the Project Site, 12 are located within the City of Los Angeles and therefore are within the service areas of the LAFD while 26 are within the City of West Hollywood and the service area of the Los Angeles County Fire Department ("LACFD"). The two fire stations that provide fire protection and emergency medical services within the City of West Hollywood are Fire Station 7 (Battalion 1 Headquarters), located at 864 North San Vicente Boulevard, and Fire Station 8, located at 7643 West Santa Monica Boulevard. The related projects would be served primarily by LAFD Fire Stations 27, 29, 41, 52, 58, 61, 68, 76, 82, and 97 for those located in the City of Los Angeles and LACFD Stations 7 and 8 for those located in the City of West Hollywood. These related projects would cumulatively generate, in conjunction with the Project, the need for additional fire protection and emergency medical services from these agencies.

Although a cumulative demand on LAFD and LACFD services would occur, cumulative project impacts on fire protection and medical services would be reduced through regulatory compliance, similar to the Project. All related projects would be subject to review by the LAFD or LACFD, as applicable, for compliance with Fire Code and Building Code regulations related to emergency response, emergency access, fire flow, and fire

safety requirements. Further, project-by-project traffic mitigation, multiple fire station response, and system wide upgrades to improve response times, and other requirements imposed by the LAFD and LACFD are expected to continue to support adequate response times. Therefore, cumulative impacts on fire protection and emergency medical services would be less than significant.

2. PROJECT DESIGN FEATURES

There are no project design features for this environmental issue.

3. MITIGATION MEASURES

**Mitigation Measure TR-1**: The applicant shall install a new traffic signal at Fountain Avenue /Havenhurst Drive. The new signal shall be a simple, two-phase signal (one for Fountain Avenue traffic and one for Havenhurst Drive traffic). The signal shall be fully actuated so as to minimize disruption to Fountain Avenue through traffic flows, but provide a "green" indication for both northbound and southbound Havenhurst Drive when traffic on one or both of those approaches begins to exhibit unacceptable delays due to high volumes and/or limited gaps in Fountain Avenue traffic, particularly during the A.M. and P.M. peak traffic periods.

**Mitigation Measure TR-2**: The on-street valet drop-off turnout lane shall be restricted to right-turn entry only from southbound Crescent Heights Boulevard (no left-turn entry from northbound Crescent Heights Boulevard).

4. FINDINGS

Changes or alterations, and regulatory and mitigation measures, have been required in, or incorporated into, the Project which avoid or substantially lessen the potentially significant impacts associated with fire protection and emergency medical services, as identified in the EIR, to less than significant levels.

5. RATIONALE FOR FINDINGS

Through compliance with Mitigation Measures TR-1 and TR-2, the Project would have less than significant impacts with respect to fire protection and emergency medical services. In addition, the Project will be required to implement a Transportation Demand Management ("TDM") program in compliance with the City of Los Angeles Transportation Demand Management Ordinance (Section 98.0411 of the LAMC), which would further reduce any potential impacts to fire protection and emergency medical services. The TDM program will incorporate the trip-reduction programs and services identified in the City's ordinance, as feasible or applicable to the Project. As such, the Project's TDM program would include a number of elements to encourage carpooling and ridesharing, bicycle ridership, telecommuting, and other trip-reducing programs. The TDM would include provide a combination of elements that could include, but is not limited to, the following:

- On-site Transportation Coordinator, in charge of:
  - Carpool/Vanpool and Rideshare Matching
  - Preferential Vanpool/Carpool Parking
  - Transit Passes or Subsidies
  - Parking Cash-Out or Unbundled Parking (for Project residents)
  - Loaner Bicycles and/or Flex-Use Vehicles
  - Guaranteed Ride Home
- Bicycle Racks and Showers/Lockers
- Flexible Work Hours/Telecommute Opportunities
- Improved or New Bus/Transit Stop Shelters and/or Amenities
- Wayfinding Information and Signage
- Other Potential Demand Reduction Measures that might be included in the TDM Plan include:
- Free valet parking for vehicles with high vehicle occupancy (3.0 or more AVO)
- Discounts for commercial patrons who utilize public transit to travel to the Site
- Online shopping and home delivery to reduce the number of patrons needing to travel to the Project Site

Thus, for these reasons as more fully described in the below referenced sections of the EIR, implementation of the traffic-related Mitigation Measures, the Construction Management Plan, and the Project's TDM program, along with the multiple steps being taken by the LAFD to improve response times, Project impacts on fire protection and emergency medical services are considered less than significant.

6. REFERENCE

For a complete discussion of impacts associated with fire protection and emergency response, please see Sections 4.I.1 and 4.J of the Draft EIR and see Section 2.0 Alternative 9: Enhanced View Corridor and Additional Underground Parking Alternative, Subsection B.9.1 and Subsection B.10 of the Recirculated DEIR.

## G. PUBLIC SERVICES – POLICE PROTECTION

1. DESCRIPTION OF EFFECTS

The Project would not require the addition of a new police facility or the expansion, consolidation, or relocation of an existing police facility to maintain service due to compliance with State and City regulatory requirements as well as the implementation of project design features related to traffic management. Impacts would be less than significant with implementation of the mitigation measures.

a) CONSTRUCTION

The Project would result in an increased demand for police services due to the temporary, on-site storage of equipment and building materials, which could result in theft and vandalism. This could potentially necessitate police involvement unless adequate safety

and security measures are implemented to secure the Site. However, the Project would include security features such as fencing all construction areas prior to the start of construction, providing security lighting at construction areas, and providing on-site security personnel at construction sites. Implementation of temporary construction site security measures, including fencing, lighting, private security staff, and access controls would help deter potential crime-related activity on-site and in the Project vicinity during construction, thus reducing the demand on police protection services. The Project's construction activities may also involve temporary lane closures for utility construction and development of the island at the southwest corner of the Sunset Boulevard/Crescent Heights Boulevard intersection for the Corner Plaza. Construction-related traffic could result in increased travel time due to flagging or stopping of traffic to accommodate trucks entering and exiting the Project Site during construction. The shoring and excavation phase could result in a potentially significant, short-term impact on intersection service levels during some of the midday (off-peak) hours The Project's impacts would be of a temporary duration and would be reduced through the implementation of a Construction Management Plan described in Section 4.J, Transportation and Circulation, of the Draft EIR.

In addition to traffic management measures designed to reduce impacts of the project on transportation and circulation, onsite security measures would be utilized to reduce the need for police service. During construction of the Project, private security measures would include construction fencing, security lighting, locked entry and private security personnel to monitor access and patrol the Project Site. All workers and vehicles would be required to sign into and out of the Project Site. (see DEIR page 4.1.2-11.)

With the implementation of construction site security measures and the Construction Management Plan, the Project would result in a less than significant impact on police protection services during construction, as it would not generate a demand for police facilities or services that could not be accommodated by the LAPD.

b) OPERATION

The Project would provide 249 residential units, which would generate approximately 505 new residents. Based on the generation factor of 0.070 crimes per capita, and without accounting for Project security features and personnel, the residential component of the Project could potentially result in 35 additional crimes per year. This represents an increase of less than 0.39-percent of the crimes reported in the Hollywood Community. The increase in population from 128,418 residents to 128,923 residents in the Hollywood Community Police Station service area would alter the officer-to-resident ratio from one officer per 365 residents to one officer per 366 residents.

During operations, the Project would incorporate a 24-hour/seven-day security program that would include monitoring entrances and exits of buildings; managing and monitoring; fire/life/safety systems; patrolling the property; lighting of entry-ways and public areas to ensure safety; and staff training to assist in situations that might otherwise require a police

response. Controlled access to residential units and commercial areas after hours would further ensure the safety of site residents and guests.

The Project would provide extensive security features, including provision of 24-hours video surveillance, 24-hour security personnel, controlled building and parking access, and implementation of a secure perimeter with a combination of walls and/or decorative fencing, lighting, and landscaping to prevent loitering or unauthorized access to the Project Site. The on-site security personnel would provide a deterrent and an on-site first responder capability for many security issues. Together, these security features would help reduce the potential for on-site crimes, including loitering, theft, and burglaries.

c) CUMULATIVE IMPACTS

Of the 38 related projects that have been identified in the vicinity of the Project Site, only those 12 related projects located within the Hollywood Community Police Station service area are considered as related projects that could contribute to cumulative impacts within the LAPD service area. Projects located in other jurisdictions would be served by their respective police departments, most notably the LACSD, which serves the City of West Hollywood under a contract with the City. The 12 related projects include residential, commercial/retail/restaurant, office, hotel, and chapel uses. Similar to the Project, the number of annual crimes anticipated to be generated by related projects was estimated based on residential and non-residential increases in population. Related projects within the Hollywood Community Police Station Service Area could potentially generate 366 crimes per year more than that which would occur if no development was to take place. The Project in conjunction with related projects within the Hollywood Community Police Station Service Area could therefore generate 401 additional crimes per year. This represents an approximate five-percent increase in annual crimes. In addition to the services provided by the LAPD, as noted above, the LACSD provides police protection services to the City of West Hollywood, thus providing additional services to those related projects located within the City of West Hollywood. The West Hollywood Station is located at 780 North San Vicente Boulevard. Related projects in both the City of West Hollywood and City of Los Angeles would be subject to discretionary review on a project-by-project basis by the LAPD or LACSD to ensure that sufficient security measures are implemented to reduce potential impacts to police protection services.

Similar to the Project, related projects would generate revenue to the City's general fund that could be used to fund LAPD and LACSD expenditures as necessary to offset the cumulative incremental impact on police services. Furthermore, larger projects would be likely to have on-site security personnel and safety features like those of the Project that would further reduce demands on police services. Therefore, cumulative impacts to the exiting police protection services would be less than significant and the project's contribution to such impacts would not be considerable.

2. PROJECT DESIGN FEATURES

There are no Project Design Features for this environmental issue.

3. MITIGATION MEASURES

**Mitigation Measure POL-1**: Prior to issuance of building permits, the Project applicant shall consult with the LAPD Crime Prevention Unit regarding incorporation of CPTED techniques into the Project design in order to minimize potential criminal activity at the Project Site.

**Mitigation Measure TR-1**: The applicant shall install a new traffic signal at Fountain Avenue /Havenhurst Drive. The new signal shall be a simple, two-phase signal (one for Fountain Avenue traffic and one for Havenhurst Drive traffic). The signal shall be fully actuated so as to minimize disruption to Fountain Avenue through traffic flows, but provide a "green" indication for both northbound and southbound Havenhurst Drive when traffic on one or both of those approaches begins to exhibit unacceptable delays due to high volumes and/or limited gaps in Fountain Avenue traffic, particularly during the A.M. and P.M. peak traffic periods.

**Mitigation Measure TR-2**: The on-street valet drop-off turnout lane shall be restricted to right-turn entry only from southbound Crescent Heights Boulevard (no left-turn entry from northbound Crescent Heights Boulevard).

4. FINDINGS

Changes or alterations and mitigation measures have been required in, or incorporated into, the Project which avoid or substantially lessen the potentially significant impacts associated with police protection, as identified in the EIR, to less than significant levels.

5. RATIONALE FOR FINDINGS

The Project would implement Mitigation Measure POL-1, which requires the applicant consult with the LAPD Crime Prevention Unit to incorporate Crime Prevention Through Environmental Design ("CPTED") techniques into the Project design in order to minimize the potential for criminal activity at the Project Site. The Project would further implement mitigation measures contained in Section 4.J, Transportation and Circulation, of this Draft EIR, to reduce traffic impacts, thereby reducing impacts to police response. As a result, the Project would have less than significant impacts with respect to police emergency response times. As described in more detail in the EIR provisions referenced below, based on the minimal impact the Project would have on police protection services, the implementation of LAMC requirements, and upon implementation of the mitigation measures described above, the Project's impacts on police services will be reduced to less than significant.

6. REFERENCE

For a complete discussion of impacts associated with police protection, please see Sections 4.I.2 and 4.J of the Draft EIR and see Section 2.0 Alternative 9: Enhanced View

Corridor and Additional Underground Parking Alternative, Subsection B.9.2 of the Recirculated DEIR.

## H. PUBLIC SERVICES – PARKS AND RECREATION, OPERATIONAL IMPACTS

### 1. DESCRIPTION OF EFFECTS

#### a) PROJECT IMPACTS

The Project would add new residential population to the Project area, which would increase the demand for park services. The Project would include recreation amenities that would reduce the use of parks by residents, but would not meet the City's long-range standard of ten acres of parkland per 1,000 residents or the short-range standard of two acres per 1,000 residents. The Project's recreational amenities would not satisfy the PRP's short- or long-range parkland provision standards, and thus impacts would be considered potentially significant.

The Project, which would provide 249 residential units, would generate approximately 505 new residents. This population increase would require approximately 2.11 acres of parkland to meet the PRP's long-range standard of four acres of parkland per 1,000 persons and 1.06 acres of parkland to meet the PRP's more attainable short- and intermediate-range standard of two acres per 1,000 persons. The Project would provide 11,400 square feet of public roof deck area; 22,100 square feet of private balconies and terraces; 19,050 square feet of private roof decks; and a 27,000-square-foot Central Plaza; totaling approximately 79,550 square feet (1.83 acres) of public and private open space and private recreation amenities, which could be counted toward the PRP's open space standards. The Project also includes a 9,134-square-foot Corner Plaza. However, because the Project would not provide on-site parkland per the City's short- and long-range standards of two and four acres per 1,000 residents, respectively, the impact on parks and recreational facilities would be considered potentially significant.

#### b) CUMULATIVE IMPACTS

The Project in combination with related projects would add new residential population to the Project area, which would increase the demand for park services. However, these related Projects would be required comply with LAMC requirements or similar requirements of the City of West Hollywood. Compliance with applicable mitigation measures and applicable City of West Hollywood requirements would reduce cumulative impacts to parks and recreational facilities to less than significant.

There are 38 related projects that have been identified in the EIR in the vicinity of the Project Site. Of the 38 related projects, 26 residential projects (10 in City of Los Angeles and 16 in the City of West Hollywood) would generate notable demand for park and recreation facilities. These related projects would cumulatively generate, in conjunction with the Project, the need for additional parks and recreational facilities. The related

projects represent a relatively substantial number of large-scale projects that typically include recreation amenities to stay current with market demands for such on-site improvements among condominium purchasers and apartment renters. Further, all related projects with residential uses would be required to comply with the requirements of LAMC Sections 12.21 and 17.12 or similar requirements of the City of West Hollywood, West Hollywood Municipal Code (WHMC) Section 19.64.020. As with the Project, if new development projects do not provide sufficient recreation facilities to meet the requirements of the City of Los Angeles or of the City of West Hollywood, potentially significant impacts could result. However, implementation of Mitigation Measure PRK-1 and compliance with applicable LAMC provisions for City of Los Angeles related projects, and compliance with WHMC Section 19.64.020 for West Hollywood related projects would reduce potential cumulative impacts to less than significant.

2. PROJECT DESIGN FEATURES

There are no Project Design Features for this environmental issue.

3. MITIGATION MEASURES

**Mitigation Measure PRK-1**: In the event that the Project's amenities do not provide sufficient credit against the Project's land dedication and/or in lieu fee requirement, the Applicant shall do one or more of the following: (1) dedicate additional parkland to meet the requirements of Los Angeles Municipal Code Section 17.12; (2) pay in-lieu fees for any land dedication requirement shortfall; or (3) provide on-site improvements equivalent in value to said in-lieu fees.

4. FINDINGS

Changes or alterations and mitigation measures have been required in, or incorporated into, the Project which avoid or substantially lessen the potentially significant impacts associated with parks and recreation, as identified in the EIR, to less than significant levels.

5. RATIONALE FOR FINDINGS

Potentially significant impacts related to compliance with parks and recreation standards and parkland requirements associated with the Project would be reduced to a level that is less than significant via compliance with Mitigation Measure PRK-1. Implementation of Mitigation Measure PRK-1 would ensure that through the provision of on-site recreational facilities as a credit against the dedication of parkland, payment of in-lieu fees, dedication of parkland, or a combination of these methods, the Project would comply with the maximum requirements established under the Quimby Act and LAMC. As a result, and as detailed further in the sections of the EIR referenced below, impacts would be reduced to less than significant levels.

The Project has incorporated park and recreational facilities within the Project itself to serve Project residents. The provision of park and recreational space on the Project site would allow the site residents to have access to such facilities without leaving the Project site, thereby further reducing potential impacts to off-site parks.

Implementation of Mitigation Measure PRK-1 would also ensure the Project's contribution to potentially significant cumulative impacts would be not cumulatively considerable. Related projects would also be required to comply with similar requirements for City of Los Angeles related projects, and to comply with WHMC Section 19.64.020 for West Hollywood related projects, which would reduce potential cumulative impacts to less than significant. For these reasons, as set forth in more detail in the sections of the EIR referenced below, the Project's contributions would be less than cumulatively considerable with the implementation of Mitigation Measure PRK-1, and the impact would be reduced to less than significant.

6. REFERENCE

For a complete discussion of impacts associated with parks and recreation, please see Section 4.I.3 of the Draft EIR and see Section 2.0 Alternative 9: Enhanced View Corridor and Additional Underground Parking Alternative, Subsection B.9.3 of the Recirculated DEIR.

## I. TRANSPORTATION AND CIRCULATION

### 1. DESCRIPTION OF EFFECTS

#### a) PEDESTRIAN AND BICYCLE ACCESS AND SAFETY

The driveways would not result in conflicts with bicycles or pedestrians. Therefore, no significant impact would occur. The proposed driveways would function adequately with no significant vehicular queuing or disruption of either pedestrian or vehicular traffic flows. As such, no significant impact would occur relative to bicycle and pedestrian safety from the proposed driveways.

The on-street valet drop-off turnout lane could, however, result in conflicts with vehicular, bicycle or pedestrian traffic if all turn movements are allowed. As such, impacts related to the on-street valet drop-off would be potentially significant.

The proposed valet drop-off turnout lane would be located along the reconfigured Crescent Heights Boulevard frontage just north of the parking structure driveway. This drop-off lane is intended as a convenience for patrons of the restaurant and/or retail uses. The primary valet drop-off and pick-up location would be located within the parking structure. The on-street valet drop-off turnout would provide two lanes, including one used primarily for patron drop-off, with the other serving as a bypass lane to allow unloaded vehicles to travel past unloading vehicles ahead of them in the queue and more efficiently accommodate the anticipated demands and to minimize the potential for vehicles queuing

into the southbound Crescent Heights Boulevard traffic flows. In addition, this valet drop-off facility would operate with a one-way traffic flow, with patron-driven vehicles entering from Crescent Heights Boulevard at its northern end and valet-driven vehicles exiting the facility directly into the Crescent Heights Boulevard driveway. Due to its proximity to the intersection of Sunset Boulevard and Crescent Heights Boulevard, the valet drop-off could result in a potential conflict to vehicular, pedestrian and bicycle safety. Therefore, this impact is considered potentially significant.

b) CUMULATIVE

The TIA incorporated forecasted traffic increases due to ambient growth and the 38 related projects near the Project Site. The Future (Year 2018) Without Project represents the cumulative analysis on the intersections and neighborhood street segments. Future traffic volumes would increase in and around the study area due to a combination of ambient traffic growth throughout the region and traffic generated by the related projects. Traffic conditions in the Future (Year 2018) Without Project scenario would worsen at several of the study intersections. The four study intersections along Santa Monica Boulevard (La Cienega Boulevard, Sweetzer Avenue, Crescent Heights Boulevard, and Fairfax Avenue) would deteriorate to LOS F conditions during both peak hours. In addition, the intersection of Hollywood Boulevard and Laurel Canyon Boulevard would experience a reduction in level of service from its existing LOS A conditions to still-acceptable forecast LOS B operations during both peak hours while the nearby intersection of Hollywood Boulevard/Fairfax Avenue could deteriorate from its current acceptable LOS D operations to LOS E conditions during the A.M. peak hour and from LOS C to still acceptable LOS D during the P.M. peak hour. Finally, the operations of the intersection of Fountain Avenue/Fairfax Avenue are forecast to be reduced from the existing LOS B to LOS C conditions during both the A.M. and P.M. peak hours.

Cumulative impacts relative to pedestrian/bicycle safety would occur if related projects were to adversely affect the same pedestrian facilities or bicycle routes as the Project. There are no bicycle routes within proximity to the Project Site. In addition, with the incorporation of Mitigation Measure TR-2, the Project would result in a less than significant impact with regard to pedestrian/bicycle safety. As with the Project, it is anticipated that the related projects would be subject to review by either the City of Los Angeles or the City of West Hollywood to ensure that impacts relative to pedestrian/bicycle safety would not occur. Therefore, the Project would not contribute to a cumulatively significant pedestrian/bicycle safety impact.

2. PROJECT DESIGN FEATURES

**PDF-Traffic-1**: In order to ensure the vehicles exiting from the Project's Havenhurst Drive driveway do not make left-turns onto southbound Havenhurst Drive, the Applicant shall construct a physical barrier or other equivalent improvement, subject to review and approval by LADOT.

**PDF-Traffic-2**: A Traffic and Parking Management Plan shall be developed for future special events on the Project Site in order to minimize potential operational parking and traffic impacts on the surrounding street system to the extent feasible. The Traffic and Parking Management Plan, which would be subject to review and approval by LADOT, would address traffic and parking management for all future special events on the Project Site. Prior to Project occupancy, the Project Applicant shall enter into an agreement with LADOT that establishes the maximum attendance of future special events above which coordination with prior to the event would be required. Components of the plan, which would be implemented as necessary on an event-by-event basis depending on various factors including the number of attendees, day and time of the event, or other event-specific circumstances, would include measures to effectively direct traffic and manage parking demand during occasional special events that may occur at the Project Site. Traffic and Parking Management Plan strategies, which are anticipated, in part, to facilitate more direct routing to off-street parking lots (if necessary), may include but not be limited to the following:

- Establish an Event Coordination Plan with affected on-site commercial tenants and residential management that may include additional measures related to events, visitor enhancements, parking, loading, etc.;
- Implement traffic and parking management measures for the Project, as appropriate;
- Encourage and identify alternate travel options (ridesharing, public transit) in event-related marketing/media information;
- Deploy lane use signs, changeable message signs, etc., as may be necessary to direct traffic to designated travel routes;
- Reschedule Project operating hours, activities, programs, etc., that are not related to a planned special event to a different day or non-peak periods whenever possible in order to minimize typical project-related traffic on event days;
- Contract with parking operators to provide attendants, flagmen, valets, etc., to expedite vehicle movement in or out of the Project parking garage;
- Secure additional off-site parking spaces and locations, which may include round-trip shuttle service to the site for selected events;
- Assign personnel (e.g. parking monitors) to redirect traffic as needed between the on-site parking areas depending on congestion, and to direct any overflow vehicles to approved designated off-site locations; and
- Provide and promote certain designated passenger loading areas as approved by the City.

3. MITIGATION MEASURES

**Mitigation Measure TR-2**: The on-street valet drop-off turnout lane shall be restricted to right-turn entry only from southbound Crescent Heights Boulevard (no left-turn entry from northbound Crescent Heights Boulevard).

4. FINDINGS

Changes or alterations, project design features, regulatory compliance measures and mitigation measures have been required in, or incorporated into, the Project. These measures will avoid or substantially lessen the potentially significant impacts associated with pedestrian and bicycle access and safety to less than significant levels.

5. RATIONALE FOR FINDINGS

In order to ensure vehicular, bicycle, and pedestrian safety regarding the valet drop off on Crescent Heights, Mitigation Measure TR-2 is being incorporated into the Project. Under Mitigation Measure TR-2, the on-street valet drop-off turnout lane will be restricted to right-turn entry only from southbound Crescent Heights Boulevard. Incorporation of this Mitigation Measure into the Project ensures that the on-street valet parking will result in less than significant impacts to vehicular, bicycle, and pedestrian safety.

In addition, it should be noted that the Project will be required to implement a Transportation Demand Management ("TDM") program in compliance with the City of Los Angeles Transportation Demand Management Ordinance (Section 98.0411 of the LAMC), which would further reduce any potential impacts to fire protection and emergency medical services. The TDM program will incorporate the trip-reduction programs and services identified in the City's ordinance, as feasible or applicable to the Project. As such, the Project's TDM program would include a number of elements to encourage carpooling and ridesharing, bicycle ridership, telecommuting, and other trip-reducing programs.

6. REFERENCE

For a complete discussion of impacts associated with transportation and circulation impacts, please see Section 4.J of the Draft EIR and see Section 2.0 Alternative 9: Enhanced View Corridor and Additional Underground Parking Alternative, Subsection B.10 of the Recirculated DEIR.

## VIII. SIGNIFICANT IMPACTS WHICH REMAIN SIGNIFICANT AFTER MITIGATION MEASURES

The Project would result in the following impacts, which are found to be significant and unavoidable:

### A. CULTURAL RESOURCES – HISTORICAL RESOURCES

1. DESCRIPTION OF EFFECTS

The Project would demolish the Lytton Savings and Loan Association building ("Bank") that Chase Bank currently occupies. The analysis in the draft EIR found the Bank ineligible for treatment as a historical resource under national and state criteria, but assumed the Bank might be eligible under local criteria for its architecture. Demolishing

the Bank would render it ineligible for listing in the National Register or California Register, or as a City Monument. Therefore, Project impacts on the Bank structure would be significant and unavoidable.

Direct impacts of new construction on historic resources within the Project Site would be significant and unavoidable due to the demolition of the Bank. Indirect impacts would be less than significant as the Project would not reduce the integrity or significance of important historical resources in the Project vicinity.

2. PROJECT DESIGN FEATURES

There are no Project Design Features for this environmental issue.

3. MITIGATION MEASURES

**Mitigation Measure HIST-1**: Recordation. Prior to demolition and rehabilitation, the project applicant shall prepare a Historic American Buildings Survey ("HABS") Level II documentation for the Bank and remaining historic property setting, including the parking lot ramp to the former rooftop of the Lytton Center, the staircase and planter from the former Lytton Center on the west side of the Project Site, landscape along the primary Bank elevation, Bouquet Canyon stone wall extending from the primary Bank elevation to the corner of Sunset and Havenhurst, and patio in front of the west Bank elevation. The HABS document shall be prepared by a qualified architectural historian, historic architect, or historic preservation professional who satisfies the United States Secretary of the Interior's ("Secretary of the Interior's") Professional Qualification Standards for History, Architectural History, or Architecture, pursuant to 36 C.F.R. § 61. This document shall record the history of the property and architecture, as well as important events or other significant contributions to the patterns and trends of history with which the property is associated, as appropriate. The property's physical condition, both historic and current, shall be documented through site plans; historic maps and photographs; original as-built drawings; large format photographs; and written data. The building exteriors, representative interior spaces, character-defining features, as well as the property setting and contextual views shall be documented. Field photographs and notes shall also be included. All documentation components shall be completed in accordance with the Secretary of the Interior's Standards and Guidelines for Architectural and Engineering Documentation ("HABS standards"). The HABS documentation shall be submitted to the National Park Service for transmittal to the Library of Congress, and archival copies shall be sent to the City of Los Angeles Office of Historic Resources and Los Angeles Public Library.

**Mitigation Measure HIST-2**: Relocation of Two Art Works. Pursuant to CEQA and the California Art Preservation Act, the two existing integrated artworks on the Project Site including Roger Darricarrere's Screen and David Green's The Family are of recognized quality and shall be relocated and incorporated into the Project design or preserved at an offsite location. The families of the artists shall be notified of the extant artworks and every attempt shall be made to relocate the artworks to an appropriate setting. A relocation plan

would be prepared by a qualified professional conservator and implemented in accordance with nationally recognized conservation guidelines including the Code of Ethics and the Guidelines for Practice of the American Institute for Conservation of Historic and Artistic Works.

**Mitigation Measure HIST-3**: Relocation of Bank. Since retention of the Bank is not feasible for implementation and development of the Project, a feasibility study, subject to City review and approval, shall be prepared weighing the costs, advantages, and disadvantages of relocation. If the study concludes it is feasible to relocate the Bank, the structure's availability in historic preservation websites shall be advertised for a period of not less than thirty (30) days by the Applicant. Any such relocation efforts shall be undertaken in accordance with a Relocation and Rehabilitation Plan prepared by the party taking possession of the structure to be moved. The Relocation and Rehabilitation Plan shall be developed in conjunction with a qualified architectural historian, historic architect, or historic preservation professional who satisfies the Secretary of the Interior's Professional Qualifications Standards for History, Architectural History, or Architecture, pursuant to 36 C.F.R. § 61. The Plan shall include relocation methodology recommended by the National Park Service, which are outlined in the booklet entitled "Moving Historic Buildings," by John Obed Curtis (1979). Upon relocation of the structure to the new site, any maintenance, repair, stabilization, rehabilitation, preservation, conservation, or reconstruction work performed in conjunction with the relocation of the building shall be undertaken in a manner consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Properties. The Relocation and Rehabilitation Plan shall be reviewed and approved by the City of Los Angeles Office of Historic Resources prior to its implementation. In addition, a plaque describing the date of the move and the original location shall be placed in a visible location on of the Bank. Relocation shall not take place until the Bank is first recorded pursuant to Mitigation Measure HIST-1: Recordation.

If after three (3) months it is evident that no party is interested in purchasing the Bank per the mitigation measure stipulated above, then Mitigation Measures HIST-1 and HIST-2 would be required to document and salvage the important history and architecture of the Bank.

**Mitigation Measure HIST-4**: Demolition Monitoring and Salvage. The Applicant shall retain a qualified architectural historian to conduct construction monitoring during demolition. Any important historic fabric associated with the period of significance from 1959-1969, shall be fully recorded in photographic images and written manuscript notes. Prior to the commencement of demolition, significant material such as the concrete-folded plate roof shall be inventoried and evaluated for potential salvage, analysis and interpretation. A qualified architectural historian or historic preservation professional who satisfies the Secretary of the Interior's Professional Qualification Standards for Architectural History, pursuant to 36 C.F.R. § 61, shall prepare the necessary written and illustrated documentation in a construction monitoring and salvage report. This document shall record the history of the Bank's reinforced concrete construction methods during the

period of significance as well document its present physical condition through site plans; historic maps and photographs; sketch maps; digital photography; and written data and text. All documentation components shall be completed in accordance with the Secretary of the Interior's Standards for Archaeological Documentation for above ground structures. The completed documentation shall be placed on file at the South Central Coastal Information Center, California State University, Fullerton, CA; and the City of Los Angeles Public Library. Findings shall be incorporated into the HABS report (see Mitigation Measure HIST-1 above).

4. FINDINGS

Changes or alterations and mitigation measures have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental impact of the Project on historical resources, as identified in the EIR. However, although such measures would reduce the impact, the Project would result in the demolition of the Bank such that it would be rendered ineligible for the National Register, California Register, or as a City Monument, and therefore, Project impacts on the Bank structure would be significant and unavoidable.

It is found pursuant to Public Resources Code Section 21081, subsection (a)(3), that specific economic, legal, social, technological, or other considerations make infeasible the project alternatives identified in the final EIR that would avoid the impacts. For the reasons detailed below and in sections IX.C.6.d) below, including considerations identified in Section XII of these Findings (Statement of Overriding Considerations), it is furthermore found that none of the historic preservation alternatives, including Alternative 6, are feasible.

Indirect impacts of the Project would be less than significant as the Project would not reduce the integrity or significance of important historical resources in the Project vicinity

5. RATIONALE FOR FINDINGS

The above described mitigation measures are being incorporated into the Project to reduce this impact. Mitigation Measures HIST-1, HIST-2, and HIST-3 substantially reduce impacts to historic resources, but do not preserve the Bank. Mitigation Measure HIST-3, Relocation of Bank, involves a study to investigate the feasibility of relocation, and in the event relocation is determined feasible, and an interested party is found to relocate the Bank, it provides that relocation be carried out pursuant to a Rehabilitation and Relocation Plan. In the event relocation occurs, it would remove the Bank from its original location and context, and would have the potential to substantially impair the building through the relocation process. Nonetheless, if the Bank were to be relocated to a compatible location and rehabilitated for commercial use in conformance with the Secretary of the Interior's Rehabilitation Standards, impacts on historic resources would be reduced to a less than significant level. However, because relocation may be infeasible, and an interested party may not be found to relocate the Bank, there is no guarantee that the Bank will not be

demolished and the impacts are therefore considered significant and unavoidable after implementation of mitigation measures.

In addition to prescribing mitigation measures to reduce the impacts of the Project on historic resources, the Draft EIR also evaluated three alternatives that included preservation of the Bank to further explore means for reducing impacts on historic resources. Alternatives that retained the Bank included Alternative 5, Bank Preservation Alternative, Alternative 6, Reduced Height and Bank Preservation Alternative, and Alternative 7, On-Menu Alternative. Alternatives 5 and 6 would entail the removal of all existing buildings on the Project Site with the exception of the on-site Bank, which would be retained in its current location. Alternative 7 would retain a number of existing uses on the Project Site, including the Bank and a fast food drive-through restaurant. Under each of these alternatives the Bank would be rehabilitated for commercial use in conformance with the Secretary of the Interior's Standards (Standards).

The Draft EIR determined that Alternative 6 met, or could partially meet, all of the objectives of the Project. However, under CEQA, "the decision makers may reject as infeasible alternatives that were identified in the EIR as potentially feasible." (*San Diego Citizenry Group v. County of San Diego* (2013) 219 Cal.App.4th 1, 18.) The record includes numerous public comments raising well-founded concerns about the overall design concept of the Original Project and its alternatives, including the historic preservation Alternatives 5, 6 and 7, on the grounds that it would not enhance the quality of the neighborhood, would be visually unappealing, would obstruct views, would not be pedestrian-friendly. The Lead Agency concurs with these concerns and therefore finds that the historic preservation alternatives would not achieve the following Project Objectives:

- Provide an attractive retail face along street frontages;
- Redevelop and revitalize an aging, and underutilized commercial site
- Build upon the existing vitality and diversity of uses in Hollywood by providing a vibrant urban living development along a major arterial and transit corridor;
- Provide high-quality commercial uses to serve residents of the westernmost area of Hollywood in a manner that contributes to a synergy of uses and enhances the character of the area;
- Create a development that complements and improves the visual character of the westernmost area of Hollywood and promotes quality living spaces that effectively connect with the surrounding urban environment through high quality architectural design and detail; and
- Enhance pedestrian activity and neighborhood commercial street life in the westernmost area of Hollywood.

The Lead Agency hereby approves Alternative 9 as the Project because it addresses these public concerns and achieves the above-listed Project Objectives, but Alternative 9 would not be feasible if it incorporated a preserved bank building. The record includes

a letter dated March 24, 2016 provided by the applicant from Gehry Partners, the architectural firm that developed Alternative 9, which states, "we considered whether it would be feasible to meet the design objectives and overall project objectives with a design that preserved the bank building," and concludes, "we determined it was not feasible to meet those objectives with a design that preserved the bank." The City concurs in this determination, for the following reasons set forth in the letter from Gehry Partners:

> "It [the Bank building] does not provide street-front engagement along Sunset Boulevard, it turns its back to Havenhurst Drive, and it impedes pedestrian access to the project from Havenhurst and Sunset. The size and layout of the building limits the number and types of tenants that could occupy the space. We do not believe that this building has the flexibility to adapt to a new usage, which would severely limit the programming of that building. . . . The bank consumes a sizeable portion of the available property, which if preserved, would leave insufficient space to design buildings with comparable function to the ones that we would have to abandon."

#### 6. REFERENCE

For a complete discussion of historic resource impacts, please see Section 4.C.2 of the Draft EIR and Section 2.0 Alternative 9: Enhanced View Corridor and Additional Underground Parking Alternative, Subsection B.3.2 of the Recirculated DEIR, and Topical Response 3 of the Comments and Responses.

## B. NOISE

### 1. DESCRIPTION OF EFFECTS

#### a) CONSTRUCTION

On-site construction noise associated with the Project would expose nearby residential uses to noise levels in excess of established thresholds. Therefore, impacts would be considered potentially significant. Mitigation measures are provided to address this impact.

The EIR included a summary of the construction noise impacts at nearby sensitive receptor locations, designated R3, R4, R5, and R6. Detailed noise calculations for construction activities were provided in Appendix F of the Draft EIR and Appendix A of the Recirculated DEIR. As explained in the EIR, construction noise levels would exceed the Project's significance threshold at multifamily residential uses (R3 and R4) and single-family residential uses (R5). As such, construction-period noise impacts would be significant.

b) VIBRATION

Construction activities would result in sporadic, temporary vibration effects adjacent to the Project Site, which would exceed established thresholds. Thus, construction vibration impacts would be potentially significant.

The construction of the Project would generate ground-borne construction vibration during demolition, shoring and excavation, and large bulldozer operation. Based on the vibration data and analysis set forth in the EIR, the nearest offsite residential structures are the multi-family residential buildings located approximately 5 feet south of the construction site, which would be exposed to vibration velocities beneath the 1.0 inches per second PPV ("PPV") significance threshold regarding potential building damage for off-site residential buildings. However, vibration would exceed the 0.04 PPV perception threshold. Therefore, vibration impacts during construction would be noticeable and therefore significant at the adjacent multi-family residential use (R4), but would be temporary. This is the worst case scenario where the equipment is operating at the perimeter of the Project Site, in very close proximity to the adjacent multi-family residential uses. This would occur only during the site shoring and excavation phase of construction. Vibration would be below the perception threshold at most off-site receptors. However, based on the temporary impacts to the nearest residence (R4), construction vibration impacts would be significant and unavoidable.

2. PROJECT DESIGN FEATURES

**PDF-Noise-1**: The Project contractor(s) would equip all construction equipment, fixed or mobile, with properly operating and maintained noise mufflers, consistent with manufacturers' standards.

3. MITIGATION MEASURES

**Mitigation Measure Noise-1**: Temporary noise barriers shall be used to block the line-of-site between construction equipment and noise-sensitive receptors during project construction, as follows:

- Provide a temporary 15-foot tall noise barrier along the eastern boundary of the Project construction site to reduce construction noise at the multifamily residential uses along Crescent Heights Boulevard (Location R3).
- Provide a temporary 15-foot tall noise barrier along the southern and western boundaries of the Project construction site to reduce construction noise at the multifamily residential uses along Havenhurst Drive (Location R4).
- Provide a temporary 15-foot tall noise barrier along the northern boundary of the Project construction site to reduce construction noise at the single-family residential uses along Selma Avenue (Location R5).

**Mitigation Measure Noise-2**: Construction activities which have the potential to produce substantial vibration shall be scheduled so as to allow only one piece of such equipment

to operate within 50 feet of the multifamily residential uses along the southern boundary of the Project Site.

4. FINDINGS

Changes or alterations including project design features and mitigation measures have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental impact of the Project with regard to noise and vibration, as identified in the EIR. However, although such measures would reduce the impact, the Project would result in temporary noise and vibration impacts above relevant thresholds, and therefore, Project noise and vibration impacts would be significant and unavoidable.

It is found pursuant to Public Resources Code Section 21081, subsection (a)(3), that specific economic, legal, social, technological, or other considerations, including considerations identified in Section XII of these Findings (Statement of Overriding Considerations), make infeasible the project alternative (no project alternative) identified in the final EIR that would avoid the impacts since that alternative would not satisfy any of the Project objectives nor provide any of the Project benefits, as explained in more detail below in Section IX.C.2.

5. RATIONALE FOR FINDINGS

The temporary sound barrier prescribed in mitigation measure Mitigation Measure NOISE-1 can achieve a noise reduction of 10 dBA or more in areas where the line-of-sight between construction-period noise sources and off-site receptor locations is obstructed. Therefore, the maximum construction-period average hourly noise level would be reduced to below the 76 dBA and 67 dBA significance thresholds at Location R3 and Location R5, respectively. Compliance measures would reduce the noise level impact associated with construction activities to the extent practicable. Therefore, construction noise impacts would be less than significant with implementation of mitigation measures at the Locations R3 and Location R5.

Even though a 10-dBA noise reduction is a substantial noise reduction, project construction noise levels would still intermittently increase the daytime ambient noise level above the 66 dBA significance threshold at the multi-family residential uses south and west of the Project Site (Location R4). Thus, as described more fully in the section of the EIR referenced below, construction noise impacts would be significant and unavoidable.

Mitigation Measure NOISE-2 would reduce vibration impacts associated with construction activities to the extent practicable. However, as described above and more fully in the section of the EIR referenced below, construction vibration impacts would remain significant and unavoidable.

6. REFERENCE

For a complete discussion of noise and vibration impacts, please see Section 4.G of the Draft EIR and see Section 2.0 Alternative 9: Enhanced View Corridor and Additional Underground Parking Alternative, Subsection B.7 of the Recirculated DEIR.

## C. TRANSPORTATION AND CIRCULATION - CONSTRUCTION

1. DESCRIPTION OF EFFECTS

For the most part, the Project would not cause substantial delays and disruption of existing traffic flow, result in impacts based on the operational thresholds at intersections during peak periods, require temporary relocation of existing bus stops to more than one-quarter mile from their existing stops, or result in the substantial loss of on-street parking such that the parking needs of the project area would not be met. Temporary construction traffic impacts would, however, be potentially significant during off-peak hours throughout the shoring and excavation phase of construction. As such, construction-related traffic and parking impacts would be considered less than significant for all construction phases except the shoring and excavation phase. During operations, the Project would have a significant cumulative impact on traffic flows at the un-signalized intersection of Fountain Avenue/Havenhurst Drive in the P.M. peak hour in the City of West Hollywood. Although this impact can be mitigated with the addition of a new traffic signal at the impacted intersection, the City of West Hollywood will need to approve this measure in its discretion. Because the mitigation for this impact cannot be assured, the City must assume that the impact will be significant and unavoidable.

a) SHORING AND EXCAVATION IMPACTS

The results of the evaluation of potential construction-related traffic impacts of the Project, including demolition, excavation, and construction activities, indicate that significant construction-related traffic impacts for the Project are generally not anticipated, although temporary significant impacts could occur along Sunset Boulevard between the Project Site (Crescent Heights Boulevard) and the US-101 Freeway during off-peak periods (9:00 A.M. to 4:00 P.M.) during the four-month shoring and excavation phase. The total number of shoring and excavation trips under the Project is expected to be approximately 104 pce trips per hour (52 pce trips in each direction). However, the mid-day (off-peak) hauling activity would be partially offset by the removal of the existing Project Site trips, which are estimated at about 29 total trips per hour (about 15 inbound, 15 outbound) during the off-peak periods. Therefore, the net amount of off-peak haul truck activity on the area roadways or freeway segments associated with the Project would be approximately 75 net pce trips per hour (about 38 pce trips per hour in each direction). Much of the Sunset Boulevard corridor in the Project vicinity and through much of the Hollywood community (between the Project Site and the Hollywood Freeway) currently exhibits or is forecast to operate at LOS F during both the A.M. and P.M. peak hours ("without Project" conditions). Although no peak hour impacts resulting from construction traffic are anticipated, temporary significant impacts could result during some of the midday (off-peak) hours.

The construction traffic during the off-peak hours of operations of the Project's shoring and excavation phase are not anticipated to result in significant regional traffic impacts to the US-101 Freeway or any of the other haul route freeway facilities. Similarly, despite the increase in off-peak midday traffic, a total of about 38 net new pce trips in either direction of the nearby freeways (or about 13 actual trucks per direction per hour), the Project would not be prohibitive or result in substantial changes in the current or forecast operations of the Hollywood Freeway or any of the other haul route freeway facilities.

In general, the proposed haul route would aid in minimizing impacts to the surrounding surface street network by providing a direct route between the Project Site and the US-101 Freeway and avoiding more heavily congested arterials such as Hollywood Boulevard and Santa Monica Boulevard. Further, all construction-related vehicles would stage or park on the Project Site or at a remote location to be identified prior to the initiation of any construction activities, eliminating potential impacts to area traffic flow caused by large vehicles parked along roadways or numerous construction worker vehicles using available public parking. Finally, it should be noted that the Project would be required to prepare a detailed worksite construction traffic control plan for review and approval by the City. This plan would identify any potential lane closures or other items affecting roadway operations in the Project area, and would minimize disruption to normal traffic flows resulting from the construction activities. However, although construction-related traffic impacts would be temporary in nature, they could remain significant and unavoidable, during the midday (off-peak) hours only, for the duration of the shoring and excavation phase of Project construction.

B) INTERSECTION IMPACTS

The Project would result in a significant cumulative impact at the un-signalized intersection of Fountain Avenue/Havenhurst Drive in the P.M. peak hour in the City of West Hollywood in the Existing (Year 2013) With Project and Future (Year 2018) With Project scenarios. As such, impacts to intersections would be considered potentially significant.

The Future (Year 2018) With Project scenario indicates that the Project would contribute to significant impacts during the P.M. peak hour at the unsignalized intersection of Fountain Avenue/Havenhurst Drive located in the City of West Hollywood. With the incorporation of Mitigation Measure TR-1, which would require the installation of a traffic signal at the Fountain Avenue/Havenhurst Drive intersection, Project impacts would be reduced to a less than significant level. However, while the signal would improve the operations of the intersection, the implementation of the mitigation measure is under the jurisdiction of the City of West Hollywood. If the City of West Hollywood were to determine that it does not wish to install a new traffic signal at this location, the Project's potential impact would remain significant and unavoidable and thus, the Project would contribute to a significantly cumulative impact at this intersection.

2. PROJECT DESIGN FEATURES

There are no Project Design Features to address construction-related traffic impacts during the shoring and excavation phase. As discussed in more detail in Section IX.C.2, **PDF-Traffic-1** and **PDF-Traffic-2** would reduce traffic volume and obstacles, but not to the degree necessary to render insignificant the significant cumulative impact on traffic flows at the un-signalized intersection of Fountain Avenue/Havenhurst Drive.

3. MITIGATION MEASURES

No feasible mitigation measures are available that could reduce the significance of construction-related traffic impacts during the shoring and excavation phase.

**Mitigation Measure TR-1**: The applicant shall install a new traffic signal at Fountain Avenue /Havenhurst Drive. The new signal shall be a simple, two-phase signal (one for Fountain Avenue traffic and one for Havenhurst Drive traffic). The signal shall be fully actuated so as to minimize disruption to Fountain Avenue through traffic flows, but provide a "green" indication for both northbound and southbound Havenhurst Drive when traffic on one or both of those approaches begins to exhibit unacceptable delays due to high volumes and/or limited gaps in Fountain Avenue traffic, particularly during the A.M. and P.M. peak traffic periods.

4. FINDINGS

Although construction-related traffic impacts would be temporary in nature, during the midday (off-peak) hours, for the duration of the shoring and excavation phase of Project construction, traffic impacts would be significant and unavoidable.

The implementation of Mitigation Measure TR-1 is under the jurisdiction of the City of West Hollywood. If the City of West Hollywood does not install, or permit the Applicant to install, a new traffic signal at the Fountain Avenue/Havenhurst Drive intersection in the City of West Hollywood, the Project's potential impact would remain significant.

It is found pursuant to Public Resources Code Section 21081, subsection (a)(3), that specific economic, legal, social, technological, or other considerations, including considerations identified in Section XII of these Findings (Statement of Overriding Considerations), make infeasible the project alternative (no project alternative) identified in the final EIR that would avoid the impacts since that alternative would not satisfy any of the Project objectives nor provide any of the Project benefits, as explained in more detail below in Section IX.C.2.

5. RATIONALE FOR FINDINGS

No feasible mitigation measures are available that could reduce the significance of construction-related traffic impacts during the shoring and excavation phase. The Alternatives that could reduce the significance of such impacts are discussed below, and

are found to be infeasible and/or incapable of reducing potentially significant Project impacts to a level of insignificance. As such, and as explained further in the sections of the EIR referenced below, construction-related traffic impacts during the shoring and excavation phase, although temporary, would remain significant and unavoidable.

The Project, without mitigation, would result in a significant impact at the Fountain Avenue/Havenhurst Drive intersection in the City of West Hollywood in the Existing (Year 2013) With Project and the Future (Year 2018) With Project scenarios during the P.M. peak hour. Implementation of Mitigation Measure TR-1 would reduce the significant impact at the Fountain Avenue/Havenhurst Drive intersection to a less than significant level. The new signal would be a simple, two-phase signal (one for Fountain Avenue traffic and one for Havenhurst Drive traffic). The signal would be fully actuated so as to minimize disruption to Fountain Avenue through traffic flows, but provide a "green" indication for both northbound and southbound Havenhurst Drive when traffic on one or both of those approaches begins to exhibit unacceptable delays due to high volumes and/or limited gaps in Fountain Avenue traffic, particularly during the A.M. and P.M. peak traffic periods. As explained in the EIR, the signal would reduce the existing and forecast delays on both approaches of Havenhurst Drive substantially and would improve the operations of the intersection from its current LOS F conditions during the A.M. and P.M. peak hours to LOS A conditions during both periods.

While the Project would be required to implement a TDM program for both its residential and commercial components, the trip reductions associated with the TDM program are not expected to be sufficient to reduce the impact at Fountain Avenue and Havenhurst Drive to less-than-significant levels, and as such, the installation of a new traffic signal at this location remains the recommended mitigation measure to address this impact. The proposed new traffic signal will improve the operations of the intersection to better than the existing or forecast "Without Project" conditions, and therefore fully mitigate the potential impact of the Project at this location. For these reasons, as discussed in greater detail in the below-referenced sections of the EIR, implementation of Mitigation Measure TR-1 will reduce the related impacts to less than significant levels. However, the implementation of Mitigation Measure TR-1 is under the jurisdiction of the City of West Hollywood. If the City of West Hollywood does not install, or permit the Applicant to install, a new traffic signal at the Fountain Avenue/Havenhurst Drive intersection in the City of West Hollywood, the Project's potential impact would remain significant.

## 6. REFERENCE

For a complete discussion of construction traffic impacts, please see Section 4.J of the Draft EIR and see Section 2.0 Alternative 9: Enhanced View Corridor and Additional Underground Parking Alternative, Subsection B.10 of the Recirculated DEIR.

## IX. ALTERNATIVES TO THE ORIGINAL PROJECT

In addition to the Original Project, the Draft EIR evaluated a reasonable range of eight alternatives. These alternatives included: (1) No Project/No Build Alternative; (2) Existing Zoning Alternative; (3) Reduced Height Alternative; (4) Reduced Density Alternative; (5) Bank Preservation Alternative; (6) Reduced Height and Bank Preservation Alternative; (7) On-Menu Alternative; and (8) Residential and Hotel Alternative. In addition, the Recirculated DEIR added and evaluated Alternative 9, the Enhanced View Corridor and Additional Underground Parking Alternative (the Project). In accordance with CEQA requirements, the alternatives include a "No Project" alternative and alternatives capable of eliminating the significant adverse impacts of the Project. These alternatives and their impacts are summarized below. For purposes of this section, impacts of the alternatives, including the Project, are discussed with reference to the Original Project, and with reference to the Project, as appropriate. As discussed in more detail below, with the exception of impacts to archeological and paleontological resources associated with additional excavation, which are incrementally greater (but remain less than significant) for the Project than for the Original Project, the Project will result in similar or lesser environmental impacts in all areas studied in the Draft EIR.

### A. SUMMARY OF FINDINGS

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

### B. PROJECT OBJECTIVES

An important consideration in the analysis of alternatives is the degree to which such alternatives would achieve the objectives of the Project. As more thoroughly described in the EIR, the objectives of the Project are as follows:

- Redevelop and revitalize an aging and underutilized commercial site and surface parking lot with a more efficient and economically viable mix of residential and commercial uses.
- Provide housing to satisfy the varying needs and desires of all economic segments of the community, including very low income households, maximizing the opportunity for individual choices and contributing to Hollywood's housing stock.
- Increase the number of affordable rental housing units in the westernmost area of Hollywood.
- Capitalize on the Site's location in Hollywood by concentrating new housing density and commercial uses, thereby supporting regional mobility goals to encourage development around activity centers, promote the use of public transportation and reduce vehicle trips and infrastructure costs.

- Build upon the existing vitality and diversity of uses in Hollywood by providing a vibrant urban-living development along a major arterial and transit corridor.
- Create new living opportunities in close proximity to jobs, public transit, shops, restaurants and entertainment uses.
- Provide high-quality commercial uses to serve residents of the westernmost area of Hollywood in a manner that contributes to a synergy of uses and enhances the character of the area.
- Bring convenient neighborhood-serving commercial uses within walking distance of numerous apartments and single-family residences in the westernmost area of Hollywood.
- Create a development that complements and improves the visual character of the westernmost area of Hollywood and promotes quality living spaces that effectively connect with the surrounding urban environment through high quality architectural design and detail.
- Enhance pedestrian activity and neighborhood commercial street life in the westernmost area of Hollywood.
- Provide an attractive retail face along street frontages.
- Provide improvements that support and encourage the use of nearby public transit lines and promote the use of bicycles as well as walking.
- Improve the energy efficiency of on-site uses by creating a master planned development that meets the standards for LEED certification.
- Provide housing that supports the economic future of the region in an area in which the necessary infrastructure is already in place.
- Maintain and enhance the economic vitality of the region by providing job opportunities that attract commercial and residential tenants.

## C. PROJECT ALTERNATIVES ANALYZED AND REJECTED

### 1. ORIGINAL PROJECT

#### a) DESCRIPTION OF ALTERNATIVE

Under the Original Project, all existing buildings would be demolished and the Project Site would be developed with 111,339 square feet of new commercial uses located in two new buildings over a single podium. Commercial retail uses would increase by 31,339 square feet compared to the existing 80,000 square feet of retail, office, restaurant, and bank uses. More specifically, the Original Project would dedicate approximately 24,811 square feet to a grocery store use, approximately 51,150 square feet to retail uses, approximately 22,189 square feet to restaurant uses, approximately 8,095 square feet to health club/fitness use, and approximately 5,094 square feet to walk-in bank use. The residential component of the Original Project would offer 249 residential units, including 28 affordable housing units.

Elements of the Original Project would range in height from two stories to 16 stories, with the tallest features reaching approximately 216 feet as measured from the low point of

the Project Site along Havenhurst Drive to the top of the 16-story "South Building"). The "North Building," which will be built along Sunset Boulevard, would include two levels with a rooftop terrace containing exclusively commercial uses. The South Building would contain commercial uses on the first two levels, residential uses on levels three through 15, and a rooftop restaurant/lounge on the top level. The Original Project would have a maximum FAR of 3:1.

Other Project-related improvements, facilities, and amenities would include the conversion of the adjacent City-owned traffic island to provide a 9,134 square foot public space, and the development of 34,050 square feet as a Central Plaza, 6,881 square feet of private resident amenities, and 27,041 square feet of resident balconies and common areas.

b) IMPACT SUMMARY OF ALTERNATIVE

The overall floor area of the Original Project (333,903 square feet) would be slightly less than the Project (334,000 square feet) and the Original Project would avoid the deeper excavation required to provide below-grade parking. However, the Original Project would require a parking podium, more bulky construction, and shorter setbacks, all of which would result in greater, though like the Project, still insignificant, visual impacts.

The Original Project, compared to the Project, would result in greater impacts associated with visual character, views, shade/shadow, operational air quality, greenhouse gas emissions during operations, land use compatibility, parks and recreation, local intersection traffic, parking, public transit impacts, water supply, wastewater, and solid waste. As with the Project, however, these impacts would be less than significant with mitigation. Relative to the Project, the Original Project would result in similar impacts regarding light and glare, construction air quality, AQMP consistency, historical resources, consistency with GHG reduction plans, land use plan consistency, construction noise and vibration, operational noise and vibration, population growth, housing supply, employment growth, fire protection, police protection, libraries, construction-related traffic, and neighborhood roadway segment traffic. The Original Project, in comparison with the Project, would result in incrementally less potential impacts to archaeological and paleontological resources, greenhouse gas emissions during construction, noise during construction, and geology and soils due to the incrementally less excavation.

c) FINDINGS

It is found pursuant to Public Resources Code Section 21081, subsection (a)(3), that specific economic, legal, social, technological, or other considerations, including considerations identified in Section XII of these Findings (Statement of Overriding Considerations), make infeasible the Original Project as described in the EIR. With the Original Project, the new environmental impacts projected to occur from development would be generally similar to those projected to occur from the Project, although some would be slightly greater and some would be slightly reduced. However, the Original

Project does not address public concerns regarding visual impacts and traffic to the same degree as the Project. Because the Original Project would be inferior to the Project with respect to responding to public input and would furthermore not reduce any significant impacts to a level of insignificance, this Alternative is infeasible and is less desirable than the Project.

d) RATIONALE FOR FINDINGS

The Original Project would provide roughly the same floor area and residential units as the Project, but with an increase in the mass of the buildings and decreased views. All uses, including residential, retail, restaurant, supermarket, and walk-in bank, would be the same as under the Project, but, with respect to the commercial/retail uses, would be conducted on a larger scale. All amenities, such as landscaping and the provision of the Central Plaza and Corner Plaza at Sunset Boulevard/Crescent Heights Boulevard would be similar to those under the Original Project. Because the Original Project would offer the same residential land uses and more commercial space compared to the Project, it would meet most of the Project objectives. However, the Original Project does not reduce the level of any environmental impacts to less than significant, compared to the Project/Alternative 9. Moreover, the more compact nature of the Original Project cannot accommodate a distinctive architectural design, and this Alternative thus would not complement or improve the visual character of the westernmost area of Hollywood, or promote quality living spaces that effectively connect with the surrounding urban environment through high quality architectural design and detail. The Original Project would result in greater impacts (to varying extents) on matters that were the subject of significant concerns raised by multiple commenters during the public review process, i.e., obstruction of views, impairment of overall visual quality, provision of insufficient parking, and traffic impacts. Alternative 9, the Project, was introduced to address these public concerns in a manner superior to the Original Project. Because the Original Project would be inferior to the Project with respect to achieving some of Project objectives and would furthermore not reduce any significant impacts to a level of insignificance, this Alternative is less desirable than the Project.

e) REFERENCE

For a complete discussion of impacts associated with the Original Project, please see Chapter 4 of the Draft EIR and see Section 2.0 Subsection B of the Recirculated DEIR (Alternative 9: Enhanced View Corridor and Additional Underground Parking Alternative).

2. ALTERNATIVE 1: NO PROJECT/NO BUILD ALTERNATIVE

a) DESCRIPTION OF ALTERNATIVE

Under Alternative 1, the No Project/No Build Alternative, the Project Site would not be improved or changed from its current condition. Existing uses, including 80,000 square feet of retail, bank, restaurants, offices, and art storage, would continue to operate as under existing conditions. Parking would remain at 222 spaces. The reconfiguration of

the adjacent City-owned traffic island at the southwest corner of Sunset and Crescent Heights Boulevards to provide a 9,134-square-foot public space (i.e., the Corner Plaza) would not occur.

b) IMPACT SUMMARY OF ALTERNATIVE

This alternative would result in no new impacts and no new project benefits. Compared to the Original Project (and Alternative 9), this alternative would result in comparatively less impacts associated with views, shade/shadows, AQMP Consistency, construction air quality, archaeological and paleontological resources, historical resources, geology and soils, land use compatibility, construction and operational noise and vibration, population growth, fire protection, police protection, parks and recreation, libraries, construction traffic, local intersection traffic, public transportation, water supply, wastewater, and solid waste. However, because the Project would have beneficial effects compared to the status quo in a number of resource areas, the no project alternative, although it would have no impact, would have comparatively greater impact in a number of areas. These include visual character, light and glare, operational air quality, GHG emissions and consistency with GHG reduction plans, land use plan consistency, housing supply, employment, and neighborhood roadway segment traffic.

c) FINDINGS

With this Alternative, the new environmental impacts projected to occur from development of the Project would be avoided or reduced. Therefore, this Alternative would be an environmentally superior alternative to the Project. However, this Alternative would only partially meet one of the project objectives. It is found pursuant to Public Resources Code Section 21081, subsection (a)(3), that specific economic, legal, social, technological, or other considerations, including considerations identified in Section XII of these Findings (Statement of Overriding Considerations), make infeasible the No Project/No Build Alternative described in the EIR.

d) RATIONALE FOR FINDINGS

The No Project/No Build Alternative would retain existing uses, including 80,000 square feet of retail, bank, restaurants, offices, and art storage, as under existing conditions. Parking would remain at 222 spaces. This Alternative would only partially meet one of the Project objectives listed above under Subsection B, Project Objectives, as it would continue to provide convenient neighborhood-serving uses within walking distance of the surrounding neighborhoods, but not to the extent the Project would. Furthermore, because no new development would occur, the No Project/No Build Alternative would not meet any of the project's other 17 objectives. The No Project/No Build Alternative additionally would not provide certain environmental benefits that the Project offers, such as the provision of additional housing, including low income housing, and employment opportunities, commercial activity, and public open space in the Project area. Overall, the No Project/No Build Alternative would be inferior to the Project with respect to achieving

all of the important project objectives. Therefore, this Alternative is infeasible and less desirable than the Project and is rejected for the reasons stated above.

e) REFERENCE

For a complete discussion of impacts associated with Alternative 1, please see Section V of the Draft EIR and see Section 2.0 Alternative 9: Enhanced View Corridor and Additional Underground Parking Alternative, Subsections C and D of the Recirculated DEIR.

3. ALTERNATIVE 2: EXISTING ZONING ALTERNATIVE

a) DESCRIPTION OF ALTERNATIVE

Under Alternative 2, the Existing Zoning Alternative, all existing buildings would be demolished and the Project Site would be developed with 111,339 square feet of new commercial uses to be located in three new buildings. This represents a net increase of 31,339 square feet of commercial retail uses compared to the existing 80,000 square feet of retail, office, restaurant, and bank uses. Total development would consist of 111,339 square feet of floor area, which would be the same amount of commercial development as under the Original Project, but with a maximum FAR of 1:1 and maximum building heights of 45 feet (as measured from the lowest elevation on the Project Site at the southwest corner of the property). No residential uses would be developed under this Alternative and the adjacent City-owned traffic island at the southwest corner of the Sunset Boulevard/Crescent Heights Boulevard intersection would not be improved to provide a public plaza. Vehicular site access would be provided via at-grade driveways on Sunset Boulevard, Crescent Heights Boulevard, and Havenhurst Drive, and on-site parking would be provided via a surface parking lot and new structured parking levels, with rooftop parking.

b) IMPACT SUMMARY OF ALTERNATIVE

The Existing Zoning Alternative would result in impacts similar to those of the Original Project with respect to visual character, historical resources, landform alteration, consistency with GHG reduction plans, land use plan consistency, and operational noise and vibration. Like the Original Project, these impacts would be less than significant, except for impacts to historical resources which, like the Project and the Original Project, would be significant and unavoidable. The Existing Zoning Alternative would result in comparatively less impacts than the Original Project associated with views, shade/shadow, construction air quality, archaeological and paleontological resources, geologic hazards, erosion and sedimentation, land use compatibility, police protection, parks and recreation, libraries, public transit, water supply, wastewater, and solid waste. As with the Original Project, all of these impacts would be less than significant. The Existing Zoning Alternative would also result in comparatively less impacts than the Project with regard to construction noise and vibration, although these impacts would remain significant and unavoidable. Construction traffic impacts, some of which are

considered significant and unavailable under the Project, would be reduced to less than significant under the Existing Zoning Alternative. Compared to the Project, however, the Existing Zoning Alternative would result in comparatively greater impacts associated with light and glare, AQMP consistency, operational air quality, GHG emissions, population growth, housing supply, employment, fire protection, local intersection traffic, and neighborhood roadway segment traffic, all of which would nonetheless remain less than significant.

c) FINDINGS

With this Alternative, the new environmental impacts projected to occur from development would be generally similar to those projected to occur from the Original Project and the Project, although some of the environmental impacts, in particular significant, unavoidable traffic impacts during construction, would be reduced. However, this Alternative cannot meet many of the objectives of the Project. It is found pursuant to Public Resources Code Section 21081, subsection (a)(3), that specific economic, legal, social, technological, or other considerations, including considerations identified in Section XII of these Findings (Statement of Overriding Considerations), make infeasible the Existing Zoning Alternative described in the EIR.

d) RATIONALE FOR FINDINGS

The Existing Zoning Alternative would result in the demolition and removal of all existing buildings on the Project Site and construction of 111,339 square feet of commercial uses, which would represent an additional 31,339 square feet of new commercial retail development relative to existing conditions. This Alternative would not provide for the Central Plaza or the Corner Plaza at Sunset Boulevard/Crescent Heights Boulevard. Although this Alternative would provide new commercial development, it would not meet Project objectives associated with housing. The following summarizes those Project objectives that this Alternative would (1) not meet, (2) only partially meet, and (3) fully meet.

(1) The Existing Zoning Alternative would not meet the following Project objectives:

- Provide housing to satisfy the varying needs and desires of all economic segments of the community, including very low income households, maximizing the opportunity for individual choices, and contributing to Hollywood's housing stock.
- Increase the number of affordable rental housing units in the westernmost area of Hollywood.
- Build upon the existing vitality and diversity of uses in Hollywood by providing a vibrant urban-living development along a major arterial and transit corridor.
- Create new living opportunities in close proximity to jobs, public transit, shops, restaurants, and entertainment uses.
- Improve the energy efficiency of on-site uses by creating a master planned development that meets the standards for LEED certification.

- Provide housing that supports the economic future of the region in an area in which the necessary infrastructure is already in place.

(2) The Existing Zoning Alternative would partially meet the following Project objectives:

- Redevelop and revitalize an aging and underutilized commercial site and surface parking lot with a more efficient and economically viable mix of residential and commercial uses.
- Capitalize on the Site's location in Hollywood by concentrating new housing density and commercial uses, thereby supporting regional mobility goals to encourage development around activity centers, promote the use of public transportation, and reduce vehicle trips and infrastructure costs.
- Enhance pedestrian activity and neighborhood commercial street life in the westernmost area of Hollywood.
- Provide improvements that support and encourage the use of nearby public transit lines and promote the use of bicycles as well as walking.
- Maintain and enhance the economic vitality of the region by providing job opportunities that attract commercial and residential tenants.

(3) The Existing Zoning Alternative would fully meet the following Project objectives:

- Provide high-quality commercial uses to serve residents of the westernmost area of Hollywood in a manner that contributes to a synergy of uses and enhances the character of the area.
- Bring convenient neighborhood-serving commercial uses within walking distance of numerous apartments and single-family residences in the westernmost area of Hollywood.
- Create a development that complements and improves the visual character of the westernmost area of Hollywood and promotes quality living spaces that effectively connect with the surrounding urban environment through high quality architectural design and detail.
- Provide an attractive retail face along street frontages.

Overall, the Existing Zoning Alternative could not achieve the majority of Project objectives. Therefore, this Alternative is infeasible and less desirable than the Project and is rejected for the reasons stated above.

e) REFERENCE

For a complete discussion of impacts associated with Alternative 2, please see Section V of the Draft EIR and see Section 2.0 Alternative 9: Enhanced View Corridor and Additional Underground Parking Alternative, Subsections C and D of the Recirculated DEIR.

## 4. ALTERNATIVE 3: REDUCED HEIGHT ALTERNATIVE

### a) DESCRIPTION OF ALTERNATIVE

Alternative 3, the Reduced Height Alternative, would include the same development intensity as the Original Project (and the Project/Alternative 9) with a maximum FAR of 3:1, but with a 25 percent reduction in the maximum height of the Original Project. As with the Original Project, this Alternative would entail the development of 249 residential units, including 28 affordable housing units. The Reduced Height Alternative would have the same development intensity and floor area as the Original Project, but a lower overall building height, represented by a four-story reduction at the taller tower component of the South Building and a one-story increase at the lower component of the South Building. This alternative would also have more commercial/retail space compared to the Original Project and the Project/Alternative 9. All other project-related improvements, facilities, and amenities, including landscaped plazas, street trees, and the conversion of the City-owned traffic island to provide a 9,134-square-foot public space, would be similar to those of the Original Project. Under this Alternative, all existing buildings would be removed from the Project Site.

### b) IMPACT SUMMARY OF ALTERNATIVE

Compared with the Original Project, the Reduced Height Alternative would result in similar impacts associated with visual character, light and glare, AQMP consistency, construction air quality, operational air quality, historical resources, geologic hazards, erosion and sedimentation, landform alteration, GHG emissions, consistency with GHG reduction plans, land use plan consistency, construction noise and vibration, operational noise and vibration, population growth, housing supply, employment, fire protection, police protection, parks and recreation, libraries, construction traffic impacts, local intersection traffic, neighborhood roadway segment traffic, public transit, water supply, wastewater, and solid waste. The Reduced Height Alternative would result in comparatively less impacts than the Original Project associated with views, shade/shadow, archaeological and paleontological resources, and land use compatibility. Like the Original Project, however, all of these impacts would be less than significant. Accordingly, like the Original Project, the Reduced Height Alternative would have less impact than the Project on archaeological and paleontological Resources and greater impacts on visual character, air pollutants and contaminants, GHG emissions, traffic, water and waste. As with the Project, however these impacts would be less than significant, except for impacts to historical resources, construction noise and vibration, and construction traffic, which, like the Project and the Original Project, would be significant and unavoidable.

### c) FINDINGS

With this Alternative, the new environmental impacts projected to occur from development would be generally similar to those projected to occur from the Original Project. Although some of the environmental impacts projected to occur from development of the Original Project would be reduced, this Alternative would not reduce any of the significant impacts

expected under the Original Project or the Project to a level of insignificance. It is found pursuant to Public Resources Code Section 21081, subsection (a)(3), that specific economic, legal, social, technological, or other considerations, including considerations identified in Section XII of these Findings (Statement of Overriding Considerations), make infeasible the Reduced Height Alternative as described in the EIR.

d) RATIONALE FOR FINDINGS

The Reduced Height Alternative would provide the same floor area and residential units as the Original Project, but with a reduction in height. All uses, including residential, retail, restaurant, supermarket, health club, and walk-in bank, would be the same as under the Original Project, but, with respect to the commercial/retail uses, would be conducted on a larger scale. All amenities, such as landscaping and the provision of the Central Plaza and Corner Plaza at Sunset Boulevard/Crescent Heights Boulevard would be similar to under the Original Project. Because the Reduced Height Alternative would offer the same residential land uses and more commercial space compared to the Original Project, it would meet most of the Project objectives. However, the Reduced Height Alternative does not reduce the level of any environmental impacts to less than significant, compared to the Original Project or the Project/Alternative 9. Moreover, the compact nature of the Reduced Height Alternative cannot accommodate a distinctive architectural design, and this Alternative thus would not complement or improve the visual character of the westernmost area of Hollywood, or promote quality living spaces that effectively connect with the surrounding urban environment through high quality architectural design and detail. Further, although shorter than the tallest elements of the Original Project by four stories, the bulky, compacted Reduced Height Alternative would result in greater impacts (to varying extents) that were the subject of significant concerns raised by multiple commenters during the public review process, i.e., obstruction of views, impairment of overall visual quality, provision of insufficient parking, and traffic impacts. Alternative 9, the Project, was introduced to address these public concerns in a manner superior to the Original Project, and will do so in a manner superior to the Reduced Height Alternative as well. Because the Reduced Height Alternative would be inferior to the Project with respect to achieving some of Project objectives and would furthermore not reduce any significant impacts to a level of insignificance, this Alternative is infeasible and is less desirable than the Project.

e) REFERENCE

For a complete discussion of impacts associated with Alternative 3, please see Section V of the Draft EIR and see Section 2.0 Alternative 9: Enhanced View Corridor and Additional Underground Parking Alternative, Subsections C and D of the Recirculated DEIR.

## 5. ALTERNATIVE 4: REDUCED DENSITY ALTERNATIVE

### a) DESCRIPTION OF ALTERNATIVE

Alternative 4, the Reduced Density Alternative, would reduce overall development intensity by 25 percent relative to the Project. This would allow for 187 residential units, including 21 affordable housing units, and 83,500 square feet of commercial uses, for a maximum FAR of 2.25:1. The grocery store floor area would be 18,605 square feet. Total residential floor area would be 167,585 square feet. Total floor area would be 251,377 square feet. Building heights would remain similar to the Original Project, ranging from two stories at the North Building to 16 stories at the South Building, compared to three stories at the North Building and up to 15 stories at the South Building. More specifically, the reduced floor area would result in similar building footprints but an overall reduction in massing by removing two floors from the lower portion of the South Building for a height of seven floors, while maintaining taller 16-story South Building tower and the two-story North Building. The Project, in slight contrast, would have three tower elements of, respectively, five, eleven and fifteen stories. All other project-related improvements, facilities, and amenities, including landscaped plazas, street trees, and the conversion of the adjacent City-owned traffic island to provide a 9,134 square-foot public space, would be similar to those of the Project. Under the Reduced Density Alternative, all existing buildings would be removed from the Project Site.

### b) IMPACT SUMMARY OF ALTERNATIVE

The Reduced Density Alternative would result in similar impacts to the Original Project associated with light and glare, AQMP consistency, archaeological and paleontological resources, historical resources, landform alteration, consistency with GHG reduction plans, land use plan consistency, construction vibration, operational noise and vibration, population growth, housing supply, and employment. As with the Project, these impacts would be less than significant, except for impacts to historical resources and construction vibration, which, like the Project, would be significant and unavoidable. The Reduced Density Alternative would result in comparatively less impacts than the Project associated with visual character, views, shade/shadow, construction air quality, operational air quality, geologic hazards, erosion and sedimentation, GHG emissions, land use compatibility, construction noise, fire protection, police protection, parks and recreation, libraries, construction traffic, local intersection traffic, neighborhood roadway segment traffic, public transit, water supply, wastewater, and solid waste. Like the Project, all of these impacts would be less than significant, except for construction noise and construction traffic. Under the Reduced Density Alternative, although both construction noise and traffic impacts would be comparatively less than those of the Project, they would remain significant and unavoidable.

### c) FINDINGS

With this Alternative, the new environmental impacts projected to occur from development would be generally similar to those projected to occur from the Original Project, although

some would be reduced. However, this Alternative does not meet the objectives of the Project to the same extent as the Original Project or the Project, in particular because it provides significantly less housing. Because the Reduced Density Alternative would be inferior to the Project with respect to achieving some of Project objectives and would furthermore not reduce any significant impacts to a level of insignificance, this Alternative is infeasible and is less desirable than the Project. It is found pursuant to Public Resources Code Section 21081, subsection (a)(3), that specific economic, legal, social, technological, or other considerations, including considerations identified in Section XII of these Findings (Statement of Overriding Considerations), make infeasible the Reduced Density Alternative as described in the EIR.

d) RATIONALE FOR FINDINGS

The Reduced Density Alternative would reduce residential units by 25 percent. All amenities, such as landscaping and the provision of a Central Plaza and public Corner Plaza at the Sunset Boulevard/Crescent Heights Boulevard would be the same as under the Original Project and the Project. All commercial uses associated with the Project, including retail, restaurant, supermarket, health club, and walk-in bank, would be provided, with more floor area (83,500 square feet compared to 65,000 square feet under the Project). As the Reduced Density Alternative would provide the same mix of uses as under the Project, and would provide housing and affordable residential units, it would at least partially meet all of the Project objectives. However, because it would reduce housing density and affordable units, it would not achieve many of the Project objectives to the same extent as the Project. The following summarizes those Project objectives that this Alternative would (1) only partially meet compared to the Project and (2) fully meet compared to the Project:

(1) Compared to the Project, due to the reduction in housing and affordable housing, The Reduced Density Alternative would only partially meet the following Project objectives:

- Redevelop and revitalize an aging and underutilized commercial site and surface parking lot with a more efficient and economically viable mix of residential and commercial uses.
- Provide housing to satisfy the varying needs and desires of all economic segments of the community, including very low income households, maximizing the opportunity for individual choices, and contributing to Hollywood's housing stock.
- Increase the number of affordable rental housing units in the westernmost area of Hollywood.
- Capitalize on the Site's location in Hollywood by concentrating new housing density and commercial uses, thereby supporting regional mobility goals to encourage development around activity centers, promote the use of public transportation, and reduce vehicle trips and infrastructure costs.
- Create new living opportunities in close proximity to jobs, public transit, shops, restaurants, and entertainment uses.

- Provide housing that supports the economic future of the region in an area in which the necessary infrastructure is already in place.

(2) The Reduced Density Alternative would fully meet the following Project objectives:

- Build upon the existing vitality and diversity of uses in Hollywood by providing a vibrant urban-living development along a major arterial and transit corridor.
- Provide high-quality commercial uses to serve residents of the westernmost area of Hollywood in a manner that contributes to a synergy of uses and enhances the character of the area.
- Bring convenient neighborhood-serving commercial uses within walking distance of numerous apartments and single-family residences in the westernmost area of Hollywood.
- Create a development that complements and improves the visual character of the westernmost area of Hollywood and promotes quality living spaces that effectively connect with the surrounding urban environment through high quality architectural design and detail.
- Enhance pedestrian activity and neighborhood commercial street life in the westernmost area of Hollywood.
- Provide an attractive retail face along street frontages.
- Provide improvements that support and encourage the use of nearby public transit lines and promote the use of bicycles as well as walking.
- Improve the energy efficiency of on-site uses by creating a master planned development that meets the standards for LEED certification.
- Maintain and enhance the economic vitality of the region by providing job opportunities that attract commercial and residential tenants.

Overall, the Reduced Density Alternative would be inferior to the Project with respect to achieving all of the important Project objectives. It furthermore would not reduce any significant impacts to a level of insignificance. Therefore, this Alternative is infeasible and less desirable than the Project and is rejected for the reasons stated above.

e) REFERENCE

For a complete discussion of impacts associated with Alternative 4, please see Section V of the Draft EIR and see Section 2.0 Alternative 9: Enhanced View Corridor and Additional Underground Parking Alternative, Subsections C and D of the Recirculated DEIR.

6. ALTERNATIVE 5: BANK PRESERVATION ALTERNATIVE

a) DESCRIPTION OF ALTERNATIVE

Alternative 5, the Bank Preservation Alternative, would include the development of a mixed-use residential/commercial project on the Project Site at the same overall intensity as the Original Project and the Project/Alternative 9, which have a maximum FAR of 3:1.

However, this Alternative would increase residential units and decrease commercial floor area compared to the Original Project and, to a lesser degree, the Project/Alternative 9. The Bank Preservation Alternative would preserve the on-site Chase Bank building in its current location, but would remove all other existing buildings. Alternative 5 would comprise the development of 291 residential units, including 32 affordable housing units, and 62,231 square feet of commercial uses. Total residential floor area would be 271,969 square feet. Grocery store floor area would be up to 15,000 square feet. Total development would consist of approximately 334,000 square feet. Building heights under this Alternative would range from two stories at the Sunset Boulevard retail frontage to 16 stories at the South Building, and the massing of the buildings would vary significantly from that of the Project. The Sunset retail frontage would include the existing Bank, a new retail structure west of the Bank at the corner of Havenhurst Drive and Sunset Boulevard, and a new "flagship" retail building east of the Bank at the corner of Sunset Boulevard and Crescent Heights Boulevard. Given the preservation of the Bank, no rooftop activity would occur at the northwest corner of the Project Site. In addition, a rooftop bar/lounge would not be developed at the top of the South Building, as is also the case with the Project. The excavation for the Bank Preservation Alternative would be slightly more shallow (by four feet) and would be less extensive because the Project offers more parking and does not allow for any above-ground parking, in contrast to the Bank Preservation Alternative. All other Project-related improvements, facilities, and amenities, such as landscaping and the conversion of the adjacent City-owned traffic island to provide a 9,134 square-foot public space would be similar to those of the Project.

Under the Bank Preservation Alternative, as noted above, the Bank building would be retained and rehabilitated for commercial use in conformance with the Secretary of the Interior's Rehabilitation Standards Alterations necessary for commercial use would include replacement of the existing non-original ground floor windows and replacement of exterior ground floor walls on the south and east elevations with new compatible windows, to improve transparency and views through the building. In addition, the existing false clerestory windows would be replaced with new compatible windows to allow natural light into the upper floor and provide views through the new clerestory windows of the folded-plate roof. The double-height interior atrium space would be closed by filling in the mezzanine level with a new floor. The new second floor would be designed to be reversible, and the existing mezzanine balcony and railings would be removed and stored, so that the atrium could be reinstated at a future date. The interior would be repurposed for the new commercial use which would require relocation of Roger Darricarrere's dalle de verre stained glass Screen, either within the Bank building, elsewhere within the Project, or to another appropriate site where it would be preserved. The floating concrete stair at the Bank building's northeast corner would be retained in place or rotated 180 degrees. The alterations and additions at the west end of the Bank building would be removed. The original Bouquet Canyon stone wall would be retained on the north façade along Sunset Boulevard, and The Family, by sculptor David Green, would be retained and preserved in approximately its current location. The Sunset Boulevard frontage would be improved with compatible landscaping in keeping with the original Mid-Century Modern design intent. To ensure conformance with the Secretary of

the Interior Standards, a qualified preservation consultant would be retained by the Applicant to provide input during design development, review the plans for the Bank Preservation Alternative for conformance with the Standards, and conduct construction monitoring to address preservation issues that could arise during construction.

b) IMPACT SUMMARY OF ALTERNATIVE

The Bank Preservation Alternative would result in similar impacts to the Original Project associated with visual character, views, light and glare, AQMP consistency, construction air quality, geologic hazards, erosion and sedimentation, landform alteration, consistency with GHG reduction plans, land use plan consistency, land use compatibility, construction vibration, operational noise and vibration, population growth, housing supply, fire protection, and police protection. As with the Original Project and the Project, these impacts would be less than significant, except for construction vibration impacts, which, as with the Project, would be significant and unavoidable. The Bank Preservation Alternative would result in comparatively less impact than the Original Project and the Project on operational air quality, GHG emissions, local intersection traffic, neighborhood roadway segment traffic, and public transit – all areas where the Project would have less than significant impacts. The Bank Preservation Alternative would also have comparatively less impacts due to construction noise, however these impacts would remain significant and unavoidable. Impacts to historical resources, a significant and unavoidable impact under the Original Project and the Project, would be less than significant with mitigation under the Bank Preservation Alternative. The Bank Preservation Alternative would result in comparatively greater impacts than the Project associated with shade/shadow, employment, parks and recreation, libraries, construction traffic, water supply, and waste water. With the exception of construction transportation impacts, which are significant and unavoidable under both the Project and the Bank Preservation Alternative, all of these impacts remain less than significant (as they are with the Project).

c) FINDINGS

With this Alternative, the new environmental impacts projected to occur from development would be generally similar to those expected to occur from the Project, although some of the insignificant environmental impacts projected to occur from development of the Project would be reduced while others would increase. This Alternative would avoid the significant impact to historical resources that would result from the Project. Nevertheless, this Alternative does not meet a sufficient number of the objectives of the Project to make it feasible. It is found pursuant to Public Resources Code Section 21081, subsection (a)(3), that specific economic, legal, social, technological, or other considerations, including considerations identified in Section XII of these Findings (Statement of Overriding Considerations), make infeasible the Bank Preservation Alternative described in the EIR.

d) RATIONALE FOR FINDINGS

The Draft EIR determined that Alternative 5 met, or could partially meet, the objectives of the Project. However, under CEQA, "the decision makers may reject as infeasible alternatives that were identified in the EIR as potentially feasible." (*San Diego Citizenry Group v. County of San Diego* (2013) 219 Cal.App.4th 1, 18.) The record includes numerous public comments raising well-founded concerns about the overall design concept of the Original Project and its alternatives, including the historic preservation Alternatives 5, 6 and 7, on the grounds that it would not enhance the quality of the neighborhood, would be visually unappealing, would obstruct views, would not be pedestrian-friendly. The Lead Agency concurs with these concerns and therefore finds that the historic preservation alternatives would not achieve the following Project Objectives:

- Provide an attractive retail face along street frontages;
- Redevelop and revitalize an aging, and underutilized commercial site
- Build upon the existing vitality and diversity of uses in Hollywood by providing a vibrant urban living development along a major arterial and transit corridor;
- Provide high-quality commercial uses to serve residents of the westernmost area of Hollywood in a manner that contributes to a synergy of uses and enhances the character of the area;
- Create a development that complements and improves the visual character of the westernmost area of Hollywood and promotes quality living spaces that effectively connect with the surrounding urban environment through high quality architectural design and detail; and
- Enhance pedestrian activity and neighborhood commercial street life in the westernmost area of Hollywood.

The Lead Agency hereby approves Alternative 9 as the Project because it addresses these public concerns and achieves the above-listed Project Objectives, but Alternative 9 would not be feasible if it incorporated a preserved bank building. The record includes a letter dated March 24, 2016 provided by the applicant from Gehry Partners, the architectural firm that developed Alternative 9, which states, "we considered whether it would be feasible to meet the design objectives and overall project objectives with a design that preserved the bank building," and concludes, "we determined it was not feasible to meet those objectives with a design that preserved the bank." The City concurs in this determination, for the following reasons set forth in the letter from Gehry Partners:

> "It [the Bank building] does not provide street-front engagement along Sunset Boulevard, it turns its back to Havenhurst Drive, and it impedes pedestrian access to the project from Havenhurst and Sunset. The size and layout of the building limits the number and types of tenants that could occupy the space. We do not believe that this building has

> the flexibility to adapt to a new usage, which would severely limit the programming of that building. . . . The bank consumes a sizeable portion of the available property, which if preserved, would leave insufficient space to design buildings with comparable function to the ones that we would have to abandon."

In light of these considerations, and notwithstanding the conclusions reached in the EIR, with respect to the ability of the Bank Preservation Alternative to (1) not meet, (2) only partially meet, and (3) fully meet the Project objectives, the City finds as follows:

(1) The Bank Preservation Alternative would not meet the following Project objectives:

- .Redevelop and revitalize an aging and underutilized commercial site and surface parking lot with a more efficient and economically viable mix of residential and commercial uses.
- Build upon the existing vitality and diversity of uses in Hollywood by providing a vibrant urban living development along a major arterial and transit corridor.
- Create a development that complements and improves the visual character of the westernmost area of Hollywood and promotes quality living spaces that effectively connect with the surrounding urban environment through high quality architectural design and detail.
- Provide high-quality commercial uses to serve residents of the westernmost area of Hollywood in a manner that contributes to a synergy of uses and enhances the character of the area.
- Enhance pedestrian activity and neighborhood commercial street life in the westernmost area of Hollywood.
- Provide an attractive retail face along street frontages.

(2) The Bank Preservation Alternative would partially meet the following Project objectives:

- Maintain and enhance the economic vitality of the region by providing job opportunities that attract commercial and residential tenants
- Bring convenient neighborhood-serving commercial uses within walking distance of numerous apartments and single-family residences in the westernmost area of Hollywood.
- Capitalize on the site's location in Hollywood by concentrating new housing density and commercial uses, thereby supporting regional mobility goals to encourage development around activity centers, promote the use of public transportation, and reduce vehicle trips and infrastructure costs.

(3) The Bank Preservation Alternative would fully meet the following Project objectives:

- Provide housing to satisfy the varying needs and desires of all economic segments of the community, including very low income households, maximizing the opportunity for individual choices, and contributing to Hollywood's housing stock.
- Increase the number of affordable rental housing units in the westernmost area of Hollywood.
- Create new living opportunities in close proximity to jobs, public transit, shops, restaurants, and entertainment uses.
- Provide improvements that support and encourage the use of nearby public transit lines and promote the use of bicycles as well as walking.
- Improve the energy efficiency of on-site uses by creating a master planned development that meets the standards for Leadership in Energy and Environmental Design (LEED) certification.
- Provide housing that supports the economic future of the region in an area in which the necessary infrastructure is already in place.

Overall, the Bank Preservation Alternative could not achieve the majority of Project objectives. Therefore, this Alternative is infeasible and less desirable than the Project and is rejected for the reasons stated above.

e) REFERENCE

For a complete discussion of impacts associated with Alternative 5, please see Section V of the Draft EIR and see Section 2.0 Alternative 9: Enhanced View Corridor and Additional Underground Parking Alternative, Subsections C and D of the Recirculated DEIR.

7. ALTERNATIVE 6: REDUCED HEIGHT AND BANK PRESERVATION ALTERNATIVE

a) DESCRIPTION OF ALTERNATIVE

Alternative 6, the Reduced Height and Bank Preservation Alternative, would include the development of a mixed-use residential/commercial project on the Project Site at the same overall intensity as the Project (maximum FAR of 3:1), but would increase residential units and decrease commercial floor area. This Alternative would also preserve the on-site Chase Bank building in its current location. Specifically, this Alternative would entail the removal of all existing buildings on the Project Site except the Bank. Total development would consist of 291 residential units, including 32 affordable housing units, and 62,231 square feet of commercial uses, including a reduced grocery store use of up to 15,000 square feet. Building heights under this Alternative would range from two stories at the Sunset Boulevard retail frontage to 16 stories at the South Building. The Sunset retail frontage would include the existing Bank building, a new retail structure west of the Bank Building at the corner of Havenhurst Drive and Sunset Boulevard, and a new "flagship" retail building east of the Bank building at the corner of Sunset Boulevard and Crescent Heights Boulevard. Due to the preservation of the Bank, no rooftop activity

would occur at the northwest corner of the Project Site. In addition, the rooftop bar/lounge would not be developed at the top of the South Building, as is also the case with the Project. The excavation for the Bank Preservation Alternative would be slightly more shallow (by four feet) and would be less extensive because the Project offers more parking and does not allow for any above-ground parking. All other Project-related improvements, facilities, and amenities such as landscaping and the conversion of the adjacent City-owned traffic island to provide a 9,134 square-foot public space would be similar to those of the Project.

Under the Reduced Height and Bank Preservation Alternative, as noted above, the Bank building would be retained and rehabilitated for commercial use in conformance with the Standards and in the same manner as described for Alternative 5.

b) IMPACT SUMMARY OF ALTERNATIVE

The Reduced Height and Bank Preservation Alternative would result in similar impacts to the Original Project associated with visual character, light and glare, AQMP consistency, construction air quality, geologic hazards, erosion and sedimentation, landform alteration, consistency with GHG reduction plans, land use plan consistency, construction vibration, operational noise and vibration, population growth, fire protection, and police protection. As with the Project, these impacts would be less than significant, except for construction vibration impacts, which, as with the Original Project and the Project/Alternative 9, would be significant and unavoidable. The Reduced Height and Bank Presentation Alternative would result in different but comparable impacts compared to the Project associated with views, as the Reduced Height and Bank Preservation Alternative would reduce the overall height of the development, while the Project would break of the massing of the project to allow for views through the development. The Reduced Height and Bank Presentation Alternative would result in comparatively less impacts than the Project associated with operational air quality, shade/shadows, historical resources, GHG emissions, land use compatibility, construction noise, local intersection traffic, neighborhood roadway segment traffic, public transit, and solid waste. Similar to the Original Project (and the Project), all of these impacts would be less than significant, except for construction noise, which would be significant and unavoidable under any alternative. In contrast to the Original Project and the Project, impacts to historical resources would be less than significant with mitigation under the Reduced Height and Bank Preservation Alternative. However, because of its greater residential capacity, the Reduced Height and Bank Preservation Alternative would result in comparatively greater impacts than the Original Project and the Project associated with employment, parks and recreation, libraries, construction traffic, water supply, and waste water. With the exception of construction transportation impacts, which are significant and unavoidable under the Original Project, the Project, and the Reduced Height and Bank Preservation Alternative, all of these impacts would be less than significant.

c) FINDINGS

With this Alternative, the new environmental impacts projected to occur from development would be generally similar to those insignificant impacts projected to occur from the Project, with a few notable exceptions. In particular, Alternative 6 would avoid the significant impact to historical resources that would result from the Project. However, Alternative 6 does not meet a sufficient number of the objectives of the Project. It is found pursuant to Public Resources Code Section 21081, subsection (a)(3), that specific economic, legal, social, technological, or other considerations, including considerations identified in Section XII of these Findings (Statement of Overriding Considerations), make infeasible the Bank Preservation Alternative described in the Draft EIR.

d) RATIONALE FOR FINDINGS

The Draft EIR determined that Alternative 6 met, or could partially meet, the objectives of the Project. However, under CEQA, "the decision makers may reject as infeasible alternatives that were identified in the EIR as potentially feasible." (*San Diego Citizenry Group v. County of San Diego* (2013) 219 Cal.App.4th 1, 18.) The record includes numerous public comments raising well-founded concerns about the overall design concept of the Original Project and its alternatives, including the historic preservation Alternatives 5, 6 and 7, on the grounds that it would not enhance the quality of the neighborhood, would be visually unappealing, would obstruct views, would not be pedestrian-friendly. The Lead Agency concurs with these concerns and therefore finds that the historic preservation alternatives would not achieve the following Project Objectives:

- Provide an attractive retail face along street frontages;
- Redevelop and revitalize an aging, and underutilized commercial site
- Build upon the existing vitality and diversity of uses in Hollywood by providing a vibrant urban living development along a major arterial and transit corridor;
- Provide high-quality commercial uses to serve residents of the westernmost area of Hollywood in a manner that contributes to a synergy of uses and enhances the character of the area;
- Create a development that complements and improves the visual character of the westernmost area of Hollywood and promotes quality living spaces that effectively connect with the surrounding urban environment through high quality architectural design and detail; and
- Enhance pedestrian activity and neighborhood commercial street life in the westernmost area of Hollywood.

The Lead Agency hereby approves Alternative 9 as the Project because it addresses these public concerns and achieves the above-listed Project Objectives, but Alternative 9 would not be feasible if it incorporated a preserved bank building. The record includes a letter dated March 24, 2016 provided by the applicant from Gehry Partners, the architectural firm that developed Alternative 9, which states, "we considered whether it

would be feasible to meet the design objectives and overall project objectives with a design that preserved the bank building," and concludes, "we determined it was not feasible to meet those objectives with a design that preserved the bank." The City concurs in this determination, for the following reasons set forth in the letter from Gehry Partners:

> "It [the Bank building] does not provide street-front engagement along Sunset Boulevard, it turns its back to Havenhurst Drive, and it impedes pedestrian access to the project from Havenhurst and Sunset. The size and layout of the building limits the number and types of tenants that could occupy the space. We do not believe that this building has the flexibility to adapt to a new usage, which would severely limit the programming of that building. . . . The bank consumes a sizeable portion of the available property, which if preserved, would leave insufficient space to design buildings with comparable function to the ones that we would have to abandon."

In light of these considerations, and notwithstanding the conclusions reached in the EIR, with respect to the ability of the Reduced Height and Bank Preservation Alternative to (1) not meet, (2) only partially meet, and (3) fully meet the Project objectives, the City finds as follows:

(1) The Reduced Height and Bank Preservation Alternative would not meet the following Project objectives:

- Redevelop and revitalize an aging and underutilized commercial site and surface parking lot with a more efficient and economically viable mix of residential and commercial uses.
- Build upon the existing vitality and diversity of uses in Hollywood by providing a vibrant urban living development along a major arterial and transit corridor.
- Create a development that complements and improves the visual character of the westernmost area of Hollywood and promotes quality living spaces that effectively connect with the surrounding urban environment through high quality architectural design and detail.
- Provide high-quality commercial uses to serve residents of the westernmost area of Hollywood in a manner that contributes to a synergy of uses and enhances the character of the area.
- Enhance pedestrian activity and neighborhood commercial street life in the westernmost area of Hollywood.
- Provide an attractive retail face along street frontages.

(2) The Reduced Height and Bank Preservation Alternative would partially meet the following Project objectives:

- Maintain and enhance the economic vitality of the region by providing job opportunities that attract commercial and residential tenants
- Bring convenient neighborhood-serving commercial uses within walking distance of numerous apartments and single-family residences in the westernmost area of Hollywood.
- Capitalize on the site's location in Hollywood by concentrating new housing density and commercial uses, thereby supporting regional mobility goals to encourage development around activity centers, promote the use of public transportation, and reduce vehicle trips and infrastructure costs.

(3) The Reduced Height and Bank Preservation Alternative would fully meet the following Project objectives:

- Provide housing to satisfy the varying needs and desires of all economic segments of the community, including very low income households, maximizing the opportunity for individual choices, and contributing to Hollywood's housing stock.
- Increase the number of affordable rental housing units in the westernmost area of Hollywood.
- Create new living opportunities in close proximity to jobs, public transit, shops, restaurants, and entertainment uses.
- Provide improvements that support and encourage the use of nearby public transit lines and promote the use of bicycles as well as walking.
- Improve the energy efficiency of on-site uses by creating a master planned development that meets the standards for Leadership in Energy and Environmental Design (LEED) certification.
- Provide housing that supports the economic future of the region in an area in which the necessary infrastructure is already in place.

Overall, the Reduced Height and Bank Preservation Alternative could not achieve the majority of Project objectives. Therefore, this Alternative is infeasible and less desirable than the Project and is rejected for the reasons stated above.

e) REFERENCE

For a complete discussion of impacts associated with Alternative 6, please see Section V of the Draft EIR and see Section 2.0 Alternative 9: Enhanced View Corridor and Additional Underground Parking Alternative, Subsections C and D of the Recirculated DEIR.

8. ALTERNATIVE 7: ON-MENU ALTERNATIVE

a) DESCRIPTION OF ALTERNATIVE

Alternative 7, the On-Menu Alternative, would involve the construction of a new 28-story residential condominium tower over retail uses and structured parking levels, but would

retain a number of existing uses on the Project Site, including the existing Chase Bank building and fast food drive-thru restaurant. Under Alternative 7, the Bank building would be retained and rehabilitated for commercial use in conformance with the Secretary of the Interior's Rehabilitation Standards (Standards), as under Alternatives 5 and 6 described above. The On-Menu Alternative would qualify for a 3:1 FAR for a portion of the Project Site pursuant to LAMC Section 12.22-A,25(f)(4)(ii) and a 1.35 FAR for the balance of the Project Site pursuant to LAMC Section 12.22-A,25(f)(4)(i). The Alternative would have an overall FAR of approximately 2.5:1. This Alternative would provide 146 residential units including 30 affordable housing units. Commercial uses, including existing uses to be retained and new retail construction, would comprise approximately 47,500 square feet of floor area, a reduction of approximately 28-percent compared to the Project. Total residential floor area would be 228,032 square feet, which includes resident-only amenities such as a pool/pool deck, recreation room, resident bar/lounge, fitness room, business center/library, changing rooms, and private terraces. Total floor area would be 278,032 square feet, which represents a 17-percent reduction compared to the Project. The residential component would include 116 market rate units (31 one-bedroom, 50 two-bedroom, 23 three-bedroom, and 12 four-bedroom units) and 30 affordable one-bedroom units in 23 stories over five levels of structured above- and below-grade parking. Commercial uses would include retail space, sit-down restaurants, fast-food restaurants (existing), and a walk-in bank (existing). Building heights under this Alternative would reach a maximum of 28 stories. Because commercial floor area would be substantially reduced and retail uses, such as the grocery store proposed under the Project would not be provided, parking requirements for the On-Menu Alternative would be substantially reduced compared to the Project. Thus, the subterranean parking would be reduced to one level and a sizeable reduction in Project-related grading and excavation volumes would be achieved. On-site amenities would include public and private open space, such as the Corner Plaza, Central Plaza, roof terraces, and pool deck, as well as landscaping and the conversion of the adjacent City-owned traffic island to provide a 9,134 square-foot public space would be similar to those of the Project.

### b) IMPACT SUMMARY OF ALTERNATIVE

The On-Menu Alternative would result in similar impact to the Project associated with light and glare, AQMP consistency, landform alteration, consistency with GHG reduction plans, operational noise and vibration, fire protection, and police protection. As with the Project, all such impacts would be less than significant. The On-Menu Alternative would result in comparatively less impacts than the Project associated with construction air quality, operational air quality, archaeological and paleontological resources, historical resources, geologic hazards, erosion and sedimentation, GHG emissions, construction noise and vibration, population growth, parks and recreation, libraries, construction traffic, local intersection traffic, neighborhood roadway segment traffic, public transit, water supply, wastewater, and solid waste. As with the Project, all of these impacts would be less than significant, except for construction noise, construction vibration, and construction traffic. But although construction noise, vibration, and traffic impacts would be comparatively less than those of the Project, they would remain significant and

unavoidable under Alternative 7. Impacts to historical resources would be reduced to less than significant with mitigation under the On-Menu Alternative. The On-Menu Alternative would result in comparatively greater impacts than the Project associated with visual character, views, shade/shadow, land use plan consistency, land use compatibility, housing supply, and employment. Although these impacts would be comparatively greater than those of the Project, they would remain less than significant under the On-Menu Alternative.

c) FINDINGS

With this Alternative, the new environmental impacts projected to occur from development would be generally similar to those projected to occur from the Project, with some impacts being greater and others being less impactful – but all less than significant. This Alternative would, however, avoid the significant impact to historical resources that would result from the Project. However, this Alternative does not meet a sufficient number of the objectives of the Project. It is found pursuant to Public Resources Code Section 21081, subsection (a)(3), that specific economic, legal, social, technological, or other considerations, including considerations identified in Section XII of these Findings (Statement of Overriding Considerations), make infeasible the On-Menu Alternative described in the EIR.

d) RATIONALE FOR FINDINGS

The On-Menu Alternative would provide substantially fewer residential units than the Project. Commercial uses associated with the Project, including retail, restaurants, and walk-in bank, would be provided but with substantially less floor area, and a supermarket would not be included. All other amenities, such as landscaping and the provision of a Central Plaza and Corner Plaza at Sunset Boulevard/Crescent Heights Boulevard would be similar to the Project. The On-Menu Alternative would also offer similar residential and commercial land uses, as anticipated under the Project, and, as such, it would at least partially meet most of the Project objectives. However, because it would provide fewer residences, reduced commercial uses and no supermarket, and because it would maintain mismatched existing structures, it would not meet the majority of the Project objectives. The record includes numerous public comments raising well-founded concerns about the overall design concept of the Original Project and its alternatives, including the historic preservation Alternatives 5, 6 and 7, on the grounds that it would not enhance the quality of the neighborhood, would be visually unappealing, would obstruct views, would not be pedestrian-friendly. The Lead Agency concurs with these concerns and therefore finds that the historic preservation alternatives would not achieve the following Project Objectives:

- Provide an attractive retail face along street frontages;
- Redevelop and revitalize an aging, and underutilized commercial site
- Build upon the existing vitality and diversity of uses in Hollywood by providing a vibrant urban living development along a major arterial and transit corridor;

- Provide high-quality commercial uses to serve residents of the westernmost area of Hollywood in a manner that contributes to a synergy of uses and enhances the character of the area;
- Create a development that complements and improves the visual character of the westernmost area of Hollywood and promotes quality living spaces that effectively connect with the surrounding urban environment through high quality architectural design and detail; and
- Enhance pedestrian activity and neighborhood commercial street life in the westernmost area of Hollywood.

The Lead Agency hereby approves Alternative 9 as the Project because it addresses these public concerns and achieves the above-listed Project Objectives, but Alternative 9 would not be feasible if it incorporated a preserved bank building. The record includes a letter dated March 24, 2016 provided by the applicant from Gehry Partners, the architectural firm that developed Alternative 9, which states, "we considered whether it would be feasible to meet the design objectives and overall project objectives with a design that preserved the bank building," and concludes, "we determined it was not feasible to meet those objectives with a design that preserved the bank." The City concurs in this determination, for the following reasons set forth in the letter from Gehry Partners:

> "It [the Bank building] does not provide street-front engagement along Sunset Boulevard, it turns its back to Havenhurst Drive, and it impedes pedestrian access to the project from Havenhurst and Sunset. The size and layout of the building limits the number and types of tenants that could occupy the space. We do not believe that this building has the flexibility to adapt to a new usage, which would severely limit the programming of that building. . . . The bank consumes a sizeable portion of the available property, which if preserved, would leave insufficient space to design buildings with comparable function to the ones that we would have to abandon."

In light of these considerations and notwithstanding the conclusions reached in the EIR, with respect to the ability of the Reduced Height and Bank Preservation Alternative to (1) not meet, (2) only partially meet, and (3) fully meet the Project objectives, the City finds as follows:

(1) The On-Menu Alternative would not meet the following Project objectives:

- Redevelop and revitalize an aging and underutilized commercial site and surface parking lot with a more efficient and economically viable mix of residential and commercial uses.
- Build upon the existing vitality and diversity of uses in Hollywood by providing a vibrant urban living development along a major arterial and transit corridor.

- Create a development that complements and improves the visual character of the westernmost area of Hollywood and promotes quality living spaces that effectively connect with the surrounding urban environment through high quality architectural design and detail.
- Provide high-quality commercial uses to serve residents of the westernmost area of Hollywood in a manner that contributes to a synergy of uses and enhances the character of the area.
- Enhance pedestrian activity and neighborhood commercial street life in the westernmost area of Hollywood.
- Provide an attractive retail face along street frontages.

(2) The On-Menu Alternative would partially meet the following Project objectives:

- Maintain and enhance the economic vitality of the region by providing job opportunities that attract commercial and residential tenants
- Bring convenient neighborhood-serving commercial uses within walking distance of numerous apartments and single-family residences in the westernmost area of Hollywood.
- Capitalize on the site's location in Hollywood by concentrating new housing density and commercial uses, thereby supporting regional mobility goals to encourage development around activity centers, promote the use of public transportation, and reduce vehicle trips and infrastructure costs.

(3) The On-Menu Alternative would fully meet the following Project objectives:

- Provide housing to satisfy the varying needs and desires of all economic segments of the community, including very low income households, maximizing the opportunity for individual choices, and contributing to Hollywood's housing stock.
- Increase the number of affordable rental housing units in the westernmost area of Hollywood.
- Create new living opportunities in close proximity to jobs, public transit, shops, restaurants, and entertainment uses.
- Provide improvements that support and encourage the use of nearby public transit lines and promote the use of bicycles as well as walking.
- Improve the energy efficiency of on-site uses by creating a master planned development that meets the standards for Leadership in Energy and Environmental Design (LEED) certification.
- Provide housing that supports the economic future of the region in an area in which the necessary infrastructure is already in place.

Overall, the On-Menu Alternative could not achieve the majority of Project objectives. Therefore, this Alternative is infeasible and less desirable than the Project and is rejected for the reasons stated above.

e) REFERENCE

For a complete discussion of impacts associated with Alternative 7, please see Section V of the Draft EIR and see Section 2.0 Alternative 9: Enhanced View Corridor and Additional Underground Parking Alternative, Subsections C and D of the Recirculated DEIR.

9. ALTERNATIVE 8: RESIDENTIAL AND HOTEL ALTERNATIVE

a) DESCRIPTION OF ALTERNATIVE

Alternative 8, the Residential and Hotel Alternative, would remove all existing buildings from the Project Site for the construction of residential condominiums, a full-service, 180-room hotel, and restaurant space within the hotel. The Alternative would have an FAR of approximately 3:1, and would, similar to the Project, have a 9- to 16-story South Building containing hotel and residential uses and a two-story North Building containing hotel accessory uses. This Alternative would provide 115 residential units including 13 affordable housing units. The hotel and related accessory uses would comprise approximately 153,381 square feet of floor area. Total residential floor area would be 179,888 square feet. Total floor area would be 333,269 square feet, which represents a small reduction compared to the Project, which has a total developed floor area of 334,000 square feet. The hotel use would comprise 135 standard rooms and 45 suites in the 9-story portion of the South Building over structured above- and below grade parking. Hotel accessory uses would include a restaurant, bar/lounge, fitness center, and meeting rooms. Because commercial floor area would be substantially reduced and retail uses, such as the grocery store proposed under the Project, would not be provided, parking requirements for the Residential and Hotel Alternative would be somewhat reduced compared to the Project. Thus, the Project's subterranean parking Level B2 would be reduced in area by over 50 percent, and thus a sizeable reduction in Project-related grading and excavation volumes would be achieved. On-site amenities, which would include public and private open space, Central Plaza, roof terraces, pool deck, and rooftop restaurant/lounge, landscaping, and the conversion of the adjacent City-owned traffic island to provide the 9,134 square-foot public Corner Plaza would be similar to those of the Original Project. Alternative 9 (the Project), however, eliminated some of those amenities, including the rooftop restaurant/lounge.

b) IMPACT SUMMARY OF ALTERNATIVE

The Residential and Hotel Alternative would result in similar impact to the Project associated with views, light and glare, shade/shadow, AQMP consistency, construction air quality, historical resources, landform alteration, consistency with GHG reduction plans, land use plan consistency, land use compatibility, operational noise and vibration, fire protection, and police protection. As with the Project, these impacts would be less than significant, except for impacts to historical resources, which, as with the Project, would be significant and unavoidable. The Residential and Hotel Alternative would result in comparatively less impact than the Project associated with visual character, operational

air quality, archaeological and paleontological resources, geologic hazards, erosion and sedimentation, GHG emissions, construction noise and vibration, population growth, parks and recreation, libraries, construction traffic, local intersection traffic, neighborhood roadway segment traffic, public transit, and solid waste. As with the Project, all of these impacts would be less than significant, except for construction noise, construction vibration, and construction traffic. Under the Residential and Hotel Alternative, although construction noise, vibration, and traffic impacts would be comparatively less than those of the Project, they would remain significant and unavoidable. The Residential and Hotel Alternative would result in comparatively greater impacts than the Project associated with housing supply, employment, water supply, and wastewater. Although these impacts would be comparatively greater than those of the Project, they would remain less than significant under the Residential and Hotel Alternative.

c) FINDINGS

With this Alternative, the new environmental impacts projected to occur from development would be generally similar to those projected to occur from the Project. However, although some of the environmental impacts projected to occur from development of the Project would be reduced, no significant impacts would be reduced to a level of insignificance. Moreover, this Alternative does not meet the objectives of the Project to the same extent as the Project. Because the Residential and Hotel Alternative would be inferior to the Project with respect to achieving some of Project objectives and would furthermore not reduce any significant impacts to a level of insignificance, this Alternative is infeasible and is less desirable than the Project. It is found pursuant to Public Resources Code Section 21081, subsection (a)(3), that specific economic, legal, social, technological, or other considerations, including considerations identified in Section XII of these Findings (Statement of Overriding Considerations), make infeasible the Residential and Hotel Alternative as described in the EIR.

d) RATIONALE FOR FINDINGS

The Residential and Hotel Alternative would provide substantially fewer residential units than the Project. Specifically, it includes 13 affordable units compared to the Project's 28 affordable units. The Residential and Hotel Alternative would provide a hotel use in place of the Project's retail, supermarket, and walk-in bank. Landscaping, a Central Plaza at the Project Site's interior, and a public plaza at the southwest corner of the Sunset Boulevard/Crescent Heights Boulevard would all be provided as under the Original Project. Although the Residential and Hotel Alternative would not offer the same amount of residential development and public-oriented commercial uses, such as a supermarket, as the Project, it would partially meet most of the Project objectives. However, because this Alternative would not provide as many housing units (including affordable units) or as much commercial square footage as the Project, it would not achieve the Project objectives related to residential and commercial development to the extent the Project would. The following summarizes those Project objectives that this Alternative would (1) not meet, (2) only partially meet compared to the Project, and (3) fully meet.

(1) The Residential and Hotel Alternative would not meet the following Project objectives:

- Provide high-quality commercial uses to serve residents of the westernmost area of Hollywood in a manner that contributes to a synergy of uses and enhances the character of the area.
- Bring convenient neighborhood-serving commercial uses within walking distance of numerous apartments and single-family residences in the westernmost area of Hollywood.

(2) The Residential and Hotel Alternative would only partially meet the following Project objectives:

- Redevelop and revitalize an aging and underutilized commercial site and surface parking lot with a more efficient and economically viable mix of residential and commercial uses.
- Provide housing to satisfy the varying needs and desires of all economic segments of the community, including very low income households, maximizing the opportunity for individual choices, and contributing to Hollywood's housing stock.
- Increase the number of affordable rental housing units in the westernmost area of Hollywood.
- Capitalize on the Site's location in Hollywood by concentrating new housing density and commercial uses, thereby supporting regional mobility goals to encourage development around activity centers, promote the use of public transportation, and reduce vehicle trips and infrastructure costs.
- Create new living opportunities in close proximity to jobs, public transit, shops, restaurants, and entertainment uses.
- Provide an attractive retail face along street frontages.
- Provide housing that supports the economic future of the region in an area in which the necessary infrastructure is already in place.
- Maintain and enhance the economic vitality of the region by providing job opportunities that attract commercial and residential tenants.
- Create a development that complements and improves the visual character of the westernmost area of Hollywood and promotes quality living spaces that effectively connect with the surrounding urban environment through high quality architectural design and detail.
- Enhance pedestrian activity and neighborhood commercial street life the westernmost area of Hollywood.

(3) The Residential and Hotel Alternative would fully meet the following Project objectives:

- Build upon the existing vitality and diversity of uses in Hollywood by providing a vibrant urban living development along a major arterial and transit corridor.
- Provide improvements that support and encourage the use of nearby public transit lines and promote the use of bicycles as well as walking.

- Improve the energy efficiency of on-site uses by creating a master planned development that meets the standards for LEED certification.

Overall, the Residential and Hotel Alternative would be inferior to the Project with respect to achieving all of the important Project objectives. Therefore, this Alternative is infeasible and less desirable than the Project and is rejected for the reasons stated above.

e) REFERENCE

For a complete discussion of impacts associated with Alternative 8, please see Section V of the Draft EIR and see Section 2.0 Alternative 9: Enhanced View Corridor and Additional Underground Parking Alternative, Subsections C and D of the Recirculated DEIR.

## 10. ENVIRONMENTALLY SUPERIOR ALTERNATIVE

Section 15126.6(e)(2) of the State CEQA Guidelines indicates that an analysis of alternatives to an Original Project shall identify an environmentally superior alternative among the alternatives evaluated in an EIR and that if the "no project" alternative is the environmentally superior alternative, the EIR shall identify another environmentally superior alternative among the remaining alternatives. With respect to identifying an Environmentally Superior Alternative among those analyzed in the Draft EIR and this RP-DEIR, the range of feasible Alternatives includes the No Project/No Build Alternative, Existing Zoning Alternative, Reduced Height Alternative, Reduced Density Alternative, Bank Preservation Alternative, Reduced Height and Bank Preservation Alternative, On-Menu Alternative, Residential and Hotel Alternative, and Enhanced View Corridor and Additional Underground Parking Alternative.

The No Project/No Build Alternative is considered the overall environmentally superior Alternative as it would avoid nearly all of the impacts that would occur under the Project. It should be noted however, that although most impacts would be avoided under the No Project/No Build Alternative, beneficial aspects of the Project, such as the upgrading of the property with distinctive architecture and landscaping and the fulfillment of numerous regional and City plan and policy goals for the area would not occur. As indicated above, without development of a mixed-use residential and commercial project at the Project Site, the No Project/No Build Alternative would only partially meet one of the Project's 15 objectives.

Recognizing that maintaining the status quo will often be the environmentally superior alternative when an agency considers a new project, the State CEQA Guidelines require that lead agencies identify an alternative that would result in the fewest adverse environmental impacts other than the No Project/No Build Alternative when that alternative is identified as the environmentally superior alternative. None of the build Alternatives would reduce unavoidable temporary impacts related to construction noise and vibration to an insignificant level, and only the Existing Zoning Alternative would reduce the temporary construction traffic impact to less than significant. Three of the

Alternatives would preserve and reuse the existing Bank building (Bank Preservation Alternative, Reduced Height and Bank Preservation Alternative, and On-Menu Alternative), thus eliminating a significant unavoidable impact to a potentially historical resource. The analysis in the EIR determined that, among these alternatives, the Reduced Height and Bank Preservation Alternative would be the environmentally superior Alternative. In addition to eliminating a significant unavoidable impact to historical resources through preservation and reuse of the Bank building, that Alternative would also (1) reduce, but not eliminate, a significant unavoidable temporary impact associated with construction- related noise and (2) otherwise reduce the majority of Project-related impacts to some degree.

As discussed in more detail above, and contrary to the conclusions reached in the EIR, the City finds that none of the Bank preservation alternatives is a feasible alternative, because all three alternatives fail to meet or partially meet a substantial number of the Project objectives.

### D. ALTERNATIVES CONSIDERED BUT REJECTED: OFF-SITE LOCATION ALTERNATIVE

The City considered whether any feasible alternative locations exist. Development under the Off-Site Location Alternative would be similar to the Project but at a different location than the Project Site. This Alternative would include development of a mixed-use commercial and residential development with a comparable mix of land uses, amenities, open space, and design features, to the extent another property would allow for a similar design. However, the Project was designed to take advantage of the specific conditions at the Project Site, including its unique location at the western edge of the City of Los Angeles portion of the Sunset Strip, its existing subterranean space which reduces the need for excavation for parking levels, its location adjacent to a City-owned traffic island that would be converted to a usable public open space amenity, and direct accessibility to streets and sidewalks on three sides of the property. Very few, if any available properties with similar characteristics exist in the Project area, a circumstance which presents a significant challenge to locating a suitable alternative site to construct the proposed uses. Moreover, development of the Project at an alternative location (if one were available and controlled by the Project applicant) would likely result in environmental impacts similar to those identified for the Project, including significant and unavoidable impacts associated with traffic, construction noise and vibration impacts, and construction-related traffic impacts. Additionally, the Project applicant owns the entirety of the Project Site, and, as such, the costs associated with purchasing another comparable property in the Hollywood area, if such a property could be located, would be financially prohibitive. As such, the City finds that an Off-Site Location Alternative is

infeasible and in accordance with Section 15126.6(f) of the CEQA Guidelines this Alternative was eliminated from in-depth evaluation in the EIR.

## X. FINDINGS REGARDING GENERAL IMPACT CATEGORIES

### A. GROWTH-INDUCING IMPACTS

Section 15126.2(d) of the CEQA Guidelines requires a discussion of the ways in which an Original Project could induce growth. This includes ways in which a project would foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment. Section 15126.2(d) of the CEQA Guidelines states:

> Discuss the ways in which the Original Project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment. Included in this are projects which would remove obstacles to population growth (a major expansion of a waste water treatment plant might, for example, allow for more construction in service areas). Increases in the population may tax existing community service facilities, requiring construction of new facilities that could cause significant environmental effects. Also discuss the characteristic of some projects which may encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively. It must not be assumed that growth in any area is necessarily beneficial, detrimental, or of little significance to the environment.

The Project would provide a mixed-use development with 65,000 square feet of commercial uses, 30 residential condominium units and 219 rental apartment units. The commercial uses would add approximate 48 (net) new employees and 505 residents to the Hollywood Community Plan area and City of Los Angeles. The projected population growth would represent approximately 2.5 percent of the Hollywood Community Plan area's 2014-2035 planning horizon provided in the 2012 SCAG RTP and 0.11- percent of the City of Los Angeles 2014-2035 planning horizon. The projected employment growth would represent approximately 0.7 percent of the Hollywood Community Plan area's 2014-2035 planning horizon provided in the 2012 SCAG RTP and 0.03-percent of the City of Los Angeles 2014-2035 planning horizon. Increases in population, housing, and employment associated with the Project are therefore consistent with SCAG's growth projections for the period between 2013 and 2017, the Project build out year, for the Community Plan area and the City as a whole.

Although the vast majority of employees for future on-site uses would likely already live in the Project area, it is possible that some would relocate from areas outside the Hollywood Community Plan area or to the City of Los Angeles. To the degree that some

new employees may move into the area to be closer to their workplace, the number would be limited, and not enough demand would be generated to trigger the need for construction of additional housing in light of the new housing that would be part of the project.

The Project Site is well served by a network of regional transportation facilities. The vicinity surrounding the Project is highly urbanized, served by current infrastructure (e.g., roads and utilities) and generally built-out. The Project's only off-site infrastructure improvements would consist of tie-ins to the existing utility main-lines already serving the project area. The Project would not require the construction of off-site infrastructure that would provide additional infrastructure capacity for other future development. It would not open inaccessible sites to new development other than existing opportunities for development that are already available. Consequently, the City finds that the Project would not foster growth-inducing impacts.

### B. SIGNIFICANT IRREVERSIBLE IMPACTS

CEQA Guidelines Section 15126.2(c) indicates that:

> Uses of nonrenewable resources during the initial and continued phases of the project may be irreversible since a large commitment of such resources makes removal or nonuse thereafter unlikely. Primary impacts and, particularly, secondary impacts (such as highway improvement which provides access to a previously inaccessible area) generally commit future generations to similar uses. Also irreversible damage can result from environmental accidents associated with the project. Irretrievable commitments of resources should be evaluated to assure that such current consumption is justified.

The construction of the Project would necessarily consume limited, slowly renewable, and non-renewable resources. This consumption would occur during the construction phase of the project and would continue throughout its operational lifetime. Project development would require a commitment of resources that would include: (1) building materials, (2) fuel and operational materials/resources, and (3) the transportation of goods and people to and from the Project Site. Project construction would require the consumption of resources that are non-replenishable or may renew so slowly as to be considered non-renewable. These resources would include the following construction supplies: certain types of lumber and other forest products; aggregate materials used in concrete and asphalt such as sand, gravel and stone; metals such as steel, copper, and lead; petrochemical construction materials such as plastics; and water. Furthermore, nonrenewable fossil fuels such as gasoline and oil would also be consumed in the use of construction vehicles and equipment, as well as the transportation of goods and people to and from the Project Site.

Project operation would continue to expend nonrenewable resources that are currently consumed within the City. These include energy resources such as electricity and natural gas, petroleum-based fuels required for vehicle-trips, fossil fuels, and water. Fossil fuels would represent the primary energy source associated with both construction and ongoing operation of the Project, and the existing, finite supplies of these natural resources would be incrementally reduced. Project operation would occur in accordance with Title 24, Part 6 of the California Code of Regulations, as well as numerous local regulations and Original Project design features which establish conservation practices that would limit the amount of energy consumed by the Project. However, the energy requirements associated with the Project would still represent a long-term commitment of essentially nonrenewable resources.

At the same time, the Project would contribute to a land use pattern that would reduce reliance on private automobiles and the consumption of non-renewable resources when considered in a larger context. Most notably, the Project would provide high density housing within a mixed-use center containing retail, restaurant, supermarket, and walk-in bank uses. As discussed in Section 4.F, Land Use, of the Draft EIR, project implementation would make use of density bonuses and increase density at the outside edge of the SCAG Compass Blueprint 2% Strategy area; along a mixed-use corridor, served by three bus routes connecting with the Metro regional transportation system. As such, it contributes to the general intent of the 2% Strategy area, while leaving sites directly within that area available for higher density development.

Further, the Project would include design features and be subject to building regulations that would reduce the demands for energy resources needed to support project operation. The Project would be designed to meet the standards for LEED "Silver" level certification by the U.S. Green Building Council or its equivalent through the incorporation of green building techniques and other sustainability features. A sustainability program would be prepared and monitored by an accredited design consultant to provide guidance in project design, construction and operations, and to provide performance monitoring during project operations to reconcile design and energy performance and enhance energy savings. It would also be designed to comply with the Los Angeles Green Building Code and the 2013 CalGreen Code; and would in some cases exceed those standards and provide green features not otherwise required. The analysis of project impacts on greenhouse gas emissions in Section 4.E, Greenhouse Gas Emissions, of the Draft EIR provides a discussion of State efforts to reduce greenhouse gas emissions, such reduction requiring concurrent reductions in the consumption of non-renewable resources.

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

The Project would be located nearby existing and potential future planned public transportation, provide access to on-site uses from existing pedestrian pathways, and provide bicycle parking facilities. With LEED® Silver Certificate or equivalent building design; use of renewable resources and recycling; and efficiencies of location, land use diversity, destination accessibility and transit accessibility; the City finds that the Project's irreversible changes to the environment related to the consumption of the nonrenewable resources would not be significant.

### C. ENERGY USE

Section 21100(b) of the State CEQA Guidelines requires that an EIR include a detailed statement setting forth mitigation measures proposed to minimize a project's significant effects on the environment, including but not limited to measures to reduce the wasteful, inefficient, and unnecessary consumption of energy. Appendix F of the State CEQA Guidelines states that, in order to ensure that energy implications are considered in project decisions, the potential energy implications of a project shall be considered in an EIR, to the extent relevant and applicable to the project. Appendix F further states that a project's energy consumption and proposed conservation measures may be addressed, as relevant and applicable, in the Project Description, Environmental Setting and Impact Analysis portions of technical sections, as well as through mitigation measures and alternatives.

In accordance with Appendix F of the State CEQA Guidelines, the EIR includes relevant information and analyses that address the energy implications of the Project.

#### 1. CONSTRUCTION-RELATED ENERGY CONSUMPTION

The Project would entail an approximately 24-month construction period. Anticipated construction phases include: demolition; site shoring, excavation, and grading; building construction; sitework and closeout; and architectural coating. The Project, which includes the construction of a 4-level underground parking garage, would require the excavation and export of some 136,500 cubic yards of soil from roughly 2.56 acres. Construction of the Project would generate roughly 6,500 cubic yards of demolition debris, resulting in a total of approximately 143,000 cubic yards of material requiring off-site removal.

##### a) ESTIMATED ENERGY CONSUMPTION

The demolition phase would last for approximately 2 months, resulting in an estimated 3,250 tons of demolition debris. Heavy-duty, diesel-powered equipment and vehicles including industrial saws, excavators, loaders, and haulers would be involved in demolition work. Demolition trucks would make about 320 one-way trips to haul this debris to off-site recycling and disposal facilities.

Site shoring, excavation, and grading would take approximately 3 months, to begin immediately following the completion of the demolition phase. Heavy-duty, diesel-

powered equipment and vehicles including bore/drill rigs, dozers, excavators, backhoes, loaders, and haulers would be involved in demolition work Hauling trucks would make some 21,000 one-way trips to transport the roughly 136,500 cubic yards of excavated materials to off-site recycling and disposal facilities.

Construction of the new retail building and residential towers would last approximately 18 months, to begin immediately following the completion of the shoring, grading, and excavation phase. Heavy-duty construction equipment and vehicles in this phase would include aerial lifts, cranes, generator sets, pumps, and welders. Most of these vehicles will be diesel-fueled, although smaller equipment may be powered by electricity, gasoline, or natural gas.

The sitework/closeout and the architectural coating phases will take approximately 9 months and 6 months, respectively, and will run concurrently with the construction phase. These activities will require the use of heavy-duty equipment and vehicles including off-highway trucks, paving equipment, pumps, and air compressors.

Construction equipment fuels—including diesel, gasoline, and natural gas—would be acquired from local or regional suppliers and vendors. When needed, the Los Angeles Department of Water and Power will provide electricity by way of existing on-site connections. The Department of Water and Power would also provide a temporary water supply when needed for suppressing fugitive dust and for street sweeping. The use of electricity and water for construction purposes should not result in a net increase in consumption over the existing uses on the Site, which will be terminated during the demolition phase.

The Project Site should provide adequate space for parking for construction workers. In addition, the Site should accommodate the simultaneous staging of construction equipment and materials. The number of construction workers on-site would vary depending on the phase of the Project, up to 200 during the construction phase. Workers and vendors will make roughly 500 one-way trips per day during the concurrent building construction, sitework, and architectural coating construction phases.

b) ENERGY CONSERVATION: REGULATORY COMPLIANCE

The Project would require that construction contractors demonstrate compliance with applicable CARB regulations governing the accelerated retrofitting, repowering, or replacement of heavy duty diesel on- and off-road equipment. In addition, CARB has adopted an ATCM to limit heavy-duty diesel motor vehicle idling in order to reduce public exposure to diesel particulate matter and other Toxic Air Contaminants. This measure prohibits diesel-fueled commercial vehicles greater than 10,000 pounds from idling for more than five minutes at any given time. CARB has also approved the Truck and Bus regulation (CARB Rules Division 3, Chapter 1, Section 2025, subsection (h)) to reduce $NO_X$, $PM_{10}$, and $PM_{2.5}$ emissions from existing diesel vehicles operating in California; this regulation will be phased in with full implementation by 2023. CARB also recently promulgated emission standards for off-road diesel construction equipment of greater

than 25 horsepower. The regulation aims to reduce emissions by requiring the installation of diesel soot filters and encouraging the retirement, replacement, or repower of older, dirtier engines with newer emission-controlled models. Implementation began January 1, 2014 and the compliance schedule requires that best available control technology turnovers or retrofits be fully implemented by 2023 for large and medium equipment fleets and by 2028 for small fleets. Complying with these anti-idling regulations would reduce emissions and construction-related energy use by equipment and vehicles.

With respect to solid waste, the City of Los Angeles Solid Waste Management Policy Plan, a long-range policy plan adopted in 1993, promotes source reduction or recycling for a minimum of 50 percent of the City's waste by 2000 and 70 percent of the waste by 2020. The RENEW LA Plan, adopted by the City in 2006 to decrease dependency on landfills and to incentivize local recycling and re-manufacturing industries, is intended to achieve a zero waste goal through reducing, reusing, recycling, or converting the resources currently going to disposal, and calls for obtaining a minimum 90 percent diversion level by 2025. The City's Bureau of Sanitation has established the Solid Waste Integrated Resources Plan ("SWIRP") planning process to implement RENEW LA and directives of the Mayor and City Council to achieve a 70 percent recycling rate by 2015 and a 90 percent rate by 2025. A Final Environmental Impact Report for the City's SWIRP was released in late 2014.

Additionally, in the City, the Waste Hauler Permit Program (Ordinance 181519), effective January 1, 2011, requires that all private waste haulers collecting solid waste within the City, including construction and demolition waste, to obtain AB 939 Compliance Permits and to transport construction and demolition waste to City certified construction and demolition processing facilities. These facilities process materials for reuse and have recycling rates that vary from 70 percent to 94 percent, which exceeds the 70 percent reclamation standard. The Project would involve contracts with construction and demolition waste haulers in compliance with Ordinance 181519. Through compliance with applicable City regulations and contracting with approved waste haulers, the Project would achieve, at a minimum, the required 70 percent source reduction and recycling rate.

c) ENERGY CONSERVATION: PROJECT DESIGN FEATURES AND MITIGATION MEASURES

The Project would incorporate certain features to minimize travel by construction workers and to ensure efficient construction deliveries, reducing associated fuel consumption. In particular, the Project would mitigate any construction-related traffic impacts by implementing a thorough worksite Construction Traffic Management Plan ("CTMP") approved by the Los Angeles Department of Transportation. The CTMP will include information about street closures, detour plans, haul routes, and staging plans, and it will point to specific steps to reduce effects on the neighboring community. Among other elements, the CTMP may include:

- Designating haul routes for vehicles transporting solid waste from the Site to solid waste facilities in Sun Valley, Irwindale, and Wilmington;
- Providing for temporary traffic control (e.g., flag men) when needed to improve traffic flow during construction;
- Scheduling construction to reduce the effect on traffic flow;
- Directing construction trucks to travel on uncongested streets to the extent feasible;
- To the extent feasible, providing on-site parking for construction-related vehicles to minimize the use of public parking spaces on surrounding streets;
- Taking safety precautions for pedestrians and bicyclists (e.g., alternate routing and protection barriers);
- Scheduling construction-related deliveries outside of commuter peak hours; and
- Obtaining any required permits for truck haul routes from the City.

Equipment and materials generally would be staged within the project's boundaries, but some staging, concrete pouring, and crane siting would occur on the parking lanes of Sunset Boulevard, as necessary. Construction workers would park at an off-site location, with shuttle service to the construction site. Although traffic impacts related to construction would be minimized to the extent feasible through the steps listed above and would be only temporary in duration, traffic impacts could remain significant and unavoidable during the off-peak hours in the middle of the day.

## 2. OPERATION AND MAINTENANCE ENERGY CONSUMPTION

The Project proposes to replace the existing uses on the Site—two commercial retail buildings and associated parking—with a commercial retail building and two residential buildings providing 249 residential units, including 28 affordable housing units. Anticipated commercial uses include a grocery store, restaurant(s), a walk-in bank, and additional retail. The Project would provide 820 parking spaces, mostly in an underground parking garage that will be built. The Project will achieve certain energy-efficiency standards to optimize energy use and reduce energy costs.

### a) ANTICIPATED ENERGY CONSUMPTION

Once completed, the Project would generate demand for electricity, natural gas, and water supply, as well as generating wastewater requiring conveyance, treatment and disposal off-site, and solid waste requiring disposal off-site. Residents and commercial visitors also would consume transportation fuels when traveling to and from the Site.

The Department of Water and Power provides electricity and water to the Project Site and the Southern California Gas Company provides natural gas. The Project's consumption of these resources would be minimal compared to overall supplies, and the net change in energy use will be even less because the existing commercial uses would terminate. Solid waste collection services are provided by the City of Los Angeles Bureau of

Sanitation, and the Project's annual solid waste generation would be a negligible portion of the County's annual waste generation and would account for a minor percentage of the remaining capacity in available landfills.

In the fiscal year ending June 2013, the Department of Water and Power clients consumed 23.5 billion kilowatt-hours ("kWh") with an end-use sector breakdown of: 12.8 billion kWh for the commercial sector, 8.4 billion kWh for residential, 1.9 billion for industrial, and 0.4 billion for other sectors. In 2012, the Department of Water and Power could call upon 7,300 megawatts of electric capacity. The mix of resources providing power to Los Angeles included 20% eligible renewables, 21% natural gas, 10% nuclear, 4% large hydroelectric, 33% coal, and 12% other.

The use of energy provided by alternative (i.e., renewable) resources, off-site and on-site, to meet the Project's operation demands is constrained by the energy portfolio mix managed by the Department of Water and Power, the service provider for the Site, and limitations on the availability or feasibility of on-site energy generation.

The Department of Water and Power is required to commit to the use of renewable energy sources for compliance with the California Renewable Energy Resources Act, as defined in its 2013 Renewables Portfolio Standard Policy and Enforcement Program. The Department of Water and Power has committed to meeting the requirement to procure at least 33 percent of their energy portfolio from renewable sources by 2020 through the procurement of energy from eligible renewable resources, to be implemented as fiscal constraints, renewable energy pricing, system integration limits, and transmission constraints permit. Eligible renewable resources are defined in the 2013 Renewable Portfolio Standard to include biodiesel; biomass; hydroelectric and small hydro (30 Mega Watts ["MW"] or less); Los Angeles Aqueduct hydro power plants; digester gas; fuel cells; geothermal; landfill gas; municipal solid waste; ocean thermal, ocean wave, and tidal current technologies; renewable derived biogas; multi-fuel facilities using renewable fuels; solar photovoltaic; solar thermal electric; wind; and "other renewables that may be defined later".

The Department of Water and Power's target procurement of energy from renewable resources is 25% by the end of 2016. As of 2012, the most recent year for which data is available, eligible renewables accounted for 20% its overall power resources. This represents the available off-site renewable sources of energy that would meet Project demand.

With respect to on-site renewable energy sources, because of the Project's location, there are no local sources of energy from the following sources: geothermal, biodiesel, biomass hydroelectric and small hydro, digester gas, fuel cells, landfill gas, municipal solid waste, ocean thermal, ocean wave, and tidal current technologies, or multi-fuel facilities using renewable fuels.

With respect to solar and wind, these sources are infeasible on site for several reasons. First, these sources provide only intermittent power and thus require other forms of

generation (such as natural-gas fired generation) that can run constantly to meet demand. Second, the California Energy Commission has concluded that there is insufficient wind resource potential in the Los Angeles basin, and moreover, there is not a suitable location on-site for a wind turbine. Finally, there is insufficient solar energy capacity on site to generate an appreciable percentage of the electricity that the Project would demand.

b) ENERGY CONSERVATION: REGULATORY COMPLIANCE

The California Energy Commission first adopted the Energy Efficiency Standards for Residential and Nonresidential Buildings (California Code of Regulations, Title 24, Part 6) in 1978 in response to a legislative mandate to reduce energy consumption in the state. Part 11 of the Title 24 Building Standards Code is referred to as the California Green Building Standards Code. The purpose of the California Green Building Standards Code is to "improve public health, safety and general welfare by enhancing the design and construction of buildings through the use of building concepts having a positive environmental impact and encouraging sustainable construction practices in the following categories: (1) Planning and design; (2) Energy efficiency; (3) Water efficiency and conservation; (4) Material conservation and resource efficiency; and (5) Environmental air quality." As of January 1, 2011, the California Green Building Standards Code is mandatory for all new buildings constructed in the state. The California Green Building Standards Code establishes mandatory measures for new residential and non-residential buildings. Such mandatory measures include energy efficiency, water conservation, material conservation, planning and design and overall environmental quality. The California Green Building Standards Code was most recently updated in 2013 to include new mandatory measures for residential as well as nonresidential uses; the new measures took effect on January 1, 2014. The Project would comply with the applicable provisions of Title 24 and the California Green Buildings Standards.

With respect to solid waste, the Project would be required to comply with applicable regulations, including those pertaining to waste reduction and recycling. In accordance with the City's Space Allocation Ordinance (Ordinance No. 171,687), which requires that all new development projects provide an adequate recycling area or room for collecting and loading recyclable materials, the Project would provide on-site recycling collection facilities. Additionally, the Project would promote compliance with the California Integrated Waste Management Act of 1989 (AB 939) through source reduction and recycling programs.

c) ENERGY CONSERVATION: PROJECT DESIGN FEATURES AND MITIGATION MEASURES

The Project incorporates numerous sustainability features designed not only to satisfy the requirements of the California Green Building Standards Code, but also to achieve United States Green Building Council LEED Silver Certification. A LEED-accredited design consultant will provide guidance in project design and construction and will monitor operations of the Project so as to ensure design and energy performance and enhanced energy savings. The Project would incorporate design features to optimize energy

performance and reduce building energy costs by 10 percent or more as compared to ASHRAE 90.1-2010, Appendix G, and the California Building Standards Code. In addition, the Project commits to sourcing power from renewable energy providers, including a contract specifying the provision of 100 percent of the Project's energy from green power, carbon offsets, and/or renewable energy certificates during the first 5 years of the project's development. Prior to receiving building permits, the project developers would provide adequate proof of energy optimization through such measures as energy simulations, energy-simulation analyses for similar buildings, and published data about similar buildings.

d) ENERGY CONSERVATION: MATERIALS

The Project incorporates numerous sustainability features, the benefits of which would include reduced energy use from building materials. Among other measures, the Project would include a construction waste management plan to minimize the use and waste of construction materials; high-efficiency lighting fixtures and appliances to minimize energy use; locally-sourced materials, where feasible, to reduce transportation-related energy use; and, responsibly sourced wood products to minimize impacts on forests.

3. OPERATIONAL TRANSPORTATION ENERGY CONSUMPTION

The mixed uses of the Project would garner benefits that would reduce vehicle trips and result in corresponding reductions in transportation-related energy demand. By siting the Project next to existing residential and commercial land uses, The Project residents and neighbors would be able to reduce vehicle trips and vehicle miles travelled. By comparison, walking, biking, and other forms of non-automotive transit would be more feasible. Regarding bicycling, The Project would provide over 620 bike parking places, in compliance with the City's Bicycle Parking Ordinance.

Transportation fuels, primarily gasoline and diesel, would be provided by local or regional suppliers and vendors. In 2012, California consumed a total of 337,666 thousand barrels of gasoline for transportation, which is equivalent to a total annual consumption of 14.1 billion gallons by the transportation sector. For diesel, California consumed a total of 72,945 thousand barrels for transportation, which equivalent to a total annual consumption of 3 billion gallons by the transportation sector. Project-related vehicles would require a fraction of a percent of the total state's transportation fuel consumption. A 2009 study by Caltrans found that the statewide average fuel economy for all vehicle types (automobiles, trucks, and motorcycles) was 18.133 miles per gallon. Based on the Project's estimated vehicle miles traveled of 10.54 million miles per year, and assuming the Project's mix of vehicle types (automobiles, trucks, and motorcycles) have an average fuel economy of 18.133, approximately 581,000 gallons of fuel would be required in a year. Assuming 82 percent of the fuel is gasoline, this would represent roughly 0.004 percent of the statewide annual gasoline consumption.

Section 21100(b) of the State CEQA Guidelines requires that an EIR include a detailed statement setting forth mitigation measures proposed to minimize a project's significant

effects on the environment, including but not limited to measures to reduce the wasteful, inefficient, and unnecessary consumption of energy. Appendix F of the State CEQA Guidelines states that, in order to ensure that energy implications are considered in project decisions, the potential energy implications of a project shall be considered in an EIR, to the extent relevant and applicable to the project. Appendix F further states that a project's energy consumption and proposed conservation measures may be addressed, as relevant and applicable, in the Project Description, Environmental Setting and Impact Analysis portions of technical sections, as well as through mitigation measures and alternatives. The EIR discusses the Project's compliance with these requirements on pages 6-6 to 6-22 of the Draft EIR, as well as in Chapter 2, Project Description, and Sections 4.E (Greenhouse Gas Emissions) and 4.J (Transportation and Circulation) of the Draft EIR.

## XI. OTHER CEQA CONSIDERATIONS

1. The City, acting through the Department of City Planning, is the "Lead Agency" for the Project evaluated in the EIR. The City finds that the EIR was prepared in compliance with CEQA and the CEQA Guidelines. The City finds that it has independently reviewed and analyzed the EIR for the Project, that the Draft EIR and the Recirculated Draft EIR which was circulated for public review reflected its independent judgment and that the Final EIR reflects the independent judgment of the City.

2. The EIR evaluated the following potential Project and cumulative environmental impacts: Aesthetics/Visual Impacts, Air Quality, Geology and Soil (Geotechnical), Greenhouse Gas Emissions, Land Use, Transportation and Circulation, Noise and Vibration, Visual Resources, Light and Glare, Geotechnical, Water Resources, Air Quality, Cultural Resources, Public Services, Utilities, and Population, Housing and Employment. Additionally, the EIR considered, in separate sections, Significant Irreversible Environmental Changes, Growth Inducing Impacts of the Project and Energy. The significant environmental impacts of the Project and the alternatives were identified in the EIR.

3. The City finds that the EIR provides objective information to assist the decisionmakers and the public at large in their consideration of the environmental consequences of the Project. The public review periods provided all interested jurisdictions, agencies, private organizations, and individuals the opportunity to submit comments regarding both the Draft EIR and Recirculated DEIR. The Final EIR was prepared after the review periods and responds to comments made during the public review periods.

4. The Department of City Planning evaluated comments on environmental issues received from persons who reviewed the Draft EIR. In accordance with CEQA, the Department of City Planning prepared written responses describing the disposition of significant environmental issues raised. The Final EIR provides adequate, good faith and reasoned responses to the comments. The Department of City Planning reviewed the comments received and responses thereto and has determined that neither the comments received nor the responses to such comments add significant new

information regarding environmental impacts to the Draft EIR except to the extent that those comments were addressed in the recirculated portions of the Draft EIR. Similarly, the Department of City Planning reviewed the comments received on the recirculated portions of the Draft EIR and responses thereto and has determined that neither the comments received nor the responses to such comments add significant new information regarding environmental impacts. The Lead Agency has based its actions on full appraisal of all viewpoints, including all comments received up to the date of adoption of these findings, concerning the environmental impacts identified and analyzed in the EIR.

5. The Final EIR documents changes to the Draft EIR and the RP-DEIR and accordingly provides additional information that was not included in the Draft EIR or the RP-DEIR. Having reviewed the information contained in the Draft EIR, the RP-DEIR, and the Final EIR and the administrative record, as well as the requirements of CEQA and the CEQA Guidelines regarding recirculation of Draft EIRs, the City finds that there is no new significant impact, substantial increase in the severity of a previously disclosed impact, significant information in the record of proceedings or other criteria under CEQA that would require additional recirculation of the Draft EIR, or that would require preparation of a supplemental or subsequent EIR. Specifically, the City finds that:

    - The Responses to Comments contained in the Final EIR fully considered and responded to comments claiming that the Project would have significant impacts or more severe impacts not disclosed in the Draft EIR or recirculated portions of the Draft EIR and include substantial evidence that none of these comments provided substantial evidence that the Project would result in changed circumstances, significant new information, considerably different mitigation measures, or new or more severe significant impacts than were discussed in the Draft EIR.

    - The City has thoroughly reviewed the public comments received regarding the Project and the Final EIR as it relates to the Project to determine whether under the requirements of CEQA, any of the public comments provide substantial evidence that would require recirculation of the EIR prior to its adoption and has determined that recirculation of the EIR is not required.

    - None of the information submitted after publication of the Final EIR, including testimony at the public hearings on the Project, constitutes significant new information or otherwise requires preparation of a supplemental or subsequent EIR. The City does not find this information and testimony to be credible evidence of a significant impact, a substantial increase in the severity of an impact disclosed in the Final EIR, or feasible a feasible mitigation measure or alterative not included in the Final EIR.

6. The mitigation measures identified for the Original Project were included in the Draft EIR, Recirculated DEIR, and Final EIR. As revised, the final mitigation measures for the Project are described in the Mitigation Monitoring and Reporting Program

("MMRP"). Each of the mitigation measures identified in the MMRP is incorporated into the Project. The City finds that the impacts of the Project have been mitigated to the extent feasible by the mitigation measures identified in the MMRP.

7. CEQA requires the Lead Agency approving a project to adopt a Mitigation Monitoring Program ("MMP") or the changes to the project which it has adopted or made a condition of project approval in order to ensure compliance with the mitigation measures during project implementation. The mitigation measures included in the EIR as certified by the City and revised in the MMP as adopted by the City serve that function. The MMP includes all of the mitigation measures and project design features adopted by the City in connection with the approval of the Project and has been designed to ensure compliance with such measures during implementation of the Project. In accordance with CEQA, the MMP provides the means to ensure that the mitigation measures are fully enforceable. In accordance with the requirements of Public Resources Code § 21081.6, the City hereby adopts the MMP.

8. In accordance with the requirements of Public Resources Code § 21081.6, the City hereby adopts each of the mitigation measures expressly set forth herein as conditions of approval for the Project.

9. The custodian of the documents or other material which constitute the record of proceedings upon which the City decision is based is the City of Los Angeles, Department of City Planning.

10. The City finds and declares that substantial evidence for each and every finding made herein is contained in the EIR, which is incorporated herein by this reference, or is in the record of proceedings in the matter.

11. The City is certifying an EIR for, and is approving and adopting findings for, the entirety of the actions described in these Findings and in the EIR as comprising the Project.

12. The EIR is a Project EIR for purposes of environmental analysis of the Project. A Project EIR examines the environmental effects of a specific project. The EIR serves as the primary environmental compliance document for entitlement decisions regarding the Project by the City and the other regulatory jurisdictions.

## XII. STATEMENT OF OVERRIDING CONSIDERATIONS

The Findings and this Statement of Overriding Considerations are based on substantial evidence in the record, including but not limited to the EIR, the references included in the EIR, and documents and materials that constitute the record of proceedings.

The EIR has identified unavoidable significant impacts that would result from implementation of the proposed 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 that are identified in the

EIR but are not at least substantially mitigated, the agency must state in writing the reasons to support its action based on the completed EIR and/or other information in the record. Specifically, pursuant to CEQA Guidelines Section 15093(b), the decisionmaker must 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 substantially mitigated to an insignificant level or be eliminated. To adopt a Statement of Overriding Considerations, the decision-maker must balance the economic, legal, social, technological, or other benefits of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered "acceptable."

The Project would result in significant unavoidable impacts to historical resources, noise and transportation and circulation (traffic) during construction. The Project would also result in a cumulatively considerable contribution to significant impacts on transportation and circulation during operations with respect to one intersection.

## A. UNAVOIDABLE PROJECT IMPACTS

### 1. HISTORIC RESOURCES

The analysis in the EIR presumed that demolition of the Lytton Savings and Loan Association building (Bank), which has not yet been ruled out for eligibility as a Los Angeles Historic-Cultural Monument, would have a significant impact on cultural/historic resources. In light of this uncertainty, and notwithstanding the fact that the Bank is conclusively ineligible for listing on the National or California Registers for Historic Places, the EIR concludes that all alternatives that would demolish the Bank, including the Project, would have a significant, unavoidable impact on historic resources.

Mitigation measures were provided to address this impact on pages 4.C.2-26 through 4.C.2-28, of the Draft EIR. These measures include Mitigation Measure HIST-1: Recordation, Mitigation Measure HIST-2: Relocation of Two Artworks, and Mitigation Measure HIST-3: Relocation of Bank. Mitigation Measure HIST-3, Relocation of Bank, involves a study to investigate the feasibility of relocation, and in the event relocation is determined feasible, and an interested party is found to relocate the Bank, it provides that it be carried out pursuant to a Rehabilitation and Relocation Plan. In the event relocation occurs, it would remove the Bank from its original location and context, and would have the potential to substantially impair the building through the relocation process. Nonetheless, if the Bank were to be relocated to a compatible location and rehabilitated in conformance with the Standards, impacts on historical resources would be reduced to a less than significant level. However, because relocation may be infeasible, and an interested party may not be found to relocate the Bank, the EIR conservatively concludes that impacts due to demolition of the Bank, would remain significant and unavoidable after implementation of mitigation measures.

In addition to prescribing mitigation measures to reduce the impacts of the Project on historical resources, the Draft EIR also evaluated three alternatives that included preservation of the Bank building to further explore means for reducing impacts on historical resources. Alternatives to the Project were evaluated in Chapter 5, Alternatives, of the Draft EIR. The alternatives that retained the Bank building included Alternative 5, Bank Preservation Alternative, evaluated on pages 5-111 through 5-148, Alternative 6, Reduced Height and Bank Preservation Alternative, evaluated on pages 5-149 through 5-182, and Alternative 7, On-Menu Alternative, evaluated on pages 5-183 through 5-217, of the Draft EIR. Alternatives 5 and 6 would entail the removal of all existing buildings on the Project Site with the exception of the on-site Bank building, which would be retained in its current location. Alternative 7, would retain a number of existing uses on the Project Site, including the Bank building and a fast food drive-through restaurant. Under each of these alternatives the Bank building would be rehabilitated for commercial use, as described in more detail in the EIR. These Bank preservation alternatives could thus avoid the presumably significant and unavoidable impact to historic resources (significant and unavoidable impacts due to noise, vibration and traffic would, however, remain similar to the Project).

For the reasons set forth above in Sections VIII.A.5, IX.C.6.d, IX.C.7.d, and IX.C.8.d, the City finds that these bank preservation alternatives are infeasible.

2. NOISE

All of the build alternatives would cause two unavoidable significant noise impacts. Specifically, during heavy construction, the development would result in periodic noise and construction-related ground vibration impacts.

Ground vibration would be below the 1.0 inches per second PPV significance threshold for the nearest residential buildings. With respect to human perception, however, the ground vibration levels due to construction activities would exceed the significance threshold for human annoyance at the nearest residential uses, R4. This translates to a potentially significant and unmitigatable noise impact during construction that would be a consequence of any of the build alternatives.

3. TRANSPORTATION AND CIRCULATION

The Project would result in significant unavoidable impacts to Transportation and Circulation during construction even with the adoption and implementation of mitigation measures. As recognized in the EIR, temporary significant impacts could occur along Sunset Boulevard between the Project Site (Crescent Heights Boulevard) and the US-101 Freeway during off-peak periods (9:00 A.M. to 4:00 P.M.) during the shoring and excavation phase. These impacts would not extend, however, to the Hollywood Freeway or any of the other haul route freeway facilities. This impact would remain significant and unavoidable, except under the Existing Zoning Alternative, which would eliminate the temporary construction traffic impact.

In addition, the EIR concluded that the Project could have a significant cumulative traffic impact on the unsignalized intersection of Fountain Avenue/Havenhurst Drive in the City of West Hollywood. With the installation of a traffic signal at the Fountain Avenue/Havenhurst Drive intersection (as required by Mitigation Measure TR-1), Project impacts would be reduced to a less than significant level. However, while the signal would improve the operations of the intersection, the implementation of the mitigation measure is under the jurisdiction of the City of West Hollywood. If the City of West Hollywood were to determine that it does not wish to install a new traffic signal at this location, the Project's potential impact would remain significant and unavoidable and thus, the Project would contribute to a significantly cumulative impact at this intersection.

## B. PROJECT BENEFITS

The following discussion summarizes the benefits, goals and objectives of the Project, and provides a detailed explanation of the benefits of the Project. These overriding considerations of economic, social, aesthetic, and environmental benefits for the Project justify approval of the Project and certification of the completed EIR, notwithstanding certain significant and unavoidable impacts. Each of the following overriding considerations separately and independently (i) outweighs the adverse environmental impacts of the Project, and (ii) justifies adoption of the Project and certification of the completed EIR.

### 1. INVESTS IN THE REVITALIZATION OF A PRIME INTERSECTION

The Project is designed to revitalize the property with a high-quality, iconic and architecturally distinctive design in the western portion of Hollywood, improving the eastern gateway to the Sunset Strip with a pedestrian friendly retail, dining and entertainment destination, which further provides amenities designed to serve residents, the surrounding neighborhood and the larger community. Public amenities will include a new public space at the northeast corner of the Project Site (constructed and maintained by the Applicant on City-owned property), a large central public plaza at the interior of the site, and garden areas along Sunset Boulevard.

The Project's architecture will complement the surrounding environment and provide visual interest through the articulated design and variations in building heights and setbacks. It will connect the surrounding urban environment to the Project to enhance pedestrian activity and commercial street life. The architectural composition is furthermore intended to create a unique destination that will draw additional visitors to the Project, while providing the necessary traffic measures and improvements to minimize Project impacts.

The Project is designed to fit within the existing neighborhood by providing extra commercial parking for automobiles and bicycles. The parking will be enclosed and largely underground. This will help ensure that the Project minimizes the potential for off-site "spill over" parking into adjacent residential streets or nearby commercial parking

areas and reducing noise. Traffic flow improvements are designed into the Project to accommodate the additional traffic.

2. CAPITALIZES ON LOCATION EFFICIENCY

Located at the southwest corner of the intersection of Sunset Boulevard and Crescent Heights Boulevard, the Project is situated along two streets designated as Major Highways within the City of Los Angeles. As a result, the Project is an urban infill development located along two primary transportation corridors in a densely populated area of the Los Angeles Basin that exhibits substantial employment, shopping and entertainment opportunities. Residents and workers at the Project Site will have public transit options that offer opportunities for less reliance on the automobile for transportation needs. MTA bus stops front the Project Site and service Metro Lines 2/302 along Sunset Boulevard and Metro Line 218 along Laurel Canyon and Sunset Boulevards. Metro Line 217 and Metro Rapid Bus Line 780 operate along Fairfax Avenue with a bus stop approximately 1,560 feet from the subject site. Additional bus lines in the area run along La Brea Avenue and Santa Monica Boulevard.

To accommodate patrons and residents that might drive to the Site, the Project exhibits a number of factors that will reduce its trip generation levels as compared to other similar developments. The most significant of these factors is the Project's location along two key transportation corridors, which will contribute to a substantial amount of "pass-through" traffic as commuters travel through the Project vicinity and stop at the Project Site on their way to or from work or other destinations, and internal capture associated with a mixed-use development. This behavior will reduce the amount of "new" project-related traffic added to the existing roadway network in the area.

3. PROMISES SIGNIFICANT, WELL-PAID JOBS AND OTHER SOURCES OF REVENUE

The construction of the Project will result in approximately 200 construction positions at any one time over the course of Project construction. The on-site employment generated by 65,000 square feet of commercial space will result in approximately 176 employment positions, along with approximately 16 employment positions for the residential component, for a total of approximately 192 employment positions. Persons employed in construction jobs will be paid prevailing wages and living wages as required by Public Resources Code section 21183(b).

4. INCREASES DESTINATION ACCESSIBILITY AND PROVIDES PEDESTRIAN NETWORK IMPROVEMENTS

The Project would be located in an area that offers access to multiple other nearby destinations including the 8000 Sunset commercial center, which houses a movie theater, fitness center, restaurants, and grocery store, the Laugh Factory comedy club, and many other commercial and recreational destinations along the Sunset Strip. The access to multiple destinations in close proximity to hundreds of new residents at the Project Site

would encourage walking and non-automotive forms of transportation and would result in corresponding reductions in transportation-related emissions.

The Project design would also minimize barriers to pedestrian access along Sunset and planned pedestrian network upgrades would link the Project Site with existing or planned external streets to encourage people to walk instead of drive. The Project was designed around maximizing the pedestrian experience. Walkability and pedestrian access were kept in mind at every step of the development process. The Project would provide an internal pedestrian network that links to the existing off-site pedestrian network, including existing off-site sidewalks, and would result in a small reduction in VMT and associated transportation-related emissions. Access to the central plaza would occur via pedestrian-only entrances fronting Crescent Heights Boulevard, Sunset Boulevard, and Havenhurst Drive, making the central plaza permeable to pedestrians from every possible direction. The Project would include expanded 15-foot sidewalks on Sunset Boulevard, a 9,000-square-foot pocket park, and community gathering areas to further encourage exploration on foot.

5. OFFERS INTEGRATED AFFORDABLE AND BELOW MARKET RATE HOUSING

Below market rate housing provides greater opportunity for people to live closer to job centers and to accommodate more people in urban infill areas. The Project would include 28 below market rate dwelling units (approximately 11 percent of the total number of dwelling units).

6. SUPPORTS MULTIPLE STATE, REGIONAL AND CITY PLANNING, SUSTAINABILITY AND ENERGY CONSUMPTION GOALS

a) SUSTAINABLE COMMUNITY GROWTH

The Project is designed to benefit the community at large, consistent with the Southern California Association of Government's ("SCAG") Sustainable Communities Strategy. This strategy embraces efforts to provide residences, including affordable housing, and a range of shopping, entertainment and services in an urban infill location and within a relatively short distance of existing transit stops so as to provide employment near current transit stops. The affordable housing component of the Project will also provide much needed affordable housing for very low income tenants. The affordable housing helps ensure that the City can meet its housing obligation under the SCAG's Regional Housing Needs Assessment ("RHNA") allocation.

b) REDUCED SPRAWL AND RELIANCE ON PERSONAL TRANSPORTATION

The Project will contribute to a land use pattern that would reduce reliance on private automobiles and the consumption of non-renewable resources. A transportation demand

management program will encourage carpooling and ridesharing, bicycle ridership and telecommuting as well as providing improvements to encourage transit usage and accommodate the expansion and improvement of public transportation service. The Project will also provide high density housing within a mixed-use center containing retail, restaurant, supermarket, and walk-in bank uses, which will also serve the adjacent residential neighborhoods.

c) REDUCED ENERGY CONSUMPTION

The Project is designed to conserve energy and resources, both during construction and operation.

During construction, Project sustainability measures begin with an aggressive construction waste management plan to salvage or recycle at least 75% of nonhazardous construction debris.

During operation, the LEED® Silver-certified Project will optimize energy performance and reduce building energy cost by 10 percent more than would be achieved by merely complying with California and industry new construction building standards. The Project will incorporate features consistent with the California Green Building Code and City of Los Angeles Green Plan, including water conservation, energy conservation and tree-planting. Not only will the Project conserve energy, it will also use green energy. The Project has committed to minimum green power usage over the first 10 years of operations. During the first 5 years of operation, 100 percent of the energy used by the Project will be obtained from green power, carbon offsets and/or renewable energy certificates. The Project will obtain at least 15 percent of the energy used during the second 5 years of operation from green energy sources. Indoor water use will be reduced by a minimum of 35 percent by installing high-efficiency water fixtures.

In summary, the Project would allow the City to meet its legal mandates to accommodate affordable housing uses, while enhancing the visual character, tax base and attractiveness of the project. The City recognizes that significant and unavoidable impacts would result from implementation of the Project. Having (i) adopted all feasible mitigation measures, (ii) rejected certain alternatives to the Project (as analyzed in the EIR), (iii) recognized all significant, unavoidable impacts, and (iv) balanced the benefits of the Project against the Project's significant and unavoidable impacts, the City hereby finds that the benefits outweigh and override the significant unavoidable impacts for the reasons stated above.

The City further finds that none of the public comments to the Draft EIR or subsequent public comments or other evidence in the record, including the changes in the Project in response to input from the community and the Council Office, include or constitute substantial evidence that would require recirculation of the Final EIR prior to its certification and that there is no substantial evidence elsewhere in the record of proceedings that would require substantial revision of the Final EIR prior to its certification, and that the Final EIR need not be further recirculated prior to its certification.

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

In connection with the approval of Vesting Tentative Tract Map No. 72370-CN, 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 adopted Hollywood Community Plan designates the subject property for Neighborhood Office Commercial land use with the corresponding zones of C1, C2, C4, P, RAS3, and RAS4. The property contains approximately 2.56 acres (111,339 square feet) and is zoned C4-1D.

The project site is currently occupied by two commercial buildings and associated parking, all of which would be removed to allow for the proposed Project. The proposed development of 249 dwelling units is allowable under the current adopted zone and the land use designation. The C4-1D zone allows for a residential density of 400 square feet per dwelling unit. The High Residential Density category of the Hollywood Community Plan is more restrictive and allows 80 dwelling units per gross acre, for a total of 204 base units. The proposed development of 249 dwelling units and 65,000 square feet of commercial space is allowable under the current adopted land use designation and zone through a 22% density bonus pursuant to LAMC Section 12.22-A,25. The project proposes an FAR of approximately 3.0:1. The project will set aside 11% of the total units for Very Low Income households. The applicant is requesting a Density Bonus with two Off-Menu Incentives per Case No. CPC-2013-2551-MCUP-DB-SPR. The following incentives will be utilized: an Off-Menu Incentive to permit the area of land required to be dedicate for street purposes to be included as lot area for purposes of calculating the maximum allowable floor area, in lieu of calculating the maximum floor area ratio on the post-dedication area of the lot as required by article 7 of the LAMC; and an Off-Menu Incentive to permit a 3:1 floor area ratio for a Housing Development Project located within approximately 1,560 feet of a Transit Stop, in lieu of the 1,500 foot distance specified in LAMC Section 12.22-A,25(f)(4)(ii).

The Deputy Advisory Agency is conditionally approving the proposed subdivision pursuant to the provisions of the Subdivision Map Act and upon approval of the associated Density Bonus Off-Menu Incentives. In the event that the associated Density Bonus Off Menu Incentives are not approved, the Advisory Agency included a Condition no. 19 in the staff report that reads: Prior to the issuance of the building permit or the recordation of the final map, a copy of CPC-2013-2551-MCUP-DB-SPR shall be submitted to the satisfaction of the Advisory Agency. In the event that CPC-2013-2551-MCUP-DB-SPR is not approved, the subdivider shall submit a tract modification.

With approval of the Density Bonus, the proposed map will be consistent with the Hollywood Community Plan.

The Hollywood Community Plan includes several objectives intended to guide growth and "contribute to the economic, social and physical health, safety, welfare, and convenience of the Community, within the larger framework of the City." The Project satisfies several relevant objectives of the Plan, including the following:

- **Objective No. 1** – To further the development of Hollywood as a major center of population, employment, retail service and entertainment.

- **Objective No. 2** – To designate lands at appropriate locations for the various private uses and public facilities in the quantities and at densities required to accommodate population and activities projected to the year 2020.

- **Objective No. 3** – To make provision for the housing required to satisfy the varying needs and desires of all economic segments of the community, maximizing the opportunity for individual choice.

- **Objective No. 4** – To promote economic well being and public convenience through allocating and distributing commercial lands for retail service and office facilities in quantities and patterns based on accepted planning principles and standards.

Through the development of 249 residential dwelling units and 65,000 square feet of commercial space, the project will help achieve Objective No. 1 by providing new housing, commercial retail and restaurant uses on a commercially zoned parcel on Sunset Boulevard. Moreover, the proximity of new residential units to existing commercial areas along Sunset Boulevard, along with the proposed publically accessible central plaza and corner plaza, would contribute to creating a lively and pedestrian-oriented street, in keeping with the objective of the development of Hollywood as a major center of population, employment, retail service and entertainment.

The project would help satisfy Objectives Nos. 2 and 3 by providing 249 residential dwelling units, including 28 units set aside for Very Low Income households. As such, the project will provide much needed new housing within the Hollywood Community Plan area for a range of economic segments of the community, and would assist in accommodating future population growth.

The project is a mixed-use development, and is consistent with Objective No. 4, above, as it provides an array of commercial and retail uses on a commercially zoned lot. The project's uses are also consistent with the adjacent properties along Sunset Boulevard, which are commercially zoned and are generally developed with a mix of commercial, restaurant, bar and hotel uses. The project would provide new residential units in close proximity to existing and proposed commercial uses, thus providing desirable accessibly to commercial goods and services for both the existing multi- and single-family neighborhoods to the north and south of Sunset Boulevard, as well as to the residents of the proposed project.

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 applicant has filed a Vesting Tentative Tract request, and as such is subject to the street designations of the Transportation Element which were in effect at the time of filing. Sunset Boulevard is a Major Highway Class II dedicated to a 95-foot width along the project site's northern street frontage (Avenue I under the adopted Mobility Plan 2035). The Bureau of Engineering is requiring a 2-foot dedication to complete a 2-foot wide half street dedication in accordance with Street Standards. Crescent Heights Boulevard is a Major Highway Class II dedicated to a variable width of up to 95 feet along the project site's eastern street frontage (Avenue II under the Mobility Plan 2035). The Bureau of Engineering is requiring a 2-foot dedication to complete a 2-foot wide half street dedication in accordance with Street Standards. Havenhurst Drive is a Local Street dedicated to a 60-foot width along the project site's western street frontage (Local Street under the Mobility Plan 2035).

The proposed project is not subject to any Specific Plan requirements. The proposed project will provide 820 parking spaces in conformance with LAMC Section 12.22-A,25(d)(1), Parking Option 1. Parking will be provided within four subterranean and semi-subterranean levels.

Therefore, as conditioned the design and improvements of the proposed project are consistent with the General Plan.

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

The site is currently developed with two commercial buildings and associated parking. The project area is highly urbanized and generally built out. The development of this tract is an infill development of a commercial property within a mixed-use neighborhood that otherwise includes multi-family, single-family residential, and commercial uses. Notable uses in the project vicinity include hotel and multi-family residential buildings constructed in the 1920s and 1930s, among them the Chateau Marmont on Sunset Boulevard to the west; the Colonial House and Ronda Apartments on Havenhurst Drive to the south; the Andalusia Apartments on Havenhurst Drive to the west; and The Granville, The Tuscany, and the Savoy Plaza on Crescent Heights Boulevard to the southeast.

The site slopes gently to the south and is not located in a slope stability study area, high erosion hazard area, liquefaction, landslide, or a fault-rupture study zone.

The soils and geology reports for the proposed subdivision were found to be adequate by the Grading Division of the Department of Building and Safety. The tract has been approved contingent upon the satisfaction of the Department of Building and Safety, Grading Division prior to the recordation of the map and issuance of any permits. Therefore, as conditioned 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 currently improved with two commercial buildings and associated parking, and does not contain any residential units. The proposed project is a mixed-use development that would provide 249 residential dwelling units and 65,000 square feet of commercial space. The project vicinity is highly urbanized and generally built out, and is characterized by a mix of uses, including commercial, restaurant, bar, hotel, single- and multi-family residential uses in the C4-1D, (Q)C2-2D, CR-1D, R4-1D, R2-1XL, and R1-1 zones. A mix of commercial uses is concentrated along Sunset Boulevard to the east and west of the project site. Areas to the north of Sunset Boulevard demonstrate hillside topography and consist of predominately single-family residential uses. Areas immediately to the west of the project site along Havenhurst Drive are characterized by multi-family residential uses. Areas immediately to the south of the project site are located in the City of West Hollywood and are characterized by multi-family residential uses.

The project would provide an appropriate mixed-use development on a commercially zoned lot consistent with the area's existing land-use pattern of commercial uses along Sunset Boulevard with single- and multi-family residential

areas to the south and to the north. The proposed commercial restaurant and retail uses would be consistent with existing commercial businesses and shops located along Sunset Boulevard, which include numerous restaurants, shops, and various neighborhood-serving commercial uses. With the approval of the associated Density Bonus Off-Menu Incentive requests to allow the lot area including any land to be set aside for street purposes to be included in calculating the maximum allowable floor area, in lieu of as otherwise required by LAMC Section 17.05; to allow a 3:1 Floor Area Ratio for a Housing Development Project located within 1,560 feet of a Transit Stop, in lieu of the 1,500 foot distance specified in LAMC Section 12.22-A,25(f)(4)(ii); and the utilization of Parking Option 1 to allow one on-site parking space for each Residential Unit of zero to one bedrooms, two on-site parking spaces for each Residential Unit of two to three bedrooms, and two-and-one-half on-site parking spaces for each Residential Unit of four or more bedrooms, the proposed project will comply with all LAMC requirements for parking, yards, and open space. Therefore, as conditioned the proposed tract map is physically suitable for the proposed density of the development.

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

The project site, as well as the surrounding area are presently developed with commercial structures associated parking, and do not provide a natural habitat for either fish or wildlife. Furthermore, the project vicinity is highly urbanized and generally built out. The project vicinity is characterized by a mix of uses, including commercial, restaurant, bar, hotel, single- and multi-family residential uses, and does not provide a natural habitat for either fish or wildlife.

(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 or improvement of the proposed subdivision.

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 reported that the proposed subdivision does not violate the existing California Water Code because the subdivision will be connected to the public sewer system and will have only a minor incremental impact on the quality of the effluent from the 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, contours, configuration of the parcel(s) to be subdivided and other design and improvement requirements.

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

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

These findings shall apply to both the tentative and final maps for Vesting Tentative Tract Map No. 72370-CN.

Vincent P. Bertoni, AICP
Advisory Agency

LUCIRALIA IBARRA
Deputy Advisory Agency

LI:CL:WL

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 Centers, located at:

Figueroa Plaza
201 N. Figueroa St., 4th Floor
Los Angeles, CA 90012
213 482-7077

Marvin Braude San Fernando Valley
Development Services Center
6262 Van Nuys Blvd., Room 251
Van Nuys, CA 91401
818 374-5050

**Forms are also available on-line at http://cityplanning.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 Development Service Center staff at (213) 482-7077 or (818) 374-5050.


**William Lamborn <william.lamborn@lacity.org>**

# Automatic reply: VTT-72370-CN Staff Report and Hearing Agenda

**Jeff Modrzejewski** <jeff@creedla.com> Tue, May 17, 2016 at 9:01 PM
To: William Lamborn <william.lamborn@lacity.org>

Hi I will be out of the office with limited email access. If you need immediate attention please contact Jose at Jose@creedla.com

Thanks

Jeff