



DEPARTMENT OF CITY PLANNING

RECOMMENDATION REPORT

City Planning Commission

Date:	February 14, 2019	Case No.:	CPC-2016-2658-VZC-HD-CU-MCUP-ZAD-SPR
Time:	After 8:30 a.m.*	CEQA No.:	ENV-2016-1892-EIR SCH. 2016071049
Place:	Los Angeles City Hall Council Chamber 200 North Spring Street, Room 340 Los Angeles, CA 90012	Related Cases:	VTT-74193-CN, VTT-74193-CN-1A
		Council No.:	9 - Price
		Plan Area:	<i>At time of filing:</i> Southeast Los Angeles <i>Existing:</i> South Los Angeles
Public Hearing:	November 7, 2018	Plan Overlay:	South Los Angeles Alcohol Sales Specific Plan North University Park - Exposition Park - West Adams Neighborhood Stabilization Overlay
Appeal Status:	Vesting Zone Change and Height District Change may be appealed by the applicant if denied, in whole or in part. All other entitlements are appealable to City Council.	Certified NC:	Empowerment Congress North Area Neighborhood Development Council Community Commercial
Expiration Date:	February 14, 2019	Land Use:	
		Zone:	<i>At time of filing:</i> C2-1L & R4-1L <i>Existing:</i> C2-1L & RD1.5-1 <i>Proposed:</i> (T)(Q)C2-2D
		Applicant:	Ventus Group
		Representative:	William F. Delvac, Armbruster Goldsmith & Delvac LLP

PROJECT LOCATION: 3900 South Figueroa Street
(3900-3972 South Figueroa Street; 3901-3969 South Flower Drive; 450 West 39th Street)

PROPOSED PROJECT: The Fig Project (Project) is a proposed seven-story mixed-use development comprised of Hotel, Student Housing, and Mixed-Income Housing components, within three separate buildings with a maximum building height of 83 feet. The Hotel Component would include up to 298 guest rooms, 15,335 square feet of retail and restaurant uses, 13,553 square feet of shared guest and public amenities, and 7,203 square feet of public meeting spaces, and includes a basement level. The Student Housing Component would include up to 222 student housing units and 32,991 square feet of retail and restaurant uses. The Mixed-Income Housing Component would include up to 186 dwelling units (82 dwelling units reserved for Low Income households), 20,364 square feet of office, and 7,000 square feet of retail and restaurant uses. All three components would be served by a central eight-story above-ground parking structure, containing one subterranean parking level and a rooftop amenity level, with a maximum building height of up to 90 feet. The Project results in up to 620,687 square feet of floor area, and a floor area ratio (FAR) of up to 3.25:1, including a commercial FAR of 0.50:1. The Project includes the removal of eight multi-family residential buildings within the Flower Drive Historic District, the removal of surface parking areas, and the export of approximately 60,800 cubic yards of soil.

REQUESTED ACTIONS:

ENV-2016-1892-EIR

1. Pursuant to Section 21082.1(c)(3) of the California Public Resources Code, the consideration and certification of the Environmental Impact Report (EIR), ENV-2016-1892-EIR, SCH No. 2016071049, for the above-referenced project, and Adoption of the Statement of Overriding Considerations setting forth the reason and benefits of approval of the project with full knowledge that significant impacts may remain;
2. Pursuant to Section 21081.6 of the California Public Resources Code, the adoption of the proposed Mitigation Monitoring Program;
3. Pursuant to Section 21081 of the California Public Resources Code, the adoption of the required Findings for the certification of the EIR;

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4. Pursuant to Section 12.32 of the Municipal Code, a **Vesting Zone and Height District Change** from C2-1L and R4-1L (Commercial Zone and Multiple-Dwelling Zone, Height District 1 - Limited) to (T)(Q)C2-2D (Commercial Zone, Height District 2 with Development Limitations) to facilitate:
 - a. An increase in FAR to 3:25:1 for a mixed-use project including affordable housing and student housing, in conformance with Southeast Los Angeles Community Plan Footnote No. 14, and
 - b. An increase in allowable height from six stories/75 feet to eight stories/90 feet;
5. Pursuant to Section 12.24 W.24 of the Municipal Code, a **Conditional Use Permit** for a hotel use in the C2 Zone within 500 feet of an R (residential) zone;
6. Pursuant to Section 12.24 W.1 of the Municipal Code, a **Master Conditional Use Permit** for the sale and/or dispensing of a full line of alcoholic beverages for on-site consumption at a maximum of six (6) establishments, including hotel and restaurant uses;
7. Pursuant to Section 12.24 X.22 of the Municipal Code, a **Determination** to allow building heights of up to 90 feet within 100 to 199 feet of the OS zone, in lieu of the maximum 61 feet permitted within 100 to 199 feet of an RW1 or more restrictive zone, as established under the transitional height requirements of Section 12.21.1-A.10; and
8. Pursuant to Section 16.05 of the Municipal Code, a **Site Plan Review** for a development project which creates over 50,000 square feet of non-residential floor area and over 50 dwelling units.

RECOMMENDED ACTIONS:

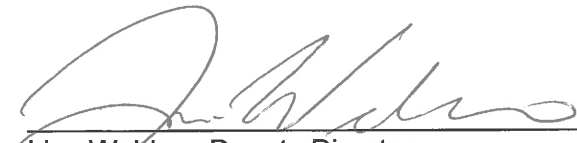
1. **Find** that the City Planning Commission has reviewed and considered the information contained in the Draft Environmental Impact Report No. ENV-2016-1892-EIR (SCH. No. 2016071049), dated October 2017; the Final EIR, dated October 2018; and Erratas, dated November 2018 and January 2019 (collectively, The Fig Project EIR); as well as the whole of the administrative record, and
2. **Certify** that:
 - a. The Fig Project EIR has been completed in compliance with the California Environmental Quality Act (CEQA);
 - b. The Fig Project EIR was presented to the City Planning Commission as a decision-making body of the lead agency; and
 - c. The Fig Project EIR reflects the independent judgment and analysis of the lead agency.
3. **Adopt** the following:
 - a. The related and prepared The Fig Project Environmental Findings;

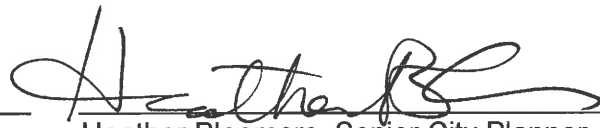
- b. The Statement of Overriding Considerations; and
 - c. The Mitigation Monitoring Program prepared for The Fig Project EIR;
4. **Advise** the applicant that, pursuant to California State Public Resources Code Section 21081.6, the City shall monitor or require evidence that mitigation conditions are implemented and maintained throughout the life of the project and the City may require any necessary fees to cover the cost of such monitoring; and
5. **Advise** the applicant that pursuant to State Fish and Game Code Section 711.4, a Fish and Game Fee and/or Certificate of Fee Exemption may be required to be submitted to the County Clerk prior to or concurrent with the Environmental Notice of Determination ("NOD") filing.

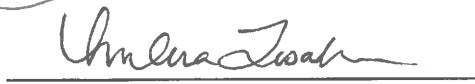
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6. **Recommend** that the City Council approve a **Vesting Zone and Height District Change** from C2-1L and R4-1L to (T)(Q)C2-2D;
7. **Approve** a **Conditional Use Permit** for a hotel use in the C2 Zone within 500 feet of an R (residential) zone;
8. **Approve** a **Master Conditional Use Permit** for the sale and/or dispensing of a full line of alcoholic beverages for on-site consumption at a maximum of six (6) establishments, including hotel and restaurant uses;
9. **Approve** a **Determination** to allow building heights of up to 90 feet within 100 to 199 feet of the OS zone;
10. **Approve** a **Site Plan Review** for a development project which creates over 50,000 square feet of non-residential floor area and over 50 dwelling units;
11. **Adopt** the attached Findings;

VINCENT P. BERTONI, AICP
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ADVICE TO PUBLIC: *The exact time this report will be considered during the meeting is uncertain since there may be several other items on the agenda. Written communications may be mailed to the Commission Secretariat, 200 North Spring Street, Room 532, Los Angeles, CA 90012 (Phone No. 213-978-1300). While all written communications are given to the Commission for consideration, the initial packets are sent to the week prior to the Commission's meeting date. If you challenge these agenda items in court, you may be limited to raising only those issues you or someone else raised at the public hearing agendized herein, or in written correspondence on these matters delivered to this agency at or prior to the public hearing. As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability, and upon request, will provide reasonable accommodation to ensure equal access to this programs, services and activities. Sign language interpreters, assistive listening devices, or other auxiliary aids and/or other services may be provided upon request. To ensure availability of services, please make your request not later than three working days (72 hours) prior to the meeting by calling the Commission Secretariat at (213) 978-1300.

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PROJECT ANALYSIS

Project Summary

The Fig Project proposes a mixed-use development on a key 4.4-acre site along the Figueroa Street corridor, located adjacent to Exposition Park and near the University of Southern California (USC) campus. Initial plans submitted to the City sought to bring a 21-story hotel tower, a seven-story student housing building, and a seven-story mixed-income residential building to the site, with commercial and office uses spread throughout the ground-floor and lower levels of the three buildings. The proposal also included a central eight-story parking structure with rooftop amenities to serve the three building components. However, through the environmental review and public participation process, the hotel tower was subsequently reduced in height to seven-stories for neighborhood compatibility. In addition, the project was further refined with design changes to address freeway adjacency and with improved amenities, and the current proposal reflects an improved evolution of the project.

The current Fig Project proposal envisions an integrated seven-story commercial and residential development consisting of a mix of uses totaling 620,687 square feet of floor area, including: up to 298 hotel guest rooms, up to 222 student housing units, up to 186 mixed-income housing units (82 units reserved for Low Income households), and approximately 96,500 square-feet of commercial uses, comprised of retail establishments, restaurants, hotel amenities, meeting spaces, and office uses. Public and private recreational amenities would be strategically located throughout the site and on the roof deck of the parking structure, and an approximately 8,000 square-foot central landscaped plaza is featured along Figueroa Street.

Implementation of the Project would also include the removal of eight existing multi-family residential buildings and surface parking areas. Of the eight structures, seven of the buildings are contributors to the Flower Drive Historic District, which extends northward from the site along Flower Drive and is comprised of a total of 19 buildings built in the 1920s. Three of the on-site contributing structures in the historic district would be relocated to an off-site location, and the remaining buildings would be removed and/or demolished. Any relocation of the tenants is required to comply with State and local relocation assistance programs.

In order to develop the project, the applicant has requested several land use entitlements, including: a zone change to allow for a unified commercial zone over the entire site, a height district change to facilitate up to a 3.25:1 FAR and building heights up to 90 feet, a conditional use to allow for the hotel use, the permitting of alcohol sales, exceptions from transitional height requirements near Exposition Park, and a review of the site design. The project's environmental impacts, including significant impacts in terms of aesthetics (as related to historic resources), historic resources, noise, and traffic, are also under consideration.

Community plan policies identify the Figueroa Street Corridor as a transit-oriented regional center, and include incentives for higher-density mixed-use developments, specifically with student housing and affordable housing components. The Fig project has garnered both public support and opposition from local community groups and neighborhood residents. Support has cited the project's numerous benefits, including: that the project would add a significant number of new rental units to meet the area's critical housing needs, it would serve as a catalyst for redevelopment for the area, and would enhance the character of the Figueroa Corridor. Concerns over the project have been raised by on-site tenants, historic preservation groups, and other parties. These concerns have focused on issues of tenant displacement and impacts to historic resources. In addition, the tract map approval was appealed by two groups, with the appellants stating that the environmental review and tract map for the project were deficient,

specifically in regard to historic preservation and finding a viable preservation alternative, conflicts with land use policies and regulations, and inadequate Subdivision Map Act Findings. However, historic impacts and environmental topics and concerns were specifically addressed in the Environmental Impact Report (EIR) conducted for the project, which included direct responses to each of the organization's Draft EIR comments in the Final EIR. Responses to the group's concerns, in addition to public comments received following publication of the Final EIR, are also provided in the separate Staff Report directly responding to their appeal (VTT-74193-1A), and are also summarized in the "Issues" section of this Staff Report.

In consideration of both support and concerns of the project, and within the context of the pattern of development within the designated Regional Center, Staff recommends approval of the requested entitlements with conditions. The resulting mixed-use project would support planning policies for development within the community, including policies for affordable housing, job creation, and meeting the City's critical housing, student housing, and hotel needs.

Background

Location and Setting

The Project is subject to the Southeast Los Angeles Community Plan of the City of Los Angeles. The immediate vicinity of the Project Site is urbanized and characterized by a mix of commercial, multi-family residential, institutional, sports and events venue, and open space uses. The Project is located east of Exposition Park and is adjacent to and west of the elevated I-110 Freeway. The University of Southern California's (USC) University Park Campus and the Los Angeles Metropolitan Transportation Authority (Metro) Expo Line's "Expo / USC Station" are both located less than 0.3 miles north of the Project Site.

Project Site and Characteristics

The Project Site is an irregularly-shaped 4.4-acre (191,047 square-foot) site, generally bound by 39th Street to the north, Flower Drive and the elevated I-110 Freeway to the east, commercial retail uses to the south, and Figueroa Street to the west. The site is primarily comprised of surface parking areas and is developed with eight multi-family residential buildings containing a total of 32 dwelling units on the northeastern portion of the Project Site fronting Flower Drive. These residential buildings are subject to the City's Rent Stabilization Ordinance (RSO) and comprise approximately half of the Flower Drive Historic District (deemed eligible for listing by the State of California), which extends from the Project Site and to the north along Flower Drive. Three of the contributing structures in the historic district would be removed and relocated to an off-site location, and the remaining buildings and parking areas would be removed and/or demolished as part of the Project.

As a project with vested rights, the Project is subject to the ordinances, policies and standards in effect on the date the application was deemed complete, September 8, 2016. At that time, the Southeast Los Angeles Community Plan designated the site for Community Commercial land uses with the C2-1L zone along Figueroa Street and the R4-1L zone along Flower Drive. The Community Plan identified the site as within the Figueroa Street Corridor and subject to Footnotes 1 and 14. Footnote 1 reiterated the existing zoning of the site, noting that the site was subject to Height District 1. Footnote 14 stated that notwithstanding Footnote 1, increases in floor area were allowed for certain mixed-use projects, with incentives for affordable housing and student housing.

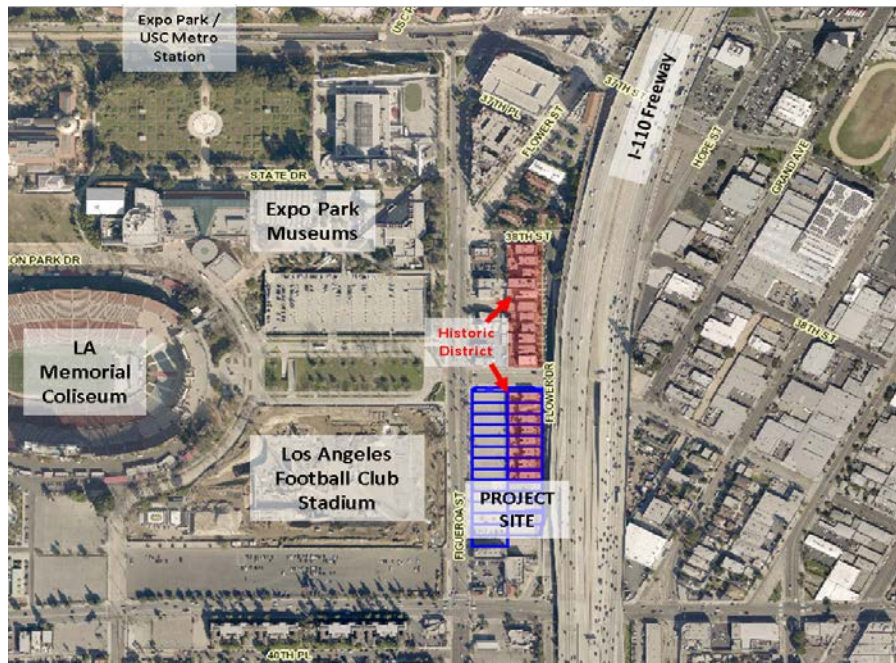
The recently updated South and Southeast Los Angeles Community Plans, effective December 29, 2018, included changes to the Community Plan policies, footnotes, land use designations, and zoning. As part of the December 2018 update, the boundary between the South Los

Angeles and Southeast Los Angeles Community Plans was shifted to the east from Figueroa Street to the I-110 Freeway. Currently, the Project Site is located within the South Los Angeles Plan and is designated for Community Commercial land uses corresponding to the C2, C4, RAS3, R3, RAS4, and R4 zones. The project site is currently zoned C2-1L along Figueroa Street and RD1.5-1 along Flower Drive for the residential portion of the site comprising part of the Flower Drive Historic District. Due to the project's vested rights, consideration of the project should be reflective of the policies of the previously applicable Southeast Los Angeles Community Plan. However, information regarding these recent updates to the Community Plans are provided throughout this report for informational purposes.

In addition, the Project Site is not located in any hazard zones. The environmental analysis conducted for the project found that the tract map and development of the project would result in significant and unavoidable impacts to aesthetics (relating to historic resources), historic resources, cumulative construction and operational noise impacts, and traffic intersection impacts. However, it would not result in any significant impacts in terms affecting public health and welfare, specifically relating to hazards and hazardous materials, geological and seismic impacts, and fire and police safety.

Adjacent Uses

Adjacent uses to the Project Site are as follows (with **Project Site indicated in blue** and the **Flower Drive Historic District in red**):



North: The north side of 39th Street is developed with commercial retail and multi-family residential buildings, including ten buildings included as a northern half of the Flower Drive Historic District. This area was zoned C2-1L with a Community Commercial land use designation under the Southeast Los Angeles Community Plan. The South Los Angeles Community Plan update has since rezoned the Flower Drive Historic District to RD1.5-1.

East: Flower Drive and the elevated I-110 Freeway are located immediately east of the Project Site. Underneath the I-110 Freeway off-ramp is a vacant and fenced remnant parcel of land. This area was zoned R4-2 with a Public Facilities land use designation under the previous Southeast LA Community Plan. The South LA Community Plan update rezoned the lots to PF-1.

South: South of the site is the Expo Park Plaza mini-shopping center, containing commercial uses within a two-story building with associated surface parking areas. The area is zoned C2-1L with a Community Commercial land use designation. No changes were indicated as part of the Community Plan update.

West: Figueroa Street and Exposition Park are located to the west. Exposition Park, owned by the State of California and leased by various entities, contains a concentration of uses with regional draws. This includes institutional uses, sports and events venues, and recreational uses in the OS-1XL Zone and Open Space land use designation under the previous Southeast LA Community Plan. The South LA Community Plan updated the area to the PF-1 Zone and the Public Facilities land use designation. The area is governed by the Coliseum District Specific Plan (Ordinance 185,042 and 185,035) and Coliseum and Soccer Stadium Sign District (Ordinance 184,290). The Sign District is currently in the process of being updated, with amendments approved by the City Planning Commission in January 2019 to be considered by the City Council at a future date. Facilities in the area include: the Los Angeles Memorial Coliseum, the recently opened Banc of California Soccer Stadium, the California Science Center, the Los Angeles County Natural History Museum, the Dr. Theodore T. Alexander Jr. Science Center School, the California African American Museum, the Exposition Park Rose Garden, the Wallis Annenberg Building, and the Expo Center, which includes a swim stadium, recreation center, senior citizen center, amphitheater, and pre-school. The Lucas Museum of Narrative Arts is currently under construction immediately west of Exposition Park.

Streets and Circulation

Figueroa Street is a north-south street located immediately west of and adjacent to the Project Site. In Mobility Plan 2035, it is classified as an Avenue I, dedicated to a width of 100 feet. The My Figueroa capital improvement project was recently completed in August 2018, with the following improvements in the vicinity of the project site: Class I Protected bike lanes along both sides of Figueroa Street, a bus-only lane along the east side of Figueroa Street, and 20-foot wide continental crosswalks at the three pedestrian legs along the intersection of Figueroa Street and 39th Street.

Flower Drive is a north-south local street immediately east of and adjacent to the Project Site. It runs from the intersection of Figueroa Street and Flower Drive to Martin Luther King Jr. Boulevard adjacent to the I-110. Flower Drive is designated as a Local Standard Street and dedicated to a width of 60 feet. It runs from the intersection of Figueroa Street and Flower Drive to Martin Luther King Jr. Boulevard adjacent to the I-110. It provides one lane in each direction and is improved with a public cul-de-sac mid-block between 39th Street and Martin Luther King Jr. Drive, before the road narrows to 16 feet in width and becomes substandard to the south, and where a second (gated) emergency turn-around area is located. Parking is allowed only on the west side of the street.

Flower Drive Relinquishment - When Caltrans acquired Flower Drive for the adjacent I-110 Freeway, the City of Los Angeles Fire Department required Caltrans to maintain sufficient width for emergency vehicles to turn around. Negotiations to acquire the required right-of-way (ROW) with the owner of the corner lot at MLK Jr. Blvd. stalled because the access driveway to the underground parking garage serving the mini-mall would be impacted. Instead, Caltrans purchased other parcels to build the two cul-de-sacs to provide the space for emergency vehicles to turn around. Currently, Caltrans and the City of Los Angeles are processing a relinquishment of Caltrans land back to the City along Flower Drive. In light of the relinquishment, the Bureau of Engineering (BOE) recommends requiring comprehensive improvements to Flower Drive, 39th Street, and Figueroa Street as a condition for the Tract Map.

39th Street is an east-west street located immediately north of and adjacent to the Project Site. In Mobility Plan 2035, it is classified as an Avenue II, and was updated in the South Los Angeles Community Plan to an Avenue I. It is a two-way street providing two travel lanes in each direction in the vicinity of the Project site. On-street parking is not allowed in the vicinity of the Project Site.

Freeway Access

Primary regional access to the Project Site is provided via Interstate 110 (I-110), which runs north-south and is located immediately east of Flower Drive, and Interstate 10 (I-10), which runs east-west and is located approximately 1.5 miles north of the Project Site. Major arterials providing regional and sub-regional access to the Project Site include Figueroa Street, Exposition Boulevard, and Martin Luther King Jr. Boulevard. Martin Luther King Jr. Boulevard provides access to the I-110 southbound and northbound on-ramps and off-ramps. 39th Street provides access to the I-110 Express Lanes southbound on-ramp and northbound off-ramp.

Public Transit

The site is well-served by public transit, including both bus and rail service. Access is available via the Metro Expo Line rail, Metro rapid and local bus service, LADOT Downtown Area Shuttle (DASH), and Orange County Transportation Authority (OCTA) bus transit service. The closest Metro Expo Line station to the Project Site is the Expo Park/USC station, located at Exposition Boulevard and Trousdale Parkway, is approximately 0.5-mile northwest of the Project Site. The Jefferson/USC station, located at Flower Drive and Jefferson Boulevard, is approximately 0.6-miles northeast of the Project Site.

Land Use Policies

The Project is subject to the applicable plans and policies in effect when the project was vested, which included: the Southeast Los Angeles Community Plan (effective in 2000), the Exposition/University Park Redevelopment Project area, the Flower Drive State Historic District, the South Los Angeles Alcohol Sales Specific Plan, the North University Park-Exposition Park-West Adams Neighborhood Stabilization Overlay District, the Greater Downtown Housing Incentive Area, a Transit Priority Area, and the former Los Angeles State Enterprise Zone. In addition, the site is subject to the Rent Stabilization Ordinance, the Zoning Information File No. 2427 for Freeway Adjacent Advisory Notice for Sensitive Uses, and the Zoning Information File No. 2412 for Standalone Fast Food Establishments.

Vesting Rights and Land Use Policies

The Project entitlements, including a Vesting Tentative Tract Map and Vesting Zone Change and Height District Change, were filed on July 26, 2016. On September 8, 2016, the application was deemed complete. A vesting tentative tract map shall confer a vested right to proceed with development in substantial compliance with the ordinances, policies and standards in effect on the date the application is deemed complete, and with the conditions of approval imposed by the Advisory Agency. Therefore, the Project's vesting rights dictate that the Project is not subject to the requirements of recent changes in policies and regulations, including changes part of the applicable South Los Angeles and Southeast Los Angeles Community Plan Updates (Council File Nos. 17-1053 and 17-1054).

In addition, vesting rights exempt the project from other recent Municipal Code requirements, such as those for affordable housing and fair-wage standards for General Plan Amendments and Zone Changes (LAMC 11.5.11. Affordable Housing / Measure JJJ), the Affordable Housing Linkage Fee (Ordinance 185,342), and amendments to the City's Rent Stabilization Ordinance (RSO) regarding replacement of demolished units and RSO exemptions (LAMC 151.28).

Nonetheless, the project would result in a net increase in the total number of housing units on the site (from 32 units to 408 units) and would include 82 new deed-restricted affordable units.

Measures JJJ

Had the project been subject to Measure JJJ, the inclusion of affordable housing in the project would have not been necessary in order to achieve the desired residential density for the site, as unlimited residential density is already permitted within the Greater Downtown Housing Incentive Area. However, to achieve an increased Floor Area Ratio (FAR) on the C2-zoned portion of the site, the Project would have been required to set aside a specified percentage of its housing units for **Extremely Low Income households plus additional units for either Very Low Income or Lower Income households**, as well as adhere to the measure's fair-wage provisions.

Affordable Housing Linkage Fee

Even if the project did not maintain vesting rights, the Affordable Housing Linkage Fee (AHLF) would not be applicable. Due to the phased-in nature of the AHLF, any project which had filed for entitlements or a building permit prior to February 17, 2018 would not be subject to the linkage fee. Even if the project were subject to the phasing level and fee existing today (according to the 2/3 of the full fee amount most recently phased in on December 20, 2018), the project would still be exempt, as it already provides at least 20% of its residential units for Low Income households, and the commercial and hotel uses are exempt from the fee in this area.

General Plan Framework

The City of Los Angeles General Plan Framework designates the site as within a Regional Center located along the Figueroa Street Corridor. A Regional Center is defined as a focal point of regional commerce, identity and activity and containing a diversity of uses. Generally different types of Regional Centers will fall within the range of floor area ratios from 1.5:1 to 6.0:1. Regional Centers are often characterized by 6- to 20-stories (or higher) and are usually major transportation hubs. Under the recent Framework updates part of the South Los Angeles Community Plan update, the Regional Center boundary was also expanded westward from Figueroa Street to include the Exposition Park area.

Community Plan

The applicable Southeast Los Angeles Community Plan designated the Project Site for Community Commercial land uses, with corresponding zones of CR (Limited Commercial), C2 (Commercial), C4 (Commercial), and RAS3 (Residential/Accessory Services). The Community Plan identified the site as within the Figueroa Street Corridor and subject to Footnotes 1 and 14, which reiterated Height District 1, but also facilitated increases in FAR beyond those of the zoning and height district for mixed-use, affordable housing, and student housing projects.

The Project Site was zoned C2-1L (Commercial, Height District No. 1 - Limited) and R4-1L (Multiple-Dwelling Zone Residential, Height District No. 1 - Limited). The C2 Zone permits a wide array of land uses including commercial, office, residential, retail and hotel uses. The R4 Zone allows for residential, hotel, and limited commercial uses. Height District 1 - Limited restricts building heights to 75 feet and six stories and establishes a maximum FAR of 1.5:1 for the C2 Zone and 3:1 for the R4 Zone.

To clarify the previous zoning of the Project Site, it should be noted that the Environmental Impact Report and public hearing notice identified the entire site as being zoned C2-1L, relying on the site zoning under the information available at the time under the City's Zone Information and Map Access System (ZIMAS). However, based on further research into City records, including records from the applicable 2000 Community Plan Update (Subarea 270) and

Ordinance 167,449 (Subarea 692), the eastern half of the Project Site, which includes properties in the Flower Drive Historic District, was erroneously shown on ZIMAS as C2-1L. The correct zoning should have been shown as R4-1L. The site was intended to be updated from the R4 Zone to the C2 Zone in the previous 2000 Community Plan update, but the change was never officially completed through ordinance. Nonetheless, the current Zone Change request to the C2 Zone over the entire site would bring the site into conformance with the previous and current Community Commercial land use designation. No change to the commercial land use designation was included in the latest Southeast Los Angeles Community Plan Update.

Additionally, the Community Plan Footnote 14 in affect at the time the project was vested, imposed a maximum FAR of 1.5:1 for 100 percent commercial projects on Community Commercial-designated properties on Figueroa Street and the west side of Flower Drive, and also prohibited 100 percent residential projects. However, mixed-use projects could have achieved an increased FAR of 3:1, provided that the City approved a corresponding zone change to Height District 2D. Furthermore, an additional FAR of 1.5:1, for a maximum total FAR of 4.5:1, could have been granted to mixed-use projects that either set either provide student housing or set aside 20 percent of the dwelling units developed in the increment from 3:1 to 4.5:1 FAR for households making between 30 and 120 percent of Area Median Income. In addition, commercial uses in such mixed-use projects were required to comprise no less than 0.5:1 and no more than 0.9:1 FAR.

Although not applicable to the vested Project, it should be noted that Footnote 14 was later amended July 10, 2017 (Council File No. 17-0273-S1) to expand the application of the footnote to hotels (in addition to mixed-use projects), and clarified that the commercial uses in such mixed-use projects, excluding hotels with 300 guestrooms or less, shall comprise no less than 0.5:1 and no more than 0.9:1 FAR. The 2017 version of the Footnote was again amended as part of the 2018 Community Plan Update, as described below.

Community Plan Update

At its November 11, 2017 meeting, the City Council voted to adopt an update to the Southeast Los Angeles and South Los Angeles Community Plans (Council File Nos. 17-1053 and 17-1054). The City Council then instructed the City Attorney to review the implementing ordinances, which returned to City Council for full and final adoption on December 12, 2018 and became effective on December 29, 2018. As part of the Plan update, the boundary line between the two Community Plan areas shifted, so that the Figueroa Corridor (including the Project Site) now became located within the boundaries of the South Los Angeles Community Plan rather than the Southeast Los Angeles Community Plan. As part of the update of the Southeast Los Angeles Community Plan, a portion of the Project Site was rezoned. Subarea 782 (the Flower Drive Historic District, which includes properties within the Project Site as well as properties immediately north of the site) was rezoned from C2-1L and R4-1L to RD1.5-1 in order to better reflect the existing residential use of the properties. The existing Community Commercial land use over the entire site remained unchanged. Also, the Update deleted the previous "Footnote 1" and renumbered the existing "Footnote 14" of the Plan to "Footnote 1", with modifications to the text of the Footnote. The same Footnote was included in both the South LA. And Southeast L.A. Community Plans. Primarily, the text was refined regarding the exclusion for hotels with 300 guestrooms or less, to update previous references to affordability requirements of the State Codes with the affordability requirements of LAMC 11.5.11 Affordable Housing (Measure JJJ), and to remove references to Community Redevelopment Agency projects. The Community Plan updates did not modify other land use regulations, as described below, related to the site.

**Note on Vesting Rights* - The Project's vesting rights dictate that the Project is not subject to the requirements of recent changes in policies and regulations, such as those part of the Community Plan Update.

Redevelopment Plan

The Exposition/University Park Redevelopment Plan (Redevelopment Plan) encompasses approximately 574 acres of land located just southwest of downtown Los Angeles. The Redevelopment Plan includes goals aimed at encouraging the retention and development of affordable housing, improvement of neglected community facilities and the promotion of economic development opportunities, and includes specific objectives that focus on preserving and protecting historic structures, encouraging commercial development, and to make provisions for well-planned community uses, facilities, pedestrian and vehicular circulation, and adequate parking, particularly as these relate to Exposition Park.

Sections 1300 et seq. of the Redevelopment Plan describe the permitted land uses within the Redevelopment Plan area. The Redevelopment Plan's map identifies the Project Site as being designated for commercial uses; however, pursuant to Section 1307 of the Redevelopment Plan, the CRA/LA is authorized to permit new residential uses within a commercially designated area. The Plan also identifies agency review for changes to historic structures and for the resubdivision of land. CRA/LA review will be required prior to a final tract map.

Flower Drive Historic District

The eight multi-family residential buildings within the northeastern portion of the Project Site are located within the Flower Drive Historic District (District). The District includes a grouping of 19 multi-family buildings (two of which are non-contributing) that were constructed between 1920 and 1927. Of the eight residential buildings within the Project Site, seven are contributors to the District. The District is generally bounded by West 38th Street to the north, Flower Drive to the east, the southern parcel line of 3941 Flower Drive to the south, and the west parcel lines of the properties between West 38th Street and 3941 Flower Drive on the west. The California State Historical Resources Commission formally determined the Flower Drive Historic District eligible for the California Register of Historical Resources under Criterion 1 for associations with events that have made a significant contribution of the broad patterns of Los Angeles' history and under Criterion 3 for embodying the distinctive characteristics of a type and period of construction; namely, the Mediterranean Revival Style.

The Project proposes the removal of all structures and parking areas for development of the site. As specified in Mitigation Monitoring Program (Mitigation Measures C-1, C-2, and C-3), the Project Applicant would be required to complete historical documentation of the District, create a salvage and reuse plan, and would be required to relocate a minimum of three contributing buildings of the Historic District to a site or sites within five miles of the Project Site and make all remaining structures available to third parties for relocation and/or salvage. Nonetheless, the removal of the structures would result in significant and unavoidable direct impacts to historic cultural resources.

North University Park-Exposition Park-West Adams Neighborhood Stabilization Overlay District

The North University Park–Exposition Park–West Adams Neighborhood Stabilization Overlay District (Overlay District) was adopted November 2008 and is generally bounded by the 10 Freeway, the 110 Freeway, Martin Luther King Boulevard, and Normandie Avenue. The Overlay District is intended to promote well-planned housing to meet the needs of a college/university student housing and the needs of the community; to address impacts of multiple-habitable room projects which may be incompatible with surrounding development; to encourage well-planned neighborhoods with adequate parking and to individually review proposed large multiple-habitable room projects; to assure that the project provides adequate on-site parking; and to

address a concentration of campus-serving housing in the vicinity. Although the Project Site is located within the boundaries of the Overlay District, pursuant to Section 1 of Ordinance No. 180,218, the Project is exempt from the development regulations of the Overlay District due to its frontage along Figueroa Street.

Greater Downtown Housing Incentive Area

Residential and mixed-use projects within the Greater Downtown area which comply with Urban Design Standards and Guidelines can utilize the following incentives: unlimited residential density, a floor area bonus for projects that provide a prescribed percentage of affordable housing units, the elimination of yard requirements (unless required by the Downtown Design Guide), flexibility in the allocation of private and common open space areas towards meeting open space requirements, and allowing Tract Maps and Parcel Maps to utilize areas set aside for street and alley purposes for floor area calculations.

Transit Priority Area

In September 2013, California Governor Jerry Brown signed Senate Bill 743 (SB 743), which made several changes to CEQA for projects located in areas served by transit. Among other things, SB 743 added Public Resources Code (PRC) Section 21099, which provides that “aesthetic and parking 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.” PRC Section 21064.3 defines “major transit stop” as “a site containing an existing rail transit station, a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods.” The Project is a mixed-use residential project and is located on an infill site. The Project Site is also located less than 0.5 miles from an existing major transit stop (i.e., the Expo light rail line’s Expo Park/USC station), and therefore qualifies as located within a Transit Priority Area.

Los Angeles State Enterprise Zone

On July 11, 2013, California Governor Edmund G. Brown Jr. signed legislation that resulted in the repeal of the Enterprise Zone Act and the dissolution of Enterprise Zones. However, the City Council adopted an action on December 18, 2013 that approved the continuation of the reduced parking provision for former Enterprise Zone areas. The project will provide parking in conformance with the Los Angeles Municipal Code and these Enterprise Zone standards.

ZI-2427 for Freeway Adjacent Advisory Notice for Sensitive Uses

ZI No. 2427 states that recent studies have established strong links to negative health outcomes affecting sensitive populations as far out as 1,000 feet from freeways. Although ZI No. 2427 is informational in nature and does not impose any additional land use or zoning regulations, it is intended to inform project applicants of the significance of this issue. ZI No. 2427 acknowledges that an impact analysis of the air environment on new sensitive receptors in proximity to transportation facilities is not required by the California Environmental Quality Act (CEQA). However, in the interest of providing information to the public and creating healthy communities, the City Planning Commission advises that applicants of projects requiring discretionary approval, located in proximity to a freeway, and including residential units and other sensitive uses, perform a health risk assessment (HRA) to enable applicants to make informed decisions about site planning from the earliest stages of project design. Consistent with this policy, the City adopted the Ordinance No. 184,245 in 2016, which, among other things, requires the provision of air filtration media for regularly occupied areas of buildings located within 1,000 feet

of a freeway that achieves a Minimum Efficiency Reporting Value (MERV) of 13. An HRA was prepared for the Project and is included as Appendix B of the Draft EIR. The HRA concluded that compliance with the regulatory requirements for air filtration systems would reduce carcinogenic risk to within acceptable limits, as well as reduce particulate exposures below SCAQMD significance thresholds.

On-Site Related Cases:

VTT-74193-CN – On December 7, 2018, the Advisory Agency Certified the Fig Project EIR and adopted the Environmental Findings, the Statement of Overriding Considerations, and the Mitigation Monitoring, and approved a Vesting Tentative Tract Map for the merger and resubdivision of the site into one ground lot and eight commercial condominium lots, including a vacation of a portion of the existing right of way along Flower Drive, and a Haul Route for the export of 60,800 cubic yards of soil. In addition, the Advisory Agency dismissed without prejudice an adjustment to reduce the minimum width of passageways between buildings required from ten feet to five feet. The determination was appealed by Jim Childs of the West Adams Heritage Association (WAHA) and Mitchell M. Tsai of SAJE. The appeal is to be heard concurrently at the February 14, 2019 City Planning Commission meeting.

Off-Site Related Cases:

CPC-2016-3312-GPA-VZC-DB-SPR – On January 10, 2018, Ordinance 185,262 became effective, for a zone change from M1-2 to (T)(Q)C2-2D, implementing a General Plan Amendment to from Limited Manufacturing to Community Commercial and to exempt the project from Footnote 1 of the Community Plan, and Density Bonus and Site Plan Review, to allow for a seven story, 87-foot high mixed-use building with five stories of residential uses, including 296 residential units (including 25 Very Low-Income units) above a two-story parking and commercial podium, including approximately 5,000 square-feet of ground-floor retail/restaurant uses (2528 S Grand Ave).

VTT-74510 – On June 27, 2017, the Deputy Advisory Agency approved Vesting Tentative Tract Map No. 74510 for the merger of five parcels and excess right-of-way along Grand Avenue into a single ground lot and three airspace lots. (2528 S Grand Ave)

CPC-2016-4382-SP – On August 14, 2017, Ordinance 185,042 became effective for an Amendment to the Coliseum District Specific Plan, to require that the Coliseum Renovation Project to be developed in a manner to retain the Coliseum's National Historic Monument designation. (3911 Figueroa Street)

CPC-2016-4121-GPA-SP-SPP – On August 14, 2017, Ordinance 185,035 became effective for an Amendment to the Coliseum District Specific Plan, concurrently with a General Plan Amendment to redesignate 39th Street within the Specific Plan from a Collector Street to a Local Street, and for a new museum (Lucas Museum of Narrative Arts) consisting of up to 300,000 square feet of floor area, within five stories, with a maximum height of 115 feet. (3800 S. Vermont Avenue)

VTT-74715 – On April 11, 2017, the Deputy Advisory Agency approved a Vesting Tentative Tract for the merger and resubdivision of the parcels within the project site to create two new ground lots and five airspace lots and vacation and merging of the segment of 39th Street between Vermont Avenue and Bill Robertson Land and a 20-foot wide public right-of-way. (3800 S. Vermont Avenue)

CPC-2016-1032-GPA-ZC-BL-ZAD-SPR – On January 22, 2017, Ordinances 184,656 and 184,657 became effective for a Zone Change and Height District Change from C2-1 and R3-1 to

(T)(Q)C2-2 and a Building Line Removal along Martin Luther King Jr. Boulevard, implementing a General Plan Amendment from High Medium Residential to Community Commercial and to remove Footnote 1 from the property, as well as a Determination and Site Plan Review, for a five-story car dealership in two buildings. The project also included a Development Agreement. (700-820 Martin Luther King Jr. Boulevard)

CPC-2013-3340-GPA-ZC-DB-SPR – On January 20, 2015, Ordinance 183,316 became effective for a Zone Change from [Q]R3 to (T)(Q)C2 and eliminating an existing [Q] limitation as established by Ordinance 173,809, implementing a General Plan Amendment from Medium Residential to Community Commercial, as well as a Density Bonus and Site Plan Review, for a mixed-use development with 138 Low-Income residential units, two market rate manager's units, and 8,000 square feet of commercial floor area. (1077 W. 38th Street)

VTT-72558-CN – On July 16, 2014, the Deputy Advisory Agency approved Vesting Tentative Tract Map No. 72558-CN for the merger and re-subdivision of four lots into one new master ground lot and three airspace lots for a mixed-use project consisting of 140 residential units and 8,000 square feet of commercial space. (1077 W. 38th Street)

CPC-2011-927-GPA-ZC-HD-SP-CA; CPC-2011-1171-DA – On January 23, 2013, Ordinances 182,342, 182,343, and 182,344 became effective for a Zone Change and Height District Change and Code Amendment establishing new zones and the University of Southern California University Park Campus Specific Plan, as well as a Development Agreement, implementing General Plan Amendments to the General Plan Framework, street designations in the Mobility 2035 Plan, and Southeast Los Angeles and South Los Angeles Community Plans land use designations and footnotes, to provide approximately 2,500,000 square of academic and university uses and 350,000 square feet of retail and commercial and other affiliated uses. (3518 Trousdale Parkway)

CPC-2010-1296-GPA-ZC-HD-ZAA-DB – On June 28, 2011, Ordinance 181,723 became effective for a Zone Change from M1-2-O to (T)(Q)C2-1-O, implementing a General Plan Amendment to from Limited Manufacturing to Community Commercial, and an add area (1910-1914 S. Los Angeles Street), and Zoning Administrator Adjustment and Density Bonus, for a six-story mixed-use project with 78 residential units and 5,600 square feet of ground floor commercial space. (2300 and 2327 S. Flower Street)

CPC-2006-10241-GPA-ZC-HD-CUB-CU-ZV-ZAA-ZAD-DB-SPR – On July 19, 2011, Ordinance 181,743 became effective for a Zone Change from [Q]C2-2-O to (T)(Q)C2-2-O, implementing a General Plan Amendment to exempt the site from Footnote 1 of the Community Plan, and Conditional Uses, Zone Variance, Zoning Administrator Adjustment/Determination, Density Bonus and Site Plan Review for a mixed-use project with 1,051 residential units and 34,000 square feet of retail/restaurant uses. (2300 and 2327 S. Flower Street)

Project Details:

Original Development Proposal

The Fig Project was originally submitted to the Department of City Planning in July 2016. The initial submittal proposed a mixed-use development comprised of three components: a 21-story

Hotel Component, a seven-story Student Housing Component, and a seven-story Mixed-Income Housing Component, with commercial and office uses spread throughout the ground-floor and lower levels of the three buildings, resulting in approximately 624,000 square feet of total floor area on the 4.4-acre site. The proposal also included a central eight-story parking structure with rooftop amenities to serve the three building components.

In the context of the surrounding low-rise neighborhood, the 21-story hotel tower proposal would have been much taller than any of the existing or proposed buildings in the area. The immediate vicinity of the site is low-rise and primarily consists of one- and two-stories buildings. A half-mile to the north, the USC campus is principally developed with six to eight story buildings, including a small number of mid-rise structures with 10 to 15 stories. The nearest tower with comparable height to the proposal (with 20 or more stories) is located near downtown Los Angeles, approximately two miles north of the site. The existing zoning (Height District 1L) along the Figueroa Street Corridor and vicinity of the site also generally limits building height to about six stories, unless permitted through a height district change in accordance with Footnote 1. In consideration of the existing low-rise neighborhood context and limits on mid-rise buildings, the hotel tower design was revised to a lower profile to create better compatibility within the neighborhood context.

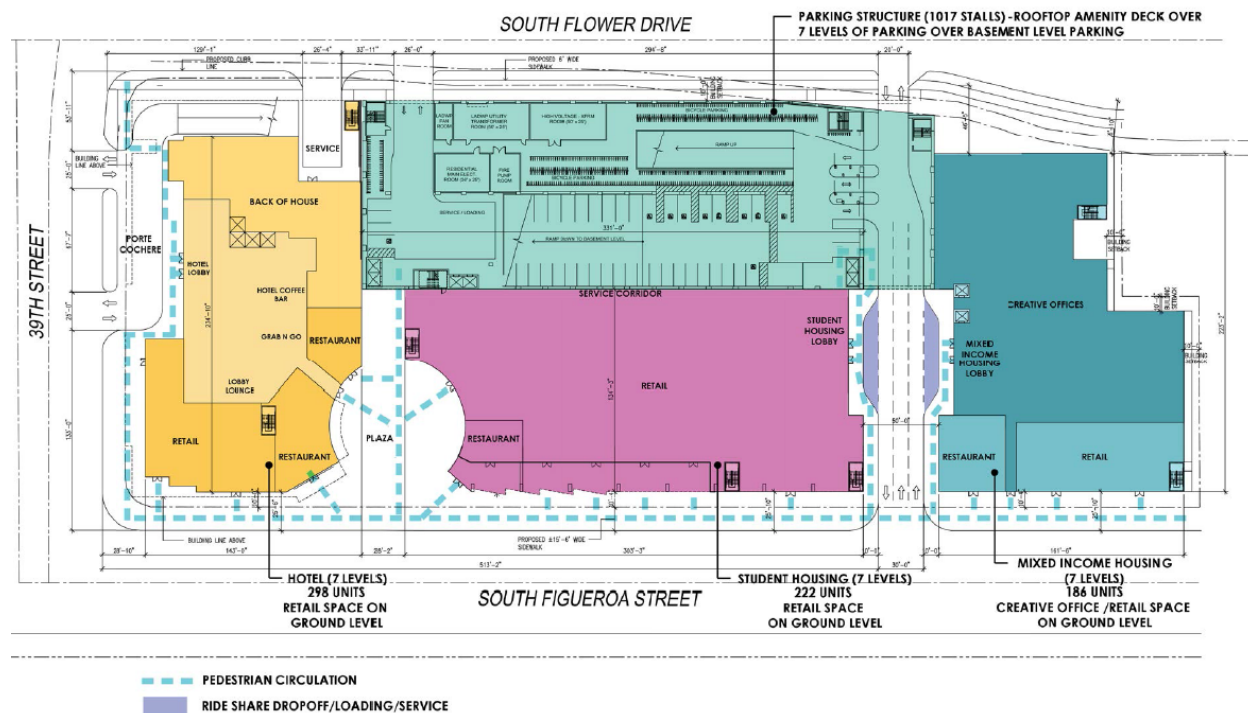
Current Development Proposal

In September 2017, following the release of the Initial Study environmental review document, the applicant submitted revised project plans, with a reduction in the height of the hotel component and with no other changes to floor area. The most recent project plans submitted in February 2019 included a reduction of 3,480 square feet of guest room floor area within the hotel component, while otherwise leaving all other aspects of the Project unchanged.

The current proposal for The Fig Project would construct a mixed-use development comprised of the same three components: a Hotel Component, a Student Housing Component, and a Mixed-Income Housing Component. Each component would be contained in a separate seven-story building designed specifically to serve a distinctive function, and all three components would be served by a central eight-story parking structure with one level of subterranean parking and a rooftop amenity level. The three main buildings would reach a building height of 83 feet, and the parking structure would be up to 90 feet in height. The Project includes up to 620,687 square feet of floor area, and a floor area ratio (FAR) of up to 3.25:1, including a commercial FAR of 0.50:1.

As illustrated in the following Site Plan, the proposal would cohesively redevelop the site with a unified mixed-use development, with ground-floor commercial uses and hotel, student housing, and residential buildings designed to activate the street frontages and complement an active retail plaza. The project's street frontages would be lined with pedestrian-scale features, landscape and streetscape elements, and active uses such as transparent storefronts and residential lobbies along Figueroa Street and a hotel lobby and amenities along 39th Street. Collectively, this design would materially enhance the streetscape and activate the pedestrian realm, allowing for direct pedestrian access to each of the project components from the adjacent public streets.

Illustrated Project Site Plan



Commercial uses and entrances would be provided along Figueroa Street, and accessible from the pedestrian walkways along the perimeter of the buildings and from the central plaza. The central outdoor plaza would connect the hotel, retail areas, and student housing building, allowing for a transition from the commercial components of the hotel and retail uses near 39th Street and Figueroa Street to the mixed-income housing building further south. The mixed-income housing building at the southern end of the project site would include ground floor retail and office uses, with separate pedestrian level entrances and lobbies. The hotel and ground-floor commercial uses across the development are intended to complement the activity and uses across Figueroa Street at the Banc of California Stadium as well as other sports and cultural institutions housed at Exposition Park. The vehicular access and port cochere of the hotel is located along 39th Street, which allows more pedestrian activity to occur along Figueroa Street. Vehicular access is also located between the student and mixed-income housing buildings, allowing for a visible separation between the two structures, but still functioning as a unified development. Additional vehicle entrances and loading areas are located off of Flower Drive.

Hotel

The Hotel Component would be constructed on the northern portion of the Project Site and would occupy the corner of 39th Street and Figueroa Street. The Hotel Component would be comprised of seven above-ground levels and a basement level. The basement level would be dedicated to back-of-house uses, food preparation and service areas, as well as 2,103 square feet of public meeting space. Level 1 would include the hotel lobby; administrative and back-of-house-uses; and 8,876 square feet of ground-level retail and restaurant uses along Figueroa Street, of which 5,061 square feet would be retail and 3,815 square feet would be restaurant. In addition, 1,340 square feet of outdoor dining area would be provided on Level 1. The hotel's proposed 298 guest rooms (consisting of a mix of short-term and extended-stay guest rooms) would be located on Levels 2 through 7 of the building. Level 2 would also contain a 6,459-square-foot dining area with a bar and terrace, 5,100 square feet of public meeting space, as well as a private hotel outdoor courtyard and a public outdoor courtyard with garden. The hotel

would also offer 13,553 square feet of shared guest and public space, such as a café, lounge, and pre-function areas.

Student Housing

The Student Housing Component would occupy the western portion of the Project Site, between the Hotel Component and the Mixed-Income Housing Component. The ground level of the building would consist of a lobby, 26,732 square feet of retail space, a restaurant space totaling 6,259 square feet, 1,600 square feet of outdoor dining area, and leasing and other administrative uses. Proposed hours of operation for the retail and restaurant uses would be from 5:00 A.M. to 2:00 A.M. Levels 2 through 7 of the building would contain 222 student housing units consisting of a mix of studio, one-bedroom, two-bedroom, and four-bedroom units. Two private courtyards would also be provided on Level 2.

Mixed-Income Housing

The Mixed-Income Housing Component would be constructed on the southern L-shaped portion of the Project Site. The ground level of the building would include a lobby, leasing office, and other administrative uses; 20,364 square feet of creative office space, 4,824 square feet of retail uses, and 2,176 square feet of restaurant uses. Proposed hours of operation for the retail and restaurant uses would be from 5:00 A.M. to 2:00 A.M. Levels 2 through 7 of the building would contain 186 dwelling units consisting of a mix of studio, one-bedroom, and two-bedroom units. Eighty-two of the units in the Mixed-Income Housing Component building (representing 20 percent of the Project's 408 total dwelling units) would be restricted to Low Income households earning no more than 80 percent of the Area Median Income, as determined by the City's Housing and Community Investment Department (HCID). Level 2 would also include three private courtyards, one of which would be enclosed while two would be open to the south. A total of 1,960 square feet of lounge areas would also be provided on Levels 2 and 7.

Parking Structure

A multi-level parking structure would be centrally located on the eastern portion of the Project Site, directly behind the Student Housing Component and between the Hotel Component and the Mixed-Income Housing Component. The strategic location of the parking structure would create a buffer between the freeway and the majority of the Project's housing units. The parking structure would consist of seven above-ground levels and one subterranean level. The ground floor level would include commercial loading areas, bicycle parking, and would house mechanical functions. This building would also have a rooftop level containing amenities for hotel guests and residents of the Project. A 1,061-square foot fitness center, a pool, and a spa would be provided on the northern portion of the rooftop level for the Hotel Component. To the south of the hotel amenities, a 1,950-square-foot fitness center/student lounge, a pool and spa, a basketball court, and barbeque areas would be provided for the Student Housing Component. A 1,300-square-foot fitness center/lounge, a pool, and barbeque areas would be located on the southern portion of the rooftop level of the parking structure for the Mixed-Income Housing Component. Additionally, the enclosed fitness centers would be located along the eastern portion of the rooftop to create a buffer between the open space amenities and the adjacent elevated freeway, which would be located below the roof level.

Access to the parking structure for hotel guests would be provided at the ground level through an elevator lobby located on the northwest corner of the parking structure. Access to the parking structure for the residents of the Student Housing Component would be provided through entrances located along the eastern elevation at each level of the Student Housing building. Access to the parking structure for residents of the Mixed-Income Housing Component would be available from elevators located on Levels 2 through 7 of the Mixed-Income Housing building.

Parking

The Project would be required to provide a total of 1,017 vehicular parking spaces per LAMC requirements, which includes permitted reductions for providing bicycle parking pursuant to the City's Bicycle Parking Ordinance. All parking would be provided within the parking structure as follows: 541 residential parking spaces, 359 commercial parking spaces, and 117 parking spaces for hotel guests. In addition, the parking garage would include infrastructure for electric vehicle charging stations to facilitate the use of electric vehicles.

The Project would also provide short- and long-term bicycle parking in accordance with LAMC requirements. A total of 586 bicycle parking spaces would be provided, including 114 short-term spaces and 472 long-term spaces. Short-term bicycle parking would be provided along the street frontages within the public right-of-way. Long-term bicycle parking would be located on the ground floor within the eastern portion of the parking structure along Flower Drive.

Access and Circulation

Primary vehicular access to the Project Site would be provided via a driveway entrance off of Figueroa Street between the Student Housing Component and the Mixed-Income Housing Component, which would provide access to the parking structure, as well as through the Project Site to Flower Drive. Vehicular access to the hotel would be provided via a porte-cochere located off of 39th Street, which would offer valet services to hotel guests. The porte-cochere would also provide access to the basement level of the shared parking garage. In addition, a loading/service area for service vehicles would be located at the southeast corner of the hotel building off of Flower Drive. Vehicular access to the Student Housing and Mixed-Income Housing would be available from the full-access driveway off of Figueroa Street, and would include a designated area for rideshare and drop-off leading into the parking structure. An additional commercial loading/service area would be provided in the parking structure, which would be accessible from a driveway off of Flower Drive.

Pedestrian access within and around the Project Site would be enhanced via wide sidewalk areas, a circular pedestrian plaza located between the Hotel Component and the Student Housing Component, and new landscaping within and along the perimeters of the Project Site. Sidewalk widths in the public right-of-way along Figueroa Street would be 15 feet 6 inches, 15 feet along 39th Street, and 10 feet along Flower Street. However, the Project buildings would be set back along the ground floor along all frontages in order to create wider pedestrian spaces, resulting in pedestrian walkway widths of approximately 25 feet along Figueroa Street, 28 feet along 39th Street and 10 feet along Flower Drive. Public access to the retail and restaurant spaces in all three buildings would be provided via entrances along Figueroa Street. Public access to the hotel lobby would be provided on 39th Street, with a secondary access located off of the central plaza. Pedestrian entrances to the Student Housing and Mixed-Income Housing buildings would be provided off of the internal drive between the two buildings. Although not currently depicted in the site plan, each of the residential lobbies would provide direct elevator access to each of the building's floors, as well as adjacent stairways which would provide a direct exit to the outdoors.

Entitlements:

In order to develop the project, the applicant has requested the following land use entitlements:

- A **Vesting Zone Change** and **Height District Change** to the (T)(Q)C2-2D Zone over the entire site, to facilitate an increase in FAR to 3:25:1 by providing incentivized student housing and affordable housing uses in conformance with Southeast Los Angeles Community Plan Footnote No. 14, and an increase in allowable height to eight stories or 90 feet.
- A **Conditional Use Permit** to allow a hotel use in the C2 (commercial) zone within 500 feet of an R (residential) zone, as a remnant parcel of unusable vacant land underneath the adjacent I-110 Freeway is zoned for R4-2 residential use.
- A **Master Conditional Use** to allow for on-site alcohol sales at up to six establishments within the hotel and restaurant spaces, including outdoor dining areas.
- A **Determination** to deviate from the transitional height requirements of the Municipal Code by allowing for building heights of up to 90 feet within 100 to 199 feet of the OS zone (Exposition Park), in lieu of the maximum 61 feet otherwise permitted by Code.
- A **Site Plan Review** to review the site design for orderly development, compatibility with adjacent uses and infrastructure, and potential impacts to public safety and the environment.
- Consideration of the **Environmental Impact Report** document; adoption of the Statement of Overriding Considerations for unmitigatable impacts with regards to historic resources, construction and operational noise, and operational traffic impacts at eight intersections; and adoption of a Mitigation Monitoring Program to off-set any potential environmental impacts the project may have on the environment.

In addition, a **Vesting Tentative Tract Map** (VTT-74913-CN) for the merger and resubdivision of the site into one ground lot and eight commercial condominium lots and to vacate a portion of the existing right of way along Flower Drive was approved on December 7, 2018 by the Advisory Agency. The approval also included a Haul Route for the export of 60,800 cubic yards of soil. The approval was appealed on December 14, 2018 by Jim Childs of the West Adams Heritage Association and on December 17, 2018 by Mitchell Tsai of SAJE and will be considered concurrently by the City Planning Commission at its February 14, 2019 meeting.

Entitlement Analysis:

Zone Change and Height District Change

The project site consists of approximately 4.4 acres, with the western portion of the site zoned for C2 commercial uses, and the eastern portion of the site zoned for R4 uses, which allows for multi-family residential and limited commercial uses. In order to redevelop the Project site under a unified commercial designation, a zone change to the C2 Zone and Height District 2D is requested across the project site. The C2 Zone allows for general commercial uses, which include hotels, office space, restaurants, and retail stores, as well as student housing, multi-family residential, and parking uses. This unified commercial zone would allow for development on-site under a cohesive set of zoning standards in conformance with the Community Plan's Community Commercial land use designation, rather than a bifurcated set of commercial and residential zoning. Under the current zoning, residential uses along Flower Drive are isolated from other residential neighborhoods and are slotted in between regionally-focused commercial, cultural, and sports entertainment uses and the I-110 Freeway.

The City's General Plan land use designations and policies anticipate higher-density development along the Figueroa Street Corridor, with specific incentives for mixed-use development, ground-floor commercial uses, student housing, and affordable housing. The project's proposed density and 3.25:1 FAR is in line with the density anticipated within the identified Figueroa Street Corridor regional center. The project represents an opportunity to redevelop the site with a project that is compatible with the existing and future developments in the area and that would directly contribute to the City's pertinent goals for housing, economic development, and neighborhood connectivity by providing a significant number of residential units, hotel rooms, and commercial uses in proximity to regional transit and the varied cultural, educational, and entertainment uses of Exposition Park

In addition, T, Q, and D conditions are being imposed. The T conditions would guarantee public right-of-way dedications and streetscape improvements in accordance with the adjacent MyFigueroa capital improvement project, the recent relinquishment of Caltrans land back to the City along Flower Drive, the Mobility Plan 2035, and City Street Standards. As part of these improvements, Flower Drive would be dedicated and improved to connect 39th Street to the north to Martin Luther King Jr. Drive to the south. Associated Q conditions would limit development on the site to the proposed hotel, student housing, mixed-income residential, and commercial uses and require a minimum plaza area along Figueroa Street. D limitations would set limits on density and height in-line with the proposed development.

The project is exempt from the affordability requirements typically required for zone changes under Measure JJJ, as the project's entitlements were filed on July 26, 2016 and deemed complete on September 8, 2016, prior to the effective date of the measure.

Conditional Use for Hotel

The project includes locating a hotel use within 500 feet of a residentially-zone property. However, the only residentially-zoned parcels in the vicinity are narrow remnant slivers of land located on the east side of Flower Drive, adjacent to and underneath the I-110 Freeway, and which remain vacant and do not include any residential uses. Additional residential uses in commercial zones are located to the north of the site. The proposed hotel location is optimal for its proximity to the USC campus, Exposition Park, the newly constructed Banc of California Stadium, and the Los Angeles Coliseum, which would be important activity centers during the upcoming Olympic Games.

Alcohol Sales

The project proposes the on-site sale of alcohol service within six establishments within the hotel and restaurants spaces, including outdoor dining areas. The alcohol-sale establishments would follow an established pattern of permitting alcohol sales along commercial corridors and in proximity to compatible uses, including the adjoining Banc of California Stadium. The proposed sales and services would continue to add to the diversification of commercial activities being conducted in the area and would not adversely affect the surrounding neighborhood.

Transitional Height Determination

Transitional Height standards of the Municipal Code set maximum building heights for commercially-zoned uses within certain distances of low-density residential and open space zones. The project site is located between 100 and 199 feet of Exposition Park, which is zoned for Open Space (OS). This proximity triggers the LAMC's transitional height requirement (maximum of 61 feet), which is intended to protect the City's low- and no-intensity zoning designations from encroaching development. However, the portion of Exposition Park adjacent to the Site is currently developed with the recently opened Los Angeles Football Club Banc of

California soccer stadium (which exceeds 100 feet in height). Therefore, there is less of a rationale for imposing a 61-foot transitional height limit on the project. Accordingly, the Applicant is seeking discretionary approval of a Zoning Administrator's determination to exceed the LAMC's transitional height limits to allow the Project's building heights.

Site Plan Review

Project Design:

The project was presented to the Department of City Planning's Urban Design Studio and Professional Volunteer Program, which acts as a venue for Department of City Planning staff to gather project-specific urban design advice and insight from local architecture professionals.

Feedback was provided regarding the following considerations:

- *Building Design.* The applicant should consider either a cohesive design for the entirety of the project with a strong unifying theme or color palette, or distinct designs for each of the individual uses within an overarching theme. Additional variation could be created by breaking up the façade space (e.g. another plaza feature along Figueroa Street or driveway entrance) or varying the height of the buildings. The south elevation needs to be better articulated, as there is an inequity in the design of the Mixed-Income Component as compared to the remainder of the development.
- *Rooftop Amenities.* The applicant should consider extending the rooftop amenities towards Figueroa Street, and adding buildings or structures on the east end of the rooftop as to provide a buffer from the freeway.
- *Residential Courtyards.* The applicant should consider widening or reconfiguring the courtyards to bring in additional light and air.
- *Residential Units Adjacent to Freeway.* No balconies should face the freeway.
- *Student Housing Entrance.* The applicant should consider separating the student housing entrance from the hotel plaza due to the difference in users.
- *Circulation.* The applicant should provide additional details regarding entryway or entry presence or lobbies for Student Housing and Mixed Income buildings, access to parking and open space areas, loading areas, rideshare drop-off, and bicycle parking.
- *Landscaping.* Landscaped courtyards above retail spaces might be problematic due to the depth and watering requirements for trees. Landscaping should be confirmed regarding feasibility.

This feedback was relayed to the applicant, which resulted in the following design improvements, as reflected in the current version of the building plans:

- *Building Design.* The project elevations were revised with a number of improved architectural treatments and materials. The hotel element was maintained as a distinct component and use, and the student housing and residential components were redesigned to provide a more unified look. In addition, the ground floor of the residential component was improved with greater transparency. The south elevation of the development, which was previously mostly windowless, was revised with ample windows and articulation. Specifically, windows from the Figueroa elevation were continued to wrap the corner of the building and to create a three-dimensional window feature at the street, tying the two elevations together and anchoring the building at the corner. Next to the window feature, graphics were added for visual interest and identification. The residential courtyard elevations pick up similar architecture, materials, and colors as are used in the enhanced Figueroa Street elevation. In addition, the freeway-facing parking structure elevation was revised to be treated with a unique architectural woven mesh

system material, resulting in an accordion-like installation pattern and an improved visual effect of the building as seen from the freeway.

- *Rooftop Amenities.* The rooftop amenities were relocated away from the freeway and designed to be fully buffered by structures for the indoor fitness and lounge amenities, along with landscaping.
- *Residential Courtyards.* No changes were made to the courtyard design, as the applicant indicated that the interior courtyard areas are meant to be used as quiet and passive spaces. The centrally-located rooftop amenity deck, which would receive ample sun year-round, is intended as the open space hub for the development.
- *Residential Units Adjacent to Freeway.* The project has been designed to primarily utilize the parking structure to buffer the residential units. The 30 units (out of 408) that have windows facing the freeway have been intentionally placed at a location which has the widest setback from the street to allow for mature landscaping to buffer the view and noise. No balconies will face the freeway.
- *Student Housing Entrance.* The student housing entrance has been separated from the retail plaza and is located along the main drive into the residential components of the project.
- *Circulation.* Additional circulation and design details have been provided in the latest plans, and site plan review conditions have been proposed regarding circulation, lobbies, and passageways.
- *Landscaping.* The landscaped plan was significantly revised with greater detail and enhanced amenities. Shade-tolerant plantings were chosen for the courtyard areas to ensure viability.

Urban Design

The Citywide Design Guidelines, adopted by the City Planning Commission on June 9, 2011, establish a baseline for urban design expectations and present overarching design themes and best practices for residential, commercial, and industrial projects. Commission policy states that approved projects should either substantially comply with the Guidelines or through alternative methods to achieve the same objectives, and that the Guidelines may be used as a basis to condition an approved project. These design guidelines focus on several areas of opportunity for attaining high quality design in mixed-use projects, including: enhancing the quality of the pedestrian experience along commercial corridors; nurturing an overall active street presence; establishing appropriate height and massing within the context of the neighborhood; maintaining visual and spatial relationships with adjacent buildings; and optimizing high quality infill development that strengthens the visual and functional quality of the commercial environment.

Fig project achieves these goals through several features. The site design of the mixed-use development creates an active pedestrian experience along all street frontages and incorporates a plaza to further enhance pedestrian activity. To engage the public sidewalk areas, the buildings contain active ground-floor uses, including retail, restaurant, and lobby areas. Ground-floor elevations incorporate pedestrian-scaled entrances, a generous plaza flanked with retail and restaurant uses, as well as articulated and transparent storefronts. Additional pedestrian amenities include updates to the adjacent sidewalks, street trees, and street lighting. Overall, the building elevations utilize a variety of architectural features, building materials, and changes in building depth and color in order to create a consistent rhythm and cohesive theme for the development. The design, scale, massing, and style of the buildings is also appropriate in the context of the neighborhood, which is developed with older low- and mid-rise multi-family housing stock, and a collection of older low-rise commercial buildings and new mixed-use mid-rise buildings along Figueroa Street, as well as the modern Banc of America Stadium.

Walkability

The Citywide Design Guidelines complement and expand upon the Walkability Checklist, (adopted by the City Planning Commission on August 23, 2007), which provides guidance and tools for encouraging pedestrian activity, promoting high quality urban form, and place-making within project sites. The Checklist reinforces many of the same principles identified in the Citywide Design Guidelines, and addresses such topics as building orientation, building frontage, landscaping, off-street parking and driveways, building signage, and lighting within the private realm; and sidewalks, street crossings, on-street parking, and utilities in the public realm.

The proposed project is consistent with the goals and implementation strategies identified in the Walkability Checklist. In general, the site design creates active environments by supporting a variety of pedestrian activities, and buildings are oriented and easily accessible from adjacent public streets and open spaces, including a new approximately 8,000 square-foot landscaped plaza. Driveways are minimized within the site, while providing essential vehicle ingress and egress to internal parking areas. Improvements to the public right-of-ways include updated sidewalks, street trees, and street lighting. These on- and off-site project features and improvements will lend themselves to create a safe and engaging pedestrian environment, and will enrich the quality of the public realm, consistent with the objectives of the Walkability Checklist.

Site Plan Review Conditions

Conditions of approval under the site plan review require appropriate building setbacks to accommodate wide pedestrian pathways, safe and well-lit pedestrian access along the main internal drive to access residential lobbies, screening and articulation of the parking structure, buffering of rooftop amenities, landscaping, and sustainability standards in terms of electric vehicle parking and dark sky lighting compliance.

Environmental Analysis:

The following is a summary of the environmental review process and final impacts resulting from the proposed project. The City initiated the environmental review process for the Project in 2016, published a Notice of Preparation (NOP) on July 18, 2016, and held a Public Scoping Meeting on August 10, 2016. The purpose of the notice and meeting were to formally convey that the City was preparing a Draft EIR for the proposed Project and to solicit public input. The Draft EIR was then circulated starting on October 12, 2017 and ending on November 27, 2017. Comments received in response to the Draft EIR, as well as revisions, clarifications, and corrections, were then published in the Final EIR and distributed on October 12, 2018. An Errata was prepared and published on November 28, 2018.

On November 7, 2018, a hearing regarding the City Planning Commission entitlement requests was held by the Hearing Officer. On December 5, 2018, a hearing regarding the Vesting Tract Map subdivision and Haul Route requests was held by the Deputy Advisory Agency. The Deputy Advisory Agency certified the EIR on December 7, 2018 in connection with its approval of the vesting tentative tract map No. VTT-74193 for the project. Both the environmental clearance and the Tract Map were appealed and will be presented concurrently at the February 14, 2019 City Planning Commission meeting. A second Errata was prepared on January 31, 2019 and made available to the public by posting on the City's website hosting the project's EIR. The January 2019 Errata clarified the conclusions of the aesthetic impacts of the project as they relate to historic resources, in the context of Senate Bill 743.

The Environmental Impact Report identified impacts that would have 1) no impacts or less than significant impacts, 2) potential significant impacts that could be mitigated to less than significant, and 3) significant and unavoidable impacts. Impacts are summarized below.

Impacts found to be less than significant after mitigation include impacts to:

- Cultural Resources (Paleontological Resources)
- Noise (Construction Vibration, Project-level Increase in Ambient Noise Levels)
- Transportation/Traffic (Intersection LOS Impact at four intersections)
 - Figueroa Street & Jefferson Boulevard (A.M. peak period)
 - Figueroa Street & Exposition Boulevard (A.M. peak period)
 - I-110 SB Ramps & Martin Luther King Jr. Boulevard (A.M. peak period)
 - I-110 NB Ramps/Hill Street/Martin Luther King Jr. Boulevard (P.M. peak period)

Even with the implementation of all feasible mitigation, the project would still result in significant and unavoidable impacts to:

- Aesthetics (Operation and Views – related to Historic Resources)
- Cultural Resources (Historic Resources)
- Noise (Cumulative Increase in Ambient Noise Levels)
- Transportation/Traffic (Intersection LOS at eight intersections)
 - Figueroa Street & Jefferson Boulevard (P.M. peak period)
 - Vermont Avenue & Exposition Boulevard (A.M. peak period)
 - Figueroa Street & Exposition Boulevard (P.M. peak period)
 - Figueroa Street & 39th Street/Exposition Park Drive (A.M. peak period)
 - Figueroa Street & Martin Luther King Jr. Boulevard (A.M. and P.M. peak periods, and USC Pre-Game Peak Hour)
 - Broadway & Martin Luther King Jr. Boulevard (P.M. peak period)
 - Figueroa Street & 30th Street (P.M. peak period)
 - Figueroa Street & Adams Boulevard (A.M. and P.M. peak periods).

Impacts to all other impact categories analyzed in the EIR would otherwise result in less than significant or no impacts.

Agency Reports Received:

Letters were received from the Department of Public Works (Bureau of Engineering, Bureau of Street Lighting, and Bureau of Sanitation), Department of Transportation, Fire Department, Department of Building and Safety (Zoning Division and Grading Division), Department of Water and Power, Department of Recreation and Parks, and the Los Angeles Unified School District prior to the completion of the Hearing Officer's report. These recommendations were included in the conditions for the Vesting Tentative Tract Map VTT-74193-CN. Conditions applicable to the zone change have been incorporated as (Q) or (T) conditions of approval.

Public Testimony:

A public hearing was held at City Hall for the proposed project entitlements on November 7, 2018 and was attended by approximately 60 individuals. Testimony was provided by the project applicant and architect and 37 speakers at the public hearing, and over 20 written comments were submitted, including a document with over 1,200 signatures in support of the project. The project received support from: County of Los Angeles Supervisor Ridley-Thomas (2nd District), Office of City Councilmember Price (9th District), the California Science Center, Los Angeles/Orange County Building Trades Council, Los Angeles Carpenters Union, Soledad

Enrichment Action, Comunidad Agape, Mamas de Sur Centro, Sharing University, and local residents. Opposition to the project was expressed by the Empowerment Congress North Area Neighborhood Development Council, North University Park Community Association (NUPCA), West Adams Heritage Association (WAHA), Adams Dockweiler Heritage Organizing Committee (ADHOC), Strategic Actions for a Just Economy (SAJE), residents of the Project Site, and community members. In addition, general comments were received from the Department of Toxic Substances Control, County of Los Angeles Public Health, and City of Los Angeles Bureau of Sanitation.

In general, oral and written support for the project centered on the project's benefits in terms of economic growth, area revitalization, transit-adjacency, providing student housing in proximity to the USC campus, and the project's efforts for increasing housing supply, affordable housing, and hotel uses to meet regional demands.

Opposition to the project centered on concerns regarding the displacement of long-time residents and the removal of rent-stabilized units, indirect impacts on area rents, the removal of the Flower Drive Historic District, conflicts with State and local policies, recommendations that an alternative should be adopted to preserve the historic resources, flaws of the environmental analysis, and that the project would not benefit the local community.

Issues

Two core issues consistently emerged throughout the public testimony provided during the environmental review process and public hearings for the project. These issues centered on the significant impacts to cultural resources from the removal of the eight buildings comprising a portion of the Flower Drive Historic District, and concerns related to the direct displacement of these buildings' residents.

Flower Drive Historic District:

As previously stated, the eight multi-family residential buildings within the northeastern portion of the Project Site are located within the Flower Drive Historic District. The remaining 11 structures comprising the District are located off-site to the north of the Project Site, across 39th Street and on the west side of Flower Drive. The Flower Drive Historic District was determined eligible for the California Register of Historical Resources under associations with events that have made a significant contribution of the broad patterns of Los Angeles' history and for embodying the Mediterranean Revival Style. Photographs of the historic buildings at the project site are provided below.

Northern Portion of the Project Site



Southern Portion of the Project Site

Note: Banc of California Stadium visible to the left



The Project proposes the removal of all structures and parking areas for development of the site. Although mitigation measures are included as part of the project to address this impact, the relocation of some of the structures and the demolition of the remaining buildings would nonetheless result in significant and unavoidable impacts to these historic resources.

The Historic District component of the Project Site covers approximately 1.4 acres of the total 4.4 acres comprising the site, or approximately 30% of the total site area. The District component also encompasses a significant portion of the site's Flower Drive frontage (64%), and half of the width of the site.

Preservation Alternatives Analysis

Throughout the environmental review process, several alternatives were considered for both the partial and full preservation of the eight buildings on-site. The following is a summary of the analysis and conclusions of the EIR and the CEQA findings regarding alternatives considered.

Three of the four alternatives analyzed in the EIR contemplated preserving some or all of the Project Site's historic structures as a means to reduce the Project's impacts on historical resources. Alternative 1 (No Project Alternative) contemplated the preservation of all building on the site and no new development on the balance of the site. Alternative 2 (Community Plan Update Compliant/ Historic Preservation Alternative) contemplated the retention of the seven on-site contributors to the Historic District, and a reduced scale of development on the balance of the Project Site. Alternative 3 (Reduced Density/ Partial Historic Preservation Alternative) contemplated the retention of four on-site contributors to the Historic District, and a reduced scale of development on the balance of the Project Site. However, as detailed in the EIR, these alternatives that would preserve some or all of the Project Site's historic resources would also not meet some or all of the Project objectives, due to the reduction or elimination of various Project components made necessary by the reduced development footprint available. Accordingly, these three alternatives were rejected as infeasible in the EIR, and substantiated with rationale and findings in the CEQA Findings.

In general, the preservation alternatives would fail to meet several of the Project's basic objectives and would meet other objectives to a lesser extent than the Project. Specifically, the alternatives would provide significantly fewer market-rate housing units in the Community Plan area, which would reduce housing opportunities within an area of the Community Plan that is well served by a diversity of transportation alternatives, including transit, bicycling, and walking. Moreover, retaining the Project Site's existing structures significantly reduces the available

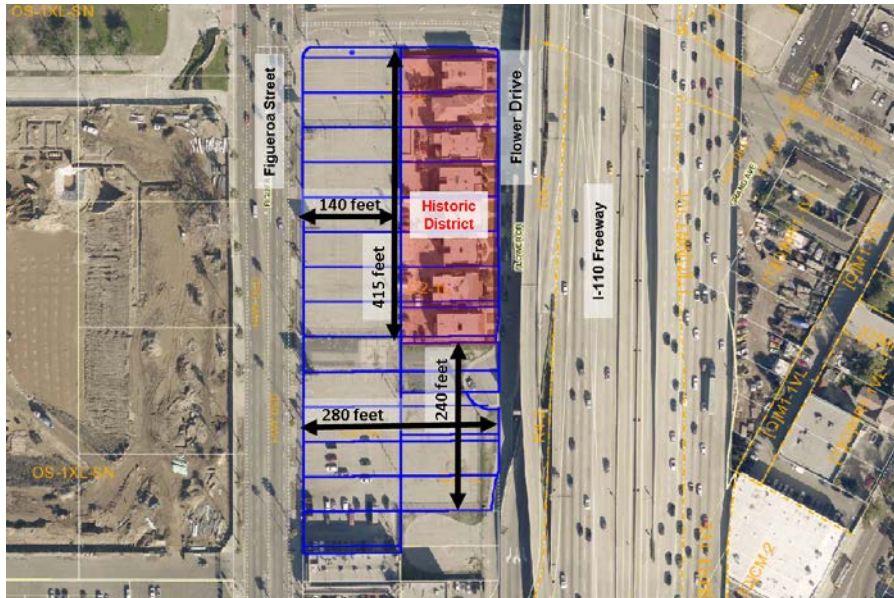
development footprint, resulting in a corresponding decrease in achievable residential density and overall development envelope, and therefore hindering the ability to provide both market-rate and affordable units, thereby failing to meet the housing and affordable housing needs of the community.

Due to the reduced development footprint, the alternatives would provide significantly fewer student housing units, which would only partially meet the existing demand for such housing in close proximity to USC. Although some of the alternatives could improve the visual character and pedestrian environment along Figueroa Street by providing ground-level retail and commercial uses, they would not be able to construct a parking structure to create a buffer from the freeway and would locate habitable rooms adjacent to the freeway. Furthermore, as analyzed in the EIR, the reduced development footprint would constrain development of a hotel component, which requires distinct and separate access and circulation improvements from an adjoining residential component and potentially renders the provision of a hotel at the Project Site infeasible. This would thereby limit some of the alternatives in meeting the Project's objective of accommodating the short-term and extended stay lodging needs of visiting faculty, parents of students, and other guests. The potential elimination of the hotel component, coupled with the significant reduction in commercial retail and restaurant floor area, also does not meet the Project's objective of maximizing sales and transit occupancy tax revenue for the City. Therefore, the alternatives would fail to meet a number of the Project's basic objectives and would not achieve other remaining objectives to the same extent as the Project.

In addition, regarding the City's planning goals and policies, the City supports redevelopment of the Project Site with high density uses and has utilized planning tools such as Community Plan Footnote No. 14 to maximize developable area on the site with incentives for both student housing and affordable housing. Alternatives considered would not maximize developable area on the Project Site due to the reduced proposed density. Moreover, the City has stated that Regional Centers should contain uses to maximize density on development sites located adjacent to transit and within the transit core areas identified in the City's planning and policy documents. The reduced density associated with the alternatives does not meet to the same extent the City's planning goals for density, student housing, and affordable housing, and is less desirable from a policy standpoint.

Furthermore, regarding social and other considerations, the Project Site is located in an area of the City that is undergoing densification. The existing conditions and development trends in the vicinity of the Project Site are maximizing density because the area is transit rich and located near amenities of regional significance, such as the adjacent Exposition Park, various museum and institutional uses, regional entertainment/sports venues, and the University of Southern California campus. Thus, there are several social and other considerations that warrant maximizing the density of development on the Project Site to implement a mixed-use, mixed-income residential and hotel project that can deliver the amount and type of housing, hotel rooms and amenities desired by the City to support citywide housing goals, affordable housing needs, hotel room demand caused by convention business, regional entertainment venues, domestic and international tourism, and the forthcoming Olympic Games.

Aerial View of the Project Site



Specific Development Constraints

Specifically, retaining the site's structures significantly reduces the available development footprint of the Project Site, resulting in an L-shaped development area, limited to narrower 140-foot width along Figueroa Street for a majority of street frontage, and a 240-foot long frontage along Flower Drive, located mid-block along the street. Potential development on the site would likely include structures several stories in height to be located immediately adjacent to the properties of the historic structures, or the potential development would be required to be designed with setback upper stories. Site access would be further limited, as driveways or vehicular access from 39th Street would likely be infeasible due to the limited site width and its proximity to the Figueroa Street and 39th Street intersection. These additional constraints would impact the ability for the site to be developed with the proposed mix and density of uses, as well as limit site design and building envelopes.

By utilizing the full width of the project site, the current proposal is able to execute a viable site plan which effectively separates the hotel and housing components, by orienting hotel vehicular uses to 39th Street and allowing for a central retail plaza between the hotel and residential components. At the same time, the proposal is also able to implement efficient site solutions such as a centralized parking structure serving all site users and a shared rooftop amenity deck. The ability to develop parking and amenities on the eastern portion of the site also buffers the development from the freeway. The proposed site design also provides ample ground-floor space for commercial tenants and offices, complemented by pedestrian plazas and amenities, and wide walkways with bicycle parking along each street frontage. In addition, the site's circulation pattern is able to fully activate the Figueroa Street frontage, minimize driveway entrances from the main pedestrian corridor, separate the hotel arrival area from the residential uses, and locate loading areas and back of house uses towards the rear of the site.

Displacement of Residents:

As part of the proposed development on the Project Site, the eight existing multi-family residential buildings on the site would be removed. The buildings contain a total of 32 residential apartments, with seven of the units currently vacant. To remove the buildings, which would

either be relocated to another site or demolished, the existing tenants would be required to move out of the buildings.

A significant majority of residents from the Project Site have attended the various public meetings regarding the project, including the August 2016 Scoping Meeting at the initiation of the environmental review process, the November 2018 public hearing regarding the City Planning Commission entitlement requests, and the December 2018 public hearing for the Advisory Agency's consideration of the tract map. The site's residents have provided public testimony at each of the hearings as well as in written testimony, including comments on the environmental review documents.

Public testimony from on-site residents, as well as from other local residents and community groups, has centered on the following points: the Project will displace a number of long-time residents and remove rent-stabilized units and affordable housing. Displacing these residents will break up an established community, limit residents' access to work, school, and services due to the lack of affordable housing options in the area, and result in severe financial and emotional hardships for residents, including homelessness. In addition, the Project will indirectly increase rents in the area and cause gentrification.

Removal of Rent Stabilized Units and Ellis Act Evictions

All of the residential properties on the Project Site are subject to the regulations of the Rent Stabilization Ordinance (RSO). The RSO is intended to protect existing tenants from excessive rent increases, while at the same time allowing landlords to increase rent each year by a fair amount. Once a tenant leaves an RSO unit, the landlord may charge market-rate rent to the next tenant, although the new rate is again protected from excessive rent increases. This is different from a typical "affordable" housing unit, which sets an affordable rental rate based on a percentage of the Area Median Income (AMI) for a period of 55 years by a covenant agreement. Affordable housing units can only be increased to a market-rate rent after 55 years. Affordable housing units thereby guarantee a long period of affordability, whereas RSO units can be vacated by a tenant and increased to a market-rate rent at any time. Currently, no affordable housing units are located on-site.

In addition, the Ellis Act Provisions provide other rental protections, which, among other things, require landlords to provide all tenants with 120 days' notice, or one year if the tenants lived in the accommodations for at least one year and are more than 62 years of age or disabled, when rental units subject to the RSO are to be withdrawn from the rental market. The project residents will receive all applicable legal protections during the removal of the Project Site's existing units from the rental market.

Generally, if RSO units are withdrawn from the market and demolished, and are replaced with new rental units, the new units may be provided at market-rate rents, but will also be subject to RSO standards, such as limits on rental increases. Alternatively, these replacement units could be provided as Very Low or Low-Income affordable housing units to satisfy this requirement. The Project proposal includes 82 Low-Income affordable housing units, which exceeds this replacement requirement.

Project Results in Increased Affordable Housing Units

Overall, the Project would result in a net increase in the total number of housing units on the site (from 32 units to 408 units) and would include 82 new deed-restricted affordable units. Concerns about the loss of rent-stabilized housing, the relocation of renters, and the direct impacts to these residents and families should not be dismissed or diminished; however, consideration of these impacts should also be balanced with a consideration of the potential of the Project to provide a significant amount of long-term affordable housing, which would be

provided to City residents which face similar hardships regarding housing affordability and access.

The provision of new housing and new affordable housing units is also supported and specifically incentivized by various City plans, policies, and regulations, and the Project would help deliver the amount and type of housing desired by the City to support citywide housing goals and affordable housing needs. In addition, displacement impacts of residents were fully analyzed in the EIR and found to be less than significant due to the resulting net increase of housing and affordable housing.

Conclusion

The project presents an opportunity to provide a cohesive mixed-use development on a key site along the Figueroa Street corridor adjacent to Exposition Park, and to bring 298 hotel guest rooms, 222 student housing units, 186 residential units including 82 affordable housing units, new active ground-floor commercial uses, a landscaped plaza, and various streetscape improvements to the immediate area. The proposed project would enhance the built environment through the unified development of the site and would include essential and beneficial uses through the synergetic balance of residential and commercial components, within a transit-oriented commercial corridor. The project would also benefit the community, city, and region by activating an underutilized site and contributing much-needed residential uses, affordable housing, student housing, hotel rooms, and employment in support of the City's goals for housing and economic development.

The proposed mixed-use development would be compatible with the site's Regional Commercial designation from the General Plan Framework, Community Commercial land use designation of the Community Plan, Footnote 14 of the Community Plan incentivizing affordable housing and student housing uses, and the policies of the General Plan. The requested C2 Zone and Height District 2D are in conformance with the public necessity, convenience, general welfare, and good zoning practice. Staff recommends approval of the (T)(Q)C2-2D Zone with the attached (Q) Qualified conditions, (T) Tentative conditions, and D limitations, which support the policies of the Land Use Element of the General Plan.

Requests for alcohol sales, a review of the site plan and layout, and the distribution of open space amenities would all help facilitate a beneficial mix of uses and allow for a cohesive site design, creating active and safe pedestrian environments, and offering a variety of amenities and open space features. The project's location, uses, height, and other features would be compatible with the surrounding neighborhood, and would not adversely affect public health, welfare, and safety. Furthermore, overriding considerations of economic, social, aesthetic, and environmental benefits for the Project justify adoption of the Project and certification of the EIR. Therefore, Department of City Planning staff recommends that the City Planning Commission approve the proposed project and entitlement requests.

CONDITIONS FOR EFFECTUATING (T) TENTATIVE CLASSIFICATION REMOVAL

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

Dedications and Improvements. Prior to the issuance of any building permits, public improvements and dedications for streets and other rights-of-way adjoining the subject property shall be guaranteed to the satisfaction of the Bureau of Engineering, Department of Transportation, Fire Department (and other responsible City, regional, and Federal government agencies as may be necessary).

1. Responsibilities/Guarantees.

- a. As part of early consultation, plan review, and/or project permit review, the applicant/developer shall contact the responsible agencies to ensure that any necessary dedications and improvements are specifically acknowledged by the applicant/developer.
- b. Prior to the issuance of sign-offs for final site plan approval and/or project permits by the Department of City Planning, the applicant/developer shall provide written verification to the Department of City Planning from the responsible agency acknowledging the agency's consultation with the applicant/developer. The required dedications and improvements may necessitate redesign of the project. Any changes to the project design required by a public agency shall be documented in writing and submitted for review by the Department of City Planning.

2. Bureau of Engineering.

Dedications Required:

39th Street

- a. That a five-foot wide strip of land be dedicated along 39th Street to complete a 15-foot wide sidewalk area in accordance with Avenue I of the LA Mobility Plan including a 20-foot radius property line return or 15-foot by 15-foot cut corners at the intersections with Figueroa Street and with Flower Drive.

Flower Drive

- b. That a variable width strip of land in the vicinity of lots 8, 9 and 10 of Block 15 of Zobelein's Grand Avenue and Figueroa Street Tract be dedicated along portion of the Flower Drive to complete a 25-foot half public street right-of-way.
- c. That an approximately 45-foot wide and variable width strip of land be dedicated in the vicinity of lots 12, 13 and 14 of Block 15 of Zobelein's Grand Avenue and Figueroa Street Tract for the southerly extension of the Flower Drive within the tract property ownership in accordance with Local Limited Standards on an alignment satisfactory to the City Engineer.

- d. That an approximately 45-foot wide off-site public right-of-way be dedicated over lots 15, 16, 17 and 18 Block 15 of Zobelein's Grand Avenue and Figueroa Street Tract for the southerly extension of the Flower Drive to join the existing Flower Drive improvements before the intersection with Martin Luther King Jr. Boulevard all in an alignment satisfactory to the City Engineer. Above off-site public street dedication shall be completed by a separate instrument prior to the recordation of the final map.
 - e. That in the event the off-site dedications for the southerly extension of Flower Drive to Martin Luther King Jr. Boulevard cannot be obtained prior to the recordation of the final map, then a revised be map submitted for Advisory Agency approval showing revised tract and street layout.
3. Improvements Required: That the following improvements be either constructed prior to recordation of the final map or that the construction be suitably guaranteed:
- a. **Flower Drive.** Improve Flower Drive adjoining the subdivision by the construction of the following:
 - i. A concrete curb, a concrete gutter, and a five-foot wide concrete sidewalk and landscaping of the parkway or a 10-foot wide sidewalk with tree wells.
 - ii. Suitable surfacing to join the existing pavement and to complete a 15-foot half roadway, if necessary.
 - iii. Any necessary removal and reconstruction of existing improvements.
 - iv. The necessary transitions to join the existing improvement.
 - b. **Flower Drive.** Improve the southerly extension of Flower Drive on-site and off-site by the construction of the following:
 - i. Concrete curbs, concrete gutters, and a 5-foot wide concrete sidewalk along easterly side and 10-foot wide sidewalk along the westerly side.
 - ii. Suitable surfacing to join the existing pavement and to complete a 30-foot wide total roadway.
 - iii. Any necessary removal and reconstruction of existing improvements.
 - iv. The necessary transitions to join the existing improvement.
 - v. Reconstruct any off-site driveway if necessary.
 - c. **Figueroa Street.** Improve Figueroa Street adjoining the subdivision by the construction of a new full-width concrete sidewalk with tree wells if necessary, including any necessary removal and reconstruction of existing improvements.
 - d. **39th Street.** Improve 39th Street adjoining the subdivision by the removal and reconstruction of the existing sidewalk to provide new full width concrete sidewalk with tree wells including any necessary removal and reconstruction of existing improvement.
 - e. **Corner Cuts.** Improve all newly dedicated corner cuts with concrete sidewalks. In addition, provide a 25-foot radius curb return at the corner of Figueroa Street and 39th

Street satisfactory to the City Engineer.

- f. **Curb Ramps.** Construct 8-off-site curb ramps in 39th Street being relinquished to the City from Caltrans under CF 17-1002 satisfactory to the City Engineer.
4. That the City Department of Transportation in a letter to City Engineer after approval by Planning department shall determine that the excess public street merger along Flower Drive is not necessary for future public street and has no objection to the merger.
5. That Department of the City Planning in a letter to the City Engineer shall also determine that the proposed merger area along Flower Drive is consistent with all applicable General Plan Elements of Highway and Circulation Elements for LA Mobility Plan.
6. In the event City Department of Transportation and Department of Planning in letters to City Engineer (after the approval of the Advisory Agency) state that they have no objections to the street area merger then that portion of the Flower Drive and as shown on the revised tentative map stamp dated August 30, 2018, then any excess public right-of-way beyond 25-foot wide measured from the Center line of Flower Drive under City jurisdiction be permitted to be merged with the remainder of the tract map pursuant to Section 66499.20.2 of the State Government Code, and in addition, the following conditions be executed by the applicant and administered by the City Engineer:
 - a. That consents to the street area being merged and waivers of any damages that may accrue as a result of such mergers be obtained from all property owners who might have certain rights in the area being merged.
 - b. That satisfactory arrangements be made with all utility agencies maintaining existing facilities within the area being merged.
7. That suitable evidence be submitted prior to the recordation of the final map showing that the relinquishment of the existing cul-de-sac area owned by the State of California and adjoining the tract under Council File No.17-1002 to the City of Los Angeles be completed in a manner satisfactory to the City Engineer. If this relinquishment is not granted to the City as a public right-of-way then the subdivider shall purchase the property satisfactory to the City Engineer prior to the recordation of the final map. Above relinquishment shall be completed prior to the recordation of the final map.
8. In the event that the existing cul-de-sac owned by the State of California has been relinquished to the City of Los Angeles as a public right-of-way under Council File No.17-1002 then this right-of-way be permitted to be merged with the remainder of the tract map pursuant to Section 66499.20.2 of the State Government Code, and in addition, the following conditions be executed by the applicant and administered by the City Engineer:
 - a. That consents to the street being merged and waivers of any damages that may accrue as a result of such mergers be obtained from all property owners who might have certain rights in the area being merged.
 - b. That satisfactory arrangements be made with all utility agencies maintaining existing facilities within the area being merged.
9. 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.

10. That all existing public easements including State of California easements if applicable shall be shown on the final map.

11. That any surcharge fee in conjunction with the street merger requests be paid.

12. Department of Transportation.

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

- a. A minimum of 20-foot reservoir space be provided between any security gate(s) and the property line when driveway is serving less than 100 parking spaces. A minimum of 40-foot reservoir space be provided between any security gates(s) and the property line when driveways serve more than 100 parking spaces. A minimum of 60-foot reservoir space be provided between any security gates(s) and the property line when driveways serves more than 300 parking spaces, or to the satisfaction of the Department of Transportation.
- b. Parking stalls shall be designed so that a vehicle is not required to back into or out of any public street or sidewalk.
- c. Nonresidential Parking will be provided in a central above ground parking garage on Flower Drive. Vehicle access to and from the hotel will be provided by a porte-cochere on 39th Street and a driveway on Flower Drive to the parking garage.
- d. Vehicle access for the housing component will be via a single driveway on Figueroa Street with all movements except for left turn out, and two driveways on Flower Drive. A loading area will be off Flower Drive.
- e. The Project shall comply with mitigation measures described in the traffic assessment letter (DOT Case No. CEN 18-47228 and CEN 16-44396) dated June 17, 2018 to the attention of Luciralia Ibarra, Senior City Planner Department of City Planning.
- f. 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. For an appointment, call (213) 482-7024.
- g. That a fee in the amount of \$205 be paid for the Department of Transportation as required per Ordinance No. 180542 and LAMC Section 19.15 prior to recordation of the final map. Note: the applicant may be required to comply with any other applicable fees per this new ordinance.

13. Department of Water and Power.

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, LADWP's Water Services Organization will forward the necessary clearances to the Bureau of Engineering.

- a. Prior to receiving water service, the developer must arrange for the Department to install fire hydrants.

- b. Conditions under which water service will be rendered: Pressure regulators will be required in accordance with Los Angeles City Plumbing Code for the following lot(s) where pressures exceed 80 psi at the building pad elevation: Min 71 psi, Max: 89 psi.
- c. Existing water mains are located in or adjacent to this tract as follows:
 - i. 16-inch water main in Figueroa Street
 - ii. 8-inch water main in 39th Street
 - iii. 6" water main in Flower Dr. (N)
- d. Los Angeles Fire Department Requirements: New fire hydrants and/or updates to existing fire hydrants are required in accordance with the Los Angeles Fire Code.
 - i. Install one 2½-inch x 4-inch D.F.H. on the east side of Figueroa Street, approximately 300 feet SS 39th Street.
 - ii. Install one 2½-inch x 4-inch D.F.H. on the east side of Figueroa Street. Approximately 590 feet SS 39th Street.

14. Bureau of Street Lighting.

- a. Install street lighting facilities to serve the project as required by the Bureau of Street Lighting. Improvement Condition:

If street widening per BOE improvement conditions, relocate and upgrade street lights:

- nine (9) on Figueroa Street
- three (3) on 39th Street
- six (6) on Flower Drive.

Notes:

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

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

15. **Bureau of Street Services, Urban Forestry Division.** 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 and the Los Angeles Sports and Entertainment District Streetscape Plan, as applicable.

Replacement by a minimum of 24-inch box trees in the parkway and on the site of 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.

16. **Covenant.** Prior to the issuance of any permits relative to this matter, an agreement concerning all the information contained in these conditions shall be recorded by the property owner in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent owners, heirs or assigns. Further, the agreement must be submitted to the Planning Department for approval before being recorded. After recordation, a copy bearing the Recorder's number and date must be given to the City Planning Department for attachment to the subject file.

(Q) QUALIFIED CONDITIONS OF APPROVAL

Pursuant to Section 12.32-G of the Municipal Code, the following limitations are hereby imposed upon the use of the subject property, subject to the “Q” Qualified classification.

A. Development Conditions:

1. **Site Development.** The use and development of the property shall be in substantial conformance with the Plot Plan, Site Plan, Floor Plans, Unit Plans, Building Elevations, Courtyard Plans, and Landscape Plans (Exhibit A, dated February 14, 2019) of the subject case file. No change to the plans will be made without prior review by the Department of City Planning, and written approval by the Director of Planning. Each change shall be identified and justified in writing. Minor deviations may be allowed in order to comply with the provisions of the Municipal Code or the project conditions. The project shall be constructed in a manner consistent with the following project description:
 - a. Limit the proposed development to up to 298 guest rooms (including 160 short-term and 138 long-term stay rooms), up to 222 student housing units, up to 186 dwelling units (including 82 units reserved for Low Income households), up to 55,326 square feet of retail/restaurant uses, up to 20,364 square feet of office, and up to 7,203 square feet of meeting rooms, totaling up to 620,687 square feet of floor area.
2. **Affordable Housing.** In accordance with Footnote 14 of the Southeast Los Angeles Community Plan (2000), a minimum of 82 units, that is 20 percent of the total dwelling units, shall be reserved as Low Income Restricted Affordable Units. These units shall be restricted to households earning no more than 80 percent of the Area Median Income, as defined by Section 50079.5 of the California Health and Safety Code, and as determined by the Los Angeles Housing and Community Investment Department (HCIDLA).
3. **Housing Requirements.** Prior to issuance of a building permit, the owner shall execute a covenant to the satisfaction of the Los Angeles Housing and Community Investment Department (HCIDLA) to make 82 units available to Low Income Households, for sale or rental as determined to be affordable to such households by HCIDLA for a period of 55 years. Enforcement of the terms of said covenant shall be the responsibility of HCIDLA. The applicant will present a copy of the recorded covenant to the Department of City Planning for inclusion in this file. The project shall comply with any monitoring requirements established by the HCIDLA.
4. **Landscaped Plaza.** A minimum 7,900 square-foot landscaped plaza shall be provided adjacent to Figueroa Street, as shown in Exhibit A - Project Plans, dated February 14, 2019.
5. **Development Services Center.** Prior to sign-off on building permits by the Department of City Planning's Development Services Center for the project, the Department of City Planning's Major Projects Section shall confirm, via signature, that the project's building plans substantially conform to the conceptual plans stamped as Exhibit “A”, as approved by the City Planning Commission.

Note to Development Services Center: The plans presented to, and approved by, the City Planning Commission (CPC) included specific architectural details that were

significant to the approval of the project. Plans submitted at plan check for condition clearance shall include a signature and date from Major Projects Section planning staff to ensure plans are consistent with those presented at CPC.

6. **Neighborhood Stabilization Ordinance (Ordinance No. 180,218).** The site is exempt from the development regulations of the Neighborhood Stabilization Ordinance due to its frontage along Figueroa Street.
7. **Community Redevelopment Agency Plan.** Prior to the issuance of a building permit, suitable arrangements shall be made for clearance with the CRA/LA for the Exposition / University Park Redevelopment Project area.
8. **Rent Stabilization Ordinance.**
 - a. The project shall comply with any tenant relocation requirements established by HCIDLA. Enforcement shall be the responsibility of HCIDLA.
 - b. The applicant shall execute and record a Covenant and Agreement (Planning Department General Form CP-6770) in a form satisfactory to the Advisory Agency binding the applicant and any successor in interest to provide tenant relocation assistance and establish a relocation program in a manner consistent with Section 47.07 of the Los Angeles Municipal Code relating to demolition. The covenant and agreement shall be executed and recorded within 10 days after the expiration of the appeal period (and final action thereon) and a copy provided to each eligible tenant within five days of recordation of the covenant and agreement.
 - c. Within 10 days after the time to appeal has expired, the applicant shall execute and record a Covenant and Agreement (Planning Department General Form CP-6770) in a form satisfactory to the Advisory Agency binding the applicant and any successor in interest to the affirmative duty to abide by all provisions of the Rental Stabilization Ordinance.

D LIMITATIONS

Pursuant to Section 12.32-G of the Municipal Code, the following limitations are hereby imposed upon the use of the subject property, subject to the D limitation.

A. Development Limitations:

1. **Building Height.** Building height shall be limited to 90 feet.
2. **Floor Area Ratio.** Floor area over the entire site, as identified in the Ordinance Map, shall not exceed 3.25 times the buildable area of the site.
3. **Community Plan Footnote.** The applicable floor area ratio limitations of Footnote 14 of the Southeast Los Angeles Community Plan Land Use Map, in effect as of September 8, 2016, shall apply to the site:
 - a. 100% commercial projects shall be limited to Height District 1 and a 1.5:1 FAR.
 - b. Mixed-use (residential/commercial) developments shall not exceed a maximum total floor area ratio (FAR) of 3:1. An additional FAR of 1.5:1, for a maximum total FAR of 4.5:1, may be granted for mixed-use projects that 1) set aside 20% of the dwelling units developed in the increment from 3:1 to 4.5:1 FAR for affordable housing, or 2) for projects reserved for and designed primarily to house students and/or students and their families. The affordable housing requirement will be satisfied by units that are affordable to households that earn 30%-120% of Area Median Income (AMI), defined as very low, low and moderate income households in Sections 50079.5, 50093, 50105 and 50106 of the California Health and Safety Code. Commercial uses in such mixed-use projects shall comprise no less than 0.5 and no more than 0.9 FAR.
 - c. 100% residential development shall not be permitted.

CONDITIONS OF APPROVAL

A. Entitlement Conditions –Conditional Use for Hotel.

1. **Grant.** Hotel uses (consisting of both short-term and extended-stay guest rooms) shall be permitted within 500 feet of the R zone.

B. Entitlement Conditions – Master Conditional Use for Alcohol Sales.

2. **Grant.** Approved herein is a Master Conditional Use Permit to allow for the service of a full line of alcoholic beverages for on-site consumption at a maximum of six establishments within hotel and restaurant spaces, including outdoor dining areas at the project site.
3. **Master Plan Approval (MPA) Requirement.** Each individual venue shall be subject to a Master Plan Approval (MPA) determination pursuant to Section 12.24-M of the Los Angeles Municipal Code, or as otherwise provided for in the LAMC for on-site alcohol sales in conjunction with the operation of restaurants, in order to implement and utilize the Master Conditional Use authorization granted. The purpose of the Master Plan Approval determination is to review each proposed venue in greater detail and to tailor site-specific conditions of approval for each of the premises subject to analysis of the venue's individual mode and character of operations including but not limited to hours of operation, seating capacity, size, security, live entertainment, the length of a term grant and/or any requirement for a subsequent MPA application to evaluate compliance and effectiveness of the conditions of approval. These conditions may include additional conditions not included in the Master Conditional Use Conditions of Approval. A Plan Approval without a hearing may be granted by the Chief Zoning Administrator if the operator agrees to the Conditional Use Permit Conditions.
4. **Employee Training.** Within six months of the effective date of the any subsequent plan approvals, all employees involved with the sale of alcoholic beverages shall enroll in the Los Angeles Police Department "Standardized training for Alcohol Retailers" (STAR). Upon completion of such training, the applicant shall request the Police Department to issue a letter identifying which employees completed the training. The applicant shall transmit a copy of the letter from the Police Department to the Zoning Administrator as evidence of compliance. In the event there is no change in the licensee, within one year of such change, this training program shall be required for all new staff.
5. **Additional Conditions.** The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the Department of City Planning to impose additional corrective conditions, if, it is determined by the Department of City Planning that such conditions are proven necessary for the protection of person in the neighborhood or occupants of adjacent property.
6. **Security.** The operator shall install and maintain surveillance cameras in all areas of the restaurant premises, including any outdoor dining area and a 30-day video library that covers all common areas of such business, including all high-risk areas and entrances or exits. The tapes shall be made available to the Police Department upon request.

7. **Lease Agreements.** All establishments applying for an Alcoholic Beverage Control license shall be given a copy of these conditions prior to executing a lease and these conditions shall be incorporated into the lease. Furthermore, all vendors of alcoholic beverages shall be made aware that violations of these conditions may result in revocation of the privileges of serving alcoholic beverages on the premises.
8. **Building Plans.** A copy of this grant and all Conditions and/or any subsequent appeal of this grant and resultant Conditions and/or letters of clarification shall be printed on the building plans submitted to the Development Services Center and the Department of Building and Safety for purposes of having a building permit issued.
9. **Ownership/Operator Change.** Should there be a change in the ownership and/or the operator of the business, the property owner and the business owner or operator shall provide the prospective new property owner and the business owner/operator with a copy of the conditions of this action prior to the legal acquisition of the property and/or the business. Evidence that a copy of this determination has been provided to the prospective owner/operator, including the conditions required herewith, shall be submitted to the BESt (Beverage and Entertainment Streamlined Program) in a letter from the new operator indicating the date that the new operator/management began and attesting to the receipt of this approval and its conditions. The new operator shall submit this letter to the BESt (Beverage and Entertainment Streamlined Program) within 30 days of the beginning day of his/her new operation of the establishment along with the dimensioned floor plan, seating arrangement and number of seats of the new operation.
10. **MViP – Monitoring, Verification and Inspection Program.** At any time, before, during, or after operating hours, a City inspector may conduct a site visit to assess compliance with, or violations of, any of the conditions of this grant. Observations and results of said inspection will be documented and used to rate the operator according to the level of compliance. If a violation exists, the owner/operator will be notified of the deficiency or violation and will be required to correct or eliminate the deficiency or violation. Multiple or continued documented violations or Orders to Comply issued by the Department of Building and Safety which are not addressed within the time prescribed therein, may result in denial of future requests to renew or extend this grant.
11. **Covenant and Agreement.** Within 30 days of the effective date of this grant, a covenant acknowledging and agreeing to comply with all the terms and conditions established herein shall be recorded in the County Recorder's Office. The agreement (standard master covenant and agreement form CP-6770) shall run with the land and shall be binding on any subsequent owners, heirs or assigns. The agreement with the conditions attached must be submitted to the Development Services Center or the BESt (Beverage and Entertainment Streamlined Program) for approval before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided to the Development Services Center or BESt (Beverage and Entertainment Streamlined Program) for inclusion in the case file.

C. Entitlement Conditions – Determination for Transitional Height

1. **Building Height.** The development shall be permitted to exceed the transitional height requirements of the Code but building height shall be limited to a maximum height of 90 feet from 100 to within 199 feet of the open space zone of Exposition Park.

D. Entitlement Conditions – Site Plan Review

1. **Site Development.** The use and development of the property shall be in substantial conformance with the Plot Plan, Site Plan, Floor Plans, Unit Plans, Building Elevations, Courtyard Plans, and Landscape Plans (Exhibit A, dated February 14, 2019) of the subject case file. No change to the plans will be made without prior review by the Department of City Planning, and written approval by the Director of Planning. Each change shall be identified and justified in writing. Minor deviations may be allowed in order to comply with the provisions of the Municipal Code or the project conditions
2. **Building Setbacks.** The project buildings shall be set back at the ground floor to provide average pedestrian walkway widths of 25 feet along Figueroa Street and 39th Street. The pedestrian walkway width may include the sidewalk width within the public right-of-way.
3. **Landscaped Plaza.** A minimum 7,900 square-foot landscaped plaza shall be provided adjacent to Figueroa Street, as shown in Exhibit A - Project Plans, dated February 14, 2019.
4. **Residential Lobbies.** Residential lobbies shall be provided for each residential building, providing direct ground-floor access into the building from either Figueroa Street or from the main internal drive accessing the parking structure. Direct and unobstructed ground-floor access via a minimum 10-foot wide pedestrian pathway shall be provided from Figueroa Street into each of residential buildings.
5. **Pedestrian Walkways.** All pedestrian walkways shall be clearly demarcated with decorative paving, including at all pedestrian crossings over vehicular drive aisles.
6. **Pedestrian Lighting.** Pedestrian-scaled lighting shall be installed along both sides of main internal drive accessing the parking structure for safety and security.
7. **Parking Structure Design.** The parking structure shall incorporate articulated screening treatments as depicted in the Exhibit A plans.
8. **Rooftop Amenities.** Outdoor rooftop open spaces and amenities shall be buffered from the adjacent freeway by structures, along with additional landscaping.
9. **Landscaping.** All open areas not used for buildings, driveways, parking areas, recreational facilities or walks shall be attractively landscaped, including an automatic irrigation system, and maintained in accordance with a landscape plan prepared by a licensed landscape architect or licensed architect, and submitted for approval to the Department of City Planning. The final landscape plan shall be in substantial conformance with the submitted Landscape Plan, Exhibit "A," and shall incorporate any modifications required as a result of this grant.
10. **Tree Wells.** The minimum depth of tree wells and planters on the rooftop, any above grade open space, and above a subterranean structure shall be as follows:
 - a. Minimum depth for trees shall be 42 inches.
 - b. Minimum depth for shrubs shall be 30 inches.
 - c. Minimum depth for herbaceous plantings and ground cover shall be 18 inches.
 - d. Minimum depth for an extensive green roof shall be 3 inches.

The minimum amount of soil volume for tree wells on the rooftop or any above grade open spaces shall be based on the size of the tree at maturity:

- a. 600 cubic feet for a small tree (less than 25 feet tall at maturity).
- b. 900 cubic feet for a medium tree (25-40 feet tall at maturity).
- c. 1,200 cubic feet for a large tree (more than 40 feet tall at maturity)

11. **Lighting Design.** Areas where nighttime uses are located shall be maintained to provide sufficient illumination of the immediate environment so as to render objects or persons clearly visible for the safety of the public and emergency response personnel. All pedestrian walkways, storefront entrances, and vehicular access ways shall be illuminated with lighting fixtures. Lighting fixtures shall be harmonious with the building design. Wall mounted lighting fixtures to accent and complement architectural details at night shall be installed on the building to provide illumination to pedestrians and motorists.
12. **Lighting.** All outdoor lighting shall be shielded and down-casted within the site in a manner that prevents the illumination of adjacent public rights-of-way, adjacent properties, and the night sky (unless otherwise required by the Federal Aviation Administration (FAA) or for other public safety purposes). Areas where hotel, retail, and restaurant uses are located shall be maintained to provide sufficient illumination of the immediate environment so as to render objects or persons clearly visible for the safety of the public and emergency response personnel.
13. **Trash Enclosures and Screening.** All tenant trash containers shall be screened from public view and trash receptacles shall be stored in a fully enclosed building or structure, constructed with a solid roof. Public trash receptacles shall be provided throughout the outdoor publically accessible areas of the project.
14. **Mechanical Equipment.** All exterior mechanical equipment, including heating, ventilation and air conditioning (HVAC) equipment, satellite dishes, and cellular antennas, shall be screened from public view through the use of architectural elements such as parapets.
15. **Construction Signage.** There shall be no off-site commercial signage on construction fencing during construction.
16. **Parking/Electric Vehicle Charging Stations.** Vehicular and bicycle parking shall be provided in accordance with the Municipal Code. The project shall encourage carpooling and the use of electric vehicles by providing that at least 20 percent of the total code-required parking spaces, but in no case less than one location, be capable of supporting future electric vehicle supply equipment (EVSE). Plans shall indicate the proposed type and location(s) of EVSE and also include raceway method(s), wiring schematics and electrical calculations to verify that the electrical system has sufficient capacity to simultaneously charge all electric vehicles at all designated EV charging locations at their full rated amperage. Plan design shall be based upon Level 2 or greater EVSE at its maximum operating capacity. Of the 20 percent EV Ready, five (5) percent of the total Code-required parking spaces shall be further provided with EV chargers to immediately accommodate electric vehicles within the parking area. Otherwise, only raceways and related components are required to be installed at the time of construction. When the application of the 20 percent results in a fractional space, round up to the next whole number. A label stating "EV CAPABLE" shall be posted in a conspicuous place at the service panel or subpanel and next to the raceway termination point.

E. Environmental Conditions

1. **Tribal Cultural Resource Inadvertent Discovery.** In the event that objects or artifacts that may be tribal cultural resources are encountered during the course of any ground disturbance activities (including the following: excavating, digging, trenching, plowing, drilling, tunneling, quarrying, grading, leveling, removing peat, clearing, pounding posts, auguring, backfilling, blasting, stripping topsoil or a similar activity), all such activities shall temporarily cease on the project site until the potential tribal cultural resources are properly assessed and addressed pursuant to the process set forth below:
 - Upon a discovery of a potential tribal cultural resource, the project Permittee shall immediately stop all ground disturbance activities and contact the following: (1) all California Native American tribes that have informed the City they are traditionally and culturally affiliated with the geographic area of the proposed project; (2) and the Department of City Planning at (213) 978-1454.
 - If the City determines, pursuant to Public Resources Code Section 21074 (a)(2), that the object or artifact appears to be tribal cultural resource, the City shall provide any effected tribe a reasonable period of time, not less than 14 days, to conduct a site visit and make recommendations to the Project permittee and the City regarding the monitoring of future ground disturbance activities, as well as the treatment and disposition of any discovered tribal cultural resources.
 - The project Permittee shall implement the tribe's recommendations if a qualified archaeologist, retained by the City and paid for by the project Permittee, reasonably concludes that the tribe's recommendations are reasonable and feasible.
 - The project Permittee shall submit a tribal cultural resource monitoring plan to the City that includes all recommendations from the City and any effected tribes that have been reviewed and determined by the qualified archaeologist to be reasonable and feasible. The project Permittee shall not be allowed to recommence ground disturbance activities until this plan is approved by the City.
 - If the project Permittee does not accept a particular recommendation determined to be reasonable and feasible by the qualified archaeologist, the project Permittee may request mediation by a mediator agreed to by the Permittee and the City who has the requisite professional qualifications and experience to mediate such a dispute. The project Permittee shall pay any costs associated with the mediation.
 - The project Permittee may recommence ground disturbance activities outside of a specified radius of the discovery site, so long as this radius has been reviewed by the qualified archaeologist and determined to be reasonable and appropriate.
 - Copies of any subsequent prehistoric archaeological study, tribal cultural resources study or report, detailing the nature of any significant tribal cultural resources, remedial actions taken, and disposition of any significant tribal cultural resources shall be submitted to the South Central Coastal Information Center (SCCIC) at California State University, Fullerton.
 - Notwithstanding the above, any information determined to be confidential in nature, by the City Attorney's office, shall be excluded from submission to the SCCIC or the general public under the applicable provisions of the California Public Records Act, California Public Resources Code, and shall comply with the City's AB 52 Confidentiality Protocols.
2. **Mitigation Monitoring Program.** The project shall be in substantial conformance with the mitigation measures in the attached MMP and stamped "Exhibit B" and attached to the subject case file. The implementing and enforcing agencies may determine

substantial conformance with mitigation measures in the MMP. If substantial conformance results in effectively deleting or modifying the mitigation measure, the Director of Planning shall provide a written justification supported by substantial evidence as to why the mitigation measure, in whole or in part, is no longer needed and its effective deletion or modification will not result in a new significant impact or a more severe impact to a previously identified significant impact.

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

3. **Mitigation Monitor (Construction).** During the construction phase and prior to the issuance of building permits, the Applicant shall retain an independent Construction Monitor (either via the City or through a third-party consultant, the election of which is in the sole discretion of the Applicant), approved by the City of Los Angeles Department of City Planning which approval shall not be reasonably withheld, who shall be responsible for monitoring implementation of project design features and mitigation measures during construction activities consistent with the monitoring phase and frequency set forth in this MMP.

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

F. Administrative Conditions

1. **Approval, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, review or approval, plans, etc., as may be required by the subject conditions, shall be provided to the Planning Department for placement in the subject file.
2. **Code Compliance.** Area, height and use regulations of the zone classification of the subject property shall be complied with, except where herein conditions are more restrictive.
3. **Covenant.** Prior to the issuance of any permits relative to this matter, an agreement concerning all the information contained in these conditions shall be recorded in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent property owners, heirs or assign. The agreement must be submitted to the Planning Department for approval before being recorded. After recordation, a copy bearing the Recorder's number and date shall be provided to the Planning Department for attachment to the file.

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

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

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

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

For purposes of this condition, the following definitions apply:

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

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

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

FINDINGS

A. GENERAL PLAN / CHARTER FINDINGS.

The proposed zone change and height district change is in substantial conformance with the purposes, intent, and provisions of the General Plan. In addition, the proposed land use ordinance is consistent with and implements policies in the Southeast Los Angeles Community Plan, a component of the Land Use Element of the General Plan:

1. **Framework Element.** The General Plan Framework sets forth a citywide comprehensive long-range growth strategy and defines citywide policies regarding such issues as land use, housing, urban form, neighborhood design, open space, economic development, transportation, infrastructure, and public services. The Framework's Long-Range Diagram identifies the Project Site together with adjacent commercial areas along Figueroa Street, as a Regional Center and as a focal point of regional commerce, identity, and activity. Regional Centers typically contain a diversity of uses, act as transportation hubs, and fall within a range of floor ratios from 1.5:1 to 6:1, characterized by building heights of six to 20 stories.

In addition, the Figueroa Corridor is envisioned as a significantly developed urban environment and seeks to establish a "[m]ixed use center that provide[s] jobs, entertainment, culture, and serve[s] the region" and meets the demand for new housing and employment opportunities, as well as lodging options, in proximity to the University of Southern California campus, downtown Los Angeles, and the regional attractions located in Exposition Park.

The Fig Project involves the construction of an integrated seven-story mixed-use development consisting of 298 hotel guest rooms, 222 student housing units, 186 mixed-income housing units (82 units reserved for Low Income households), and approximately 96,500 square-feet of commercial uses, including retail establishments, restaurants, hotel amenities, meeting spaces, and office uses. Public and private recreational amenities would be strategically located throughout the site and on the roof deck of the centralized eight-story parking structure, and an approximately 8,000 square-foot central landscaped plaza is featured along Figueroa Street. The project results in up to 620,687 square feet of floor area on an approximately 4.4-acre site.

The Project would be consistent with the uses, density, and development type envisioned by the General Plan Framework. The project site is currently developed with surface parking and eight multi-family residential buildings within the Flower Drive Historic District, with a FAR of 0.6 over the developed portion. The proposed project would be an in-fill development resulting in a FAR of up to 3.25:1, with building heights between seven and eight stories, and comprised of a balanced mix of hotel, retail, restaurant, office, student housing, and residential uses. The project consists of the type of development envisioned by the Framework Element within a Regional Center; namely, "housing with commercial uses . . . in concert with supporting services, recreational uses, open spaces and amenities." The project would intensify the use on the site and would providing a diverse mix of housing and employment to the area, consistent with the Regional Center designation of the site.

The project satisfies the following objectives and policies of the General Plan Framework:

Objective 3.4: Encourage new multi-family residential, retail commercial, and office development in the City's neighborhood districts, community, regional, and

downtown centers as well as along primary transit corridors/boulevards, while at the same time conserving existing neighborhoods and related districts.

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

Objective 3.10: Reinforce existing and encourage the development of new regional centers that accommodate a broad range of uses that serve, provide job opportunities, and are accessible to the region, are compatible with adjacent land uses, and are developed to enhance urban lifestyles.

Objective 3.15: Focus mixed commercial/residential uses, neighborhood-oriented retail, employment opportunities, and civic and quasi-public uses around urban transit stations, while protecting and preserving surrounding low-density neighborhoods from the encroachment of incompatible land uses.

Policy 3.15.3: Increase the density generally within one quarter mile of transit stations, determining appropriate locations based on consideration of the surrounding land use characteristics to improve their viability as new transit routes and stations are funded in accordance with Policy.

Objective 3.16: Accommodate land uses, locate and design buildings, and implement streetscape amenities that enhance pedestrian activity.

Development of the project will also further enable the type of transit-oriented development; shopping, dining, and employment opportunities; and open space at the site as called for by the Framework Element. The project will support Objectives 3.4 and 3.15 and Policy 3.4.1 by providing a high-density mixed-use residential and commercial development within one of Southeast Los Angeles' Regional Center area, with a focus on pedestrian amenities and in close proximity to major thoroughfares. The site is near multiple transit lines, including Metro's Expo and Blue rail lines, as well as multiple bus routes, furthering Framework Element Objective 3.4 and Policy 3.4.1, by accommodating increased residential and commercial development along a major transportation and commercial corridor in a manner that encourages walking, biking, and public transit usage. The project will achieve Objective 3.10 through the addition of hotel and commercial space that will strengthen the economic base and opportunities for new businesses, by providing employment opportunities for the community. The Project's residential uses will also economically support commercial areas of the district. In addition, the Project accommodates Objective 3.16 through its pedestrian-oriented design and streetscape improvements, which include wide sidewalks, street trees, and pedestrian lighting.

Furthermore, the project's retail and restaurant uses and publicly accessible plaza and pedestrian pathways will enhance pedestrian connectivity, and are consistent with Framework Element Policy 3.10.3, which calls for Regional Centers to promote "high-activity areas in appropriate locations that are designed to introduce pedestrian activity." The project also satisfies Framework Element Design and Development Policy 3.10.5, with the provision of pedestrian-oriented open space, outdoor seating, extensive landscaping, high quality hardscape materials, and other amenities that create an active urban gathering space.

Housing Element. The project also meets the policies set forth regarding housing in the land use chapter of the Framework Element and the Housing Element.

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

Objective 1.1-4: Expand opportunities for residential development, particularly in designated Centers, Transit Oriented Districts and along Mixed-Use Boulevards.

The project will further a key Housing Element goal of reducing the City's existing housing shortage, as well as its jobs-housing imbalance, by developing the site with new student housing units, market-rate housing units, and income-restricted housing units together with retail, office, and hotel uses which offer employment opportunities. By locating student housing units at the site, the project is consistent with the City's Community Plan Footnote 14 and the North University Park-Exposition Park-West Adams Neighborhood Stabilization Overlay District, each of which serve to incentivize the development of student housing along the Figueroa corridor, thereby protecting lower-density single-family neighborhoods from encroachment from new student housing developments. Moreover, the project's 186 mixed-income units (including 82 low income units) provide much needed housing opportunities along a major commercial and transportation corridor. As such, residential development coupled with the proposed commercial uses will enliven and improve the Figueroa Corridor, and by providing new housing proximate to jobs, neighborhood serving retail/restaurant uses, USC's educational opportunities, and Exposition Park's sporting and cultural facilities, the project will encourage walking and bicycle usage, thereby reducing vehicular trips and overall vehicle miles traveled.

Economic Development. The project advances numerous goals and policies contained in the Framework Element's Economic Development chapter, including the following:

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

Objective 7.6: Maintain a viable retail base in the city to address changing resident and business shopping needs. The Project's balanced mix of land uses includes new student housing units, mixed-income multiple-family residential housing units, hotel guest rooms, and retail, restaurant, office, and hotel-related commercial uses.

The commercial retail and restaurant uses meet the needs of local residents by providing new shopping and dining options, while the proposed creative office uses create additional employment opportunities for area residents. In addition, the hotel provides new lodging and meeting options for visitors to the Community Plan area as well as employment opportunities, thereby contributing economic benefits to the immediate area and the City as a whole.

2. **General Plan Land Use Designation.** The subject property is located within the South Los Angeles Community Plan, updated and adopted by the City Council on November 22, 2017. The project, however, was filed as a vesting application under the Southeast Los Angeles Community Plan that was adopted by the City Council in March 2000. The Southeast Los Angeles Community Plan Map designates the property for Community Commercial land uses and allows for corresponding zones of C2, C4, RAS3, RAS4, R3, and R4. Under the Southeast Community Plan, the property is subject to Community Plan Footnote 14, which

allows for an increase in FAR for mixed-use projects containing affordable and/or student housing units. Specifically, Footnote 14 imposes a maximum FAR of 1.5:1 for 100 percent commercial or mixed-use projects and prohibits 100 percent residential projects. However, mixed-use projects may achieve an increased FAR of 3:1, provided that the City approves a corresponding Zone/Height District Change to Height District 2D. Furthermore, an additional FAR of 1.5:1, for a maximum total FAR of 4.5:1, may be granted to mixed-use projects that 1) set aside 20 percent of the dwelling units developed in the increment from 3:1 to 4.5:1 FAR for households making between 30 and 120 percent of Area Median Income, or 2) are reserved for and designed primarily to house students and/or students and their families. Footnote 14 further requires that the commercial uses in such mixed-use projects comprise no less than 0.5:1 and no more than 0.9:1 FAR.

The project includes a request for Zone Change to create a uniform commercial zoning of (T)(Q)C2-2D in accordance with the requirements of Community Plan Footnote 14 regarding FAR incentives for projects including affordable and/or student housing uses. This request would result in land use and zoning consistency, and is in substantial conformance with the purposes, intent and provisions of the General Plan as reflected in the Southeast Los Angeles Community Plan.

3. **General Plan Text.** The Southeast Los Angeles Community Plan, a part of the Land Use Element of the City's General Plan, states the following objectives and policies that are relevant to the project:

Residential

Objective 1-2: To locate new housing in a manner which reduces vehicular trips and makes it accessible to services and facilities.

Policy 1-2.1: Locate higher residential densities near commercial centers, light mass transit stations, and major bus routes where public service facilities, utilities, and topography will accommodate this development.

Policy 1.2.2: Locate senior citizen housing and mixed income housing, when feasible, near commercial centers and transit and public service facilities.

Objective 1-5: To promote and ensure the provision of adequate housing for all persons regardless of income, age, or ethnic background.

Policy 1-5.1: Promote greater individual choice in type, quality, price, and location of housing.

The project substantially conforms with the purpose, intent and provisions of the Community Plan. The proposed project will meet the above objectives and policies by providing a significant number of new residential dwelling units along the busy Figueroa corridor, in close proximity to existing transit infrastructure, and provides local access to services and amenities, as well as regional access via the adjacent 110 Freeway and nearby 10 Freeway. In addition, the project includes a significant amount of neighborhood-serving retail and restaurant uses, which can be utilized by project residents and guests, thereby providing even greater access to dining and shopping options, and correspondingly reducing vehicle trips. Moreover, the project includes an office component, facilitating potential employment opportunities for residents of the project, as well as residents of the larger Community Plan area.

Moreover, the requested zone and height district change is consistent with the intent and purposes of Footnote 14 of the Community Plan, which was adopted by the City to facilitate increases in FAR for mixed-use projects along this portion of Figueroa that contain student housing or affordable units, and to direct such increased development patterns away from stable, low density residential neighborhoods in the Community Plan area. Footnote 14 specifically provides that a mixed-use project seeking to increase its FAR above 1.5:1 may seek a zone and height district change to Height District 2D and may achieve a maximum FAR of up to 4.5:1 through the inclusion of student housing units or affordable housing units.

The Fig Project includes both a student housing component (consisting of 222 units) and a mixed-income residential development (consisting of 186 units) with 82 of those dwelling units restricted to households making no more than 80 percent of area median income. These 82 restricted income units, representing 20 percent of the project's total number of proposed dwelling units, exceed the affordable set-aside requirements of Footnote 14, which only requires that 20 percent of the units developed within the increment from 3:1 to 4.5:1 FAR be restricted as affordable. By including both student housing and affordable housing units, the project provides much needed student housing in close proximity to USC's campus (thereby reducing vehicular trips undertaken by these students), as well as much needed affordable housing along a major commercial corridor in close proximity to transit, shopping, and services. The average FAR of up to 3.25:1 across the site, including a commercial FAR of 0.5:1, is less than the maximum FAR contemplated by Footnote 14, and is fully consistent with the Community Plan's housing objectives and policies.

Commercial

Objective 2-1: To conserve and strengthen viable commercial development.

Policy 2-1.3: Commercial areas should be consolidated and deepened to stimulate existing businesses, create opportunities for new development and off-street parking, expand the variety of goods and services, and improve shopping convenience as well as offer local employment.

Policy 2-1.5: Require that projects be designed and developed to achieve a high level of quality, distinctive character, and compatibility with existing uses and development.

Objective 2-3: To attract uses which strengthen the economic base and expand market opportunities for existing and new businesses.

Policy 2-3.1: Encourage the development of offices in Community and Neighborhood Centers.

The project will not displace any existing commercial development and will instead replace a surface parking lot with a significant amount of new retail, restaurant, office, and hotel-related commercial floor area along one of the City's significant transportation corridors. The project's restaurant uses provide new and expanded dining options for residents of and visitors to the Community Plan area, while the retail area diversifies shopping options available to the immediate neighborhood. The proposed creative office space will provide an opportunity for further economic development along the Figueroa Corridor, and the hotel's commercial dining, public meeting, and banquet spaces provides desirable amenities to hotel guests and members of the public visiting the project. Additionally, the project has been conditioned to improve the surrounding public right-of-ways, which will serve to

enhance the roadways, sidewalks, and street lighting along the site and provide for better connectivity within the neighborhood.

Each of these uses provide economic benefits as well as significant new employment opportunities at the site and within the Community Plan area, thereby strengthening the local economy and contributing to the revitalization of the surrounding neighborhood.

Urban Design

The project is in substantial conformance with the Community Plan's Urban Design guidelines as follows:

Site Planning

- The shared parking garage is located at rear of site, away from the Figueroa Street frontage.
- Maximizes pedestrian-oriented retail and commercial service uses along the Figueroa frontage.
- Provides direct pedestrian access to commercial and residential components from Figueroa Street.
- Provides useable open space throughout the building, including outdoor spaces.
- Provides landscaping between driveways and walkways accessing the rear of the Site
- Screens all mechanical and electrical equipment from public views along streets.
- Locates trash areas within internal areas and not visible from public view.

Height and Building Design

- Orients frontage along Figueroa Street to present a lower, more pedestrian scale.
- Parking garage height also serves to buffer residential uses and the pedestrian environment from the freeway to the rear of the site.
- Common design features such as flat roofs, stepped terraces and materials including plaster, expansive glass areas, metal railings and aluminum awnings and storefronts help tie together the overall development.
- Consistent use of landscaping and street-level retail and dining entries along Figueroa Street and 39th Street enhance the streetscape experience.

Parking Structures/Landscaping

- The parking structure features an exterior mesh skin in an accordion-like pattern, to create visual interest along the freeway-facing side of the building and complement the exterior façade of the hotel component and other Project buildings.
- The Project's driveways serve to delineate between the project components, with extensive landscaping to provide outdoor dining/seating opportunities.
- Trees as well as attractive paving patterns and materials serve to soften the vehicular focus of these areas.

As demonstrated, the proposed mixed-use development is consistent with the General Plan Framework, Community Plan, and land use designations. The project would redevelop the site currently comprised of eight multi-family residential buildings and surface parking areas and replace it with a mid-rise development consisting of an activated mix of residential,

hotel, office, restaurant, and retail uses. The project would provide much needed residential housing and new hotel and commercial uses to serve the community. The proposal would also improve the economic vitality of the area by integrating a mix of uses in-line with Plan policies for redevelopment and growth in the Regional Center. The project design will further activate the adjacent street level areas, create an inviting pedestrian environment, and will create a unified aesthetic and signage program. In addition, public right-of-way improvements have been imposed as conditions of approval for the project, consistent with City street standards. Therefore, as conditioned, the proposed project is consistent with the General Plan and the proposed land use designation and will serve to implement the goals and objective of the adopted Community Plan.

B. ENTITLEMENT FINDINGS

1. ZONE CHANGE, “T” AND “Q” CLASSIFICATION, and “D” LIMITATION FINDINGS:

- a) *Pursuant to Section 12.32 of the Municipal Code, and based on these Findings, the recommended action is deemed consistent with the General Plan and is in conformity with public necessity, convenience, general welfare and good zoning practice.*

The project site consists of approximately 4.4 acres of property, zoned C2-1L along Figueroa Street and R4-1L along Flower Drive (at the time that the Project was vested in September 2016), within the Community Commercial land use designation in the Southeast Los Angeles Community Plan. The Community Plan identifies the site as within the Figueroa Street Corridor subject to Footnotes 1 and 14. Footnote 1 reiterates that the site is subject to Height District 1. Footnote 14 states that notwithstanding Footnote 1, increases in floor area from 3:1 to 4.5:1 are allowed for certain mixed-use projects, with incentives for student housing and affordable housing.

The commercial portion of the site is primarily comprised of surface parking areas and the residential portion is developed with eight multi-family residential buildings with a total of 32 dwelling units on the northeastern portion of the project site fronting Flower Drive. These residential buildings comprise approximately half of the Flower Drive Historic District (deemed eligible for listing by the State of California), which extends from the project site and to the north along Flower Drive. The current zoning creates an isolated low-density residential area comprised of the Flower Drive Historic District, located directly between regionally-focused commercial, cultural, and sports entertainment uses and the I-110 Freeway with commercial and industrial uses to the east.

In conformance with Footnote 14 of the Community Plan, the Zone and Height District Change would facilitate a Floor Area Ratio increase of up to 3.25:1 in order to develop the mixed-use project, which includes 222 student housing units and 186 multi-family units, of which 82 dwelling units (20% of the total proposed number of dwelling units) would be restricted to households making no more than 80 percent of area median income. The proposed C2 zoning across the project site is consistent with the underlying Community Commercial land use designation on the site, which allows for corresponding zones of CR, C2, C4, and RAS3. The proposed C2 Zone allows for general commercial uses, which include restaurants, retail stores, and health clubs, as well as multi-family residential and hotel uses. The requested zone change would allow for development of the site under a cohesive set of zoning standards consistent with the underlying Community Commercial land use designation, rather than a bifurcated set of commercial and residential requirements. The proposed project would be an in-fill development with building heights of up to 90 feet, and comprised of a balanced mix of hotel, office, retail, restaurant, and residential uses. The project would intensify the use on the site and would provide a diverse

mix of housing and employment to the area, consistent with the Community Commercial land use designation and proposed zone for the site.

The General Plan Framework identifies the Project Site as located within a Regional Center, generally characterized by a diversity of uses, with robust transit access, and by floor ratios ranging from 1.5:1 to 6:1 and building heights of six to 20 stories. The project's mix of residential, hotel, and commercial uses is compatible with multiple Community Plan and General Plan goals aimed at locating new mixed-use developments along commercial corridors in areas served by transit. The proposed project would enhance the built environment through the unified development of the site and would include essential and beneficial uses through the synergetic balance of commercial and residential components within a transit-focused regional center. The project site is conveniently located adjacent to the cultural, educational, and sports arena hub of Exposition Park, with immediate access to major streets, regional freeways, and existing public transit. In addition, consistent with Footnote 14 and the North University Park-Exposition Park-West Adams Neighborhood Stabilization Overlay District, the project adds new student housing units in a new development along the Figueroa Corridor, where students can walk, take transit, or ride their bicycles to USC's campus, thereby reducing traffic congestion and improving air quality. Specifically, providing student housing along Figueroa Street reduces potential negative impacts relating to housing, parking, and traffic that may have occurred as a result of students occupying existing housing in other neighborhoods adjacent to USC. The City adopted the Neighborhood Stabilization Ordinance to create a disincentive for the dormitory-style subdivision of existing structures in these adjacent neighborhoods; however, this ordinance exempts properties along Figueroa Street, thereby incentivizing the development of new student housing along this corridor.

As such, the project will serve to alleviate the pressure for housing within neighborhoods, thereby preserving housing opportunities for local families. There is also necessity for hotel, commercial, student housing, and mixed-income residential uses to support the needs of the district, and the project will add new residents and workers immediately adjacent to a number of transit options. The project will also benefit the community, city, and region by activating the site within one of the regional centers of Southeast Los Angeles and contributing much-needed residential units, hotel, and commercial uses in support of the City's goals for housing, economic development, and neighborhood connectivity.

The proposed zone and height district change is consistent with, and conforms to, the Community Plan and the City's zoning regulations, and the proposed FAR and height increases that would be allowed by the zone and height district change will be consistent with the General Plan Framework's Regional Center long-range land use designation, which calls for FARs of "1.5:1 to 6:1 and are characterized by six- to twenty-story (or higher) buildings," and with "densities and functions [that] support the development of a comprehensive and interconnected network of public transit and services." By concentrating residential density, height, and floor area at the site, near USC and regionally serving transit, the project's zone and height district change represents a focused effort to plan for new growth along the Figueroa Corridor, and thereby conforms to the public necessity, convenience and general welfare of the City. Furthermore, such zone and height district change would demonstrate good zoning practice by providing a harmonious density and land use activity for the vicinity.

The action, as recommended, has been made contingent upon compliance with the "(Q)" and "(T)" conditions imposed herein, as well as "D" limitations. Specific conditions and mitigation measures have been incorporated to address public improvements, building design and layout, sustainability measures, and environmental impacts, consistent with the

General Plan Framework. Such limitations are necessary to protect the best interests of and to assure developments and improvements more compatible with surrounding properties, to secure an appropriate development in harmony with the General Plan, and to prevent or mitigate the potential adverse environmental effects of the subject recommended action.

2. CONDITIONAL USE FINDINGS

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

Hotel

By redeveloping the site with a new multi-component mixed-use project providing needed housing, shopping, dining, and lodging opportunities to community residents, the project will enhance the built environment in the vicinity of the site. The hotel will contain 298 guest rooms, 160 of which would be select-service guest rooms for shorter-duration stays, while the remaining 138 rooms would include additional amenities for extended stays including kitchen and cooking facilities. The ground level of the hotel will include commercial retail and restaurant spaces fronting on Figueroa Street, as well as the main hotel lobby space and shared guest/public uses such as a lobby lounge, coffee bar, and grab and go dining. Public meeting rooms, as well as additional public dining facilities, would be located on the second floor of the hotel building. These hotel and public uses will be contained within an articulated building that will be an integral part of the larger unified development, and which will become a lodging, shopping, and dining destination along the Figueroa Corridor. Accordingly, the project's hotel component will provide multiple services that are essential as well as beneficial to the community and the City as a whole, while enhancing the built environment.

Master CUB (Alcohol Sales)

A Master CUB to allow up to six on-site alcohol sales locations within the project's restaurant, bar, and hotel uses would be subject to subsequent Plan Approval applications, or other approved review as permitted by the Los Angeles Municipal Code, as future individual tenants for specific establishments upon which hours of operation, occupancy loads, entertainment, security measures, numbers of employees, and other operational characteristics would be delineated. The proposed sale of alcoholic beverages will enhance the built environment in the surrounding neighborhood with the development of a well-balanced mixed-use project including residential units, hotel uses including dining and meeting facilities, and ground floor commercial spaces which include restaurant uses. The restaurants would be bonafide full service eating establishments and the provision of a full line of alcoholic beverages is customary and normal for such establishments. It is anticipated that the restaurants will attract patrons primarily interested in full meal service, with the ability to consume alcoholic beverages in conjunction with their food service. In addition, it is anticipated that alcohol within the hotel will be primarily served to hotel guests, meeting/conference attendees, and patrons of the public restaurants located within the hotel building.

Hours of operation, as approved under subsequent plan approval applications, will be consistent with and appropriate for the character of the surrounding area. In addition, restaurants promote pedestrian activity, and the serving of alcoholic beverages is a normal and expected component of most restaurants. Accordingly, the character of the area in the vicinity of the Project would be enhanced by the addition of the proposed uses in this location.

Alcohol service will improve the viability and desirability of the food and hotel businesses in the mixed-use development. The availability of alcohol sales for on- and off-site consumption is a desirable amenity that is typical of many restaurants and markets and would provide a beneficial service to the immediate community as well as to patrons of the shopping center.

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

Hotel

Community Plan Footnote 14 incentivizes the development of mixed-use projects along the Figueroa Street Corridor pursuant to the City's approval of a zone and height district change to Height District No. 2D, potentially allowing for unlimited height and a maximum FAR of 4.5:1. The project's proposed maximum FAR will not exceed 3.25:1 across the entire site, and will consist of mid-rise hotel, student housing and mixed-income housing buildings with ground-floor commercial uses, as well as a central parking garage providing parking and rooftop amenities for all three project components, which would be located along the project's Flower Drive frontage. The development's proposed height, size, and operations fully conform with the applicable land use regulations and are also consistent with the mix of uses and development patterns in the area, including other mid-rise and higher rise developments located along the Figueroa Corridor between Exposition Park and downtown Los Angeles. Moreover, the only residentially zoned property that is within 500 feet of the site (and which triggers the requirement to obtain a Conditional Use for the Project's hotel) is a strip of land located adjacent to, and beneath, the 110 Freeway, where the development of new residential uses would not be feasible. Therefore, the project would have no anticipated potential impacts to existing residentially zoned properties and would not adversely affect or degrade the surrounding neighborhood.

Master CUB (Alcohol Sales)

The location of the project's alcohol-sale establishments follows an established pattern of orienting alcohol sales along established commercial streets and adjacent to other restaurant uses on Figueroa Street. The restaurant uses with alcohol sales would continue to add to the diversification of commercial activities being conducted in the area and would not adversely affect the surrounding neighborhood. The proposed hours of operation would be conditioned through the plan approval process understanding that the sale of alcohol is incidental to food sales at the restaurants.

No evidence was presented at the hearing or in writing that the sale of alcohol will be materially detrimental to the immediate neighborhood. The plan approval process will include specific conditions of approval intended to address alcohol-related issues to safeguard public welfare and enhance public convenience, such as proper employee training and outdoor security lighting. In addition, as each operator comes in, they will be required to file a plan approval to allow for the Zoning Administrator to review the floor plan and impose any other conditions as deemed appropriate. Therefore, as conditioned, it is anticipated that the use will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or public health, welfare, and safety.

- c) *The project substantially conforms with the purpose, intent and provisions of the General Plan, the applicable community plan, and any applicable specific plan.*

Hotel

The hotel use is in substantial conformance with the purposes, intent, and provisions of the General Plan. In particular, the Southeast Los Angeles Community Plan calls for:

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

Objective 7.6: Maintain a viable retail base in the city to address changing resident and business shopping needs.

The project's balanced mix of land uses includes new student housing units, mixed-income multiple-family residential housing units, hotel guest rooms, and retail, restaurant, office, and hotel-related commercial uses. The commercial retail and restaurant uses would meet the needs of local residents by providing new shopping and dining options, while the proposed creative office uses will create additional employment opportunities for area residents. In addition, the proposed hotel will provide new lodging and meeting options for visitors to the Community Plan area as well as employment opportunities and will therefore contribute economic benefits to the immediate area and the City as a whole. The project therefore conforms with the General Plan and the Community Plan.

Master CUB (Alcohol Sales)

The project's request for alcohol sales is in substantial conformance with the purposes, intent, and provisions of the General Plan. In addition, the project and requests are consistent with and implement policies in the Southeast Los Angeles Community Plan, a component of the Land Use Element of the General Plan.

Objective 2-1: To conserve and strengthen viable commercial development.

Policy 2-1.3: Commercial areas should be consolidated and deepened to stimulate existing businesses, create opportunities for new development and off-street parking, expand the variety of goods and services, and improve shopping convenience as well as offer local employment.

Policy 2-1.5: Require that projects be designed and developed to achieve a high level of quality, distinctive character, and compatibility with existing uses and development.

Objective 2-3: To attract uses which strengthen the economic base and expand market opportunities for existing and new businesses.

The project will not displace any existing commercial development but will instead introduce a significant amount of new retail, restaurant, office, and hotel-related commercial floor area along one of the City's significant transportation corridors. Specifically, the project's restaurant uses will provide new and expanded dining options for residents of and visitors to the Community Plan area, while the proposed retail options will diversify the shopping options available to this same population. The proposed creative office space will provide an opportunity for further economic development along the Figueroa Corridor, and the hotel's commercial dining, public meeting, and banquet space will provide desirable amenities to hotel guests and members of the public visiting the Project.

Each of these uses will provide economic benefits as well as significant new employment opportunities at the site and within the Community Plan area, thereby strengthening the local economy and contributing to the revitalization of the surrounding neighborhood. The sale of alcohol in conjunction with the project's restaurant and hotel uses provides a complementary service to the project's uses and therefore conforms with the General Plan and Community Plan.

Additional Findings Related to Alcohol Sales

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

The project site is located within an area which is designated for and primarily developed with commercial uses. The approval of the master conditional use will not adversely affect the welfare of the community. The subject property is zoned for commercial uses and will be redeveloped with a mixed-use commercial development, with office, hotel, and retail and restaurant uses along the Figueroa Street Corridor, where the service of alcoholic beverages will be contained in a secure environment. The proposed use will not adversely affect the economic welfare of the community, since a vibrant commercial corridor is anticipated to positively impact the financial health of the property and improve the economic vitality of the area via increases in taxable revenue and local employment. The dining and retail establishments will help to enhance the availability of dining options to on-site residents and employees as well as that of the surrounding neighborhood. Ample parking, lighting, security and supervision will be provided to ensure that there will be no adverse effect on the welfare of the surrounding community. Therefore, the proposed alcohol sales will not be materially detrimental to the character of the development in the neighborhood.

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

The project is located within a Regional Center under the Framework and is designated for Community Commercial uses in the Southeast Los Angeles Community Plan, where a variety of uses are permitted and encouraged, and an increased concentration of licenses is anticipated. In addition, the census tract in which the project is located is an active commercial area that is a destination point for many and where there is a demand and expectation for increased alcohol license issuances. According to the State of California Department of Alcoholic Beverage Control (ABC) licensing criteria, three (3) on-sale and two (2) off-sale licenses are allocated to subject Census Tract No. 2311.00. There are currently six (6) off-site licenses and one (1) on-site license in this Census Tract.

The subject location is within a highly-developed commercial area which has a variety of event venues, museums, and retail establishments which have resulted in the existing off-site alcohol licenses to exceed the maximum number allocated. In these active commercial areas where there is a demand for licenses beyond the allocated number, the ABC has recognized that high-activity retail and commercial centers are supported by a significant employee population, in addition to the increasing resident population base in the area. The

granting of an application for the sale or dispensing of alcoholic beverages can be undue when the addition of a license will negatively impact a neighborhood. It is not undue when approval of a license does not negatively impact an area, but rather such license benefits the public welfare and serves as a convenience. As supported by the aforementioned facts, the project involves the granting of an application to sell and dispense alcoholic beverages in conjunction with a new mixed-use development will not adversely affect community welfare because hotels and restaurants, are desirable uses in an area designated for such uses. The new mixed-use development will provide a convenience to residents, workers, and visitors to the Figueroa Street Corridor and as conditioned, will not negatively impact the area. The ABC has discretion to approve an application if there is evidence that normal operations will not be contrary to public welfare and will not interfere with the quiet enjoyment of property by residents.

It is not uncommon to have increased concentrations of crimes in a dense, urban area that is a regional known center and destination. According to statistics provided by the Los Angeles Police Department's Central Division Vice Unit, within Crime Reporting District No. 359, which has jurisdiction over the subject property, a total of 180 crimes and arrests were reported in 2017 (81 Part I Crimes and 99 Part II Arrests), compared to the citywide average crimes of 191 offenses per reporting district for the same reporting period. Of the 180 total crimes and arrests reported for the census tract, 0 arrests were made for liquor laws, 1 arrest was made for under the influence of alcohol, and 19 arrests were made for driving under the influence, reported by LAPD.

However, given the project's location within a regional center, the census tract's crime statistics related to alcohol are minimal and the issuance of an additional licenses to serve alcohol on-site or off-site is not anticipated to create a law enforcement problem. Furthermore, the requested entitlement for alcohol sales that are incidental to a mixed-use development is not anticipated to adversely affect crime rates, given the nature of the use which will primarily involve alcohol being consumed by patrons in a controlled restaurant or hotel environment. As proposed by the submitted application and conditioned herein by the City, the requested application will be implemented with conditions intended to prevent public drinking, driving under the influence, and public drunkenness. Negative impacts commonly associated with the sale of alcoholic beverages, such as criminal activity, public drunkenness, and loitering are mitigated by the imposition of conditions requiring surveillance, responsible management and deterrents against loitering. In addition, as part of the application process, the applicant's representative will meet with the Los Angeles Police Department, and review security, training, and other proposed conditions for the Project. The conditions will safeguard the welfare of the community. As conditioned, allowing the sale of a full line of alcoholic beverages for on-site and off-site consumption is not undue or anticipated to create a law enforcement issue.

The grant will be an accessory use to restaurant and hotel uses that will be an asset to the community and will not adversely affect the community welfare. As a result, the instant grant will not result in an undue concentration of such licenses.

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

The project site is adjacent to multi-family residences located north of the project site across 39th Street. Other nearby sensitive uses include the public park of the adjacent Exposition

Park to the west. Exposition Park is also developed with stadium and sports arena uses, which also participate in the sale of alcoholic beverages. The proposal would concentrate the commercial and alcohol-sale components of the project along the Figueroa Street frontage of the project site, adjacent to commercial uses, sports venues, museums, and other commercial uses. In addition, this grant has placed numerous conditions on the proposed project, such as proper site maintenance, security lighting, employee training, and a time limitation on the grant, in order to eliminate or minimize any potentially detrimental effects on adjacent uses.

2. DETERMINATION FOR TRANSITIONAL HEIGHT

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

The surrounding built environment is substantially developed and urban in character. The site abuts the I-110 Freeway to the east, Exposition Park together with the newly constructed Banc of California Stadium and the Coliseum to the west across Figueroa Street, small-scale commercial development immediately north and south along Figueroa Street, with mid-rise mixed-use development further north along Figueroa Street near USC. To the north along Flower Drive are multi-family residential dwellings, comprising the remaining portion of the Flower Drive Historic District.

Community Plan Footnote 14 incentivizes the development of mixed-use projects containing student and/or affordable housing along the Figueroa Street Corridor, pursuant to the City's approval of a zone and height district change to Height District No. 2D, which potentially allows for unlimited height and a maximum FAR of 4.5:1. The project's proposed maximum FAR, to be achieved pursuant to the requested vesting zone and height district change and the provision of both affordable housing and student housing, will not exceed 3.25:1 across the entire Site. Specifically, the project will consist of mid-rise hotel, student housing, and mixed-income housing buildings with ground-floor commercial uses. A seven-story parking garage, which would provide parking for all three project components, would be located along the site's Flower Drive frontage, and would buffer the project's residential uses from the adjacent freeway.

By developing a mixed-use project that will provide new student, market-rate, and affordable housing opportunities; new neighborhood-serving shopping and dining options; office employment opportunities; and hotel lodging and meeting facilities for visitors to Exposition Park's numerous sporting and cultural facilities, the project will provide numerous beneficial services and amenities to the surrounding community and the broader Community Plan area. The proposed project would enhance the built environment through the unified development of the site and would include essential and beneficial uses through the synergetic balance of hotel retail, office, and residential uses. The project will also benefit the community, city, and region by providing quality retail and restaurant services to employees and residents of the immediate neighborhood. The project also contributes much-needed multi-family housing units to the City's housing supply.

Transitional height standards are primarily intended to protect open spaces and single-family uses from massing impacts such as shade/shadows, reduced privacy, and aesthetic incongruity. However, the project's height deviations are requested due to the project site's adjacency to Exposition Park, where the heights of the adjacent Banc of California Stadium are taller than the project. Therefore, these same considerations and protections are not needed in this instance. As such, allowing for these height deviations would permit the

project to proceed with building heights and massing that execute architectural features that form a unified aesthetic and enhancement of the built environment, as well as provide adequate floor heights and essential floor area for additional community-serving retail and commercial uses.

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

The project's proposed height, size, and operations are consistent with the applicable land use planning policies and regulations set forth in the General Plan, Community Plan, and Los Angeles Municipal Code (LAMC). The project is also consistent with the mix of uses and development patterns, including mid-rise and higher rise developments, located along the Figueroa Street Corridor between Exposition Park and downtown Los Angeles. The western portion of the Site is within 100 and 199 feet of the eastern boundary of Exposition Park, which is zoned OS (Open Space) by the LAMC. This proximity triggers applicability of the LAMC's transitional height requirements, which are intended to protect the City's low- and no-intensity zoning designations from encroaching development patterns.

However, in this instance, the eastern portion of Exposition Park adjacent to the Site is currently developed with the Los Angeles Football Club soccer stadium, which is over 100 feet in height, exceeding the 83-foot building height of the Project's buildings fronting Figueroa Street. As a result of the existing improvements within Exposition Park in proximity to the Site, there is limited rationale for imposing a 61-foot transitional height limit upon the Project, as the Project's proposed building heights will be compatible with and not adversely affect existing improvements within Exposition Park. Accordingly, approval of a determination to exceed the LAMC's transitional height limits to allow the Project's building heights would not cause impacts to public health, welfare, or safety.

- c) *The project substantially conforms with the purpose, intent and provisions of the General Plan, the applicable community plan, and any applicable specific plan.*

As noted above, the project's uses and improvements are compatible with the development policies and regulations set forth in the General Plan, Community Plan, and LAMC. The project will provide needed housing opportunities for students and mixed-income residents, as well as lodging opportunities for visitors to the area in general and Exposition Park in particular. The development patterns along the Figueroa Street Corridor between Exposition Park and downtown Los Angeles include a mix of mid-and higher-rise buildings, which the project would be consistent with. In addition, the project's complementary mix of uses, as well as its proximity to significant transit infrastructure, will lead to its residents, guests, and patrons being able to take advantage of multiple alternative forms of transportation, thereby reducing individual vehicle trips to and from the site, as well as along Figueroa Street. Moreover, the development of the project will result in new neighborhood serving retail and restaurant uses along Figueroa Street, along with new landscape and streetscape improvements, further promoting pedestrian traffic and accessibility along this corridor. Accordingly, the project's use, buildings, open spaces, and other improvements will be compatible with adjacent properties and the surrounding neighborhood.

- d) *The project provides for an arrangement of uses, buildings, structures, open spaces and other improvements that are compatible with the scale and character of the adjacent properties and surrounding neighborhood.*

The surrounding built environment is substantially developed and urban in character. The site abuts the I-110 Freeway to the east, Exposition Park together with the newly constructed Banc of California Stadium and the Coliseum to the west across Figueroa Street, small-scale commercial development immediately north and south along Figueroa Street, with mid-rise mixed-use development further north along Figueroa Street near USC. To the north along Flower Drive are multi-family residential dwellings, comprising the remaining portion of the Flower Drive Historic District.

The project would construct a mixed-use development comprised of three components: a Hotel Component, a Student Housing Component, and a Mixed-Income Housing Component. Each component would be contained in a separate seven-story building designed specifically to serve a distinctive function, and all three components would be served by a central eight-story parking structure with one level of subterranean parking and a rooftop amenity level. The three main buildings would reach a building height of 83 feet, and the parking structure would be up to 90 feet in height.

The unified mixed-use development is designed to cohesively redevelop the site with ground-floor commercial uses and hotel, student housing, and residential buildings to activate the street frontages and complement an active retail plaza. The project buildings would be set back along all frontages in order to create wider pedestrian spaces, resulting in pedestrian walkway widths of approximately 25 feet along both Figueroa Street and 39th Street and 10 feet along Flower Drive. The project's street frontages are lined with pedestrian-scale features, landscape and streetscape elements, and active uses such as transparent storefronts and residential lobbies along Figueroa Street and a hotel lobby and amenities along 39th Street. Collectively, this design would materially enhance the streetscape and activate the pedestrian realm, allowing for direct pedestrian access to each of the project components from the adjacent public streets.

Building heights for the project vary from approximately 83 feet along Figueroa Street to a maximum of 90 feet for the parking structure within the interior of the site and adjacent to the elevated I-110 Freeway. The site and building design have been carefully crafted to minimize height and massing impacts on neighboring uses. The tallest portions of structures are concentrated into the center and rear of the site, while building heights taper down closer to the Figueroa Street corridor and Exposition Park. In addition, several open-air courtyards have been punched in along each of the building facades for additional visual relief. Overall, the building elevations utilize a variety of architectural features, building materials, and changes in building depth and color in order to create a consistent rhythm and cohesive theme throughout the project site.

No shade/shadow impacts will occur on neighboring properties and the project will not impede privacy on adjacent uses through the use of balconies. In addition, hotel and commercial uses have been designed to orient along Figueroa Street and 39th Street, along the active commercial corridor, and any loading or noise-generating back-of-house uses are located towards the freeway. These building and site characteristics ensure that the project has been designed to activate the commercial corridor, and to complement the activity and uses across Figueroa Street at the Banc of California Stadium as well as other sports and cultural institutions housed at Exposition Park, therefore resulting in an overall project design that is compatible with the scale and character of the adjacent properties and neighborhood.

3. SITE PLAN REVIEW

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

Framework Element. The General Plan Framework sets forth a citywide comprehensive long-range growth strategy and defines citywide policies regarding such issues as land use, housing, urban form, neighborhood design, open space, economic development, transportation, infrastructure, and public services. The Framework's Long-Range Diagram identifies the Project Site together with adjacent commercial areas along Figueroa Street, as a Regional Center and as a focal point of regional commerce, identity, and activity. Regional Centers typically contain a diversity of uses, act as transportation hubs, and fall within a range of floor ratios from 1.5:1 to 6:1, characterized by building heights of six to 20 stories.

In addition, the Figueroa Corridor is envisioned as a significantly developed urban environment and seeks to establish a "[m]ixed use center that provide[s] jobs, entertainment, culture, and serve[s] the region" and meets the demand for new housing and employment opportunities, as well as lodging options, in proximity to the University of Southern California campus, downtown Los Angeles, and the regional attractions located in Exposition Park.

The Fig Project involves the construction of an integrated seven-story mixed-use development consisting of 298 hotel guest rooms, 222 student housing units, 186 mixed-income housing units (82 units reserved for Low Income households), and approximately 96,500 square-feet of commercial uses, including retail establishments, restaurants, hotel amenities, meeting spaces, and office uses. Public and private recreational amenities would be strategically located throughout the site and on the roof deck of the centralized eight-story parking structure, and an approximately 8,000 square-foot central landscaped plaza is featured along Figueroa Street. The project results in up to 620,687 square feet of floor area on an approximately 4.4-acre site.

The Project would be consistent with the uses, density, and development type envisioned by the General Plan Framework. The project site is currently developed with surface parking and eight multi-family residential buildings within the Flower Drive Historic District, with an FAR of 0.2 over the entire site, and more specifically, an FAR of approximately 0.6 for each of the residentially-developed lots. The proposed project would be an in-fill development resulting in a FAR of up to 3.25:1, with building heights between seven and eight stories, and comprised of a balanced mix of hotel, retail, restaurant, office, student housing, and residential uses. The project consists of the type of development envisioned by the Framework Element within a Regional Center; namely, "housing with commercial uses . . . in concert with supporting services, recreational uses, open spaces and amenities." The project would intensify the use on the site and would providing a diverse mix of housing and employment to the area, consistent with the Regional Center designation of the site.

The project satisfies the following objectives and policies of the General Plan Framework:

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

Policy 3.4.1: Conserve existing stable residential neighborhoods and lower-intensity commercial districts and encourage the majority of new commercial and mixed-use

(integrated commercial and residential) development to be located (a) in a network of neighborhood districts, community, regional, and downtown centers, (b) in proximity to rail and bus transit stations and corridors, and (c) along the City's major boulevards, referred to as districts, centers, and mixed-use boulevards, in accordance with the Framework Long-Range Land Use Diagram.

Objective 3.10: Reinforce existing and encourage the development of new regional centers that accommodate a broad range of uses that serve, provide job opportunities, and are accessible to the region, are compatible with adjacent land uses, and are developed to enhance urban lifestyles.

Objective 3.15: Focus mixed commercial/residential uses, neighborhood-oriented retail, employment opportunities, and civic and quasi-public uses around urban transit stations, while protecting and preserving surrounding low-density neighborhoods from the encroachment of incompatible land uses.

Policy 3.15.3: Increase the density generally within one quarter mile of transit stations, determining appropriate locations based on consideration of the surrounding land use characteristics to improve their viability as new transit routes and stations are funded in accordance with Policy.

Objective 3.16: Accommodate land uses, locate and design buildings, and implement streetscape amenities that enhance pedestrian activity.

Development of the project will also further enable the type of transit-oriented development; shopping, dining, and employment opportunities; and open space at the site as called for by the Framework Element. The project will support Objectives 3.4 and 3.15 and Policy 3.4.1 by providing a high-density mixed-use residential and commercial development within one of Southeast Los Angeles' Regional Center area, with a focus on pedestrian amenities and in close proximity to major thoroughfares. The site is near multiple transit lines, including Metro's Expo and Blue rail lines, as well as multiple bus routes, furthering Framework Element Objective 3.4 and Policy 3.4.1, by accommodating increased residential and commercial development along a major transportation and commercial corridor in a manner that encourages walking, biking, and public transit usage. The project will achieve Objective 3.10 through the addition of hotel and commercial space that will strengthen the economic base and opportunities for new businesses, by providing employment opportunities for the community. The Project's residential uses will also economically support commercial areas of the district. In addition, the Project accommodates Objective 3.16 through its pedestrian-oriented design and streetscape improvements, which include wide sidewalks, street trees, and pedestrian lighting.

Furthermore, the project's retail and restaurant uses and publicly accessible plaza and pedestrian pathways will enhance pedestrian connectivity, and are consistent with Framework Element Policy 3.10.3, which calls for Regional Centers to promote "high-activity areas in appropriate locations that are designed to introduce pedestrian activity." The project also satisfies Framework Element Design and Development Policy 3.10.5, with the provision of pedestrian-oriented open space, outdoor seating, extensive landscaping, high quality hardscape materials, and other amenities that create an active urban gathering space.

Housing Element. The project also meets the policies set forth regarding housing in the land use chapter of the Framework Element and the Housing Element.

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

Objective 1.1-4: Expand opportunities for residential development, particularly in designated Centers, Transit Oriented Districts and along Mixed-Use Boulevards.

The project will further a key Housing Element goal of reducing the City's existing housing shortage, as well as its jobs-housing imbalance, by developing the site with new student housing units, market-rate housing units, and income-restricted housing units together with retail, office, and hotel uses which offer employment opportunities. By locating student housing units at the site, the project is consistent with the City's Community Plan Footnote 14 and the North University Park-Exposition Park-West Adams Neighborhood Stabilization Overlay District, each of which serve to incentivize the development of student housing along the Figueroa corridor, thereby protecting lower-density single-family neighborhoods from encroachment from new student housing developments. Moreover, the project's 186 mixed-income units (including 82 low income units) provide much needed housing opportunities along a major commercial and transportation corridor. As such, residential development coupled with the proposed commercial uses will enliven and improve the Figueroa Corridor, and by providing new housing proximate to jobs, neighborhood serving retail/restaurant uses, USC's educational opportunities, and Exposition Park's sporting and cultural facilities, the project will encourage walking and bicycle usage, thereby reducing vehicular trips and overall vehicle miles traveled.

Economic Development. The project advances numerous goals and policies contained in the Framework Element's Economic Development chapter, including the following:

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

Objective 7.6: Maintain a viable retail base in the city to address changing resident and business shopping needs. The Project's balanced mix of land uses includes new student housing units, mixed-income multiple-family residential housing units, hotel guest rooms, and retail, restaurant, office, and hotel-related commercial uses.

The commercial retail and restaurant uses meet the needs of local residents by providing new shopping and dining options, while the proposed creative office uses create additional employment opportunities for area residents. In addition, the hotel provides new lodging and meeting options for visitors to the Community Plan area as well as employment opportunities, thereby contributing economic benefits to the immediate area and the City as a whole.

General Plan Land Use Designation. The subject property is located within the South Los Angeles Community Plan, updated and adopted by the City Council on November 22, 2017. The project, however, was filed as a vesting application under the Southeast Los Angeles Community Plan that was adopted by the City Council in March 2000. The 2000 Southeast Los Angeles Community Plan Map designates the property for Community Commercial land uses and allows for corresponding zones of C2, C4, RAS3, RAS4, R3, and R4. Under the 2000 Community Plan, the property is subject to Community Plan Footnote 14, which allows for an increase in FAR for mixed-use projects containing affordable and/or student housing units. Specifically, Footnote 14 imposed a maximum FAR of 1.5:1 for 100 percent commercial or mixed-use projects and prohibits 100 percent residential projects. However,

mixed-use projects may achieve an increased FAR of 3:1, provided that the City approves a corresponding Zone/Height District Change to Height District 2D. Furthermore, an additional FAR of 1.5:1, for a maximum total FAR of 4.5:1, may be granted to mixed-use projects that 1) set aside 20 percent of the dwelling units developed in the increment from 3:1 to 4.5:1 FAR for households making between 30 and 120 percent of Area Median Income, or 2) are reserved for and designed primarily to house students and/or students and their families. Footnote 14 further required that the commercial uses in such mixed-use projects comprise no less than 0.5:1 and no more than 0.9:1 FAR.

The project includes a request for Zone Change to create a uniform commercial zoning of (T)(Q)C2-2D in accordance with the requirements of Community Plan Footnote 14 regarding FAR incentives for projects including affordable and/or student housing uses. This request would result in land use and zoning consistency, and is in substantial conformance with the purposes, intent and provisions of the General Plan as reflected in the Southeast Los Angeles Community Plan.

General Plan Text. The Southeast Los Angeles Community Plan, a part of the Land Use Element of the City's General Plan, states the following objectives and policies that are relevant to the project:

Residential

Objective 1-2: To locate new housing in a manner which reduces vehicular trips and makes it accessible to services and facilities.

Policy 1-2.1: Locate higher residential densities near commercial centers, light mass transit stations, and major bus routes where public service facilities, utilities, and topography will accommodate this development.

Policy 1.2.2: Locate senior citizen housing and mixed income housing, when feasible, near commercial centers and transit and public service facilities.

Objective 1-5: To promote and ensure the provision of adequate housing for all persons regardless of income, age, or ethnic background.

Policy 1-5.1: Promote greater individual choice in type, quality, price, and location of housing.

The project substantially conforms with the purpose, intent and provisions of the Community Plan. The proposed project will meet the above objectives and policies by providing a significant number of new residential dwelling units along the busy Figueroa corridor, in close proximity to existing transit infrastructure, and provides local access to services and amenities, as well as regional access via the adjacent 110 Freeway and nearby 10 Freeway. In addition, the project includes a significant amount of neighborhood-serving retail and restaurant uses, which can be utilized by project residents and guests, thereby providing even greater access to dining and shopping options, and correspondingly reducing vehicle trips. Moreover, the project includes an office component, facilitating potential employment opportunities for residents of the project, as well as residents of the larger Community Plan area.

Moreover, the requested zone and height district change is consistent with the intent and purposes of Footnote 14 of the Community Plan, which was adopted by the City to facilitate

increases in FAR for mixed-use projects along this portion of Figueroa that contain student housing or affordable units, and to direct such increased development patterns away from stable, low density residential neighborhoods in the Community Plan area. Footnote 14 specifically provides that a mixed-use project seeking to increase its FAR above 1.5:1 may seek a zone and height district change to Height District 2D, and may achieve a maximum FAR of up to 4.5:1 through the inclusion of student housing units or affordable housing units.

The Fig Project includes both a student housing component (consisting of 222 units) and a mixed-income residential development (consisting of 186 units) with 82 of those dwelling units restricted to households making no more than 80 percent of area median income. These 82 restricted income units, representing 20 percent of the project's total number of proposed dwelling units, exceed the affordable set-aside requirements of Footnote 14, which only requires that 20 percent of the units developed within the increment from 3:1 to 4.5:1 FAR be restricted as affordable. By including both student housing and affordable housing units, the project provides much needed student housing in close proximity to USC's campus (thereby reducing vehicular trips undertaken by these students), as well as much needed affordable housing along a major commercial corridor in close proximity to transit, shopping, and services. The average FAR of up to 3.25:1 across the site, including a commercial FAR of 0.5:1, is less than the maximum FAR contemplated by Footnote 14, and is fully consistent with the Community Plan's housing objectives and policies.

Commercial

Objective 2-1: To conserve and strengthen viable commercial development.

Policy 2-1.3: Commercial areas should be consolidated and deepened to stimulate existing businesses, create opportunities for new development and off-street parking, expand the variety of goods and services, and improve shopping convenience as well as offer local employment.

Policy 2-1.5: Require that projects be designed and developed to achieve a high level of quality, distinctive character, and compatibility with existing uses and development.

Objective 2-3: To attract uses which strengthen the economic base and expand market opportunities for existing and new businesses.

Policy 2-3.1: Encourage the development of offices in Community and Neighborhood Centers.

The project will not displace any existing commercial development and will instead replace a surface parking lot with a significant amount of new retail, restaurant, office, and hotel-related commercial floor area along one of the City's significant transportation corridors. The project's restaurant uses provide new and expanded dining options for residents of and visitors to the Community Plan area, while the retail area diversifies shopping options available to the immediate neighborhood. The proposed creative office space will provide an opportunity for further economic development along the Figueroa Corridor, and the hotel's commercial dining, public meeting, and banquet spaces provides desirable amenities to hotel guests and members of the public visiting the project. Additionally, the project has been conditioned to improve the surrounding public right-of-ways, which will serve to enhance the roadways, sidewalks, and street lighting along the site and provide for better connectivity within the neighborhood.

Each of these uses provide economic benefits as well as significant new employment opportunities at the site and within the Community Plan area, thereby strengthening the local economy and contributing to the revitalization of the surrounding neighborhood.

Urban Design

The project is in substantial conformance the Community Plan's Urban Design guidelines as follows:

Site Planning

- The shared parking garage is located at rear of site, away from the Figueroa Street frontage.
- Maximizes pedestrian-oriented retail and commercial service uses along the Figueroa frontage.
- Provides direct pedestrian access to commercial and residential components from Figueroa Street.
- Provides useable open space throughout the building, including outdoor spaces.
- Provides landscaping between driveways and walkways accessing the rear of the Site
- Screens all mechanical and electrical equipment from public views along streets.
- Locates trash areas within internal areas and not visible from public view.

Height and Building Design

- Orients frontage along Figueroa Street to present a lower, more pedestrian scale.
- Parking garage height also serves to buffer residential uses and the pedestrian environment from the freeway to the rear of the site.
- Common design features such as flat roofs, stepped terraces and materials including plaster, expansive glass areas, metal railings and aluminum awnings and storefronts help tie together the overall development.
- Consistent use of landscaping and street-level retail and dining entries along Figueroa Street and 39th Street enhance the streetscape experience.

Parking Structures/Landscaping

- The parking structure features an exterior mesh skin in an accordion-like pattern, to create visual interest along the freeway-facing side of the building and complement the exterior façade of the hotel component and other Project buildings.
- The Project's driveways serve to delineate between the project components, with extensive landscaping to provide outdoor dining/seating opportunities.
- Trees as well as attractive paving patterns and materials serve to soften the vehicular focus of these areas.

As demonstrated, the proposed mixed-use development is consistent with the General Plan Framework, Community Plan, and land use designations. The project would redevelop the site currently comprised of eight multi-family residential buildings and surface parking areas and replace it with a mid-rise development consisting of an activated mix of residential, hotel, office, restaurant, and retail uses. The project would provide much needed residential housing and new hotel and commercial uses to serve the community. The proposal would also improve the economic vitality of the area by integrating a mix of uses in-line with Plan

policies for redevelopment and growth in the Regional Center. The project design will further activate the adjacent street level areas, create an inviting pedestrian environment, and will create a unified aesthetic and signage program. In addition, public right-of-way improvements have been imposed as conditions of approval for the project, consistent with City street standards. Therefore, as conditioned, the proposed project is consistent with the General Plan and the proposed land use designation and will serve to implement the goals and objective of the adopted Community Plan.

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

The project would construct a mixed-use development comprised of three components: a Hotel Component, a Student Housing Component, and a Mixed-Income Housing Component. Each component would be contained in a separate seven-story building designed specifically to serve a distinctive function, and all three components would be served by a central eight-story parking structure with one level of subterranean parking and a rooftop amenity level. The three main buildings would reach a building height of 83 feet, and the parking structure would be up to 90 feet in height. The Project includes up to 620,687 square feet of floor area, and a floor area ratio (FAR) of up to 3.25:1, including a commercial FAR of 0.50:1.

The unified mixed-use development is designed to cohesively redevelop with site with ground-floor commercial uses and hotel, student housing, and residential buildings to activate the street frontages and complement an active retail plaza. The project buildings would be set back along all frontages in order to create wider pedestrian spaces, resulting in pedestrian walkway widths of approximately 25 feet along both Figueroa Street and 39th Street and 10 feet along Flower Drive. The project's street frontages are lined with pedestrian-scale features, landscape and streetscape elements, and active uses such as transparent storefronts and residential lobbies along Figueroa Street and a hotel lobby and amenities along 39th Street. Collectively, this design would materially enhance the streetscape and activate the pedestrian realm, allowing for direct pedestrian access to each of the project components from the adjacent public streets.

Commercial uses and entrances would be provided along Figueroa Street, and accessible from the pedestrian walkways along the perimeter of the buildings and from the central plaza. The central outdoor plaza would connect the hotel, retail areas, and student housing building, allowing for a transition from the commercial components of the hotel and retail uses near 39th Street and Figueroa Street to the mixed-income housing building further south. The mixed-income housing building at the southern end of the project site would include ground floor retail and office uses, with separate pedestrian level entrances and lobbies. The hotel and ground-floor commercial uses across the development are intended to complement the activity and uses across Figueroa Street at the Banc of California Stadium as well as other sports and cultural institutions housed at Exposition Park.

By minimizing driveways overall, and concentrating vehicular traffic on the side streets, the project promotes pedestrian activity to occur along Figueroa Street. The vehicular access and port cochere of the hotel is located along 39th Street, which will offer valet services to guests and access to the basement level of the shared parking garage. Vehicular access is also located between the student and mixed-income housing buildings, allowing for a visible separation between the two structures, but still functioning as a unified development. This access is designed as a full-access driveway off of Figueroa Street, and would include a

designated area for rideshare and drop-off leading into the parking structure, as well as a thoroughway to Flower Drive. Additional vehicle entrances and loading areas are also located off of Flower Drive.

- A. Building Design. The hotel and residential buildings' proposed design would be consistent with the design policies set forth in the Citywide Design Guidelines and Walkability Checklist. The building elevations utilize a variety of architectural features, building materials and changes in depth and color to break up massing and create a consistent architectural theme for the development. The parking structure is located at the rear of the project site along Flower Drive where it serves as a barrier between the project and the I-110 freeway. Thus, visibility of the parking levels will be minimal from the public rights-of-way, and the structure has been designed with architectural screening. Fenestration and balconies front on Figueroa Street to promote a safe residential environment. Commercial uses incorporate storefront designs on the ground floor of Figueroa and 39th Streets and a plaza that enhances a pedestrian-oriented retail environment.
- B. Height/Bulk. The tallest of the proposed buildings reaches approximately 90 feet in height (parking structure), with a height of 83 feet for the hotel and residential buildings. The commercial uses are approximately 13.5 feet in height and one story. The proposed height of the buildings is compatible with the development in the immediate area. To the north along Figueroa Street, commercial, residential and mixed-use structures range in height from one story to six stories at Exposition Boulevard. Across the street, structures in Exposition Park reach over 100 feet and include the recently constructed Banc of California Stadium. To the rear of the project site, is the I-110 Freeway that is much taller than the proposed project and that of the adjacent multi-family structures along Flower Drive. As a whole, the project is comparable of recently developed mixed-use projects in the immediate vicinity.
- C. Setbacks. The project will comply with the requirements of the Municipal Code and will further the goals and streetscape guidelines of the Citywide Design Guidelines, by providing additional building setbacks to provide for wide pedestrian walkways along all street frontages. Ground floor treatments also include active retail uses, plazas, prominent entryways, and pedestrian-scaled architecture. Adequate separation distances will be maintained between all buildings within and adjacent to the site.
- D. Off-Street Parking. Residential and commercial parking for the project will be accommodated on-site in accordance with the requirements of the Municipal Code and will be consolidated within a standalone parking structure located off Flower Drive at the rear of the project site, where it abuts the I-110 Freeway. The parking facilities will be screened with architectural elements and are located at the rear of the project site, where it would be visible from the freeway but not from the project's primary frontages along Figueroa or 39th Street. The parking structure design and location orients vehicular traffic away from these primary frontages so as to maintain active pedestrian environments along the ground-level building frontages. In addition, the parking garage would include infrastructure for electric vehicle charging stations to facilitate the use of electric vehicles. Bicycle parking is also provided in accordance with the Municipal Code, and includes visible short-term bicycle along building frontages, as well as secure and accessible long-term bicycle parking facilities for residents within the ground floor parking level of the parking structure.
- E. Loading. Any loading or noise-generating back-of-house uses are located away from the primary frontages of 39th Street and Figueroa Street and instead provided via Flower

Drive. Mechanical equipment and utilities are also appropriately screened within the building without detracting from the usability and active street presence of the development. Access to parking, services and fire safety lanes have been consolidated to minimize impacts on existing streetscapes and to minimize impacts to existing street parking.

- F. Lighting. Project lighting would incorporate low-level exterior lights on the building and along pathways for security and wayfinding purposes. In addition, low-level lighting to accent signage, architectural features, and landscaping elements would be incorporated throughout the site to provide for efficient, effective, and aesthetically lighting solutions that minimize light trespass from the site. Outdoor lighting sources will be shielded away from adjacent uses to minimize impacts.
- G. Landscaping. Open space and landscaping for the project is concentrated on the rooftop of the parking structure, in centralized courtyards for the hotel and residential buildings, as well as the plaza accessible off of Figueroa Street. Landscaping would also be installed around the perimeter of the proposed buildings and along internal drive aisles. The perimeter streetscape character would accommodate pedestrians through the use of generous walkways, shade canopy trees, street furniture, and continuity into outdoor dining spaces. Internal vehicular access ways would be amenitized with unique paving materials and diverse landscape materials. Landscaping would also be provided within the outdoor dining areas and in the lobby courtyards.
- H. Trash Collection. The project is conditioned to enclose all tenant trash containers from view and has incorporated trash collection features into building designs. Trash receptacles will also be provided throughout the open areas of the project. The project will include a recycling area or room for the collection of glass, cans, paper and plastic recyclable materials. Trash and recycling facilities will be kept secure from unauthorized entry.

- c) *The residential project provides recreational and service amenities to improve habitability for its residents and minimize impacts on neighboring properties.*

The project would provide a total of approximately 44,930 square feet of outdoor open space and recreational amenities, as well as indoor fitness centers and lounges, for use by the residents of the student housing and mixed-income housing buildings. Active recreational amenities would be located on the rooftop terrace above the parking structure. These amenities include a pool, spa, fitness centers, and basketball court. Other open space and passive recreational areas would include courtyards, indoor lounges, and outdoor terraces. These extensive on-site project amenities both improve the habitability of the units and reduce potential impacts on neighboring properties and community recreational facilities.

The project is located in an urbanized setting, in an area identified by the General Plan Framework as a regional center, which attracts a substantial working and visiting population. The project would also provide service amenities such as destination retail and dining offerings available to residents, local customers, visitors, and transit users. Therefore, the project provides recreational and service amenities to improve habitability for its residents and minimize impacts on neighboring properties.

The condition requiring EV-ready parking spaces (installed with chargers) on-site will support the adoption of low and zero emission transportation fuel sources by the project's occupants and visitors. This condition provides for the public welfare and public necessity by

reducing the level of pollution or greenhouse gas emissions to the benefit of the neighborhood and City in response to General Plan Health and Wellness Element Policies 5.1 (reduce air pollution), 5.7 (reduce greenhouse gas emissions); Air Quality Element policy 4.2.3 (ensuring new development is compatible with alternative fuel vehicles), 5.1.2 (shift to non-polluting sources of energy in buildings and operations); Mobility Element Policy 4.1 (expand access to transportation choices) and 5.4 (encourage adoption of low emission fuel sources, new mobility technology and supporting infrastructure). The EV condition is also good zoning practice because it provides a convenient service amenity to the occupants or visitors who use electric vehicles. As such, the Project provides recreational and service amenities to improve habitability for the residents and to minimize impacts on neighboring properties.

C. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) FINDINGS

FINDINGS OF FACT (CEQA)

I. INTRODUCTION

This Environmental Impact Report (EIR), consisting of the Draft EIR, Final EIR, and Errata is intended to serve as an informational document for public agency decision-makers and the general public regarding the objectives and impacts of The Fig Project (Project), located at 3900 South Figueroa Street (Site or Project Site). The Project is a mixed-use development comprised of three components (a Hotel Component, a Student Housing Component, and a Mixed-Income Housing Component) containing a total of 298 hotel rooms, 222 student housing units, and 186 mixed-income dwelling units, as well as retail, restaurant, and office uses, with a maximum floor area of 620,687 square feet, a total floor area ratio (FAR) of 3.25:1, and a commercial FAR of 0.50:1.

The City of Los Angeles (the "City"), as Lead Agency, has evaluated the environmental impacts of implementation of The Fig Project by preparing an environmental impact report (EIR) (Case Number ENV-2016-1892-EIR/State Clearinghouse No. 2016071049). The EIR was prepared in compliance with the California Environmental Quality Act of 1970, Public Resources Code Section 21000 et seq. (CEQA) and the California Code of Regulations Title 14, Division 6, Chapter 3 (the "CEQA Guidelines"). The findings discussed in this document are made relative to the conclusions of the EIR.

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

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

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

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 Environmental Impact Report 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 significant environmental impact analyzed in the EIR, the following information is provided:

- Description of Significant Effects - A description of the environmental effects identified in the EIR, including a judgment regarding the significance of the impact.
- Project Design Features - A list of the Project Design Features that are included as part of the Project (numbering of the features corresponds to the numbering in the EIR).
- Mitigation Measures - A list of the mitigation measures that are required as part of the Project to reduce identified significant impacts (numbering of the mitigation measures correspond to the Mitigation Monitoring Program, which is included as Section IV of the Final EIR).
- Finding - One or more of the three possible findings set forth above for each of the significant impacts, per Public Resources Section 21081(a) and CEQA Guidelines Section 15091(a).
- Rationale for Finding - A summary of the rationale for the finding(s).
- Reference - A reference of the specific section of the EIR which includes the evidence and discussion of the identified impact.

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

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

In addition, copies of the Draft EIR, Final EIR, and Errata are available on the Department of City Planning’s website at <http://planning.lacity.org> (to locate the documents click on the “Environmental Review” tab on the left-hand side, then “Final EIR,” and click on the Project title, where the Draft and Final EIR are made available). The Draft and Final EIR are also available at the following four Library Branches:

- Los Angeles Central Library - 630 W. Fifth Street, Los Angeles, CA 90071;
- Junipero Serra Branch Library - 4607 S. Main Street, Los Angeles, CA 90037;
- Exposition Park Regional Branch Library - 3900 S. Western Avenue, Los Angeles, CA 90062

II. ENVIRONMENTAL DOCUMENTATION BACKGROUND

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

Initial Study. The Project was reviewed by the Los Angeles Department of City Planning (serving as Lead Agency) in accordance with the requirements of the CEQA (PRC 21000 et seq.). The City prepared an Initial Study in accordance with Section 15063(a) of the State CEQA Guidelines (14 Cal. Code Regs. §§ 15000 et seq.).

Notice of Preparation. Pursuant to the provisions of Section 15082 of the State CEQA Guidelines, the City then circulated a Notice of Preparation (NOP) to State, regional and local agencies, and members of the public for a 30-day period commencing on July 18, 2016 and ending on August 18, 2016. The NOP also provided notice of a Public Scoping Meeting held on August 10, 2016. The purpose of the NOP and Public Scoping Meeting was to formally inform the public that the City was preparing a Draft EIR for the Project, and to solicit input regarding the scope and content of the environmental information to be included in the Draft EIR. Written comment letters responding to the NOP and the Scoping Meeting were submitted to the City by various public agencies, interested organizations and individuals. The NOP, Initial Study, and NOP comment letters are included in Appendix A of the Draft EIR.

Draft EIR. The Draft EIR evaluated in detail the potential effects of the Project. It also analyzed the effects of a reasonable range of four alternatives to the Project, including a “No Project” alternative. The Draft EIR for the Project (State Clearinghouse No. 2016071049), incorporated herein by reference in full, was prepared pursuant to CEQA and State, Agency, and City CEQA Guidelines (City of Los Angeles California Environmental Quality Act Guidelines). The Draft EIR was circulated for a 45-day public comment period beginning on October 12, 2017 and ending on November 27, 2017. A Notice of Availability (NOA) was distributed on October 12, 2017 to all property owners within 500 feet of the Project Site and interested parties, which informed them of where they could view the document and how to comment. The Draft EIR was available to the public at City Hall, Department of City Planning, and the following local libraries: Los Angeles Central Library, Junipero Serra Branch Library, and Exposition Park Regional Branch Library. A copy of the document was also posted online at <https://planning.lacity.org>. Notices were filed with the County Clerk on October 12, 2017.

Notice of Completion. A Notice of Completion was sent with the Draft EIR to the Governor’s Office of Planning and Research State Clearinghouse for distribution to State Agencies on October 12, 2017, and notice was provided in newspapers of general and/or regional circulation.

Final EIR. The City released a Final EIR for the Project on October 11, 2018, which is hereby incorporated by reference in full. The Final EIR constitutes the second part of the EIR for the Project and is intended to be a companion to the Draft EIR. The Final EIR also incorporates the Draft EIR by reference. Pursuant to Section 15088 of the CEQA Guidelines, the City, as Lead Agency, reviewed all comments received during the review period for the Draft EIR and responded to each comment in Section II, Responses to Comments, of the Final EIR. Responses were sent to all public agencies that made comments on the Draft EIR at least 10 days prior to certification of the EIR pursuant to CEQA Guidelines Section 15088(b). Notices regarding availability of the Final EIR were also sent to property owners and occupants within a 500-foot radius of the Project Site, as well as anyone who commented on the Draft EIR, and interested parties.

First Errata. The First Errata was completed on November 28, 2018 to make minor corrections and clarifications to the EIR. The First Errata addressed corrections to the existing zoning of the Project Site, clarified the Community Plan update boundary changes and the height of the buildings and parking structure, and provided clarifying language regarding LAUSD coordination for the Construction Management Program identified in Project Design Feature J-1 of the Final EIR's Mitigation Monitoring Program (MMP). The First Errata states that this information does not represent significant new information that would affect the analysis or conclusions presented in the Final EIR.

Public Hearing. The Hearing Officer on behalf of the City Planning Commission held a duly noticed public hearing for the Project on November 7, 2018 and by the Deputy Advisory Agency on December 5, 2018.

Second Errata. The Second Errata was completed on January 31, 2018 to make minor clarifications to the EIR. The Second Errata clarified the aesthetic impacts discussed in the EIR relating to historic resources, in the context of SB 743. The Second Errata states that this information does not represent significant new information that would affect the analysis or conclusions presented in the Final EIR.

III. DESCRIPTION OF THE PROJECT

The Fig Project (Project) is located at 3900 South Figueroa Street in the Southeast Los Angeles Community Plan area of the City of Los Angeles, just south of downtown Los Angeles. The Project Site is an approximately 4.4-acre site comprised of surface parking areas and residential uses adjacent to Exposition Park and near the University of Southern California's University Park Campus. There are currently eight multi-family residential buildings containing a total of 32 dwelling units within approximately 33,720 square feet of residential floor area located on the northeastern portion of the Project Site fronting Flower Drive. These residential buildings are subject to the City's Rent Stabilization Ordinance (RSO) and are part of the Flower Drive Historic District (Historic District), which includes a grouping of 19 multi-family buildings (two of which are non-contributing) that were constructed between 1920 and 1927. Of the eight residential buildings within the Project Site, seven are contributors to the Historic District. The remainder of the Project Site is developed with surface parking lots that include approximately 385 parking spaces.

The Project would remove the eight existing multi-family residential buildings and surface parking areas from the Project Site in order to construct a new mixed-use development. The Project is comprised of three components: a Hotel Component, a Student Housing Component, and a Mixed-Income Housing Component. The Hotel Component would include 298 guest rooms, 15,335 square feet of retail and restaurant uses, 13,553 square feet of shared guest and public amenities, and 7,203 square feet of public meeting spaces. The Student Housing Component would include 222 student housing units and 32,991 square feet of retail and restaurant uses. The Mixed-Income Housing Component would include 186 dwelling units (82 of which would be restricted to Low Income households earning no more than 80 percent of the Area Median Income), 20,364 square feet of creative office space, and 7,000 square feet of retail and restaurant uses. Each component of the Project would be contained within a separate seven-story building with a maximum building height of 83 feet. The Hotel Component would also include one basement level containing the hotel's meeting facilities and back-of-house uses. All three components would be served by a central eight-story above-ground parking structure, containing one subterranean parking level and a rooftop amenity level, with a maximum building height of 90 feet. Upon completion, the Project would result in up to 620,687

square feet of new floor area, a total maximum floor area ratio (FAR) of 3.25:1, and a commercial FAR of 0.50:1.

The Project will locate new hotel lodging, student housing, and mixed-income housing as well as neighborhood-serving retail and restaurant uses and new office space in close proximity to Exposition Park, the University of Southern California, and the Expo light rail line. Project construction is anticipated to occur over an approximate period of 18 months and would result in approximately 60,800 cubic yards of export material and soil removal from the Project Site. The Project incorporates the principles of smart growth and environmental sustainability, as evidenced by its mixed-use nature, proximity to transit and walkable streets, and the presence of existing infrastructure needed to service the proposed uses. In addition, the Project would incorporate features to support and promote environmental sustainability, including compliance with the City of Los Angeles Green Building Code and California Green Buildings Standards Code, and the inclusion of electric vehicle charging capabilities and electric vehicle charging stations. In so doing, the new buildings would be capable of achieving Leadership in Energy and Environmental Design (LEED) Silver status.

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

Impacts of the Project that were determined to have no impact or be less than significant in the EIR (including having a less than significant impact as a result of implementation of project design features and regulatory compliance measures) and that require no mitigation are identified below. The City has reviewed the record and has determined that the following environmental impact categories will not result in any significant impacts and that no mitigation measures are needed, and no additional findings are needed. This information does not repeat the full discussions of environmental impacts contained in the EIR. The City ratifies, adopts, and incorporates the analysis, explanation, findings, responses to comments, and conclusions of the EIR.

SB 743

Public Resources Code (PRC) Section 21099 (SB 743), provides that “aesthetic and parking 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.” However, impacts to historic or cultural resources are not exempt. As set forth in the EIR, the Project is a mixed-use project on an infill site within a transit priority area. Therefore, pursuant to PRC Section 21099, the Project’s aesthetic impacts (other than those correlating to the Project’s identified impacts on historic resources), are not significant. However, the following provides a description of the Project’s impacts for informational purposes only. The Project’s significant and unavoidable aesthetic impacts on historical resources, are discussed under “significant and unavoidable impacts”

Aesthetics

Scenic Resources

As discussed in Section IV.A, Aesthetics of the Draft EIR, The Project Site is not located with a designated scenic highway. Therefore, the Project would not damage scenic resources, including trees, rock outcroppings, historic buildings, or other natural features within a designated scenic highway. Therefore, no impacts to scenic resources within a scenic highway would occur.

Shade/Shadow

Construction

Construction activities would not result in any shade or shadow impacts. Therefore, aesthetic impacts associated with construction would be less than significant.

Operation

As shown in the shadow diagrams provided in Section IV.A, Aesthetics, Views, Light and Glare, and Shading, of Draft EIR, shadow-sensitive residential uses north of the Project Site, including contributing buildings to the Flower Drive Historic District, would be shaded by the Project's proposed buildings for more than three hours between the hours of 9:00 A.M. and 3:00 P.M. Pacific Standard Time during the winter solstice (between early November and early March). However, in accordance with SB 743, shading impacts would not be considered significant, and no mitigation measures would be required. Moreover, the Project's potential shade/shadows cast upon the contributors to the Historic District would not alter their eligibility as contributors and would therefore not constitute a significant impact to a historic resource. Therefore, impacts related to shading would not be significant.

Light and Glare

Construction Impacts

As described in Section IV.A, Aesthetics, Views, Light and Glare, and Shading, of the Draft EIR, through compliance with LAMC Section 41.40's limitation on hours of construction, as well as with incorporation of Project Design Feature A-3 (limitation of illumination for safety and security purposes only and shielding and/or aiming requirements so that no direct beam illumination is provided outside of the Project Site boundary), light resulting from construction activities would not significantly impact off-site sensitive uses, substantially alter the character of off-site areas surrounding the construction area, adversely impact day or nighttime views in the area, or substantially interfere with the performance of an off-site activity. In addition, there would be a negligible potential for daytime or nighttime glare associated with construction activities to occur. Based on the above, lighting and glare associated with Project construction would not substantially alter the character of off-site areas surrounding the Project Site. Moreover, per SB 743, aesthetic impacts shall not be considered significant impacts on the environment, and no mitigation measures would be required.

Operational Impacts

The Project's proposed lighting sources would be similar to other lighting sources in the Project vicinity and would not generate artificial light levels that are out of character with the surrounding area. As provided in Project Design Feature A-7, all exterior lighting would be shielded and/or directed toward the areas to be lit, interior to the Project Site, to avoid light spillover onto adjacent sensitive uses. Project lighting and signage would also meet all applicable LAMC lighting standards, and lighting to highlight the Project's signage would be shielded or directed toward the areas to be lit to avoid creating off-site glare.

Project Design Feature A-8 requires that glass used in building façades shall be anti-reflective or treated with an anti-reflective coating in order to minimize glare. Thus, daytime glare attributable to the Project would be controlled, and Project development would not incorporate substantial amounts of highly reflective building materials or signage. Based on the above, lighting and glare associated with Project operation would not substantially alter the character of

off-site areas surrounding the Project Site. Moreover, per SB 743, aesthetic impacts shall not be considered significant impacts on the environment, and no mitigation measures would be required.

Cumulative Impacts

The Project would remove eight existing buildings from the Project site that are within the boundaries of the Flower Drive Historic District, which would reduce the size of the historic district, potentially altering the integrity of the district or its eligibility as a historic resource. However, the nearest related projects (Related Project Nos 15 and 21) would not affect buildings within the historic district. Thus, while the Project would impact the historic district, cumulative impacts would not occur. Moreover, under SB 743, other aesthetic cumulative impacts shall not be considered significant impacts on the environment. Therefore, Project cumulative aesthetic impacts related to would not be significant.

Project Design Features

The City finds that the Project Design Features A-1 through A-9 are specific design and/or operational characteristics incorporated into the Project that would avoid or reduce its potential environmental effects. The Project Design Features were considered in the analysis of potential impacts. However, as a function of the Project, they do not constitute Mitigation Measures, as they were not applied in addition to the Project to reduce significant impacts.

Project Design Feature A-1:Temporary construction fencing shall be placed along the periphery of the active construction areas to screen the construction activity from view at the street level, and to keep unpermitted persons from entering the construction area.

Project Design Feature A-2:The Project 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 that are accessible/visible to the public, and that such temporary barriers and walkways are maintained in a visually attractive manner (i.e., free of trash, graffiti, peeling postings and of uniform paint color or graphic treatment) throughout the construction period.

Project Design Feature A-3:Light sources associated with Project construction shall be shielded and/or aimed so that no direct beam illumination is provided outside of the Project Site boundary. However, construction lighting shall not be so limited as to compromise the safety of construction workers.

Project Design Feature A-4:New on-site utilities that may be required to serve the Project shall be installed underground, where practical.

Project Design Feature A-5:Mechanical, electrical, and roof top equipment, as well as building appurtenances, shall be screened from public view.

Project Design Feature A-6:Trash areas associated with the proposed buildings shall be enclosed or otherwise screened from view from public rights-of-way.

Project Design Feature A-7:All new outdoor lighting required for the Project shall be shielded and directed towards the interior of the Project Site such that the light source does not project directly upon any adjacent property.

Project Design Feature A-8: Glass used in building façades shall be anti-reflective or treated with an anti-reflective coating in order to minimize glare.

Project Design Feature A-9: The Project Applicant shall remove the existing three billboards on-site and shall not include off-site signs.

Conclusion

With the implementation of the Project Design Features identified above and compliance with existing regulations, the Project would not result in significant impacts related to scenic vistas, scenic resources within a state scenic highway, shade/shadow, visual character during construction, views during construction, light and glare, and cumulative impacts. In addition, potential aesthetic impacts associated with the Project, outside of impacts to historic resources, cannot be determined significant impacts by law. Therefore, no mitigation measures were included in the EIR.

Agricultural and Forest Resources

The Project Site is located in an urbanized area of the City. No agricultural uses or operations occur onsite or in the vicinity of the Project Site. In addition, the project site and surrounding area are not mapped as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency Department of Conservation. The project site is also not zoned for agricultural use and no agricultural zoning is present in the surrounding area. Furthermore, the Project Site and surrounding area are not enrolled under a Williamson Act Contract. Additionally, the project site does not include any forest or timberland, is not zoned for forestland, and is not used as forestland. As such, the project will not convert farmland to a non-agricultural use; will not conflict with any zoning for agricultural uses or a Williamson Act Contract; will not conflict with existing zoning for, or cause rezoning of, forest land or timberland as defined in the applicable sections of the Public Resources Code; will not result in the loss or conversion of forest land; and will not result in the conversion of farmland to non-agricultural use. Therefore, no impacts to agricultural and forest resources will occur. This impact will also be clearly insignificant and unlikely to occur.

Air Quality

Conflict with or Obstruct Implementation of an Applicable Air Quality Plan

The Southern California Air Quality Management District's (SCAQMD) Air Quality Management Plan (AQMP) includes projections for achieving air quality goals. These projections are based on assumptions prepared by the Southern California Association of Governments (SCAG) regarding population, housing, and growth trends, which are provided in the 2016-2040 Regional Transportation Plan/Sustainable Communities Strategy (2016 RTP/SCS). A project is consistent with the AQMP in part if it is consistent with the population, housing, and employment assumptions of the 2016 RTP/SCS that were used in the development of the AQMP. As detailed in Section IV.B, Air Quality, of the Draft EIR, the Project's levels of population and employment growth are consistent with the population and employment forecasts adopted by SCAG, and therefore consistent with the projections in the AQMP.

Additionally, the Project would help achieve a portion of the household growth forecast for the City, while also being consistent with regional policies to reduce urban sprawl, efficiently utilize existing infrastructure, reduce regional congestion, and improve air quality through the reduction of vehicle miles traveled (VMT) as called for in the 2016 RTP/SCS. In addition, the Project will

comply with all applicable SCAQMD rules and regulations. Therefore, impacts regarding consistency with applicable air quality management plans are less than significant.

Air Quality Standards

Regional Construction Emissions

As shown by Table IV.B-4 of the Draft EIR, construction-related daily maximum regional construction emissions (i.e., combined on-site and off-site emissions) would not exceed the South Coast Air Quality Management District (SCAQMD) significance thresholds. Therefore, regional construction emissions resulting from the Project would result in a less than significant short-term impact.

Localized Construction Emissions

The Project would not produce emissions exceeding SCAQMD's recommended localized standards of significance, as shown by Table IV.B-5 of the Draft EIR. As a result, construction of the Project would not produce any local violation of air quality standards or contribute substantially to an existing or projected air quality violation, and Project impacts would be less than significant.

Regional Operational Emissions

As set forth in Table IV.B-6 of the Draft EIR, the Project's operational emissions would not exceed SCAQMD's regional significance thresholds for VOC, NO_x, CO, PM₁₀, and PM_{2.5} emissions. Therefore, Project impacts related to regional operational emissions would be less than significant.

Localized Operational Emissions

The Project would emit minimal onsite emissions of NO₂, CO, PM₁₀, and PM_{2.5}, which would not exceed any of the SCAQMD's localized significance thresholds, as shown by Table IV.B-7 of the Draft EIR. Therefore, with respect to localized operational emissions, air quality impacts would be less than significant.

Sensitive Receptors

Construction Toxic Air Contaminants (TACs)

Since the Project's construction schedule estimates that the phases which require the most heavy-duty diesel vehicle usage, such as site grading/excavation, would last for a much shorter duration (e.g., approximately 5 months), construction of the Project would not result in a substantial, long-term (i.e., 70-year) source of TAC emissions. In addition, there would be no residual emissions or corresponding individual cancer risk after construction. As such, Project-related TAC impacts during construction would be less than significant.

Operational Toxic Air Contaminants (TACs)

Diesel particulate matter from commercial delivery trucks and the land uses associated with the Project are not considered land uses that generate substantial TAC emissions. Based on SCAQMD guidance, the Project is not considered to be a substantial source of diesel particulate matter warranting a refined. As the Project would not contain substantial TAC sources and is

consistent with CARB and SCAQMD guidelines regarding TAC sources in proximity to existing sensitive land uses, potential TAC impacts would be less than significant.

Carbon Monoxide Hotspots

In addition, neither construction nor long-term operations of the Project would result in exceedances of CO air quality standards at roadways in the area. Therefore, the Project does not trigger the need for a detailed CO hotspots model and would not cause any new or exacerbate any existing CO hotspots. As a result, impacts related to localized mobile-source CO emissions are considered less than significant.

Objectionable Odors

No objectionable odors are anticipated as a result of either construction or operation of the Project. Odors associated with Project operation would be limited to those associated with on-site waste generation and disposal and occasional minor odors generated during food preparation activities. Impacts with regard to odors would be less than significant.

Cumulative Impacts

Construction

The Project would comply with regulatory requirements, including SCAQMD Rule 403 requirements. Per SCAQMD rules and mandates, as well as the CEQA requirement that significant impacts be mitigated to the extent feasible, all construction projects Air Basin-wide would comply with these same requirements and would also implement all feasible mitigation measures when significant impacts are identified.

According to the SCAQMD, individual construction projects that exceed the SCAQMD's recommended daily thresholds for project-specific impacts would cause a cumulatively considerable increase in emissions for those pollutants for which the Air Basin is in non-attainment. Construction-related daily emissions at the Project Site would not exceed the SCAQMD's regional and localized significance thresholds and would therefore have a less-than-significant impact with regard to regional and localized emissions and impacts would not be cumulatively considerable.

Similar to the Project, the greatest potential for TAC emissions at each related project would generally involve diesel particulate emissions associated with heavy equipment operations during demolition and grading/excavation activities. Construction activities at each related project would not result in a long-term (i.e., 70-year) substantial source of TAC emissions. Additionally, the SCAQMD CEQA guidance does not require an HRA for short-term construction emissions. As such, cumulative TAC emission impacts during construction would be less than significant.

Operation

According to the SCAQMD, if an individual project results in air emissions of criteria pollutants that exceed the SCAQMD's recommended daily thresholds for project-specific impacts, then the project would also result in a cumulatively considerable net increase of these criteria pollutants. Operational emissions from the Project would not exceed any of the SCAQMD's regional or localized significance thresholds during Project build-out and would not be cumulatively considerable.

With respect to TAC emissions, neither the Project nor any of the related projects (which primarily include residential, retail/commercial, office, and hotel uses) would represent a substantial source of TAC emissions. The Project and related projects would be consistent with the recommended screening level siting distances for TAC sources, as set forth in CARB's Land Use Guidelines, and the Project and related projects would not result in a cumulative impact requiring further evaluation. The Project and each of the related projects would likely generate minimal TAC emissions. As such, cumulative TAC emissions during long-term operations would be less than significant. In addition, the Project would not result in any substantial sources of TACs that have been identified by the CARB's Land Use Guidelines, and thus, would not result in a cumulatively considerable impact or a cumulatively significant impact.

Project Design Features

The City finds that the Project Design Features to support and promote environmental sustainability as discussed under Section IV.E, Greenhouse Gas Emissions, of the Draft EIR, while designed primarily to reduce greenhouse gas emissions, will also serve to reduce criteria air pollutants. These Project Design Features were considered in the analysis of potential impacts. However, as a function of the Project, they do not constitute Mitigation Measures, as they were not applied in addition to the Project to reduce significant impacts.

Conclusion

With the implementation of the PDF's identified above and compliance with existing regulations, the Project would not result in significant impacts associated with air quality. Therefore, no mitigation measures are required.

Biological Resources

Candidate, Sensitive, Special Status Species

No species identified as candidate, sensitive, or special status species in local or regional plans, policies, or regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service are located on the Project Site. In addition, because of the urbanized nature of the Project Site and Project vicinity, the Project Site does not support habitat for candidate, sensitive, or special status species. Therefore, the Project would have no substantial adverse effects on candidate, sensitive, or special status species.

Riparian Habitat or Federally Protected Wetlands

No riparian or other sensitive natural community exists on the Project Site or in the immediate surrounding area. Therefore, the Project will not have a substantial adverse effect on any riparian habitat or other sensitive natural community. No impact to riparian habitat or other sensitive natural community will occur.

Federally Protected Wetlands

No Federally Protected wetlands exists on the Project Site or in the immediate surrounding area. Therefore, the Project will not have a substantial adverse effect.

Movement of Native Resident, Migratory Fish or Wildlife Species

No water bodies or federally protected wetlands as defined by Section 404 of the Clean Water Act exist on the project site or in the immediate vicinity of the Project Site. Therefore, the Project would not have an adverse effect on federally protected wetlands.

Local Policies or Ordinances Protecting Biological Resources

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 exist on the Project Site. The Project would be required to replace any significant, non-protected trees through the City's review and permitting process. Therefore, the Project would not conflict with local policies or ordinances protecting biological resources, and impacts are less than significant.

Adopted Habitat Conservation Plans

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, and no impact would occur.

Cultural Resources

Historical Resources

The Project Site includes a portion of the Flower Drive Historic District, which is eligible for the California Register and considered a historical resource under CEQA. The Project would result in the demolition of eight out of 19 buildings that currently comprise the Historic District. Seven of the buildings proposed for removal are contributors to the Historic District. The Project would also be located across 39th Street from the remaining portion of the Historic District and would introduce a new visual element to the setting of the Historic District. Removal of the portion of the Historic District would result in significant impacts to historic cultural resources (see "Significant and Unavoidable Impacts" Section for further discussion on direct impacts).

Indirect Impacts

As discussed in the Appendix C - Historical Resources Report, of the Draft EIR, and Section IV.C Cultural Resources of the Draft EIR, of the seven factors of integrity that could diminish the Historic District's eligibility, the two most relevant to new construction in the vicinity of a historical resource are setting and feeling. However, when the Historic District was determined eligible for listing in the California Register in 2008, it was already lacking in integrity of setting and feeling. Therefore, the Project would diminish the integrity of setting and feeling of the Historic District, but not to the degree that it would no longer be eligible for listing in the California Register since it was previously determined that setting and feeling were not essential factors of integrity for the Historic District. As such, the Project would have a less than significant indirect impact on the remaining portion of the Historic District. The Historical Resources Report considered impacts to the Los Angeles Memorial Coliseum to the west and the Zobelein Estate to the north. These historical resources are physically and visually separated from the Project Site by other buildings and roadways. Due to their physical and visual distance from the Project Site, the Historical Resources Report concluded that there is no potential for the Project to alter the physical characteristics that convey the significance of these historical resources, or their immediate surroundings. Therefore, the Project would not result in

indirect impacts to historical resources in the vicinity of the Project Site and mitigation measures would not be required.

Cumulative Impacts

Although impacts to historic resources tend to be site-specific, cumulative impacts would occur if the Project, related projects, and other future development within the Community Plan area affected local resources with the same level or type of designation or evaluation, affected other structures located within the same historic district, or involved resources that are significant within the same context as the Project. There is one historical resource, the Flower Drive Historic District, located on and adjacent to the Project Site. Since none of the related projects is located within the immediate vicinity of or the boundaries of the Flower Drive Historic District, the related projects would not have the potential result in further impacts to the Flower Drive Historic District.

On May 1, 2018, after the publication of the Draft EIR, an application was filed for the property located at 3800-3818 South Figueroa Street, for a seven-story mixed-use development comprised of approximately 9,800 square feet of ground floor retail space and 79 multi-family residential units. This project site is adjacent to the northern portion of the Flower Drive Historic District. The EIR adequately analyzed cumulative impacts based on assumptions of ambient growth rates and all other closely related past, present, and reasonably foreseeable future projects known at the time of the issuance of the Notice of Preparation (NOP) on July 18, 2016, which established the baseline condition and environmental setting. The project at 3800 South Figueroa Street had not yet been proposed at that time and was not reasonably foreseeable and was therefore not included in the analysis. Moreover, in conformance with CEQA, the City, as Lead Agency, has set the issuance of the NOP as the applicable cut-off date to determine baseline conditions, and CEQA does not require a lead agency to continuously update these baseline conditions or a list of related projects. Furthermore, all Project development would remain on-site and, as described above, impacts to potential historic resources located within the vicinity of the Project Site would not occur. Therefore, Project impacts to the Flower Drive Historic District and to historic resources within the vicinity of the Project would not be cumulatively considerable, and cumulative impacts would be less than significant.

Archaeological Resources

The results of the archaeological records search indicate that there are no identified archaeological resources within the Project Site and two archaeological resources located within a 0.5-mile radius of the Project Site. While these findings do not preclude the potential for an archaeological site to be identified during construction activities associated with the Project, it is unlikely since the Project Site has previously been graded as part of previous construction activities. Nonetheless, if an archaeological resource were to be discovered during construction of the Project, then work in the area would cease, and deposits would be treated in accordance with federal and state regulatory requirements, including those set forth in California Public Resources Code Section 21083.2 with respect to any unique archaeological resource. Compliance with all required regulatory measures would ensure that any potential impacts related to archaeological resources would be less than significant.

Human Remains

As previously indicated, the Project Site has been previously graded and developed. Nonetheless, the Project Site would require excavation that would extend into native soils. However, if human remains were discovered during construction of the Project, work in the immediate vicinity would be halted, the County Coroner, construction manager, and other

entities would be notified per California Health and Safety Code Section 7050.5, and disposition of the human remains and any associated grave goods would occur in accordance with Public Resources Code Section 5097.91 and 5097.98, as amended. Compliance with all required regulatory measures would ensure that any potential impacts related to human remains would be less than significant.

Geology and Soils

Surface Ground Rupture

As described in Section IV.D, Geology and Soils, of the Draft EIR, as well as the Geotechnical Investigation prepared for the Project, there are no active faults with the potential for surface fault rupture that are known to pass directly beneath the Project Site, and the potential for surface rupture due to faulting occurring beneath the Project Site is considered low. Thus, the Project would not exacerbate existing conditions and impacts associated with surface rupture from a known earthquake fault would be less than significant, and no mitigation measures are required.

Strong Seismic Ground Shaking

The potential impacts related to seismic ground shaking at the Project Site would not be exacerbated by the Project because the Project would not involve mining operations, deep excavation into the earth, or boring of large areas creating unstable seismic conditions that would exacerbate ground shaking. Based on the Geotechnical Investigation, which contains preliminary recommendations for the type of engineering practices that would be used to minimize risks associated with seismic shaking, the Project Site is suitable for development of the Project, and the Project may be constructed using standard, accepted, and proven engineering practices in consideration of the seismic ground shaking potential and geologic conditions at the Project Site. In addition, the Project must demonstrate compliance with the applicable State and City regulatory compliance measures, including the preparation of a final, site-specific geotechnical report subject to LADBS review and approval, pursuant to LAMC Section 91.7006. Therefore, impacts pertaining to strong seismic ground shaking would be less than significant.

Seismic-related Ground Failure and Liquefaction

The Project Site is not located in an area that has been identified by the State as being potentially susceptible to liquefaction. In addition, according to the CGS, the Project Site is not located within a liquefiable area. Furthermore, as noted in the Geotechnical Investigation, local groundwater depths were reported at approximately 80 feet below ground surface and groundwater was not encountered during exploration at the Project Site to a depth of approximately 101.5 feet below ground surface. Therefore, based on these considerations, the Geotechnical Investigation concluded that the potential for liquefaction, lateral spreading, and seismically-induced settlement to occur on the Project Site is low. As such, the Project would not exacerbate existing environmental conditions related to liquefaction and lateral spreading, and impacts associated with liquefaction would be less than significant and no mitigation measures are required.

Landslides

The Project Site is not located within a City-designated Hillside Grading Area, is not subject to the City's Hillside Ordinance, and is not located in a City-designated Landslide area. Additionally, the Project Site is located in a relatively flat area and is not in close proximity to any

mountains or steep slopes. As such, there is no potential for landslides to occur on or near the Project Site. Therefore, the Project would not expose people or structures to potential substantial adverse effects involving landslides and no impact would result.

Soil Erosion or Loss of Topsoil

Construction activities would include ground-disturbing activities (e.g., excavation, grading, soil stockpiling, foundation construction, the installation of utilities) that would temporarily expose soils. However, all grading activities would require grading permits from LADBS, which would include requirements and standards designed to limit potential impacts associated with erosion. Finally, once construction activities are completed, the Project Site would be covered in impervious surfaces, landscaping, and completed with drainage control measures that would reduce the potential for erosion. Once constructed, the proposed development would include drainage control features in accordance with local and regional requirements to ensure that stormwater is managed in a way that minimizes the potential for erosion or sedimentation. Therefore, with adherence to applicable regulations, substantial soil erosion or the loss of topsoil during Project construction and operation would not occur. In addition, the Project would not cause or accelerate natural processes of wind and water erosion. Impacts would be less than significant.

Lateral Spreading, Subsidence, Liquefaction, Collapse

The Project would not be located on a geologic unit or soil that is unstable, or that would become unstable, and the Project would not result in any on- or off-site lateral spreading, subsidence, liquefaction or collapse caused in whole or in part by exacerbation of the existing environmental conditions. Impacts during Project construction or operation would be less than significant.

Expansive and Corrosive Soils

Near-surface soils, which are characterized as silty sand, have very low expansion potential. The Project would not exacerbate existing environmental conditions and increase the expansion potential of the soils. Therefore, impacts related to expansive soils would be less than significant, and no mitigation measures are required.

The on-site near-surface soils underlying the Project Site were found to have a corrosive potential for ferrous metal. Thus, the Geotechnical Investigation recommends that measures be included to address corrosion potential, including the use of non-ferrous pipe or protective measures to separate ferrous pipes from on-site soils, and the retention of a corrosion expert to provide additional potentially required protective measures for underground metal protection. With implementation of the geotechnical report recommendations, as required by City of Los Angeles regulations and LAMC Section 91.7006, the Project would not exacerbate existing conditions related to corrosive soils. Impacts would be less than significant, and no mitigations measures are required.

Septic Tanks

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.

Landform Alteration

There are no distinct and prominent geologic or topographic features (i.e., hilltops, ridges, hillslopes, canyons, ravines, rock outcrops, water bodies, streambeds, or wetlands) on the Project Site or vicinity. Therefore, the Project would not destroy, permanently cover, or materially and adversely modify any distinct and prominent geologic or topographic features. Impacts associated with landform alteration would not occur and no mitigation measures are required.

Cumulative Impacts

Due to the site-specific nature of geological conditions (i.e., soils, geological features, subsurface features, seismic features, etc.), geology impacts are typically assessed on a project-by-project basis, rather than on a cumulative basis. Nonetheless, cumulative growth (inclusive of the 28 related projects identified in Section III, Environmental Setting, of this Draft EIR) through the Project's anticipated build-out year, would expose a greater number of people to seismic hazards. However, as with the Project, related projects and other future development projects would be subject to established guidelines and regulations pertaining to building design and seismic safety, including those set forth in the California Building Code and Los Angeles Building Code. With adherence to applicable regulations, the Project's impacts with regard to geology and soils would not be cumulatively considerable and cumulative impacts with regard to geology and soils would be less than significant.

Conclusion

Impacts related to geology and soils were determined to be less than significant because adherence to regulatory requirements (including review and approval of the Final Geotechnical Report) and applicable building codes would adequately reduce potential geotechnical impacts. Therefore, no mitigation measures are required.

Greenhouse Gas Emissions

Greenhouse Gas Emissions Generation and Plan Consistency

In the absence of any adopted, quantitative threshold, and consistent with the California Supreme Court's decision in the *Center for Biological Diversity v. California Department of Fish and Wildlife* case, the EIR appropriately utilized the following significance threshold: the Project would not have a significant effect on the environment if it is found to be consistent with the applicable regulatory plans and policies to reduce GHG emissions including the emissions reduction measures discussed within CARB's Climate Change Scoping Plan, SCAG's Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS); and the City of Los Angeles' LA Green Plan.

The Draft EIR included a comparison of Project emissions to the "no implementation of emission reduction measures" (NIERM) scenario but did not use this comparison as a significance threshold. Instead, the reduction in GHG emissions in comparison to the NIERM scenario reflect the measures set forth in the applicable GHG reduction plans and policies and demonstrate the efficacy of these measures.

As set forth in Section IV.E, Greenhouse Gas Emissions, of the Draft EIR, construction and operation of the Project would result in GHG emissions from area and mobile sources, as well as emissions associated with energy generation and utility provision. When taking into consideration implementation of Project Design Features identified in the EIR, (Project Design Feature E-1 for specific mandatory requirements of achieving LEED Silver Rating, Project Design Feature E-2 for prohibition of natural gas fireplaces installed in the residences, and

Project Design Features E-3 and E-4 regarding electric vehicle (EV) parking), as well as the requirements set forth in the City of Los Angeles Green Building Code and the full implementation of current state mandates, the GHG emissions for the Project would equal 78 MTCO₂e per year during construction and 6,745 MTCO₂e per year during operation of the Project with a combined net total of 6,824 MTCO₂e per year. Overall, the Project would result in GHG emissions that represent an approximate 57-percent reduction from the NIERM scenario, demonstrating the efficacy of those GHG reduction measures in applicable plans and policies.

In addition, Tables IV.E-14, IV.E-15, and IV.E-16 of the Draft EIR provide an evaluation of applicable reduction actions/strategies by emissions source category to determine how the Project complies with or exceeds the reduction actions/strategies outlined in the Climate Change Scoping Plan, the 2016-2040 RTP/SCS, and the LA Green Plan. The Project would also comply with performance-based standards included in the Green Building Code.

The Project's consistency with these applicable regulatory plans and policies to reduce GHG emissions, along with implementation of project design features would minimize the Project's GHG emissions and render GHG impacts less than significant.

Cumulative Impacts

In the case of global climate change, a cumulative impact analysis differs from other environmental issues areas. The proximity of the Project to other related projects or other GHG emission generating activities is not directly relevant to the determination of a cumulative impact because climate change is a global condition. According to CAPCOA, "GHG impacts are exclusively cumulative impacts; there are no non-cumulative GHG emission impacts from a climate change perspective." Moreover, although the State requires MPOs 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 State CEQA Guidelines specify that compliance with a GHG emissions reduction program renders a cumulative impact insignificant. Per State CEQA Guidelines Section 15064(h)(3), a project's incremental contribution to a cumulative impact can be found not cumulatively considerable if the project will comply with an approved plan or mitigation program that provides specific requirements that will avoid or substantially lessen the cumulative problem within the geographic area of the project.

As discussed above, the Project would be consistent with applicable GHG emissions reduction plans and policies discussed within CARB's Climate Change Scoping Plan, SCAG's 2016 RTP/SCS, and the City's LA Green Plan, and Green Building Code. As a result, the Project would be consistent with the State's goals and result in a GHG emissions profile that is consistent with State GHG reduction plans. In accordance with CEQA requirements, related projects would be required to demonstrate consistency with applicable GHG emissions reduction plans and policies and provide appropriate mitigation in accordance with CEQA requirements to mitigate significant impacts. The Project would not conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of GHGs. In the absence of adopted numerical significance thresholds, and given this consistency, it is concluded that the Project's impacts are not cumulatively considerable.

Project Design Features

The City finds that Project Design Features E-1 through E-4 are specific design and/or operational characteristics incorporated into the Project that would avoid or reduce its potential

environmental effects. These Project Design Features were considered in the analysis of potential impacts. However, as a function of the Project, they do not constitute Mitigation Measures, as they were not applied in addition to the Project to reduce significant impacts.

Project Design Feature E-1:The design of the new buildings shall incorporate features to be capable of achieving at least Silver certification under the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED)-NC® v2009. Such LEED® features shall include energy-efficient buildings, a pedestrian- and bicycle-friendly site design, and water conservation measures, among others.

Project Design Feature E-2:No natural gas fueled fireplaces shall be installed in the residences.

Project Design Feature E-3:A minimum of 20 percent of the total code-required parking spaces for the project shall be capable of supporting future electric vehicle supply equipment (EVSE). Project plans shall indicate the proposed type and location(s) of EVSE and also include raceway method(s), wiring schematics and electrical calculations to verify that the electrical system has sufficient capacity to simultaneously charge all electric vehicles (EVs) at all designated EV charging locations at their full rated amperage. Plan design shall be based upon Level 2 or greater EVSE at its maximum operating capacity. Only raceways and related components are required to be installed at the time of construction. When the application of the 20 percent results in a fractional space, round up to the next whole number. A label stating "EV CAPABLE" shall be posted in a conspicuous place at the service panel or subpanel and next to the raceway termination point.

Project Design Feature E-4:A minimum of 5 percent of the total code-required parking spaces shall be equipped with EV charging stations. Project plans shall indicate the proposed type and location(s) of charging stations. Plan design shall be based on Level 2 or greater EVSE at its maximum operating capacity. When the application of the 5 percent requirement results in a fractional space, round up to the next whole number.

Conclusion

With the implementation of PDFs E-1 through E-4, Project and cumulative impacts related to greenhouse gas emissions are less than significant and no mitigation measures are required.

Hazards and Hazardous Materials

Routine Transport, Use or Disposal of Hazardous Materials

Construction

Construction activities required for the Project would involve trenching, excavation, grading, and other ground-disturbing activities. The construction activities would temporarily require the use of equipment and would use potentially hazardous materials such as fuels, lubricants, glues, solvents, paints, thinners, or other chemicals. Such materials would be used only in quantities typically associated with the construction of a commercial development and would be transported, handled, stored, and disposed of in accordance with applicable laws and regulations and manufacturers' instructions. Construction in conformance with standard regulatory compliance measures is adequate to reduce the potential risk hazards associated with construction activities. Accordingly, the Project would not increase the probable frequency or severity of consequences to people or property from the potential exposure to hazardous substances. Therefore, construction of the Project would not create a significant hazard to the

public or the environment through the routine transport, use, or disposal of hazardous materials. Impacts would be less than significant.

Operation

Operations of the Project would consist of typical and common activities associated with operation of mixed-use hotel, residential, and commercial development. No hazardous materials would be utilized during day-to-day operation of the Project other than typical housekeeping, restaurant, vehicle, pool, and landscape maintenance materials such as cleaning supplies, paints, oil, grease, pesticides, herbicides, water disinfectants, fertilizers. The use of these materials would be in small quantities and in accordance with the manufacturers' instructions for transport, use, storage, and disposal. Compliance with these standard practices avoids substantial exposure hazards. Therefore, operation of the Project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. Impacts would be less than significant.

Reasonably Foreseeable Upset and Accident Conditions Involving the Release of Hazardous Materials in the Environment

Construction

Although a former gas station operated on the northwest corner of the Project Site from 1954 to 1969, there are no underground storage tanks or significant buried objects within the Project Site. In addition, there is no evidence of aboveground storage tanks on-site. Furthermore, VOCs were not detected above the laboratory reporting limits in the soil samples, and the levels of total petroleum hydrocarbons (TPH) and semi-volatile organic compounds (SVOC) detected do not pose a threat to human health or the environment. Two pole-mounted transformers are located in the center of the Project Site. No leaks or stains were observed on the ground beneath the transformers during the site reconnaissance. Thus, the transformers are unlikely to represent an environmental concern. Based on the age of the on-site buildings (constructed in 1920s), asbestos-containing materials may be present on-site. Furthermore, in accordance with SCAQMD Rule 1403, the Project Applicant would be required to conduct a comprehensive asbestos survey prior to demolition, subject to approval by LADBS. In the event that asbestos-containing materials are found within areas proposed for demolition (e.g., the residential buildings), suspect materials would be removed by a certified asbestos abatement contractor in accordance with applicable regulations. Based on the age of the on-site buildings (constructed in 1920s), it is also likely that lead-based paint is present on-site. In the event that lead-based paint is found within areas proposed for demolition, suspect materials would be removed in accordance with procedural requirements and regulations for the proper removal and disposal of lead-based paint prior to demolition activities. Any hazardous materials encountered would be removed in accordance with all applicable federal, state, and local regulations. Therefore, with compliance with applicable regulations, impacts related be less than significant and no mitigation measures are required.

Operation

Operations of the Project would consist of the typical and common activities associated with operation of a mixed-use residential, hotel, and commercial development. No hazardous materials would be utilized during day-to-day operation of the Project other than typical housekeeping, restaurant, vehicle, pool, and landscape maintenance materials such as cleaning supplies, paints, oil, grease, pesticides, herbicides, water disinfectants, fertilizers. The use of these materials would be in small quantities and in accordance with the manufacturers' instructions for transport, use, storage, and disposal of such products. Therefore, operation of

the Project would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.

Hazardous Emissions or Materials within One-Quarter Mile of a School

The EIR identified the nearby Dr. Theodore T. Alexander Science Center School (located approximately 0.25 mile north of the Project Site) as a sensitive receptor for purposes of assessing potential significant impacts. Construction and operation of the Project would not result in significant hazardous emissions or materials. As such, it is concluded that the Project would result in no impacts related to hazardous materials at any existing or proposed schools within a one-quarter mile radius of the Project Site. This impact will also be less than significant.

List of Hazardous Materials Sites under Government Code Section 65962.5

The Project Site is not considered a hazardous materials site. The Project Site is not on the Cortese list (compiled pursuant to Government Code Section 65962.5). The historical use of the site has not resulted in a significant threat to human health. Therefore, the Project would not be located on a site which is included on a list of hazardous materials sites and would not, as a result, create a significant hazard to the public or the environment. Impacts are less than significant.

Public and Private Airport Safety Hazards

The Project Site is not within an airport land use plan and it is not within two miles of a public use airport or private airstrip. As a result, the Project would not result in a safety hazard to people residing or working within an airport land use plan or within two miles of an airport, and no impact would result.

Impair Implementation or Interfere with an Adopted Emergency Response Plan or Emergency Evacuation Plan

The Project Site is located in an established urban area that is well served by the surrounding roadway network. While it is expected that the majority of construction activities for the Project would be confined on-site, short-term construction activities may temporarily affect access on portions of adjacent streets during certain periods of the day. 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 (PDF J-1), which includes designation of a haul route, to ensure that adequate emergency access is maintained during construction. Therefore, construction is not expected to result in inadequate emergency access. In addition, operation of the Project would generate traffic in the Project vicinity and would result in some modifications to access from the streets that surround the Project Site. Nonetheless, the Project is required to provide adequate emergency access and to comply with Los Angeles Fire Department (LAFD) access requirements. Subject to review and approval of site access and circulation plans by the LAFD, the Project would not impair implementation or physically interfere with adopted emergency response or emergency evacuation plans. Since the Project would not cause an impediment along the City's designated emergency evacuation route, nor would the proposed uses impair the implementation of the City's emergency response plan, the Project would have a less than significant impact with respect to these issues. This impact will also be less than significant.

Wildland Fires

The Project Site is located in the highly urbanized downtown area of Los Angeles. No wildlands are present on the Project Site or surrounding area. Therefore, the Project would not expose people or structures to a significant risk involving wildland fires.

Cumulative Impacts

Development of the Project in combination with the related projects has the potential to increase the risk for an accidental release of hazardous materials. Each of the related projects would require evaluation for potential threats to public safety, including those associated with the use, storage, and/or disposal of hazardous materials, asbestos-containing materials, lead-based paint, PCBs, and oil and gas and would be required to comply with all applicable local, state, and federal laws, rules and regulations. Since environmental safety issues are largely site-specific, this evaluation would occur on a case-by-case basis for each individual project affected, in conjunction with development proposals on these properties. Therefore, with full compliance with all applicable local, state, and federal laws, rules and regulations, as well as implementation of site-specific recommendations for the related projects, cumulative impacts related to hazards and hazardous materials would be less than significant.

Hydrology and Water Quality

Violate Water Quality Standards or Waste Discharge Requirements or Otherwise Degrade Water Quality

Stormwater Runoff

Construction activities could contribute to pollutant loading in stormwater runoff and thereby impact water quality standards. However, construction contractors disturbing greater than 1 acre of soil would be required to obtain coverage under the NPDES General Construction Activity Permit (order No. 2012-0006-DWQ). In accordance with the requirements of the permit, the Project Applicants would prepare and implement a site-specific Stormwater Pollution Prevention Plan (SWPPP) adhering to the California Stormwater Quality Association BMP Handbook. With the implementation of site-specific BMPs included as part of the SWPPP, the Project would reduce or eliminate the discharge of potential pollutants from the stormwater runoff. In addition, the Project would be required to comply with City grading permit regulations. Therefore, temporary construction-related impacts on surface water quality would be less than significant.

Additionally, as there are currently no existing on-site BMPs, stormwater run-off during post-Project conditions would result in improved surface water quality conditions during operation of the Project. Thus, operation of the Project would not result in discharges that would alter the quality to a degree that unreasonably affects beneficial uses of the waters or creates a hazard to the public health. Therefore, the construction and operational impacts of the Project on surface water quality would be less than significant.

Groundwater Quality

Compliance with all applicable federal, state, and local requirements concerning the handling, storage and disposal of hazardous waste would reduce the potential for the construction and operation of the Project to release contaminants into groundwater that could affect existing contaminants, expand the area or increase the level of groundwater contamination, or cause a violation of regulatory water quality standards at an existing groundwater production well. The

Project would also comply with mandatory SWPPP measures and implement appropriate BMPs during construction and operation to reduce discharge potential to any groundwater sources.

Deplete Groundwater Supplies or Interfere with Groundwater Recharge

The Project does not propose groundwater withdrawal and, with respect to groundwater recharge, would replace one set of impervious surfaces (i.e., residential uses and surface parking areas) with another (i.e., mixed-use hotel, residential, and commercial development). Thus, impacts to groundwater recharge on the Project Site would be less than significant. No mitigation measures are required.

Permanently or Substantially Alter the Existing Drainage Pattern of the Site

Construction activities would have the potential to temporarily alter existing drainage patterns and flows within the Project Site by exposing the underlying soils and making the Project Site temporarily more permeable. However, the Project would be required to obtain coverage under the NPDES General Construction stormwater permit. In accordance with the requirements of this permit, the Project would implement a SWPPP that specifies BMPs and erosion control measures to be used during construction to manage runoff flows and prevent pollution. BMPs would be designed to reduce runoff and pollutant levels in runoff during construction. Once the Project is operational, the Project Site will be impervious, and erosion and siltation would not occur. Therefore, the Project would not substantially alter the existing drainage patterns of the Project Site or area, including through alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on- or off-site. Impacts would be less than significant.

Alter the Existing Drainage Pattern of the Site or Substantially Increase the Rate or Amount of Surface Runoff in a Manner that would Result in Flooding On or Off-Site

Compliance with the LID requirements for the Project Site would ensure stormwater treatment with post-construction BMPs per the City's Stormwater Program. Therefore, Project would not substantially alter the existing drainage pattern of the Project Site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site. Impacts would be less than significant.

Create or Contribute Runoff Water Which Would Exceed the Capacity of Existing or Planned Stormwater Drainage Systems

The Project would not create runoff that would exceed the capacity of existing or planned drainage systems because the current drainage infrastructure is sufficient to handle existing and post-project peak flows and would not require construction of new stormwater drainage facilities or expansion of existing facilities because there is no material change in pre- and post-project stormwater runoff volumes or flow rates. Therefore, the Project would not create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. Impacts would be less than significant.

Degrade Water Quality

The Project would implement a site-specific SWPPP adhering to the California Stormwater Quality Association BMP Handbook. In addition, the Project would implement infiltration for

stormwater runoff in accordance with current LID requirements, and generally improve the water quality conditions during operation of the Project. Finally, Project does not propose any activities or land uses that would otherwise create water quality pollutants that are atypical of most urban existing uses and proposed developments. Therefore, the Project would not otherwise substantially degrade water quality. Impacts would be less than significant.

Housing or Structures within a 100-year Flood Plain

The Project Site is not located within a flood zone, including the 100-year flood zone designated by the Federal Emergency Management Agency (FEMA). Thus, no flood zone impacts would occur, and no mitigation measures would be required.

Levee or Dam

The Project Site is not located within a designated floodplain. Further, the Project Site is not located with a potential inundation area. Additionally, there are no levees or dams in the Project vicinity. Therefore, no impact associated with flooding, including flooding due to the failure of a levee or dam, would occur.

Inundation by Seiche, Tsunami, or Mudflow

With respect to tsunami hazards, the Project Site would not be subject to a tsunami and is not located in a City-designated tsunami hazard area. The Project Site is located in an area of relatively flat topography and urban development, with no enclosed bodies of water nearby, and as such, there is no potential for inundation resulting from a seiche or mudflows. Therefore, no impacts would occur due to inundation by tsunami or mudflow.

Cumulative

In accordance with City requirements, related projects and other future development projects would be required to implement BMPs to manage stormwater in accordance with LID guidelines. Furthermore, the City Department of Public Works would review each future development project on a case-by-case basis to ensure sufficient local and regional infrastructure is available to accommodate stormwater runoff. Construction and operation of future projects would be subject to NPDES requirements for water quality and Los Angeles Regional Water Quality Control Board (LARWQCB) requirements governing groundwater quality. As such, the Project's contribution to cumulatively significant impacts on surface water hydrology, surface water quality or groundwater quality, considered together with the related projects, would be less than significant.

Land Use and Planning

Physically Divide an Established Community

The Project Site is located within the boundaries of the Southeast Los Angeles Community Plan in the highly urbanized area of Los Angeles. The Project vicinity is generally built out with a variety of institutional, entertainment/sports venues, open space park areas, residential, and commercial uses, as well as surface parking. Development generally consists of low- and mid-rise structures. As shown by the number and type of related projects listed in Section III, Environmental Settings, of this Draft EIR, and anticipated future projects in the area will continue to transform this portion of the city into a pedestrian-oriented community. The Project would represent infill development and would introduce new residential, hotel, and commercial uses to the Project Site compatible to adjacent and nearby land uses. Therefore, the Project

would not physically divide an established community and related impacts would be less than significant.

Conflict with Applicable Plans and Policies

The Project would develop a mixed-use hotel, residential, and commercial development with ground-floor retail/restaurant uses, and streetscape improvements including landscaping, enhanced sidewalks and pedestrian plazas, and street lighting. The Project would increase the intensity of development on the Project Site but would be compatible in scale and height with the adjacent developments and uses. As a project with vested rights, the Project is subject to the ordinances, policies and standards in effect on the date the application was deemed complete, September 8, 2016. As set forth in detail in Section IV.G, Land Use of the Draft EIR, the Project would be substantially consistent with the applicable goals, objectives, and policies of the SCAG 2016 RTP/SCS, General Plan Framework, Conservation Element, Housing Element, Health and Wellness Element (Plan for a Healthy Los Angeles), Mobility 2035 (Transportation Element), Southeast Los Angeles Community Plan, Community Redevelopment Agency of Los Angeles (CRA/LA) Exposition/University Park Redevelopment Plan, and the Municipal Code. Therefore, impacts related to land use compatibility would be less than significant. The Project would not conflict with any applicable plan, policy or regulation adopted for the purpose of avoiding or mitigating an environmental effect.

Conflict with Habitat Conservation Plans

The Project Site is located in the highly urbanized downtown area of Los Angeles and is developed with eight two-story residential buildings and surface parking. The Project Site is not located within a habitat conservation plan or natural community conservation plan. Therefore, the Project would not conflict with the provisions of any adopted applicable conservation plan and impacts are not significant.

Cumulative Impacts

The related projects in the vicinity of the Project Site generally consist of infill development and redevelopment of existing uses, and the related project uses include residential, retail, restaurant, commercial, office, institutional, and hotel uses, and combinations thereof, as well as the Southeast Los Angeles Community Plan Update. The closest related projects to the Project Site are Related Project No. 15, the California African American Museum, and Related Project No. 21, the Los Angeles Football Club stadium. As with the Project, the related projects would be required to comply with relevant land use policies and regulations. These related projects are also not expected to fundamentally alter the existing land use relationships in the Community Plan, but rather, would develop uses similar to the existing uses on the project sites. Moreover, the Southeast Los Angeles Community Plan Update would guide future development in accordance with both existing and desired future land use patterns. Therefore, the Project and the related projects would not have cumulatively significant land use impacts. In addition, as the Project would generally be consistent with applicable land use plans and zoning standards, the Project would not incrementally contribute to cumulative inconsistencies with respect to land use plans and zoning standards. Therefore, cumulative impacts with regard to regulatory framework would not be cumulatively considerable and cumulative impacts would be less than significant.

Mineral Resources

Although the Project Site is classified by the City of Los Angeles as being located in a Mineral Resource Zone Area (MRZ-2), this zone correlates to the presence of sand and gravel aggregate along the current and ancestral course of the Los Angeles River. No sand or gravel

extractions currently occurs at the Project Site or could feasibly occur in the future. Furthermore, the Project Site is not designated as an existing mineral resource extraction area by the State of California or the U.S. Geological Survey. 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.

Noise

Operational Noise

The Project would comply with regulatory compliance measures of the LAMC regulating operational noise. These include regulations which prevent mechanical equipment from exceeding the ambient noise levels on the premises of other occupied properties by more than 5 dBA, and necessary noise insulation features, such as insulated glass windows and doors, in addition, as provided in Project Design Feature H-3, all outdoor mounted mechanical equipment would be enclosed or screened from off-site noise-sensitive receptors. As set forth in Project Design Feature H-4, the amplified sound system used in outdoor areas would be designed so as not to exceed the maximum noise levels of 80 to 95 dBA Leq, thereby ensuring that the amplified sound system would not exceed the significance threshold (i.e., an increase of 5 dBA Leq) at any off-site noise-sensitive receptor location. As discussed in detail in Section IV.H, Noise, of the Draft EIR, the estimated noise levels from mechanical equipment, outdoor spaces, parking facilities, loading dock and trash collection areas would be below significance threshold of 5 dBA (Leq) above ambient noise levels at all off-site sensitive receptors. As such, on-site noise impacts would be less than significant.

As discussed in detail in Section IV.H, Noise, of the Draft EIR, the Project would not result in a measurable increase in noise levels at most of the analyzed roadway segments, with the exception of 39th Street under Future Plus Project conditions. The Project is estimated to result in a maximum increase of up to 1.0 dBA (CNEL) in traffic-related noise levels along 39th Street between Figueroa Street and Grand Avenue. This increase in traffic noise levels would be well below the relevant 3-dBA CNEL significance threshold. Therefore, traffic noise impacts under Existing Plus Project conditions and Future Plus Project conditions would be less than significant.

Operational Vibration

The Project does not include land uses that would generate high levels of vibration. In addition, ground-borne vibration attenuates rapidly as a function of distance from the vibration source. Therefore, operation of the Project would not increase the existing vibration levels in the immediate vicinity of the Project Site, and, as such, vibration impacts associated with operation of the Project would be less than significant.

Public and Private Airport Noise

The Project Site is not located within an airport land use plan or within two miles of an airport. Therefore, the Project would not expose its future residents or residents within the Project vicinity to excessive noise levels from airport use, and impacts would not be significant.

Cumulative Impacts

Construction Vibration

The Draft EIR noted that due to the rapid attenuation characteristics of ground-borne vibration and given the distance of the nearest related project (Related Project No. 21) to the Project Site, there is no potential for a cumulative construction vibration impact with respect to building damage associated with ground-borne vibration from on-site sources. Moreover, Related Project No. 21 has been fully constructed and is operational, and there is no longer the possibility of concurrent construction with the Project. Therefore, cumulative construction vibration impacts pursuant to the threshold for human annoyance would be less than significant. Vibration levels generated from off-site construction trucks associated with the Project and other related projects along the anticipated haul route would be well below the building damage threshold of 0.2 PPV for non-engineered buildings. As such, potential cumulative vibration impacts with respect to building damage from off-site construction would be less than significant. Potential vibration impacts associated with temporary and intermittent vibration from project-related construction trucks traveling along the Project's anticipated haul route would be less than significant with respect to human annoyance and below the 72 VdB significance threshold. Therefore, the vibration impacts from construction associated with the Project would not be cumulatively considerable.

Population and Housing

Induce Substantial Population Growth

The Project would not have indirect effects on growth through such mechanisms as the extension of roads and infrastructure, since the infill Project would utilize the existing transportation and utility infrastructure to serve the Project. The Project would provide approximately hotel rooms, residential units, and commercial space. The increase in growth is consistent with Southern California Association of Government's (SCAG) growth projections, and therefore impacts regarding consistency with the projections would be less than significant.

Displace Existing Housing or Persons

The Project would result in the replacement of 32 residential units with 186 mixed-income units, which includes 82 units designated for affordable housing. These units would provide replacement housing exceeding the number of existing residents that would be displaced. Therefore, the Project would not displace substantial numbers of people necessitating the construction of replacement housing elsewhere. Impacts would be less than significant, and no mitigation measures would be required.

Public Services

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

Fire Protection

Construction

Regulatory requirements regarding training for emergency response and management of hazards would effectively reduce the potential for Project construction activities to expose people to the risk of fire or explosion related to hazardous materials and non-hazardous combustible materials. Project construction activities could temporarily impact access for LAFD emergency vehicles along South Figueroa Boulevard, adjacent to the Project Site, and other main connectors surrounding the Project Site due to travel time delays caused by construction traffic. However, construction worker trips would occur outside the typical weekday commuter morning and afternoon peak periods, thereby reducing the potential for traffic-related conflicts. In addition, the Project Applicant would also prepare and submit a Construction Traffic Management Plan to LADOT prior to the start of construction pursuant to Project Design Feature J-1 included in Section IV.J, Traffic and Access, of the Draft EIR, to ensure that adequate and safe access remains available within and near the Project Site during construction activities. Furthermore, the drivers of emergency vehicles normally have a variety of options for avoiding traffic, such as using sirens to clear a path of travel or driving in the lanes of opposing traffic. Since emergency access to the Project Site would remain unobstructed during construction of the Project, impacts related to LAFD emergency access would be less than significant. Based on the above, temporary construction activities associated with the Project would not require the addition of a new fire station or the expansion, consolidation, or relocation of an existing facility in order to maintain service. Therefore, impacts to fire protection and emergency medical services during construction of the Project would be less than significant, and no mitigation measures are required.

Operation

The LAFD has determined that existing fire protection resources are adequate to serve the Project, fire flow and demand is adequate, and that adherence to LAFD recommendations would reduce potential impacts to an acceptable level. In addition, response distances to the Project Site from the closest fire stations are within standards. The Project would comply with the applicable Building Code, Fire Code, and other LAMC and LAFD requirements. Emergency access to the Project Site and surrounding uses would be maintained and Project-related traffic is not anticipated to impair the LAFD from responding to emergencies at the Project Site or the surrounding area. The Project would not require the addition of a new fire station or the expansion, consolidation, or relocation of an existing facility in order to maintain service. Therefore, operation of the Project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the construction of which would cause significant environmental impacts, in order to maintain acceptable fire protection emergency services. Impacts would be less than significant, and no mitigation measures are required.

Cumulative Impacts

The increase in development and residential service populations from the Project and related projects would result in a cumulative increase in the demand for LAFD services. However, similar to the Project, the related projects would be reviewed by the LAFD and would be required to comply with regulatory requirements related to fire protection and emergency medical services. The Project and related projects would also generate revenues to the City's Municipal Fund (in the form of property taxes, sales revenue, etc.) and through the City's regular budgeting efforts that could be applied toward the provision of new fire station facilities and related staffing, as deemed appropriate. Based on the above, the Project's contribution to cumulative impacts to fire protection and emergency medical services would not be cumulatively considerable. As such, cumulative impacts on fire protection and emergency medical services would be less than significant.

Project Design Features

The City finds that Project Design Features I.1-1 through I.1-7, identified below in Police Protection, are specific design and/or operational characteristics incorporated into the Project that would avoid or reduce its potential environmental effects. These Project Design Features were considered in the analysis of potential impacts. However, as a function of the Project, they do not constitute Mitigation Measures, as they were not applied in addition to the Project to reduce significant impacts.

Police Protection Services

Construction

Project construction would not generate a permanent population on the Project Site that would substantially increase the police service population of the area. However, construction sites can be sources of nuisances and hazards and invite theft and vandalism and can contribute to a temporary increased demand for police protection services. Pursuant to Project Design Feature I.1-1, the Project Applicant would implement temporary security measures including security fencing, lighting, and locked entry to secure the Project Site during construction, and potential impacts associated with theft and vandalism during construction activities would be less than significant.

Project construction activities could also potentially impact Los Angeles Police Department (LAPD) police protection services and emergency response within the Southwest Area due to construction impacts on the surrounding roadways. In addition, a construction management plan would be implemented during Project construction pursuant to Project Design Feature J-1, to ensure that adequate and safe access is available within and near the Project Site during construction activities. Furthermore, emergency vehicles normally have a variety of options for avoiding traffic, such as using sirens to clear a path of travel or driving in the lanes of opposing traffic.

Based on the above, construction of the Project would not result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered governmental facilities, the construction of which would cause significant environmental impacts, in order to maintain LAPD's capability to serve the Project Site. Impacts on police protection services during Project construction would be less than significant.

Operation

As described in Section IV.I.1, Police Protection, of the Draft EIR, the Project would not cause a significant change to the officer-per-resident ratio for the LAPD's Southwest Area. Moreover, as provided in Project Design Features I.1-2 through I.1-7, the Project would include numerous operational design features to enhance safety within and immediately surrounding the Project Site. In addition to the implementation of these project design features, the Project would generate revenues to the City's Municipal Fund (in the form of property taxes, sales revenue, etc.) that could be applied toward the provision of new police facilities and related staffing in the community, as deemed appropriate. The features and contributions would help offset the Project-related increase in demand for police services, and impacts would be less than significant.

Project-related traffic would have the potential to increase emergency vehicle response to the Project Site and surrounding properties due to travel time delays caused by the additional traffic.

However, drivers of police emergency vehicles normally have a variety of options for avoiding traffic, such as using sirens and flashing lights to clear a path of travel or driving in the lanes of opposing traffic. Accordingly, Project operation, including traffic generated by the Project, would not cause a substantial impact to LAPD access and emergency response due to traffic congestion, and the Project's impact on emergency response would be less than significant.

Based on the above analysis, the Project would not result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered governmental facilities, the construction of which would cause significant environmental impacts, in order to maintain LAPD's capability to serve the Project Site.

Cumulative Impacts

In general, impacts to LAPD services and facilities during the construction of each related project would be addressed as part of each related project's development review process conducted by the City. In addition, construction-related traffic generated by the Project and the related projects would not significantly impact LAPD access and emergency response within the Project Site vicinity as drivers of police vehicles normally have a variety of options for avoiding traffic, such as using sirens to clear a path of travel or driving in the lanes of opposing traffic. Therefore, the Project's contribution to cumulative impacts on either police protection services or emergency response during construction would not be cumulatively considerable.

The increase in police service population resulting from the Project and the related projects would decrease the officer-to-resident ratio for the Southwest Area and could generate additional crimes per year. As previously discussed, the Project would implement Project Design Features I.1-2 through I.1-7 and is not anticipated to generate a demand for additional police protection services that could exceed the LAPD's capacity to serve the Project Site. Similar to the Project, each related project would be subject to the City's routine permitting process. Through the City's regular budgeting efforts, the LAPD's resource needs would be identified and monies allocated according to the priorities at the time. In addition, it is anticipated that the related projects would implement project design features similar to the Project, which would reduce cumulative impacts to police protection services. Furthermore, like the Project, related projects would generate revenues to the City's Municipal Fund (in the form of property taxes, sales revenue, etc.) that could be applied toward the provision of new facilities and related staffing, as deemed appropriate.

Based on the above, the Project's contribution to cumulative operational impacts to police protection services would not be cumulatively considerable. The Project would not result in cumulative adverse impacts associated with the provision of new or physically altered government facilities, need for new or physically altered governmental facilities, the construction of which would cause significant environmental impacts, in order to maintain LAPD's capability to serve the Project Site. As such, cumulative impacts on police protection services would be less than significant.

Project Design Features

The City finds that Project Design Features I.1-1 through I.1-7 are specific design and/or operational characteristics incorporated into the Project that would avoid or reduce its potential environmental effects. These Project Design Features were considered in the analysis of potential impacts. However, as a function of the Project, they do not constitute Mitigation Measures, as they were not applied in addition to the Project to reduce significant impacts.

Project Design Feature I.1-1: During construction, the Project shall implement temporary security measures including security fencing, lighting, and locked entry.

Project Design Feature I.1-2: During operation, the Project shall include private on-site security, a closed-circuit security camera system, and keycard entry for the residential buildings and the residential parking areas.

Project Design Feature I.1-3: The Project shall provide sufficient lighting of building entries and walkways to provide for pedestrian orientation and clearly identify a secure route between parking areas and points of entry into buildings.

Project Design Feature I.1-4: The Project shall provide sufficient lighting of parking areas to maximize visibility and reduce areas of concealment.

Project Design Feature I.1-5: The Project shall design entrances to, and exits from buildings, open spaces around buildings, and pedestrian walkways to be open and in view of surrounding sites.

Project Design Feature I.1-6: Prior to the issuance of a building permit, the Project Applicant shall consult with LAPD's Crime Prevention Unit regarding the incorporation of crime prevention features appropriate for the design of the Project, including applicable features in LAPD's Design Out Crime Guidelines.

Project Design Feature I.1-7: Prior to the issuance of a certificate of occupancy, the Project Applicant shall submit a diagram of the Project Site to the LAPD South Bureau Commanding Officer that includes access routes and any additional information that might facilitate police response.

Schools

Construction

The Project would generate part-time and full-time jobs associated with construction of the Project between the start of construction and Project buildout. However, due to the employment patterns of construction workers in Southern California, and the operation of the market for construction labor, construction workers are not likely to relocate their households as a consequence of the construction job opportunities presented by the Project. Therefore, the construction employment generated by the Project would not result in a notable increase in the resident population or a corresponding demand for schools in the vicinity of the Project Site. Impacts on school facilities during Project construction would be less than significant.

The EIR identified the nearby Dr. Theodore T. Alexander Science Center School (located approximately 0.25 mile north of the Project Site) as a sensitive receptor for purposes of assessing potential significant impacts. As analyzed in Sections IV.B, Air Quality, IV.H, Noise, and IV.J, Traffic and Access, of the Draft EIR, and through inclusion of Project Design Feature J-1, requiring preparation of a Construction Management Plan that includes notification to the school of anticipated construction start and ending dates, as well as maintenance of safe and convenient pedestrian routes to schools, the Project would not result in any significant construction-related impacts pertaining to air quality, noise, or traffic/access at this school.

Operation

The Project would directly generate students through the construction of dwelling units, hotel rooms, and commercial uses. Pursuant to Senate Bill 50, the Project Applicant would be required to pay development fees for schools to the LAUSD prior to the issuance of the Project's building permit. Pursuant to Government Code Section 65995, the payment of these fees is considered full and complete mitigation of Project-related school impacts. Therefore, payment of the applicable development school fees to the LAUSD would offset the potential impact of additional student enrollment at schools serving the Project Site and impacts on schools would be less than significant.

Cumulative Impacts

The 14 related projects located within the attendance boundaries of the same schools that would serve the Project. However, as with the Project, future development, including the related projects, would be required to pay development fees for schools to the LAUSD prior to the issuance of building permits pursuant to Senate Bill 50. Pursuant to Government Code Section 65995, the payment of these fees would be considered full and complete mitigation of school impacts generated by the related projects. Therefore, the Project's incremental contribution towards school impacts would not be cumulatively considerable.

Libraries

Construction

Construction of the Project would result in a temporary increase of construction workers on the Project Site. However, construction workers are not likely to relocate their households as a consequence of project construction. Therefore, any increase in usage of the libraries by construction workers is anticipated to be negligible. As such, impacts on library facilities during Project construction would be less than significant, and no mitigation measures are required.

Operation

The Project Site is located within the service areas of the Exposition Park Regional Branch Library, the Junipero Serra Branch Library, the Vermont Square Branch Library, and the Vernon Branch Library. As described in Section IV.I.4, Libraries, of the Draft EIR, none of the four libraries would meet the recommended building size standard for their projected service populations with or without the Project. However, the Project's residential units would be equipped to receive individual Internet service, which provides information and research capabilities that studies have shown to reduce demand at physical library locations. The Project would also generate revenues for the City's General Fund (in the form of property taxes, sales revenue, etc.) that could be applied toward the provision of library facilities, staffing, and materials, as deemed appropriate. Based on the above, and pursuant to the library sizing standards recommended in the 2007 Branch Facilities Plan, operation of the Project would not create any new exceedance of the capacity of local libraries to adequately serve the existing residential population based on target service populations or as defined by the LAPL. In addition, the Project Applicant would pay a per capita fee to the LAPL as stated in Project Design Feature I.4-1. Therefore, the Project would not generate demand for library facilities or services that would require new or physically altered library facilities in order to maintain acceptable service ratios. Project impacts to library services and facilities would be less than significant.

Cumulative Impacts

Similar to the Project, each related project would generate revenues to the City's General Fund (in the form of property taxes, sales tax, business tax, etc.) that could be applied toward the provision of new library facilities, staffing, and materials for any one of the libraries serving the Project area, as deemed appropriate. These revenues to the General Fund would help offset the increase in demand for library services as a result of the Project and the related projects. Furthermore, the Project Applicant would pay a per capita fee to the LAPL as stated in Project Design Feature I.4-1. Therefore, the Project's contribution to cumulative impacts on libraries would not be cumulatively considerable, and cumulative impacts on libraries would be less than significant.

Project Design Features

The City finds that Project Design Feature I.4-1 are specific design and/or operational characteristics incorporated into the Project that would avoid or reduce its potential environmental effects. These Project Design Features were considered in the analysis of potential impacts. However, as a function of the Project, they do not constitute Mitigation Measures, as they were not applied in addition to the Project to reduce significant impacts.

Project Design Feature I.4-1: The Project Applicant shall pay a fee of \$200 per capita to the LAPL prior to the issuance of a building permit. The estimated residential population shall be calculated by multiplying the number of dwelling units within the Mixed-Income Housing Component by the average household size of 2.44 persons per household.

Parks and Recreation

Construction

The construction workers associated with the Project would not result in a notable increase in the residential population of the Project vicinity, or a corresponding permanent demand for parks and recreational facilities in the vicinity of the Project Site. Thus, Project construction would not generate a demand for park or recreational facilities that cannot be adequately accommodated by existing or planned facilities and services, nor would Project construction interfere with existing park usage in a manner that would substantially reduce the service quality of the existing parks in the Project vicinity. Therefore, impacts on parks and recreational facilities during Project construction would be less than significant, and mitigation measures would not be required.

Operation

The Project's new residential units and commercial uses would introduce an estimated 375 net new residents and 858 net new employees that would increase demand for parks and recreational facilities in the Project vicinity. Due to the amount, variety, and availability of the proposed open space and recreational amenities, it is anticipated that Project residents and employees would generally utilize the 44,930 square feet of proposed on-site outdoor open space and recreational amenities to meet their recreational needs. Thus, while the Project's new residents would be expected to utilize off-site public parks and recreational facilities to some degree, the Project would not be expected to cause or accelerate substantial physical deterioration of off-site public parks or recreational facilities given the provision of on-site open space and recreational amenities. Furthermore, the Project would pay in-lieu parkland fees in accordance with Sections 17.12 and 12.33 of the LAMC. Therefore, the Project would not substantially increase the demand for off-site public parks and recreational facilities.

New or Required Construction of Recreational Facilities

The Project would provide both publicly accessible and private open space and recreational amenities, which have been incorporated into the overall Project design. Therefore, the construction of these recreational facilities as part of the Project would take place at the same time as the rest of the construction processes and would have no additional adverse physical effects on the environment. Therefore, there would be a less than significant impact in regard to construction or expansion of recreational facilities which may have adverse physical effects on the environment.

Cumulative Impacts

While it is anticipated that the Project's provision of on-site open space would meet the recreational needs of Project residents and employees, the Project would increase residents utilizing existing neighborhood and regional parks. Development of the related projects would exacerbate the Community Plan Area's deficiency in parkland per the Public Recreation Plan's guidelines. However, as previously indicated, the guidelines set forth in the Public Recreation Plan are citywide goals and are not intended to be requirements for individual development projects. Furthermore, as with the Project, the related projects would undergo discretionary review on a case-by-case basis and would be expected to coordinate with the City of Los Angeles Department of Recreation and Parks. Future development projects would also be required to comply with the park and recreation requirements of Sections 12.21, 17.12, 12.33, and 21.10.3(a)(1) of the LAMC, as applicable. As such, cumulative impacts to parks and recreational facilities would be less than significant.

Transportation/Traffic

Circulation System Impacts

Construction

As described in Section IV.J, Traffic and Access of the Draft EIR, although daily haul truck activity would typically be completed prior to the afternoon peak hour, truck trips could occur during the morning peak hour, and would represent less than 2 percent of the a.m. peak-hour traffic volumes on Figueroa Street. Moreover, with the implementation of the Construction Management Plan required by Project Design Feature J-1, any potential impacts during the excavation and hauling phase of construction would not be expected to be significant. Other phases of construction would typically generate fewer truckloads, and therefore, construction truck trip impacts during other phases of construction would be expected to be less than significant. In addition, construction worker trips would not contribute a substantial amount of traffic during the weekday morning and afternoon peak periods and would also be less than significant.

Transit

The Project Site is well served by public transit, including one rail line and 21 regular buses. The Project would generate approximately 106 net new transit trips (45 inbound trips and 61 outbound trips) during the A.M. peak hour and 124 net new transit trips (72 inbound and 52 outbound) during the P.M. peak hour. The peak capacity of the transit system serving the Project Site is approximately 7,610 persons each direction. The highest directional volume of peak-hour trips added by the Project would be 72 trips, which would be only approximately one percent of the total transit capacity during the peak hour. Therefore, Project impacts to the existing transit system in the study area would be less than significant.

Congestion Management Program

An initial evaluation determined that the Project would not meet the freeway mainline criteria for requiring a freeway impact analysis but would meet the freeway off-ramp criteria at two locations. Specifically, the freeway segment analysis indicated that the increase in traffic volumes on the four identified freeway segments due to Project-generated trips would range from 0.2 percent to 1.0 percent during the A.M. peak hour, and from 0.2 to 1.2 percent during the P.M. peak hour. None of the freeway segments would exceed the thresholds for a significant impact to occur. A freeway off-ramp analysis was also conducted for seven freeway off-ramps located along the I-110 and I-10 that were on direct or convenient access routes to the Project Site and were accordingly assumed to carry Project traffic. Based on the results of the freeway off-ramp analysis, the Project would add between one and 87 trips to the off-ramps during the A.M. peak hour, and between two and 69 trips during the P.M. peak hour. The Project would not substantially increase the queue lengths or cause storage capacities to be exceeded at any of the off-ramps during the morning and afternoon peak periods. The Project's CMP mainline, and arterial intersection impacts are therefore less than significant.

Air Traffic Patterns

The two nearest airports are the Santa Monica Municipal Airport and the Los Angeles International Airport. The Project is within an area of low- to mid-rise buildings south of the downtown area of Los Angeles. As such, the Project is not anticipated to alter air traffic patterns or affect the utilization of navigable air space. 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 will occur.

Increased Hazards Due to a Design Features or Incompatible Use

Vehicular access would be provided via driveways along S. Flower Drive and S. Figueroa Street. Hotel pick-up/drop-off areas would be primarily accessed via a porte-cochere along 39th Street. LADOT reviewed and approved the Traffic Study and driveway locations. The driveways would be designed based on LADOT standards. The relocation of existing transit stops would be completed in coordination with the appropriate agencies, per Project Design Feature J-1, and would be designed and configured to avoid potential conflicts with transit services and pedestrian traffic. Pedestrian access to the development would be primarily provided along South Figueroa Street and 39th Street. The Project access locations would be designed to City standards and would provide adequate sight distance, sidewalks, crosswalks, and pedestrian movement controls that meet the City's requirements to protect pedestrian safety. All roadways and driveways intersect at right angles, and street trees and other potential impediments to adequate driver and pedestrian visibility would be minimal. With respect to access and compatibility with neighboring land uses, the Project Site is bordered by institutional, entertainment/sports venue, commercial, residential, and park uses. The ingress/egress driveways do not conflict with nearby circulation or uses. Therefore, the Project would not create or substantially increase hazards due to a design feature or incompatible uses and impacts are less than significant.

Emergency Access

Construction

All existing traffic lanes would remain open during the construction of the Project, and as provided in Project Design Feature J-2, a minimum of one lane of Flower Drive would remain open at all times during construction to provide access to those properties. In accordance with

the Construction Traffic Management Plan and Worksite Traffic Control Plan required by Project Design Feature J-1, flagmen would be used to control traffic movement during the ingress and egress of trucks and heavy equipment. Furthermore, any such closures would need to be coordinated with and approved by LADOT prior to being implemented. Because any partial lane closures would be temporary in nature, and existing traffic lanes on adjacent through streets would remain open during construction weekday peak periods, Project construction is not expected to cause significant traffic impacts.

In addition, pursuant to Project Design Feature J-1, the Construction Traffic Management Plan and Worksite Traffic Control Plan prepared for the Project Site would identify any required sidewalk closures in advance, and would provide signage for alternate safe routes for pedestrians. With the implementation of Project Design Feature J-1, there would be no loss of access to the surrounding land uses in the vicinity of the Project Site, and no significant impacts to pedestrian circulation would occur.

Based on the above, the Project would not require substantial roadway and/or sidewalk closures to the extent that a hazard to roadway travelers and/or pedestrians would occur. Therefore, access and safety impacts during Project construction would be less than significant.

Operation

With respect to Project operations, the Project Site is bordered by three streets and would provide adequate access to the site, in accordance with regulatory standards. The final design of emergency access features would be subject to the review and approval of the LAFD for compliance with emergency access requirements, prior to the issuance of building permits. According to an analysis of the Figueroa Street driveway, which would be unsignalized, the outbound right-turn at the Figueroa Street driveway would operate at LOS F in the A.M. peak hour, and at LOS D in the P.M. peak hour. However, the delays to exiting Project traffic would be internal to the Project and would not impact roadway operations on Figueroa Street. The driveway on Flower Drive would be located on a local street with minimal traffic except for traffic generated by the Project. Thus, no operational issues are anticipated for the driveway located on Flower Drive. All driveways would be designed according to LADOT standards. Therefore, operational impacts on emergency access would be adequate and impacts would be less than significant.

Conflict with Adopted Policies, Plans or Program Regarding Public Transit, Bicycle, or Pedestrian Facilities

The Project would be consistent with policies, plans, and programs that support alternative transportation, including the Mobility Plan and 2010 Bicycle Plan, Southeast Los Angeles Community Plan, and the MyFigueroa project. The Project would support alternative transportation by enhancing the pedestrian experience through the provisions of wide sidewalks and landscaping, providing a mixed-use development near public transit; supporting bicycle and pedestrian uses along Figueroa Street consistent with MyFigueroa project, and providing bicycle parking in compliance with LAMC requirements. Therefore, the Project would not conflict with policies, plans, and programs that support alternative transportation, and impacts would be less than significant.

Cumulative Impacts

Circulation System

Construction

The City's established review process would take into consideration overlapping construction projects and would balance haul routes to minimize the impacts of cumulative hauling on any particular roadway. Moreover, it is anticipated that the related projects would be required to prepare a Construction Traffic Management Plan to ensure that potential construction-related impacts are reduced. Therefore, cumulative traffic impacts during construction would be less than significant.

Neighborhood Intrusion/Residential Street Segments

The Project is located within a commercial corridor that is developed with commercial, entertainment, and institutional uses, and is not proximate to a network of residential streets that facilitate access to and from the Project Site. Therefore, the Project and the related projects would not result in any cumulative significant residential street segments impacts.

Congestion Management Plan

The Project would add less than 150 trips along the freeway monitoring station closest to the Project Site. In addition, the Project would not add more than 50 vehicle trips during the A.M. and P.M. peak hours at the CMP arterial monitoring station nearest to the Project Site. Thus, no CMP impacts would occur under the Project and, as a result, the Project's contribution to cumulative impacts would not be cumulatively considerable. Thus, the Project's cumulative impacts with regard to the CMP would be less than significant.

Emergency Access

The Project would not require substantial roadway and/or sidewalk closures to the extent that a hazard to roadway travelers and/or pedestrians would occur. With regard to cumulative impacts to access and safety, bus/transit, and on-street parking, none of the related projects would share the same access points or have the potential to affect the same bus stops. Therefore, the Project's impact to access and safety, and to transit during construction, would not be cumulatively considerable and would be less than significant.

Increased Hazards Due to a Design Features or Incompatible Use

The Project would result in less-than-significant impacts related to access and circulation. Therefore, the Project's cumulative impacts would not be cumulatively considerable and impacts to access and circulation would be less than significant.

Conflict with Adopted Policies, Plans or Program Regarding Public Transit, Bicycle, or Pedestrian Facilities

Project impacts related to bicycle, pedestrian, and vehicular safety would be less than significant. In addition, as with the Project, it is anticipated that future related projects would be subject to City review to ensure that they are designed with adequate access/circulation, including standards for sight distance, sidewalks, crosswalks, and pedestrian movement controls. Thus, Project impacts with regard to bicycle, pedestrian, and vehicular safety would not be cumulatively considerable, and cumulative impacts would be less than significant.

Project Design Features

The City finds that Project Design Features J-1 and J-2 are specific design and/or operational characteristics incorporated into the Project that would avoid or reduce its potential environmental effects. These Project Design Features were considered in the analysis of

potential impacts. However, as a function of the Project, they do not constitute Mitigation Measures, as they were not applied in addition to the Project to reduce significant impacts.

Project Design Feature J-1: Prior to the start of construction, the Project shall prepare a Construction Traffic Management Plan and submit it to LADOT for review and approval. The Construction Traffic Management Plan shall include a Worksite Traffic Control Plan which shall facilitate traffic and pedestrian movement and minimize the potential conflicts between construction activities, street traffic, bicyclists, and pedestrians. The plan shall show the location of any roadway or sidewalk closures, traffic detours, haul routes, hours of operation, protective devices, warning signs and access to abutting properties. Furthermore, the Construction Traffic Management Plan and Worksite Traffic Control Plan shall include, but not be limited to, the following measures:

- Maintain access for land uses in the vicinity of the Project Site during construction;
- Schedule construction material deliveries during off-peak periods to the extent practical;
- Minimize obstruction of traffic lanes on Figueroa Street and 39th Street adjacent to the Project Site;
- Organize Project Site deliveries and the staging of all equipment and materials in the most efficient manner possible, and on-site where possible, to avoid an impact to the surrounding roadways;
- Coordinate truck activity and deliveries to ensure trucks do not wait to unload or load at the Project Site and impact roadway traffic, and if needed, utilize an organized off-site staging area;
- Control truck and vehicle access to the Project Site with flagmen;
- Designate travel routes for trucks on Figueroa Street, Martin Luther King Jr. Boulevard, and other arterial roadways, to prevent trucks from using residential streets;
- Limit sidewalk and lane closures and avoid peak hours to the extent possible. Where such closures are necessary, the Project's Worksite Traffic Control Plan shall identify the location of any sidewalk or lane closures and identify all traffic control measures, signs, delineators, and work instructions to be implemented by the construction contractor through the duration of demolition and construction activity;
- Identify alternative sites for bus stops that must be relocated and undertake any required relocation in coordination with LADOT and Metro; and
- Parking for construction workers shall be provided either on-site or at off-site, off-street locations. Parking shall not be allowed on residential streets in the vicinity of the Project.
- The contractor or its designee shall notify the LAUSD Transportation Branch and the site administrator of the Dr. Theodore T. Alexander Science Center School of the expected start and ending dates of construction. In addition, the contractor must coordinate with LAUSD site administrators and/or designated representatives to ensure that effective measures are employed to reduce construction-related effects related to existing pedestrian and school bus routes, and school drop off/pick up areas on the proximate LAUSD facilities. In addition, throughout the duration of construction, the contractor must maintain safe and convenient pedestrian routes to schools (refer to the map provided for the Alexander Science Center at <https://achieve.lausd.net/Page/3990> or as may be updated by LAUSD). The contractor must also notify workers of the provision of the California Vehicle Code that requires vehicles to stop when encountering school buses using red-flashing-lights must-stop indicators and that no staging or parking of construction-related vehicles, including worker-transport vehicles, shall occur on or adjacent to a school property.

Project Design Feature J-2: During construction of the Project, a minimum of one lane of Flower Drive shall remain open to provide access to the properties located immediately south of the Project Site, at the northeast corner of Figueroa Street and Martin Luther King Jr. Boulevard.

Tribal Cultural Resources

As described in Section IV.K, Tribal Cultural Resources, of the Draft EIR, the SLF search conducted for the Project did not discover any recorded tribal cultural resources on the Project Site. Following consultation with the Gabrieleño Band of Mission Indians–Kizh Nation pursuant to AB 52, the City, after reasonable effort and lack of response from the tribe, determined that mutual agreement cannot be reached for the purposes of AB 52 and that consultation had been now concluded. Given the absence of any evidence of identified tribal resources or specific information on potential resources, the Kizh Gabrieleño Band's request to have a Native American monitor present during all ground disturbing activities does not appear warranted. Therefore, as impacts are less than significant, the City has no basis under CEQA to impose any mitigation measures but will add a condition of approval to protect against inadvertent discovery of tribal cultural resources.

The Project and the related projects are located within an urbanized area that has been disturbed and developed over time. In the event that tribal cultural resources are uncovered, each related project would be required to comply with the applicable regulatory requirements in the event of inadvertent discovery. In addition, related projects would be required to comply with the consultation requirements of AB 52 to determine and mitigate any potential impacts to tribal cultural resources. Therefore, cumulative impacts to tribal cultural resources would be less than significant and would not be cumulatively considerable.

Utilities and Service Systems

Exceed Wastewater Treatment Requirements of Los Angeles Regional Water Quality Control Board

Construction

Construction activities would produce nominal amounts of wastewater from construction workers on the Project Site. The resultant waste would be disposed of off-site by licensed waste haulers and would not be directed to the City's sewer system. Therefore, construction activities would not create wastewater that would exceed the treatment requirements of the applicable RWQCB.

Operation

Operationally, the Project would increase the amount of wastewater generated at the Project Site. Similar to existing conditions, the effluent from the Project would be conveyed to Hyperion Water Reclamation Plant (HWRP) and the HWRP continually monitors all effluent to ensure it meets applicable water quality standards of the RWQCB. These standards are more stringent than those required under the operable NPDES permit. Therefore, the Project would comply with the wastewater treatment requirements of the RWQCB. Impacts would be less than significant.

Require Construction of New Wastewater Treatment Facilities or Expansion of Existing Facilities and Adequate Capacity

Construction

Construction workers would typically utilize portable restrooms, which would not contribute to wastewater flows to the City's wastewater conveyance system. As such, wastewater generation from Project construction activities is not anticipated to cause a measurable increase in wastewater flows that would exceed the capacity of the sewer system or the future scheduled capacity of any one treatment plant. Moreover, activities related to the installation of any required wastewater infrastructure would be coordinated through the City of Los Angeles Bureau of Sanitation (LASAN) so as not to interrupt existing service to other users. Therefore, Project construction impacts to the wastewater conveyance or treatment system would be less than significant.

Operation

As described in Section IV.L.2, Wastewater, of the Draft EIR, the Project's net increase in average daily wastewater generation of 0.1 mgd would represent approximately 0.06 percent of the current 175 mgd remaining available capacity of the HWRP, approximately 0.02 percent of HWRP's design capacity of 450 mgd, and approximately 0.02 percent of the Hyperion Service Area's estimated future capacity of 550 mgd. In addition, the Project's net increase in average daily wastewater plus the current flows represent approximately 61.1 percent of the HWRP's assumed future capacity of 450 mgd and approximately 61.5 percent of the Hyperion Service Area's estimated future capacity of 550 mgd. Therefore, the Project-generated wastewater would be accommodated by the existing capacity of the HWRP and would not substantially or incrementally exceed the future scheduled capacity of the HWRP or the Hyperion Service Area. Impacts with respect to wastewater treatment capacity would be less than significant and mitigation measures are not required.

The City determined that the existing capacity of the 12-inch line on South Figueroa Street, and the 8-inch sewer line on Flower Drive would be adequate to accommodate the additional wastewater infrastructure demand created by the Project. Further detailed gauging and evaluation, as required by LAMC Section 64.14, would be conducted to obtain final approval of sewer capacity and connection permit for the Project during the Project's permitting process. All Project-related sanitary sewer connections and on-site infrastructure would be designed and constructed in accordance with applicable LASAN and California Plumbing Code standards. Therefore, the Project would not 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. Thus, impacts with regards to wastewater generation and infrastructure capacity would be less than significant.

Cumulative Wastewater Impacts

Development of the Project, in conjunction with the related projects located in the Project vicinity, would result in an increase in the demand for sanitary sewer service in LASAN's Hyperion Service Area. Based on the Hyperion Service Area's estimated future capacity of approximately 550 mgd, the Hyperion Service Area is expected to have adequate capacity to accommodate the cumulative wastewater flow of approximately 375.86 mgd from the Project, related projects, and forecasted growth. The 1.96 mgd of cumulative wastewater would represent approximately 0.34 percent of the Hyperion Service Area's existing design capacity of

550 mgd. Therefore, Project impacts on the wastewater treatment systems would not be cumulatively considerable, and cumulative impacts would be less than significant.

As with the Project, new development projects occurring in the Project vicinity would be required to coordinate with LASAN via a sewer capacity availability request to determine adequate sewer capacity. Furthermore, similar to the Project, each related project would be required to comply with applicable sewer permit approvals, water conservation programs, including the City of Los Angeles Green Building Code. Therefore, Project impacts on the City's wastewater infrastructure would not be cumulatively considerable, and cumulative impacts would be less than significant.

Construction of New Water Facility or Expansion of New Water Facilities

Construction

Construction activities associated with the Project would not require or result in the construction of new water facilities or expansion of existing facilities that could have a significant impact on the environment. However, the Project would require a new water distribution system that would connect to the existing water mainlines adjacent to the Project Site. The design and installation of new service connections would be required to meet applicable City standards, and the limited off-site connection activities would not significantly affect access in adjacent rights-of-way due to the Work Site Traffic Control Plan to be implemented during Project construction pursuant to Project Design Feature J-1. As such, construction-related impacts to water infrastructure would be less than significant.

Operation

Based on the Information of Fire Flow Availability Request results, the Project would comply with flow standards specified in Section 57.507.3.1 of the LAMC. Furthermore, as provided in Project Design Feature I.2-5 in Section IV.I.2, Public Services—Fire Protection, of the Draft EIR, the Project would include the installation of automatic fire sprinklers in all proposed buildings, which would reduce or eliminate the public hydrant demands. Accordingly, the Project would not exceed the available capacity within the water distribution infrastructure that would serve the Project Site, and the Project would not require or result in the construction of new off-site water facilities or expansion of existing facilities. Therefore, the Project's operational impacts on water infrastructure would be less than significant.

Cumulative Water Supply Infrastructure Impacts

As with the Project, other new development projects would be subject to LADWP review to assure that the existing public infrastructure would be adequate to meet the domestic and fire water demands of each project, and individual projects would be subject to LADWP and City requirements regarding infrastructure improvements needed to meet respective water demands, flow and pressure requirements, etc. Therefore, Project impacts on water infrastructure would not be cumulatively considerable, and cumulative impacts on the water infrastructure system would be less than significant.

Project Design Features

The City finds that Project Design Feature L.1-1 is a specific design and/or operational characteristic incorporated into the Project that would avoid or reduce its potential environmental effects. These Project Design Features were considered in the analysis of

potential impacts. However, as a function of the Project, they do not constitute Mitigation Measures, as they were not applied in addition to the Project to reduce significant impacts.

Project Design Feature L.1-1: The Project design shall incorporate the following design features to support water conservation:

- High-efficiency toilets with flush volume of 1.06 gallons of water per flush or less throughout the Project Site.
- Waterless urinals (for all public restrooms throughout the Project Site).
- Showerheads with flow rate of 1.5 gallons per minute or less.
- Install a meter on the pool make-up line so water use can be monitored, and leaks can be identified and repaired
- Leak detection system for swimming pools and Jacuzzi, or other comparable spa equipment introduced on-site.
- Water-saving pool filter.
- Pool/spa recirculating filtration equipment.
- Drip/subsurface irrigation (micro irrigation).
- Micro-spray.
- Domestic Water Heating System to be located in close proximity to point(s) of use.
- Proper hydro-zoning (group plants with similar water requirements together).
- Zoned irrigation.
- Landscape contouring to minimize precipitation runoff
- Drought-tolerant plants—23 percent of total landscaping.
- Infiltration using a drywell and detention system to capture, store, and treat stormwater for a drainage area of approximately 4.42 acres.

Water Supply

Construction

Given the temporary nature of construction activities, the short-term and intermittent water use during construction of the Project would be significantly less than the demand created by the existing uses, as well as the net new water consumption at Project buildout, both of which may be accommodated by LADWP's available supplies. As such, construction-related impacts to water supply would be less than significant.

Operation

The Fig Water Supply Assessment (WSA) concluded that the projected water supplies for normal, single-dry, and multiple-dry years reported in LADWP's 2015 UWMP would be sufficient to meet the Project's estimated water demand of 95.24 AFY, in addition to the existing and planned future water demands within LADWP's service area through the year 2040. Therefore, the Project's operation-related impacts on water supply would be less than significant.

Cumulative Impacts

The 28 identified related projects would generate a total average water demand of approximately 2,164,260 gpd (or approximately 2,424 AFY). Based on the water demand projections in the 2015 UWMP, LADWP determined that it will be able to reliably provide water to its customers through the year 2040, as well as the intervening years (i.e., 2020, the project buildout year). In addition, compliance of the Project and other future development projects with the numerous regulatory requirements that promote water conservation would also reduce water demand on a cumulative basis. Therefore, cumulative significant impacts with respect to

water supply are not anticipated from the development of the Project and the related projects. Project impacts to water supply would not be cumulatively considerable and would be less than significant.

Solid Waste

Construction

In accordance with Project Design Feature L.3-2, the Project's construction contractor would be required to implement a construction waste management plan to achieve a minimum 75 percent diversion from landfills. Furthermore, pursuant to Sections 66.32–66.32.5 of the Los Angeles Municipal Code (Ordinance No. 181,519), the Project's construction contractor would be required to deliver all remaining construction and demolition waste generated by the Project to a Certified Construction and Demolition Waste Processing Facility. The Project's estimated amount of construction and debris waste would represent approximately 0.006 percent of the Azusa Land Reclamation Landfill's existing remaining disposal capacity of 59.83 million tons. Since the County's unclassified landfill generally does not face capacity shortages, and the County's unclassified landfill would be able to accommodate Project-generated waste, construction of the Project would not result in the need for an additional disposal facility to adequately handle Project-generated construction-related waste. Therefore, construction impacts to solid waste facilities would be less than significant.

On-site recycling containers, the use of a Certified Construction and Demolition Waste Processing Facility, waste reduction measures outlined in Project Design Features L.3-1 and L.3-2 (recycling of construction and demolition debris, and using recycled building materials for new construction) would promote source reduction and recycling, consistent with AB 939 and the City's Solid Waste Integrated Resources Plan, General Plan Framework Element, RENEW LA Plan, and Green LA Plan. Therefore, construction of the Project would not conflict with any applicable state or City solid waste regulations and impacts would be less than significant.

In the event that hazardous materials are found in the buildings proposed for demolition, suspect materials would be removed in accordance with all applicable local, state, and federal regulations prior to demolition activities. Compliance with such requirements would reduce the potential for a Project impact associated with disposal of construction-related hazardous waste to a less-than-significant level.

Operation

Assuming a minimum diversion rate of approximately 50 percent, based on implementation of Project Design Feature L.3-3, the net increase in solid waste disposal associated with the Project would be approximately 932 tons per year (2.55 tons per day). This net increase in solid waste disposal associated with the Project would represent an approximately 0.037-percent increase in the City's annual solid waste disposal quantity, based on the 2015 disposal of approximately 2.54 million tons, and approximately 0.001 percent of the estimated remaining Class III landfill capacity available to the City of Los Angeles. Thus, based on the existing available capacities of landfills that serve the City of Los Angeles, the Project's solid waste disposal demands could be met without the need for additional landfill capacity. Therefore, the Project would not result in the need for an additional recycling or disposal facility to adequately handle Project-generated waste.

The Project would provide recycling containers and associated storage areas on-site and would not conflict with solid waste policies and objectives in the City of Los Angeles Source Reduction and Recycling Element or its updates, City of Los Angeles Solid Waste Management Policy

Plan, the City of Los Angeles General Plan Framework Element or the Curbside Recycling Program, nor would it conflict with solid waste policies and objectives in the County Integrated Waste Management Plan. Based on the above, Project-level impacts with regard to solid waste would be less than significant during operation, and no mitigation measures are required.

Cumulative Impacts

The Project would dispose of approximately 3,505 tons of construction and demolition waste in the County's unclassified landfill after accounting for recycling pursuant to Project Design Feature L.3-2. Given regulatory requirements, it is anticipated that future cumulative development would also implement similar measures to divert construction and demolition waste from landfills. Furthermore, the unclassified landfill does not face capacity issues. Therefore, cumulative impacts on the unclassified landfill would be less than significant. In addition, the Project's contribution to the County's estimated cumulative waste stream would not be cumulatively considerable.

The Project's and each related project's construction contractor would deliver all construction and demolition waste generated to a Certified Construction and Demolition Waste Processing Facility and would implement waste reduction measures. Thus, the Project and each of the related projects would promote source reduction and recycling, consistent with AB 939 and the City's Solid Waste Integrated Resources Plan, General Plan Framework Element, RENEW LA Plan, and Green LA Plan. Therefore, construction of the Project and each of the related projects would not conflict with any applicable state or City solid waste regulations and cumulative impacts would be less than significant.

Project Design Features

The City finds that Project Design Features L.3-1 through L.3-3 are specific design and/or operational characteristics incorporated into the Project that would avoid or reduce its potential environmental effects. These Project Design Features were considered in the analysis of potential impacts. However, as a function of the Project, they do not constitute Mitigation Measures, as they were not applied in addition to the Project to reduce significant impacts.

Project Design Feature L.3-1: Building materials with a minimum of 10 percent recycled-content shall be used for the construction of the Project.

Project Design Feature L.3-2: During construction, the Project shall implement a construction waste management plan to recycle and/or salvage a minimum of 75 percent of non-hazardous construction debris or minimize the generation of construction waste to 2.5 pounds per square foot of building floor area.

Project Design Feature L.3-3: During operation, the Project shall have a solid waste diversion rate of at least 50 percent, pursuant to the City of Los Angeles Solid Waste Management Policy Plan, which was adopted by the City to comply with AB 939. The Project shall adopt current available recycling practices, including off-site sorting of waste by third-party vendors, permitted by the LAMC to achieve a minimum diversion of 50 percent.

Energy Conservation and Infrastructure

Construction

Electricity

The electricity demand at any given time would vary throughout the construction period based on the construction activities being performed and would cease upon completion of construction. When not in use, electric equipment would be powered off so as to avoid unnecessary energy consumption. Therefore, the use of electricity during Project construction would not be wasteful, inefficient, or unnecessary.

Construction of the Project's electrical infrastructure would primarily occur within the Project Site although some off-site construction activities to connect the Project's electrical infrastructure with primary electrical distribution lines could occur. All required infrastructure improvements will comply with applicable LADWP requirements, which would avoid potential impacts to existing energy systems and adjacent properties. As such, construction of the Project's electrical infrastructure is not anticipated to adversely affect the electrical infrastructure serving the surrounding uses or utility system capacity.

The estimated construction electricity usage represents approximately 0.1 percent of the estimated net operational demand which would be within the supply and infrastructure service capabilities of LADWP. Therefore, construction of the Project would not result in an increase in demand for electricity that exceeds available supply or distribution infrastructure capabilities that could result in the construction of new energy facilities or expansion of existing facilities, the construction of which could cause significant environmental effects. Therefore, based on the above, construction-related impacts to electricity supply and infrastructure would be less than significant.

Natural Gas

Construction activities, including the construction of new buildings and facilities, typically do not involve the consumption of natural gas. Accordingly, natural gas would not be supplied to support Project construction activities; thus, there would be no demand generated by construction.

The Project would involve installation of new natural gas connections to serve the Project Site. Since the Project Site is located in an area already served by existing natural gas infrastructure, it is anticipated that the Project would not require extensive off-site infrastructure improvements to serve the Project Site. Therefore, construction of the Project would not result in an increase in demand for natural gas to affect available supply or distribution infrastructure capabilities and would not result in the construction of new energy facilities or expansion of existing facilities, the construction of which could cause significant environmental effects. Construction-related impacts to natural gas supply and infrastructure would be less than significant.

Transportation Energy

The City has adopted several plans and regulations, including the City of Los Angeles Solid Waste Management Policy Plan, the RENEW LA Plan, and the Exclusive Franchise System Ordinance (Ordinance No. 182,986), to promote the reduction, reuse, recycling, and conversion of solid waste going to disposal systems. These solid waste reduction programs and ordinances help to reduce the number of trips to haul solid waste, thereby reducing the amount of petroleum-based fuel consumed. In addition, recycling efforts indirectly reduce the energy necessary to create new products made of raw material, which is an energy-intensive process. The Project includes several design features, such as Project Design Feature L.3-2, which would require building materials with a minimum of 10 percent recycled-content to be used for the construction of the Project, and Project Design Feature L.3-3, which requires the Project to implement a construction waste management plan to recycle and/or salvage a minimum of 75 percent of non-hazardous construction debris or minimize the generation of construction waste

to 2.5 pounds per square foot of building floor area. Thus, through compliance with the City's construction-related solid waste recycling programs and Project Design Features, the Project would contribute to reduced energy consumption. Based on the above, Project construction would not result in the wasteful, inefficient, and unnecessary consumption of transportation-related energy resources.

Operation

Electricity Demand

In addition to complying with CALGreen, the Project Applicant would also implement Project Design Feature E-1, Project Design Feature L.1-1 and Project Design Feature L.3-4, which would further reduce the Project's energy demand. Furthermore, the Project would comply with Section 110.10 of Title 24, which includes mandatory requirements for solar-ready buildings. Therefore, the Project would not cause wasteful, inefficient, and unnecessary consumption of electricity during operation.

The Project-related net increase in annual electricity consumption of 6,070 MWh per year would represent approximately 0.03 percent of LADWP's projected sales. In addition, LADWP has confirmed that the Project's electricity demand can be served by the facilities in the Project area. Furthermore, the Project would incorporate a variety of energy conservation measures to reduce energy usage and would implement any necessary connections and upgrades required by LADWP to ensure that LADWP would be able to adequately serve the Project. Therefore, it is anticipated that LADWP's existing and planned electricity capacity and supplies would be sufficient to support the Project's electricity demand. Accordingly, operation of the Project would not result in an increase in demand for electricity that exceeds available supply or distribution infrastructure capabilities that could result in the construction of new energy facilities or expansion of existing facilities, the construction of which could cause significant environmental effects. Operational impacts to electricity supply and infrastructure would be less than significant.

Natural Gas Demand

In addition to complying with applicable regulatory requirements regarding energy conservation (e.g., California Building Energy Efficiency Standards and CALGreen), the Project would implement Project Design Feature E-1 to further reduce energy use. Therefore, the Project would not cause wasteful, inefficient, and unnecessary consumption of natural gas during operation.

The Project's natural gas demand of approximately 40,327 cf per day would account for approximately 0.002 percent of the 2020 forecasted consumption in SoCalGas' planning area. In addition, SoCalGas has confirmed that the Project's natural gas demand can be served by the facilities in the Project area. Furthermore, as previously described, the Project would incorporate a variety of energy conservation measures to reduce energy usage. Additionally, the Project would implement any necessary connections and upgrades required by SoCalGas to ensure that SoCalGas would be able to adequately serve the Project. Therefore, it is anticipated that SoCalGas' existing and planned natural gas supplies would be sufficient to support the Project's net increase in demand for natural gas. As such, operation of the Project would not result in an increase in demand for natural gas that exceeds available supply or distribution infrastructure capabilities that could result in the construction of new energy facilities or expansion of existing facilities, the construction of which could cause significant environmental effects. Operational impacts to natural gas supply and infrastructure would be less than significant.

Transportation Energy

Pursuant to Mitigation Measure J-1, the Project would include vehicular trip reduction measures as part of a TDM Program. Implementation of the TDM Program to promote the use of public transportation would serve to reduce VMT and would result in a corresponding reduction in the consumption of petroleum-based fuels. Additionally, bicycle amenities, such as racks and personal lockers, would be expanded at various locations within and around the Project Site pursuant to the TDM program. Furthermore, various Project characteristics are consistent with the California Air Pollution Control Officers Association (CAPCOA) guidance document, Quantifying Greenhouse Gas Mitigation Measures, which provides quantified emission reduction values for recommended mitigation measures and would reduce VMT and vehicle trips to the Project Site. As such, the Project's siting would minimize transportation fuel consumption through the reduction of VMT. Based on the above, the Project would not cause wasteful, inefficient, and unnecessary consumption of petroleum-based fuel during operation. Impacts associated with operational transportation-related energy use would be less than significant.

Regulatory Consistency

The Project would comply with applicable regulatory requirements for the design of new buildings, including the provisions set forth in the CALGreen Code and California's Building Energy Efficiency Standards, which have been incorporated into the City of Los Angeles Green Building Code. Furthermore, the Project would be consistent with regional planning strategies that address energy conservation, including energy efficiency policies emphasized in SCAG's 2016 RTP/SCS. In addition, the Project would comply with state energy efficiency requirements, would be capable of achieving current LEED® Certified status, and would use electricity from LADWP, which has a current renewable energy mix of 20 percent. All of these features would serve to reduce the consumption of electricity, natural gas, and transportation fuel associated with VMT. Therefore, the Project would not conflict with adopted energy conservation plans or violate state or federal energy standards. Impacts associated with regulatory consistency would be less than significant.

Cumulative Impacts

Electricity

Although Project development would result in the use of renewable and non-renewable electricity resources during construction and operation, which could limit future availability, the use of such resources would be on a relatively small scale, would be reduced by measures rendering the Project more energy-efficient, and would be consistent with growth expectations for LADWP's service area. Accordingly, the Project's contribution to cumulative impacts related to electricity consumption would be less than significant and would not be cumulatively considerable. Furthermore, as with the Project, during construction and operation, other future development projects would be expected to incorporate energy conservation features, comply with applicable regulations including CALGreen and state energy standards under Title 24, and incorporate mitigation measures, as necessary.

LADWP would continue to expand electricity infrastructure and delivery capacity as needed to meet demand increases within its service area at the lowest cost and risk consistent with LADWP's environmental priorities and reliability standards. Development projects within the LADWP service area would also be anticipated to incorporate site-specific infrastructure improvements, as necessary. Each of the related projects would be reviewed by LADWP to identify necessary power facilities and service connections to meet the needs of their respective

projects. Project applicants would be required to provide for the needs of their individual projects, thereby contributing to the electrical infrastructure in the Project area. As such, the Project's contribution to cumulative impacts with respect to electricity infrastructure would not be cumulatively considerable and, thus, would be less than significant.

Natural Gas

Although Project development would result in the use of natural gas resources, which could limit future availability, the use of such resources would be on a relatively small scale, would be reduced by measures rendering the Project more energy-efficient, and would be consistent with regional and local growth expectations for SoCalGas' service area. Furthermore, future development projects would be expected to incorporate energy conservation features, comply with applicable regulations including CALGreen and state energy standards under Title 24, and incorporate mitigation measures, as necessary. Accordingly, the Project's contribution to cumulative impacts related to natural gas consumption would not be cumulatively considerable and, thus, would be less than significant.

SoCalGas would continue to expand natural gas infrastructure and delivery capacity as necessary to meet demand increases within its service area. Development projects within its service area would also be anticipated to incorporate site-specific infrastructure improvements, as appropriate. As such, the Project's contribution to cumulative impacts with respect to natural gas infrastructure would not be cumulatively considerable and, thus, would be less than significant.

Transportation Energy

According to the California Energy Commission (CEC) demand forecasts, gasoline consumption has declined by 6 percent since 2008, and the CEC predicts that the demand for gasoline will continue to decline over the next 10 years and that there will be an increase in the use of alternative fuels, such as natural gas, biofuels, and electricity. As with the Project, other future development projects would be expected to reduce VMT by encouraging the use of alternative modes of transportation and other design features that promote VMT reductions. Furthermore, the Project would be consistent with the energy efficiency policies emphasized by the 2016 RTP/SCS. The Project would provide greater proximity to neighborhood services, jobs, and residences and would be well-served by existing public transportation, including Metro and LADOT bus lines and rail line. The Project also would introduce new housing and job opportunities within a HQT, which is consistent with numerous policies in the 2016 RTP/SCS related to locating new jobs near transit. These features would serve to reduce VMT and associated transportation fuel consumption. By its very nature, the 2016 RTP/SCS is a regional planning tool that addresses cumulative growth and resulting environmental effects. Since the Project is consistent with the 2016 RTP/SCS, its contribution to cumulative transportation energy use is not cumulatively considerable, and is, therefore, less than significant.

VII. ENVIRONMENTAL IMPACTS FOUND TO BE LESS THAN SIGNIFICANT AFTER MITIGATION

The following impact areas were concluded by the 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 reduce potentially significant impacts identified for the following environmental impact categories to below the level of significance. Pursuant to Public Resources Code Section 21081, the City finds that changes or alterations

have been required in, or incorporated into, the Project which mitigate or avoid each of the following significant effects on the environment.

Cultural Resources

Paleontological Resources

Impact Summary

A records search conducted for the Project Site indicates there are no previously encountered fossil vertebrate localities located within the Project Site. The closest identified locality in proximity to the Project Site is LACM 7758, collected at a depth of 16 feet below the surface area. While the Project Site has been subject to grading and development in the past, grading for Project would consist of excavation to a maximum a depth of approximately 50 feet below the existing ground surface. Thus, the possibility exists that paleontological artifacts that were not recovered during prior construction or other human activity may be present. Should such paleontological resources be encountered during construction, a potentially significant impact could result.

Project Design Features

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

Mitigation Measures

Mitigation Measure C-4: A qualified paleontologist shall be retained to perform periodic inspections of excavation and grading activities at the Project Site. The frequency of inspections shall be based on consultation with the paleontologist and shall depend on the rate of excavation and grading activities and the materials being excavated. If paleontological materials are encountered, the paleontologist shall temporarily divert or redirect grading and excavation activities in the area of the exposed material to facilitate evaluation and, if necessary, salvage. The paleontologist shall then assess the discovered material(s) and prepare a survey, study or report evaluating the impact. The Project Applicant shall then comply with the recommendations of the evaluating paleontologist, and a copy of the paleontological survey report shall be submitted to the Los Angeles County Natural History Museum.

Finding

Pursuant to Public Resources Code Section 21081(a)(1), the City finds that changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid potential significant effects on the environment regarding paleontological resources.

Rationale for Finding

As set forth in Mitigation Measure C-4, a qualified paleontologist shall be retained to perform periodic inspections of excavation and grading activities of the Project Site. In the event paleontological materials are encountered, the paleontologist shall be allowed to temporarily divert or redirect grading and excavation activities in the area of the exposed material to facilitate evaluation and, if necessary, salvage. Therefore, implementation of Mitigation Measure C-4 would ensure that any potential impacts related to paleontological resources would be less than significant.

With regard to potential cumulative impacts related to paleontological resources, the Project vicinity and Community Plan area are urbanized and have been disturbed and developed over time. In the event that paleontological resources are uncovered, all related projects and other future development within the Community Plan area would be required to comply with applicable regulatory requirements. In addition, as part of the environmental review processes for the related projects, it is expected that mitigation measures would be established as necessary to address the potential for uncovering paleontological resources. Therefore, cumulative impacts to paleontological resources would be less than significant and would not be cumulatively considerable.

Reference

Section IV.C, Cultural Resources, of the Draft EIR, as well as paleontological records search results included as Appendix C to the Draft EIR.

Noise

Impact Summary

Construction Noise

Noise impacts from Project-related construction activities occurring within or adjacent to the Project Site would be a function of the noise generated by construction equipment, the location of the equipment, the timing and duration of the noise-generating construction activities, and the relative distance to noise-sensitive receptors. As discussed in detail in Section IV.H, Noise, of the Draft EIR, the maximum estimated noise levels associated with construction of the Project would be below the significance threshold at the off-site receptor locations R3, R5, R7, R8, and R9. However, the estimated construction levels would exceed the significance threshold by 9.5 dBA at receptor R4 and 1.5 dBA at receptor R6. Therefore, under the most conservative impact assessment, temporary noise impacts associated with the Project's on-site construction would be significant at receptor locations R4 and R6.

As discussed in detail in Section IV.H, Noise, of the Draft EIR, Project-related off-site construction trucks are estimated to generate noise levels of approximately 56.5 dB (Leq) and 56.4 dBA (Leq) at receptor locations R7 and R8, respectively. These noise levels would be below the existing daytime ambient noise level of 65.8 dBA (Leq) and 68.0 dBA (Leq), as measured at receptor locations R7 and R8 and would be below the 5-dBA significance threshold. During other construction phases, the number of construction trucks would be lower, which would result in lower noise levels. Therefore, temporary noise impacts from offsite construction traffic would be below the 5-dBA significance threshold and noise impacts would be less than significant.

Construction Vibration

As discussed in detail in Section IV.H, Noise, of the Draft EIR, the estimated vibration velocity levels from all construction equipment would be below the building damage significance threshold of 0.12 PPV for the residential building structures to the north. The estimated vibration levels at the commercial building structure adjacent to the Project's south property line would exceed the 0.2 PPV significance threshold. Therefore, vibration impacts associated with potential building damage would be significant without mitigation measures.

As discussed in detail in Section IV.H, Noise, of this Draft EIR, the estimated ground-borne vibration levels from construction equipment would be below the significance thresholds for

human annoyance at all off-site sensitive receptor locations. Therefore, vibration impacts during construction of the Project would be less than significant, pursuant to the threshold of significance for human annoyance.

As discussed in detail in Section IV.H, Noise, of the Draft EIR, there are existing buildings along the Project's anticipated haul route that are situated approximately 20 feet from the right-of-way and would be exposed to ground-borne vibration levels of approximately 0.022 PPV. This estimated vibration generated by construction trucks traveling along the anticipated haul route would be well below the most stringent building damage threshold of 0.12 PPV for buildings extremely susceptible to vibration. Therefore, vibration impacts (pursuant to the threshold of significance for building damage) from off-site construction activities (i.e., construction trucks traveling on public roadways) would be less than significant.

As discussed in detail in Section IV.H, Noise, of this Draft EIR, the estimated vibration levels at receptor location R7 would be approximately 45 VdB periodically as trucks pass sensitive receptors along the anticipated haul route. The estimated vibration levels from the construction truck at receptor location R7 would be well below the perception threshold and well below the 72 VdB significance threshold from the construction trucks. Therefore, potential vibration impacts with respect to human annoyance that would result from temporary and intermittent vibration from construction trucks traveling along the anticipated haul route would be less than significant.

Project Design Features

Project Design Feature H-1: Power construction equipment (including combustion engines), fixed or mobile, shall be equipped with state-of-the-art noise shielding and muffling devices (consistent with manufacturers' standards). All equipment shall be properly maintained to assure that no additional noise, due to worn or improperly maintained parts, would be generated.

Project Design Feature H-2: Project construction shall not include the use of driven (impact) pile systems.

Mitigation Measures

Mitigation Measure H-1: A temporary and impermeable sound barrier shall be erected as follows:

- Along the Project Site's northern property line. The temporary sound barrier shall be designed to provide a 10-dBA (for the residential use on 39th Street) noise reduction at the ground level of the adjacent noise-sensitive receptors.
- Along the Project Site's western property line. The temporary sound barrier shall be designed to provide a 5-dBA noise reduction at Christmas Tree Lane within Exposition Park.

Mitigation Measure H-2: The Project Applicant shall retain the services of a qualified vibration consultant to monitor ground-borne vibration at the adjacent building to the south of the Project Site during site excavation when the use of heavy construction equipment, such as a large bulldozer, drill rig, or loaded truck occurs) within 15 feet of the building. The vibration monitoring system shall be able to:

- Measure and continuously store the peak particle velocity (PPV) in inch/second. Vibration data shall be stored on a one-second interval.
- Provide real-time alert (via text message and/or email to on-site personnel) when the vibration levels exceed 0.2 inch/second (PPV).

The measured vibration data shall be documented within a report that shall include: a description of the measurement location, the measurement time, and the recorded values (maximum, minimum and mean levels on an hourly basis).

If the measured ground-borne vibration levels exceed 0.2 inch/second (PPV) at the adjacent offsite structure to the south, the Project contractor shall immediately employ alternative construction methods, so that the ground-borne vibration levels do not exceed 0.2 inch/second (PPV).

Finding

Pursuant to Public Resources Code Section 21081(a)(1), the City finds that changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid potential significant effects on the environment regarding construction noise and vibration.

Rationale for Finding

Construction Noise

Implementation of Mitigation Measure H-1 (installation of temporary sound barriers) would reduce the noise generated by on-site construction activities at the off-site sensitive uses, by a minimum of 5 dBA at Christmas Tree Lane (receptor location R6) and by 10 dBA at the residential uses on the north side of 39th Street (receptor location R4). As presented in Table IV.H 23 on page IV.H-64 of the Draft EIR, the estimated construction-related noise levels at off-site sensitive receptor locations R3 through R9 would be reduced to below a level of significance with implementation of Mitigation Measure H-1. Therefore, Project-level construction noise impacts associated with on-site noise sources would be less than significant with implementation of mitigation.

As described above, Project-level noise impacts from off-site construction activities would be less than significant.

Construction Vibration

The estimated vibration levels from Project construction equipment would be below the building damage significance threshold of 0.12 PPV for the off-site building structures to the north. However, the vibration levels from construction equipment would exceed the 0.2 PPV for the off-site building adjacent to the Project Site to the south and vibration impacts (pursuant to the threshold of significance for building damage) during construction of the Project would be significant without mitigation. Implementation of Mitigation Measure H-2 would reduce the Project's on-site construction vibration impacts at the off-site commercial building adjacent to the Project Site to the south to less than significant levels.

As described above, Project-level and cumulative vibration impacts from on-site construction activities with respect to human annoyance would be less than significant.

Off-site vibration levels generated by construction trucks (i.e., haul, delivery, and concrete trucks) along the Project's haul route (i.e., Martin Luther King Jr. Boulevard) would be well below the significance threshold for building damage. Therefore, both Project and cumulative vibration impacts with respect to building damage would be less than significant.

Off-site vibration levels from construction trucks would also be well below the significance threshold for human annoyance at the nearest vibration sensitive receptors along the haul route, Martin Luther King Jr. Boulevard, resulting in a less than significant impact. Therefore, both Project and cumulative vibration impacts from off-site construction with respect to human annoyance would be less than significant.

Reference

Section IV.H, Noise, and noise calculation worksheets contained in Appendix F, of the Draft EIR; Supplemental Noise Analysis contained in Appendix FEIR-5 of the Final EIR.

VIII. ENVIRONMENTAL IMPACTS FOUND TO BE SIGNIFICANT EVEN AFTER MITIGATION

The following impact areas were concluded by the Draft EIR to remain significant and unavoidable following implementation of all feasible mitigation measures described in the Final EIR. Consequently, in accordance with CEQA Guidelines Section 15093, a Statement of Overriding Considerations has been prepared (see Section XI of these Findings).

Aesthetics

Impact Summary - Visual Character and Views

During construction activities for the Project, the visual appearance of the Project Site would be altered due to the removal of the existing buildings, surface parking areas, and associated utility and lighting poles and signage. Other construction activities including site preparation, grading, and excavation; the staging of construction equipment and materials; and the construction of the building foundation and proposed structures would also alter the visual quality of the Project Site and adjacent roadways. These construction activities would be visible to pedestrians and motorists on adjacent streets, as well as to viewers within nearby buildings.

The Project would remove the surface parking lots and the eight existing multi-family residential buildings located on the northeastern portion of the Project Site and construct a seven-story hotel building with ground-level commercial uses, two mixed-use seven-story buildings comprised of neighborhood-serving commercial uses on the ground-floor level and residential uses on the upper levels, and an eight-story above-ground parking structure with rooftop amenities. As previously described, the eight existing residential buildings on the Project Site are located within the Flower Drive Historic District, and seven of the eight buildings proposed for removal are contributors to the Historic District. Therefore, these buildings are considered valued visual resources that contribute to the visual character of the Project Site and surrounding area. Off-site visual resources that may be viewed within the same viewshed as the Project Site from nearby or distant vantage points include the remaining ten contributing buildings to the Flower Drive Historic District located on the west side of the 3800 block of Flower Drive, to the north of the Project Site; the Los Angeles Memorial Coliseum; the Zobelein Estate; the DC-8 aircraft in Exposition Park; the California Science Center; the Exposition Park Rose Garden; the new Los Angeles Football Club (LAFC) soccer stadium; the Downtown Los Angeles skyline; and the distant Hollywood Hills. The development of the hotel and residential buildings on the Project Site would result in changes to the visual character of the area, including short-range focal views and long-range distant views of the Project Site.

Project Design Features

Project Design Feature A-1: Temporary construction fencing shall be placed along the periphery of the active construction areas to screen the construction activity from view at the street level, and to keep unpermitted persons from entering the construction area.

Project Design Feature A-2: The Project 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 that are accessible/visible to the public, and that such temporary barriers and walkways are maintained in a visually attractive manner (i.e., free of trash, graffiti, peeling postings and of uniform paint color or graphic treatment) throughout the construction period.

Project Design Feature A-4: New on-site utilities that may be required to serve the Project shall be installed underground, where practical.

Project Design Feature A-5: Mechanical, electrical, and roof top equipment, as well as building appurtenances, shall be screened from public view.

Project Design Feature A-6: Trash areas associated with the proposed buildings shall be enclosed or otherwise screened from view from public rights-of-way.

Project Design Feature A-9: The Project shall remove the existing three billboards on-site and shall not include off-site signs.

Mitigation Measures

Implementation of Mitigation Measures C-1, C-2 and C-3 identified below would not reduce Project aesthetic and view impacts on the Historic District to a less than significant level and impacts would remain significant and unavoidable. These mitigation measures were taken into account in the analysis. The City further finds that there are no additional feasible mitigation measures the Project could implement to avoid its significant impacts.

(See Cultural Resources – Historic Resources - Mitigation Measures C-1 through C-3 below)

Finding

The City finds, pursuant to Public Resources Code section 21081(a)(1), that changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid the significant effects on the environment. However, these impacts have not been reduced to less than significant.

The City finds, pursuant to Public Resources Code Section 21081(a)(3), that specific economic, legal, social, technological, or other considerations, including considerations identified in Section XI of these findings (Statement of Overriding Considerations), make infeasible additional mitigation measures or Project alternatives identified in the EIR to reduce the Project's historic-related aesthetic and view impacts to be less than significant.

Rationale for Finding

Visual Character

SB 743 states that aesthetic impacts, which are not considered significant for projects within a transit priority area, do not exclude impacts on historical or cultural resources. Therefore, the Project's significant and unavoidable impacts on historical resources, as analyzed in Section

IV.C, Cultural Resources, of the Draft EIR, are treated as visual resource-related aesthetic impacts. Accordingly, the Project's aesthetics- and view-related impacts pertaining to the removal of the Project's historical resources are determined to be significant and unavoidable as well.

Based on a review of the existing and proposed views included in Section IV.A, Aesthetics, Views, Light/Glare, and Shading, of the Draft EIR, the Project would make a positive contribution to the aesthetic value of the Project Site and improve the visual character of the surrounding area by replacing the older existing residential uses and large, visually unappealing surface parking lots with a mixed-use development that would be generally compatible with, and would complement, existing and future development in the Project area. Development of the proposed buildings and associated landscaping would visually "fill in" the existing underutilized Project Site and would represent an extension and reflection of the surrounding urban environment, thus creating a visual connection between the Project Site and the Project vicinity. Since the buildings in the vicinity of the Project Site exhibit a high degree of variation in architectural style, height, massing, scale, and material, especially structures located within the adjacent Exposition Park, the Project would contribute to the eclectic visual character of the area. Implementation of the Project would also remove unattractive visual elements currently on the Project Site that detract from the visual quality and character of the Project area, such as chain link and metal fencing, utility and light poles, large panel and post signs, and billboard signs. In addition, the Project would improve the visual cohesiveness of the area by converting the underutilized site into an active component of the community, and integrating the existing commercial uses adjacent to the Project Site through streetscape enhancements. The Project would enhance the pedestrian experience adjacent to the Project Site by increasing the amount and quality of landscape and streetscape on and adjacent to the Project Site, which currently has minimal landscaping.

However, as the Project includes the removal of historic cultural resources from the Flower Drive Historic District, aesthetic impacts to the resources would be significant and unavoidable. As discussed in Section IV.C, Cultural Resources, to seek to avoid or significantly lessen significant impacts to historic resources, the Project includes Mitigation Measure C-1, which requires the Project Applicant to document the architectural and historical significance of the Historic District; Mitigation Measure C-2, which requires the Project Applicant to create a salvage and reuse plan for any elements and materials that may be saved prior to the issuance of a demolition permit; and Mitigation Measure C-3, which requires the Project Applicant to relocate a minimum of three contributing buildings of the Historic District to a site or sites within 5 miles of the Project Site, and make all remaining structures available to third parties for relocation and/or salvage. However, implementation of Mitigation Measures C-1, C-2 and C-3 would not reduce those impacts to a level of insignificance, and impacts would remain significant and unavoidable.

In accordance with SB 743, the Project's other potential impacts to the existing visual character of the Project area (outside of the impacts to the Project Site's historical resources) would not be considered significant, and no additional mitigation measures would be required.

Views

Public viewing locations or vantage points of the Project Site include public streets and sidewalks adjacent to the Project Site and in the surrounding area, and other public areas surrounding the Project Site offering elevated views of the Project area. Under existing conditions, short-range views of the Project Site are obstructed from most public vantages and are generally only available to viewers at adjacent locations including pedestrians and motorists along Figueroa Street, Martin Luther King Jr. Boulevard, 39th Street, Flower Drive, motorists

elevated above the Project Site on Harbor Freeway, visitors to Exposition Park, and patrons of the commercial businesses immediately adjacent to the Project Site. Due to the height and massing of the proposed buildings, the changes to short-range views, particularly along the immediately adjacent Figueroa Street and 39th Street, would be more substantial than changes to long-range views. Within short-range views from street-level vantage points adjacent to the Project Site, the Project would be prominently visible, taller, and would have more perceived bulk than the existing commercial and residential structures.

Public views of the identified off-site visual resources are limited due to the predominantly flat terrain of the Project area and the dense, intervening development that blocks long-range, expansive views. Public views of the Flower Drive Historic District, the Los Angeles Memorial Coliseum, the Zobelein Estate, the DC-8 aircraft, the California Science Center, the Exposition Park Rose Garden, and the new LAFC soccer stadium are usually substantially blocked by adjacent development unless the viewer is positioned directly adjacent to the resource. With the exception of the Flower Drive Historic District, the Project would not eliminate or substantially obscure public focal views of these visual resources due to the distance and location of the Project Site from these resources. In addition, public views of scenic vistas such as the Downtown Los Angeles skyline and the more distant Hollywood Hills are limited, partial, distant, and/or non-existent.

Based on the view simulations provided in Section IV.A, Aesthetics, Views, Light and Glare, and Shading, of the Draft EIR, the Project would eliminate and obstruct existing views of the Flower Drive Historic District. As noted above, SB 743 states that aesthetic impacts, which are not considered significant for projects within a transit priority area, do not include impacts on historical or cultural resources. Therefore, the Project's impacts on historical resources, as analyzed in Section IV.D, Cultural Resources, of the Draft EIR, are being treated as view-related aesthetic impacts. As those historic impacts are significant and unavoidable, the Project's view impacts pertaining to the removal of a portion of the Flower Drive Historic District are determined to be significant and unavoidable as well. Even with implementation of Mitigation Measures C-1 through C-3 as identified above, impacts would remain significant. No other valued views of identified visual resources would be substantially obstructed by the Project.

As reported in Table V-2, Summary of Comparison of Impacts Associated with the Alternatives and Impacts of the Project, and discussed at pages V-26 through V-54 of Section V, Alternatives, of the Draft EIR, Alternative 2: Community Plan Update Compliant/Historic Preservation Alternative will avoid these significant and unavoidable impacts by retaining all of the historical resources at the Project Site in their existing conditions at the Project Site. However, the City concluded that Alternative 2 is infeasible because it will not meet or meet as well as the Project will, many of the Project Objectives or the Project's underlying purpose, as described in greater detail in Section IX, Alternatives to the Project, subsection Alternative 2, below. In addition, Alternative 2 will worsen the environmental impacts caused by the Project with respect to archaeological resources, paleontological resource, and tribal cultural resources as compared to those of the Project.

As such, the Project results in significant and unavoidable impacts with regard to historic-related aesthetic and view impacts. Pursuant to Public Resources Code section 21081(a)(3), based on the evidence described below in Section XI, Statement of Overriding Considerations, the City finds that specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the environmental impact report to reduce these impacts to less than significant.

Reference

Section IV.A, Aesthetics, of the Draft EIR, as well as Section IV.C, Cultural Resources, of the Draft EIR.

Cultural Resources

Impact Summary - Historic Resources

The Project Site includes a portion of the Flower Drive Historic District, which is eligible for the California Register and considered a historical resource under CEQA. The Project would result in the demolition of eight out of 19 buildings that currently comprise the Historic District. Seven of the buildings proposed for removal are contributors to the Historic District. The Project would also be located across 39th Street from the remaining portion of the Historic District and would introduce a new visual element to the setting of the Historic District. Removal of the portion of the Historic District would result in direct significant impacts to historic cultural resources.

Project Design Features

Project Design Feature C-1: The Project Applicant shall retain a relocation consultant to assist current Project Site residents by providing services including, but not limited to, identification of available replacement dwellings, transportation to view potential replacement housing, coordination of movers, and establishment/oversight of relocation fee escrow accounts.

Mitigation Measures

Implementation of Mitigation Measures C-1, C-2 and C-3 identified below would not reduce Project impacts on the Historic District to a less than significant level and impacts would remain significant and unavoidable. These mitigation measures were taken into account in the analysis. The City further finds that there are no additional feasible mitigation measures the Project could implement to avoid its significant impacts due to demolition of historic resources.

Mitigation Measure C-1: Prior to the issuance of a demolition permit, a report documenting the architectural and historical significance of the Flower Drive Historic District shall be prepared. One original copy of the report in both digital and hard copy format shall be assembled and offered to the Southern California Information Center at California State University Fullerton, the Los Angeles Conservancy, the Los Angeles Central Library, and the City of Los Angeles Office of Historic Resources. The report shall be created by a historic preservation professional meeting the Secretary of the Interior's Professional Qualifications Standards for history or architectural history. The report shall include:

- a. A written report according to the Historic American Building Survey (HABS) narrative format, which includes historical and descriptive information, index to photographs, and photo key plan.
- b. Duplicates of historic photographs, if available.
- c. Duplicates of original drawings, if available.
- d. 35 mm black and white photographs (or digital images for the digital copies of the report). The photographs shall be keyed to a site plan to show the location of each photograph taken. Views shall include the setting of the District and exterior views of all of the contributing buildings.

Mitigation Measure C-2: A salvage and reuse plan shall be created, identifying elements and materials that can be saved prior to the issuance of a demolition permit. The plan shall be prepared by a historic preservation professional meeting the Secretary of the Interior's Professional Qualifications Standards for architectural history or historic architecture with

demonstrated experience in developing salvage and reuse plans. The plan shall be submitted to the City of Los Angeles Office of Historic Resources. Elements and materials that may be salvageable include: windows, doors, roof tiles, decorative elements, framing members, light fixtures, plumbing fixtures, and flooring materials such as tiles and hardwood. The salvageable items shall be removed in the gentlest, least destructive manner possible. The plan shall identify the recipient(s) for the items.

Mitigation Measure C-3: Seven of the eight multifamily residential buildings currently located on the Project Site are designated contributors to the Flower Drive Historic District. At least three of the seven contributors shall be relocated to a suitable and appropriately zoned site or sites within 5 miles of the Project Site, to the satisfaction of the Planning Department. The relocation of at least three contributors shall be completed prior to the issuance of a final certificate of occupancy for the Project.

All buildings that are not to be relocated shall be made available to third parties for relocation and/or salvage in accordance with the salvage and reuse plan prepared pursuant to Mitigation Measure C-2. The Project Applicant shall publicize the availability of any such buildings for relocation and/or salvage by publishing a notice in a newspaper of general circulation and by directly informing potentially interested parties at least 180 days prior to the application for any demolition permit ("Notice of Availability"). Any third party interested in pursuing relocation and/or salvage activities shall notify the Applicant of their interest within 30 days of the Notice of Availability being provided. At least 60 days prior to the Project Applicant commencing demolition activities at the Project Site, the Project Applicant shall notify all interested third parties of such impending demolition ("Notice of Demolition"). All proposed relocation and/or salvage activities proposed by third parties shall be completed no later than 30 days after receiving a Notice of Demolition.

Any such buildings made available for relocation and/or salvage shall be made available at no cost for the building itself, but a third party that undertakes relocation and/or salvage activities shall be responsible for costs associated with those activities.

Finding

The City finds, pursuant to Public Resources Code section 21081(a)(1), that changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid the significant effects on the environment. However, these impacts have not been reduced to less than significant.

The City finds, pursuant to Public Resources Code Section 21081(a)(3), that specific economic, legal, social, technological, or other considerations, including considerations identified in Section XI of these findings (Statement of Overriding Considerations), make infeasible additional mitigation measures or Project alternatives identified in the EIR to reduce the Project's historic impacts to be less than significant.

Rationale for Finding

As discussed in Section IV.C, Cultural Resources, of the Draft EIR the Project Site includes a portion of the Flower Drive Historic District, which is eligible for the California Register and considered a historical resource under CEQA. The Project would result in the demolition of eight out of 19 buildings that currently comprise the Historic District. Thus, the Historic District as a whole would be substantially altered. The Historic District consists of 19 buildings (17 contributing and 2 non-contributing) spread along two blocks of Flower Drive, the southerly one of which is part of the Project Site. The Project would result in demolition of seven contributing buildings and one non-contributing building. The block to the north of the Project Site would continue to have 10 contributing buildings and one non-contributing building. In addition, the

Project would introduce a seven-story Hotel Component development adjacent to the remaining portion of the Historic District, separated by 39th Street, which would also further impact the integrity of the Historic District. Given the number of demolished contributors and that one of two blocks would no longer contain contributors, the Project is considered to have a significant adverse impact on a historical resource and mitigation measures are required. Although the Project incorporates three mitigation measures provided above to reduce these impacts, the Project's impacts due to demolition of historical resources cannot be mitigated to a less-than-significant level.

As reported in Table V-2, Summary of Comparison of Impacts Associated with the Alternatives and Impacts of the Project, and discussed at pages V-26 through V-54 of Section V, Alternatives, of the Draft EIR, Alternative 2: Community Plan Update Compliant/Historic Preservation Alternative will avoid these significant and unavoidable impacts by retaining all of the historical resources at the Project Site in their existing conditions at the Project Site. However, the City concluded that Alternative 2 is infeasible because it will not meet or meet as well as the Project will, many of the Project Objectives or the Project's underlying purpose, as described in greater detail in Section IX, Alternatives to the Project, subsection Alternative 2, below. In addition, Alternative 2 will worsen the environmental impacts caused by the Project with respect to archaeological resources, paleontological resource, and tribal cultural resources as compared to those of the Project.

As such, the Project results in significant and unavoidable impacts with regard to demolition of historical resources. Pursuant to Public Resources Code section 21081(a)(3), based on the evidence described below in Section XI, Statement of Overriding Considerations, the City finds that specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the environmental impact report to reduce these impacts to less than significant.

Reference

Section IV.C, Cultural Resources, of the Draft EIR; *The Fig, Los Angeles California, Historical Resources Report* (Historical Resources Report) prepared by GPA Consulting (July 2017) included as Appendix C of the Draft EIR; Sections II, Responses to Comments, and III, Revisions, Clarifications, and Corrections, of the Final EIR.

Noise

Impact Summary

Construction Noise (Cumulative)

Noise impacts from Project-related construction activities occurring within or adjacent to the Project Site would be a function of the noise generated by construction equipment, the location of the equipment, the timing and duration of the noise-generating construction activities, and the relative distance to noise-sensitive receptors. As discussed in detail in Section IV.H, Noise, of the Draft EIR, the maximum estimated noise levels associated with construction of the Project would be below the significance threshold at the off-site receptor locations R3, R5, R7, R8, and R9. However, the estimated construction levels would exceed the significance threshold by 9.5 dBA at receptor R4 and 1.5 dBA at receptor R6. Therefore, under the most conservative impact assessment, temporary noise impacts associated with the Project's on-site construction would be significant at receptor locations R4 and R6.

While the majority of the related projects are located a substantial distance (greater than 1,000 feet) from the Project Site, Related Project No. 15 and Related Project No. 21 are located within 1,000 feet of the Project Site. Therefore, as discussed in the Draft EIR, cumulative noise impacts at the nearby sensitive uses (e.g., residential uses and park) located in proximity to the Project Site, could occur if Related Project No. 15 and/or Related Project No. 21 were constructed concurrently with the Project. Since the publication of the EIR, Related Project No. 21 has been fully constructed and its operational. Nonetheless, if nearby Related Project No. 15 was to be constructed concurrently with the Project, significant cumulative construction noise impacts could result.

As discussed in detail in Section IV.H, Noise, of the Draft EIR, Project-related off-site construction trucks are estimated to generate noise levels of approximately 56.5 dB (Leq) and 56.4 dBA (Leq) at receptor locations R7 and R8, respectively. These noise levels would be below the existing daytime ambient noise level of 65.8 dBA (Leq) and 68.0 dBA (Leq), as measured at receptor locations R7 and R8 and would be below the 5-dBA significance threshold. During other construction phases, the number of construction trucks would be lower, which would result in lower noise levels. Therefore, temporary noise impacts from offsite construction traffic would be below the 5-dBA significance threshold and noise impacts would be less than significant.

Based on the existing daytime ambient noise level of 65.8 dBA (Leq) measured along Martin Luther King Jr. Boulevard at receptor location R7, it is estimated that up to 537 truck trips per hour could occur along Martin Luther King Jr. Boulevard without exceeding the significance thresholds of 5 dBA above ambient noise levels (i.e., 70.8 dBA Leq). Therefore, if the total number of trucks from the Project and related projects were to add up to 538 truck trips per hour along Martin Luther King Jr. Boulevard, the estimated noise level from 538 truck trips per hour would be 70.8 dBA at receptor location R7, which would exceed the ambient noise levels by 5 dBA and exceed the significance thresholds. Since the Project would generate up to 20 truck trips per hour during peak construction period (site excavation), it is unlikely that truck traffic related to construction of the Project and other related projects would cumulatively add up to 538 or more hourly truck trips along Martin Luther King Jr. Boulevard. As such, the Project's contribution to cumulative noise impacts would not be cumulatively considerable and cumulative noise impacts from off-site construction would be less than significant.

Operational Noise (Cumulative)

Due to provisions set forth in the LAMC that limit stationary source noise from items, such as rooftop mechanical equipment, noise levels would be less than significant at the property line for each related project. Noise impacts associated with operations within the Project Site would be less than significant. However, the noise levels associated with the stadium use at the Related Project No. 21 would result in significant impacts at the nearby noise-sensitive uses (i.e., receptor locations R4 and R7).

The Project and related projects in the area would produce traffic volumes (off-site mobile sources) that would generate roadway noise. Cumulative noise impacts due to off-site traffic were analyzed by comparing the projected increase in traffic noise levels from "Existing without Project" conditions to "Future Plus Project" conditions to the applicable significance criteria. Future Plus Project conditions include traffic volumes from future ambient growth, related projects, and the Project. Cumulative traffic volumes would result in a maximum increase of 2.4 dBA (CNEL) along the roadway segment of El Centro Avenue (north of Sunset Boulevard), which would be below the relevant 5 dBA significance threshold (applicable when noise levels fall within the conditionally acceptable category). At all other analyzed roadway segments, the increase in cumulative traffic noise would be less than 2.4 dBA (CNEL). Therefore, cumulative

noise impacts due to off-site mobile noise sources associated with the Project, future growth, and related projects would be less than significant.

Project Design Features

Project Design Feature H-1: Power construction equipment (including combustion engines), fixed or mobile, shall be equipped with state-of-the-art noise shielding and muffling devices (consistent with manufacturers' standards). All equipment shall be properly maintained to assure that no additional noise, due to worn or improperly maintained parts, would be generated.

Project Design Feature H-2: Project construction shall not include the use of driven (impact) pile systems.

Project Design Feature H-3: All outdoor mounted mechanical equipment shall be enclosed or screened from off-site noise-sensitive receptors.

Project Design Feature H-4: Outdoor amplified sound systems shall be designed so as not to exceed the maximum noise level of 80 dBA (L_{eq-1hr}) at a distance of 25 feet from the amplified sound systems (i.e., speaker face) at the ground level outdoor dining/plaza, 85 dBA (L_{eq-1hr}) at the Hotel Level 2 courtyards, Student Housing and Mixed Housing Level 2 courtyards and roof level amenities deck, and 95 dBA (L_{eq-1hr}) at the Hotel roof amenities deck.

Mitigation Measures

Mitigation Measure H-1: A temporary and impermeable sound barrier shall be erected as follows:

- Along the Project Site's northern property line. The temporary sound barrier shall be designed to provide a 10-dBA (for the residential use on 39th Street) noise reduction at the ground level of the adjacent noise-sensitive receptors.
- Along the Project Site's western property line. The temporary sound barrier shall be designed to provide a 5-dBA noise reduction at Christmas Tree Lane within Exposition Park.

Finding

The City finds, pursuant to Public Resources Code section 21081(a)(1), that changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid the significant effects on the environment. However, these impacts have not been reduced to less than significant.

The City finds, pursuant to Public Resources Code Section 21081(a)(3), that specific economic, legal, social, technological, or other considerations, including considerations identified in Section XI of these findings (Statement of Overriding Considerations), make infeasible additional mitigation measures or Project alternatives identified in the EIR to reduce the Project's impacts to be less than significant.

Rationale for Finding

Construction Noise

Implementation of Mitigation Measure H-1 (installation of temporary sound barriers) would reduce the noise generated by on-site construction activities at the off-site sensitive uses, by a minimum of 5 dBA at Christmas Tree Lane (receptor location R6) and by 10 dBA at the

residential uses on the north side of 39th Street (receptor location R4). As presented in Table IV.H 23 on page IV.H-64 of the Draft EIR, the estimated construction-related noise levels at off-site sensitive receptor locations R3 through R9 would be reduced to below a level of significance with implementation of Mitigation Measure H-1. Therefore, Project-level construction noise impacts associated with on-site noise sources would be less than significant with implementation of mitigation.

However, cumulative construction noise impacts associated with on-site noise sources would remain significant and unavoidable if nearby Related Project No. 15 was to be constructed concurrently with the Project, despite the Project's implementation of all feasible mitigation measures to reduce its own on-site construction noise impacts.

As described above, Project-level noise impacts from off-site construction activities would be less than significant. Moreover, cumulative noise due to construction truck traffic from the Project and other related projects is not likely to exceed the ambient noise levels along the haul route by 5 dBA. As such, cumulative noise impacts from off-site construction would be less than significant without mitigation.

Operational Noise

Project-level operational noise would be less than significant without mitigation. However, cumulative on-site operational noise impacts would be intermittently significant during the operation of the outdoor stadium associated with Related Project 21. Therefore, based on the distance of Related Project No. 21 from the Project Site and the operational noise levels associated with the Project and Related Project No. 21, cumulative stationary source noise impacts associated with operation of the Project and Related Project No. 21 would be significant. As concluded in the environmental document prepared for the Related Project No. 21, there are no feasible mitigation measures identified to reduce the noise level below the significance threshold. Therefore, cumulative operational noise impacts associated with on-site noise sources would remain significant and unavoidable.

As reported in Table V-2, Summary of Comparison of Impacts Associated with the Alternatives and Impacts of the Project and discussed at pages V-14 through V-25 of Section V, Alternatives, of the Draft EIR, Alternative 1: No Project Alternative will avoid these significant and unavoidable impacts by maintaining the existing conditions at the Project Site and not providing for any new development. However, the City concluded that Alternative 1 is infeasible because it will not meet any of the Project Objectives or the Project's underlying purpose, as described in greater detail in Section IX, Alternatives to the Project, subsection Alternative 1, below.

As such, the Project results in significant and unavoidable cumulative noise impacts with regard to construction and operation. Pursuant to Public Resources Code section 21081(a)(3), based on the evidence described below in Section XI, Statement of Overriding Considerations, the City finds that specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the environmental impact report to reduce these impacts to less than significant.

Reference

Section IV.H, Noise, and noise calculation worksheets contained in Appendix F, of the Draft EIR; Supplemental Noise Analysis contained in Appendix FEIR-5 of the Final EIR.

Traffic and Access (Operation)

Impact Summary – Circulation System (Intersection Levels of Service)

Existing with Project Conditions

Under Existing with Project Conditions, 34 of the 38 signalized intersections are projected to operate at level of service (LOS) D or better during both the morning and afternoon peak periods. The remaining four intersections are projected to operate at LOS E during either the morning or the afternoon peak periods. The addition of Project traffic from the Project to Intersection No. 7: Vermont Avenue & Exposition Boulevard, Intersection No. 16: Figueroa Street & 39th Street/Exposition Park Drive, and Intersection No. 21: Figueroa Street & Martin Luther King Jr. Boulevard would cause a change in the LOS, as well as the volume-to-capacity (V/C) ratio, and result in a significant impact during the A.M. peak period. Furthermore, although the LOS would remain the same, the addition of Project traffic to Intersection No. 9: Figueroa Street & Exposition Boulevard and Intersection No. 21: Figueroa Street & Martin Luther King Jr. Boulevard would result in a change to the V/C ratio that would exceed the significance thresholds during the P.M. peak period. As such, Project would result in three significant traffic impacts during the A.M. peak period and two significant traffic impacts during the P.M. peak period under Existing with Project Conditions, and mitigation would be required.

Future with Project Conditions

Under Future with Project Conditions, 26 of the 38 signalized study intersections are projected to operate at LOS D or better during both the morning and afternoon peak periods under Future with Project Conditions. The remaining 12 intersections are projected to operate at LOS E or F during at least one of the peak periods under Future with Project Conditions. Although the LOS would remain the same, the addition of Project traffic to Intersection No. 2: Figueroa Street & Jefferson Boulevard, Intersection No. 7: Vermont Avenue & Exposition Boulevard, Intersection No. 9: Figueroa Street & Exposition Boulevard, Intersection No. 16: Figueroa Street & 39th Street/Exposition Park Drive, Intersection No. 21: Figueroa Street & Martin Luther King Jr. Boulevard, Intersection No. 22: I-110 SB Ramps & Martin Luther King Jr. Boulevard, Intersection No. 23: I-110 NB Ramps/Hill Street & Martin Luther King Jr. Boulevard, Intersection No. 24: Broadway & Martin Luther King Jr. Boulevard, Intersection No. 29: Figueroa Street & 30th Street and Intersection No. 30: Figueroa Street & Adams Boulevard would result in a change to the V/C ratio that would exceed the significance thresholds during the A.M. or P.M. peak periods, or both. As such, the Project would result in seven significant traffic impacts during the A.M. peak period and seven significant traffic impacts during the P.M. peak period under Future with Project Conditions, and mitigation would be required.

In addition, the unsignalized intersections of Flower Drive and 39th Street, Grand Avenue and 39th Street, and Hill Street and 39th Street were evaluated to determine the need for the installation of a new traffic signal or other traffic control device through a traffic signal warrant analysis. The Grand Avenue and 39th Street intersection would operate at LOS F during morning peak hour and at LOS E during the afternoon peak hour under Future with Project Conditions. The Hill Street and 39th Street intersection would operate at LOS E during morning peak hour and at LOS F during the afternoon peak hour under Future with Project Conditions. The Flower Drive and 39th Street intersection would operate at LOS D or better during both morning and afternoon peak hours. Thus, a traffic signal warrant analysis was conducted for the Grand Avenue and 39th Street and Hill Street and 39th Street intersections. The analysis shows that the P.M. peak-hour traffic volumes at the Grand Avenue and 39th Street intersection would warrant a traffic signal and the A.M. and P.M. peak-hour volumes at the Hill Street and 39th Street intersection would warrant a signal. However, these intersections would also operate at

LOS E in the A.M. and P.M. peak hours in the Future Without Project Conditions, and the traffic volumes under the Future Without Project Conditions would warrant a traffic signal in the P.M. peak hour at both intersections. Therefore, since a traffic signal would already be warranted under the Future Without Project Conditions, the Project would not cause the need for a new traffic signal at the intersections of Grand Avenue and 39th Street and Hill Street and 39th Street.

The satisfaction of LADOT's criteria for installing a traffic signal is not the same as a significance threshold for determining significant impacts. Further, the satisfaction of a traffic signal warrant does not in of itself require the installation of a signal. If the traffic volumes at an unsignalized intersection should surpass the established thresholds to warrant a traffic signal, LADOT will ultimately determine if a signal is feasible and should be installed, after consideration of other factors relative to safety, traffic flow, signal spacing and coordination, and roadway geometrics.

USC Game Day Analysis

USC Game Day analysis considers the first 27 study intersections proposed for the study area and does not include the 11 additional intersections that were added to the study area due to significant impacts that were identified at the edge of the initial study area. Since significant impacts were not identified at the edge of the initial study area under USC Game Day conditions, the additional 11 intersections were not included in the USC Game Day analysis. Under Future with Project Conditions during USC Game Day, 25 of the 27 signalized study intersections are projected to operate at LOS D or better during both the Pre- and Post-Game Peak Hour. The addition of traffic from the Project to Intersection No. 9: Figueroa Street & Exposition Boulevard would cause a LOS change from B to C and an increase in V/C ratio that would result in a significant impact at that intersection during the USC Game Day Pre-Game Peak Hour. The addition of traffic from the Project to Intersection No. 21: Figueroa Street & Martin Luther King Jr. Boulevard would cause a LOS change from E to F and an increase in V/C ratio that would result in a significant impact at that intersection during the USC Game Day Pre-Game Peak Hour.

Cumulative Impacts

Under cumulative conditions (Future with Project Conditions), the Project would result in seven significant traffic impacts during the A.M. peak period and seven significant traffic impacts during the P.M. peak period under Future with Project Conditions at a total of ten intersections, and mitigation would be required. Therefore, the Project's contribution to impacts under cumulative conditions would be considerable, and cumulative impacts would be significant at those intersections impacted by the Project.

Project Design Features

No specific operational-related traffic and access project design features have been incorporated into the Project.

Mitigation Measures

Mitigation Measure J-1: Transportation Demand Management (TDM) Program—The Project shall prepare and implement a TDM Program that includes strategies to promote non-automobile travel and reduce the use of single-occupant vehicle trips. The TDM Program shall include design features, transportation services, education programs, and incentive programs intended to reduce the amount of single-occupancy vehicles during commute hours. A preliminary TDM program shall be prepared and provided for LADOT review prior to the

issuance of the first building permit for this Project and a final TDM program approved by DOT is required prior to the issuance of the first certificate of occupancy for the Project. The TDM Program strategies should include, but not be limited to, the following strategies:

- An on-site Transportation Information Center
- Preferential rideshare loading/unloading or parking location
- Convenient parking and facilities for bicycle riders
- Guaranteed ride home programs for employees
- Allowance for flexible and alternative work schedules
- Administrative support for the formation of carpools/vanpools
- Promotion of transit, walk, or bike to work events
- Project design elements to ensure a bicycle, transit, and pedestrian friendly environment
- Unbundled parking from housing cost
- Parking cash-out programs for Project and uses as appropriate
- A Covenant and Agreement to ensure that the TDM program will be maintained.

The following improvements proposed by the project as part of its transit and mobility improvement program should be part of the TDM program:

- Provide sidewalk bike racks (including near bus stops).
- Participate in the City's Bike Share Program by providing an area for bike share facilities.
- Make a one-time financial contribution of \$150,000 to the City of Los Angeles Department of Transportation, to be used in the implementation of the Mobility Hub in the general area of the Project.
- Participate in a Car-Share Program, and provide a minimum of ten off-street car share parking spaces
- Provide an on-site transportation coordinator to promote alternatives to the car and to facilitate rideshare.
- Facilitate carpools and vanpools for project employees, students, etc. by providing priority locations for carpool and vanpool parking.
- Provide an on-site information facility to make available information on car-sharing, transit, vanpools, taxis, etc. (e.g. kiosk, concierge, or transportation office).
- Encourage implementation of bus shelters in the area of the Project.
- Unbundle parking from housing cost.
- Implement parking cash-out programs for Project land uses
- Facilitate shuttle service from the Project to nearby destinations including the USC campus and nearby transit stations
- In addition, the Project shall enhance existing transit service in the Project vicinity as follows:
Contribution of a fixed fee of \$750,000 to a trust fund to be administered by LADOT for the implementation of alternative transportation modes focused along the Figueroa Street corridor and the DASH F route. The funding may include purchase of one 35-foot zero

emission bus, maintenance cost of three years, driver salary for three years, fuel expenses for three years, and route modification to include the Project Site.

Mitigation Measure J-2: Transportation Systems Management (TSM) Improvements—The Project shall contribute up to \$80,000 toward TSM improvements within the Central District to better accommodate intersection operations and increase intersection capacity throughout the study area, to the satisfaction of the LADOT ATSAC Section. The Project shall fund the installation of new closed circuit television (CCTV) cameras (a total of four cameras, including necessary mounting poles, fiber optic and electrical connections) at the following four intersections:

- Intersection No. 2: Figueroa Street & Jefferson Boulevard
- Intersection No. 9: Figueroa Street & Exposition Boulevard
- Intersection No. 21: Figueroa Street & Martin Luther King Jr. Boulevard
- Intersection No. 23: I-110 NB Ramps/Hill Street & Martin Luther King Jr. Boulevard

Prior to the issuance of any building permit, LADOT shall determine whether the CCTV installations shall be implemented by the applicant through the B-permit process of the Bureau of Engineering (BOE), or through payment of a one-time fixed fee of \$80,000 from the Project to LADOT to fund the cost of the upgrades, and LADOT shall design and construct the upgrades. If the installations are implemented by the Project through the B-Permit process, then these improvements shall be guaranteed prior to the issuance of any building permit and completed prior to the issuance of any certificate of occupancy. Temporary certificates of occupancy may be granted in the events of any delay through no fault of the applicant, provided that, in each case, the applicant has demonstrated reasonable efforts and due diligence to the satisfaction of LADOT.

Finding

The City finds, pursuant to Public Resources Code section 21081(a)(1), that changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid the significant effects on the environment. However, these impacts have not been reduced to less than significant.

The City finds, pursuant to Public Resources Code Section 21081(a)(3), that specific economic, legal, social, technological, or other considerations, including considerations identified in Section XI of these findings (Statement of Overriding Considerations), make infeasible additional mitigation measures or Project alternatives identified in the EIR to reduce the Project's operational traffic impacts to signalized intersections to be less than significant.

Rationale for Finding

Regarding intersection levels of service under Existing with Project Conditions, Future with Project Conditions, and USC Game Day Analysis, while incorporation of Mitigation Measures J-1 and J-2 would fully mitigate some significant intersection impacts, and partially mitigate others, a number of intersection impacts would remain significant and unavoidable.

Mitigation Measure J-1 would be beneficial to traffic flow, transit service, pedestrian circulation, and overall mobility in the Project area. In conjunction with LADOT, it was conservatively estimated that the above combination of trip reduction measures could reduce the overall number of vehicle trips generated by the Project by approximately ten percent.

LADOT has determined that the traffic system management improvements for CCTV cameras required by Mitigation Measure J-2 would increase intersection capacity in the system. Per LADOT procedures a one percent increase in intersection capacity (0.01 improvement in the V/C ratio) has been included in the mitigation analysis for the intersections.

Regarding intersection impacts under Existing with Project Conditions, with incorporation of Mitigation Measures J-1 and J-2, the Project's significant intersection impact at Intersection No. 9: Figueroa Street & Exposition Boulevard would be fully mitigated during the P.M. peak hour. However, while the mitigation measures would partially mitigate traffic impacts at the following three intersections, these impacts would remain significant and unavoidable after mitigation:

- Intersection No. 7: Vermont Avenue & Exposition Boulevard (A.M. peak period)
- Intersection No. 16: Figueroa Street & 39th Street/Exposition Park Drive (A.M. peak period)
- Intersection No. 21: Figueroa Street & Martin Luther King Jr. Boulevard (A.M. and P.M. peak periods)

Regarding intersection levels of service under Future with Project Conditions, with incorporation of Mitigation Measures J-1 and J-2, the Project's significant intersection impacts at the following intersections and time periods would be fully mitigated:

- Intersection No. 2: Figueroa Street & Jefferson Boulevard (A.M. peak period)
- Intersection No. 9: Figueroa Street & Exposition Boulevard (A.M. peak period)
- Intersection No. 22: I-110 SB Ramps & Martin Luther King Jr. Boulevard (A.M. peak period)
- Intersection No. 23: I-110 NB Ramps/Hill Street & Martin Luther King Jr. Boulevard (P.M. peak period)

However, while the mitigation measures would partially mitigate traffic impacts of the Project, impacts at the following eight intersections for the period(s) indicated would remain significant and unavoidable after mitigation:

- Intersection No. 2: Figueroa Street & Jefferson Boulevard (P.M. peak period)
- Intersection No. 7: Vermont Avenue & Exposition Boulevard (A.M. peak period)
- Intersection No. 9: Figueroa Street & Exposition Boulevard (P.M. peak period)
- Intersection No. 16: Figueroa Street & 39th Street/Exposition Park Drive (A.M. peak period)
- Intersection No. 21: Figueroa Street & Martin Luther King Jr. Boulevard (A.M. and P.M. peak periods)
- Intersection No. 24: Broadway & Martin Luther King Jr. Boulevard (P.M. peak period)
- Intersection No. 29: Figueroa Street & 30th Street (P.M. peak period)

- Intersection No. 30: Figueroa Street & Adams Boulevard (A.M. and P.M. peak periods)

Regarding USC Game Day impacts, implementation of Mitigation Measures J-1 and J-2 would fully mitigate traffic impacts at Intersection No. 9: Figueroa Street & Exposition Boulevard. However, impacts at Intersection No. 21: Figueroa Street & Martin Luther King Jr. Boulevard would only be partially mitigated, and would remain significant and unavoidable.

As reported in Table V-2, Summary of Comparison of Impacts Associated with the Alternatives and Impacts of the Project and discussed at pages V-14 through V-25 of Section V, Alternatives, of the Draft EIR, Alternative 1: No Project Alternative will avoid these significant and unavoidable impacts by maintaining the existing conditions at the Project Site and not providing for any new development. However, the City concluded that Alternative 1 is infeasible because it will not meet any of the Project Objectives or the Project's underlying purpose, as described in greater detail in Section IX, Alternatives to the Project, subsection Alternative 1, below.

As such, the Project results in significant and unavoidable cumulative noise impacts with regard to construction and operation. Pursuant to Public Resources Code section 21081(a)(3), based on the evidence described below in Section XI, Statement of Overriding Considerations, the City finds that specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the environmental impact report to reduce these impacts to less than significant.

Reference

Section IV.J, Traffic and Access of Draft EIR; Traffic Study and Construction Traffic Study included as Appendix L of Draft EIR; LADOT Assessment Letter included as Appendix L of Draft EIR; Supplemental Traffic Analysis included as Appendix FEIR-3 of Final EIR; LADOT Assessment Letter for Supplemental Traffic Analysis included as Appendix FEIR-4 of the Final EIR.

IX. ALTERNATIVES TO THE PROJECT

In addition to the project, the Draft EIR evaluated a reasonable range of four alternatives to the project. These alternatives are: 1) No Project/No Build Alternative; 2) Community Plan Update Compliant/Historic Preservation Alternative; 3) Reduced Density/Partial Historic Preservation Alternative; and (4) Zoning Compliant Alternative. In accordance with CEQA requirements, the alternatives to the Project include a "No Project" alternative and alternatives capable of eliminating the significant adverse impacts of the project. These alternatives and their impacts, which are summarized below, are more fully described in Section V of the Draft EIR.

Summary of Findings

Based upon the following analysis, the City finds, pursuant to Public Resources Code Section 21081, that specific economic, legal, social, technological, or other considerations, including considerations identified in Section XI of these findings (Statement of Overriding Considerations), make infeasible the Project alternatives identified in the EIR.

Project Objectives

An important consideration in the analysis of alternatives to the Project is the degree to which such alternatives would achieve the objectives of the Project. As more thoroughly described in

Section II, Project Description, of the Draft EIR, both the City and Project Applicant have established specific objectives concerning the Project, which are incorporated by reference herein and discussed further below.

Project Alternatives Analyzed

Alternative 1 – No Project Alternative

Alternative 1, the No Project Alternative, assumes that the Project would not be approved, no new permanent development would occur within the Project Site, and the existing environment would be maintained. Thus, the physical conditions of the Project Site would generally remain as they are today. Specifically, the eight existing multi-family residential buildings located within the Flower Drive Historic District and containing a total of 32 dwelling units, as well as existing surface parking areas, would remain on the Project Site, and no new construction would occur.

Impact Summary

The No Project Alternative would avoid the Project's significant and unavoidable impacts to aesthetics, views, historic resources, and intersection levels of service during operation. In addition, Alternative 1 would avoid the Project's significant and unavoidable cumulative on-site construction noise impacts that would occur if Related Project No. 15 were to be constructed concurrently with the Project, and the Project's significant and unavoidable cumulative on-site noise impacts associated with operation of the Project and Related Project No. 21. Impacts associated with the remaining environmental issues would be less than those of the Project.

Finding

The City finds, pursuant to Public Resources Code Section 21081(a)(3), that specific economic, legal, social, technological, or other considerations, including considerations identified in Section XI of these findings (Statement of Overriding Considerations), make infeasible the No Project Alternative described in the Draft EIR.

Rationale for Findings

Alternative 1 would generally reduce all the Project's less than significant environmental impacts and is environmentally superior to the Project. However, Alternative 1 would not meet the Project's underlying purpose, or achieve any of the Project objectives.

No changes to existing land use or operations on-site would occur under Alternative 1. As such, Alternative 1 would not meet any of the Project objectives or the underlying purpose of the Project. Specifically, Alternative 1 would not provide new market-rate or affordable housing units near multiple transit opportunities in the Southeast Community Plan Area. Alternative 1 would also not develop new student housing along the Figueroa Corridor, in close proximity to the University of Southern California's campus, or develop new short-term and extended-stay lodging opportunities that are easily accessible to Exposition Park, the USC campus, and the Los Angeles Convention Center, as well as other museum and cultural facilities in the surrounding area.

Alternative 1 would not develop new retail, restaurant, commercial office, and hospitality uses within the Southeast Los Angeles Community Plan Area that provide short- and long-term employment opportunities and maximize sales and transient occupancy tax revenue for the City. Alternative 1 would not create an environmentally sensitive development by incorporating sustainable and green building design and construction to promote resource conservation,

including waste reduction, efficient water management techniques, and conservation of energy to achieve LEED equivalency. Alternative 1 would not improve the visual character and pedestrian environment along Figueroa Street by removing a surface parking lot, providing active ground-level retail and commercial uses, and creating a buffer from the freeway by locating the parking structure on the eastern portion of the site. Furthermore, Alternative 1 would not reduce vehicle miles traveled (VMT) and pollutant emissions and maximize the public investment in transit by developing an under-utilized site adjacent to the newly expanded Metro Expo Line, Blue Line, and several bus lines.

Overall, Alternative 1 would not meet any of the Project objectives or the Project's underlying purpose of creating a new mixed-use infill development that would provide needed housing and lodging; promote fiscal benefits, economic development, and job creation in the City of Los Angeles; and incorporate sustainable and transit-focused planning and construction practices in developing an environmentally sensitive project.

Reference

Section V, Alternatives, of the Draft EIR.

Alternative 2 – Community Plan Update Compliant/Historic Preservation Alternative

Alternative 2, the Community Plan Update Compliant/Historic Preservation Alternative, would be consistent with the zoning and land use standards prescribed by the draft Southeast Los Angeles and South Los Angeles Community Plan Update (Plan Update), which would re-designate the Project Site's eight parcels that are located within the Flower Drive Historic District from their current R4-1L zoning to a RD1.5-1 zoning. The balance of the Project Site, containing approximately 134,000 square feet of lot area, would retain its existing Community Commercial land use designation and C2-1L zoning, and would continue to be subject to a revised version of Footnote 14 of the Community Plan's land use map and the Greater Downtown Housing Incentive Area.

Alternative 2 would preserve the eight existing multi-family residential buildings that are located within the Historic District and construct a mixed-use project containing only a student housing component and a market-rate housing component on the balance of the Project Site. The student housing component would be located on the northern portion of the reduced Project Site and would contain approximately 150 student housing units and approximately 15,000 square feet of retail and restaurant uses. The market-rate housing component, containing approximately 60 residential units, would be located within the southern, L-shaped portion of the Project Site. Both buildings would be of mid-rise construction, reaching five stories and approximately 55 feet in height. Alternative 2 would also construct a two-level subterranean parking structure within the entire western portion of the Project Site that provide 309 vehicular parking spaces in accordance with LAMC requirements. Access to the subterranean parking structure would be via a driveway off 39th Street and a drive aisle off Figueroa Street. In addition, the Project would provide 247 bicycle parking spaces in accordance with LAMC requirements. Upon completion, Alternative 2 would result in approximately 200,000 square feet of new floor area, including approximately 15,000 square feet of commercial floor area, which equates to a total maximum FAR of approximately 1.5:1.

Under Alternative 2, the amount of demolition would be significantly less than the Project since the Project Site's existing buildings would be preserved. In addition, Alternative 2 would construct only two, five-story buildings on the Project Site, rather than three, seven-story residential and hotel buildings and an eight-story parking structure above one level of

subterranean parking. Although the amount of excavation and soil hauling required to construct the two-level subterranean parking garage would be greater than the amount required for the Project, the total amount of construction activities and duration for Alternative 2 would be less than the amount and duration required for the Project, since only 200,000 square feet of new floor area would be constructed.

Unlike the Project, Alternative 2 would not seek a zone and height district change. Upon completion, Alternative 2 would result in approximately 200,000 square feet of new floor area, including approximately 15,000 square feet of commercial floor area, which equates to a total maximum FAR of approximately 1.5:1.

Impact Summary

Alternative 2 is included in this alternatives analysis to demonstrate the feasibility of developing a project in conformance with the draft Southeast Los Angeles Community Plan and that would reduce or eliminate the Project's significant impacts to historic resources. As evaluated in the Draft EIR, Alternative 2 would eliminate the Project's significant environmental impacts related to aesthetics and views impacts on historic resources during operation, and direct impacts to historic resources. However, although Alternative 2 would reduce impacts to intersection levels of service, such impacts would remain significant and unavoidable. In addition, similar to the Project, cumulative on-site construction noise impacts would be significant and unavoidable if Related Project No. 15 was to be constructed concurrently with Alternative 2. Furthermore, although impacts would be less than those of the Project, cumulative on-site noise impacts associated with operation of Alternative 2 and Related Project No. 21 would be significant and unavoidable. Alternative 2 would also result in greater impacts related to archaeological resources, paleontological resource, and tribal cultural resources compared to those of the Project, although such impacts would remain less than significant or less than significant with mitigation. All other impacts would be similar or less under Alternative 2 when compared to the Project.

Finding

The City finds, pursuant to Public Resources Code Section 21081(a)(3), that specific economic, legal, social, technological, or other considerations, including considerations identified in Section XI of these findings (Statement of Overriding Considerations), make infeasible Alternative 2 described in the Draft EIR.

Rationale for Finding

Although Alternative 2 would reduce eliminate the Project's significant historic and historic-related aesthetic and view impacts, other significant and unavoidable impacts pertaining to operational traffic and construction noise would be similar under this Alternative when compared with the Project. Moreover, Alternative 2 would not meet several of the Project objectives and would meet other objectives to a lesser extent than the Project.

Alternative 2 would meet the Project's objective of creating an environmentally sensitive development by incorporating sustainable and green building design and construction to promote resource conservation, including waste reduction, efficient water management techniques, and conservation of energy to achieve LEED equivalency. However, Alternative 2 would fail to meet several of the Project's basic objectives and would meet other objectives to a lesser extent than the Project. Specifically, although Alternative 2 would include a student housing component and a market-rate housing component, it would provide significantly fewer market-rate housing units in the Southeast Los Angeles Community Plan area, which would

reduce housing opportunities within an area of the Community Plan that is well served by a diversity of transportation alternatives, including transit, bicycling, and walking. Moreover, retaining the Project Site's existing structures significantly reduces the available development footprint, resulting in a corresponding decrease in achievable residential density, and therefore hindering the ability to provide affordable units. Accordingly, only 60 market-rate units would be constructed under Alternative 2, and no affordable units would be included, thereby failing to meet the affordable housing needs of the community.

In addition, due to the reduced development footprint, Alternative 2 would provide significantly fewer student housing units, which would only partially meet the existing demand for such housing in close proximity to USC. Although Alternative 2 would improve the visual character and pedestrian environment along Figueroa Street by providing ground-level retail and commercial uses, it would not construct a parking structure to create a buffer from the freeway and would locate habitable rooms adjacent to the freeway. Furthermore, the reduced development footprint under Alternative 2 significantly constrains development of a hotel component, which requires distinct and separate access and circulation improvements from an adjoining residential component and renders the provision of a hotel at the Project Site infeasible. Alternative 2 would thereby not meet the Project's objective of accommodating the short-term and extended stay lodging needs of visiting faculty, parents of students, and other guests. The elimination of the hotel component, coupled with the significant reduction in commercial retail and restaurant floor area, also does not meet the Project's objective of maximizing sales and transit occupancy tax revenue for the City. Therefore, Alternative 2 would fail to meet three of the Project's basic objectives and would not achieve the remaining objectives to the same extent as the Project.

In addition, regarding the City's planning goals and policies, the City supports redevelopment of the Project Site with high density uses and has utilized planning tools such as Community Plan Footnote No. 14 to maximize developable area on the site with incentives for both student housing and affordable housing. Alternative 2 would not maximize developable area on the Project Site due to the reduced proposed density of the alternative. Moreover, the City has stated that Regional Centers should contain uses to maximize density on development sites located adjacent to transit and within the transit core areas identified in the City's planning and policy documents. The reduced density associated with Alternative 2 does not meet to the same extent the City's planning goals for density, student housing, and affordable housing, and is less desirable from a policy standpoint.

Furthermore, regarding social and other considerations, the Project Site is located in an area of the City that is undergoing change and densification. The existing conditions and development trends in the vicinity of the Project Site are maximizing density because the area is transit rich and located near amenities of regional significance, such as the adjacent Exposition Park, various museum and institutional uses, regional entertainment/sports venues, and the University of Southern California campus. Thus, there are several social and other considerations that warrant maximizing the density of development on the Project Site to implement a mixed-use, mixed-income residential and hotel project that can deliver the amount and type of housing, hotel rooms and amenities desired by the City to support citywide housing goals, affordable housing needs, hotel room demand caused by convention business, regional entertainment venues, domestic and international tourism, and the forthcoming Olympic Games.

Reference

Section V, Alternatives, of the Draft EIR.

Alternative 3 – Reduced Density/Partial Historic Preservation Alternative

The Reduced Density/Partial Historic Preservation Alternative would remove four of the eight existing multi-family residential buildings on the Project Site, but would limit demolition of contributing structures to the Flower Drive Historic District to three, in lieu of seven. Specifically, the non-contributing property located at 3911-3913 Flower Drive would be demolished, and the contributing resource located at 3941-3943 Flower Drive would be relocated to the resulting open site at 3911-3913 Flower Drive, resulting in four contributing structures being retained at the northeast portion of the Project Site. The remaining three contributing structures would be relocated pursuant to the Project's Mitigation Measure C 3. On the remaining portion of the Project Site, Alternative 3 would construct a six-story hotel building, a six-story student housing building, a six-story mixed-income housing building, as well as a six-story above-ground parking garage above one subterranean parking level on the Project Site.

The hotel building under Alternative 3 would be located at the corner of 39th Street and Figueroa Street and west of the existing buildings that would remain on-site. The hotel building would contain 224 guest rooms as well as retail and restaurant uses, meeting space, back of house areas, and guest-only and shared guest/public amenities. The proposed commercial floor area within the hotel building would be reduced to approximately 30,000 square feet under Alternative 3. The hotel building would reach approximately 75 feet in height and include a basement level. As with the Project, the student housing building under Alternative 3 would front along Figueroa Street. The number of student housing units would be reduced to 166 units and the proposed ground-floor commercial uses would be reduced to approximately 29,000 square feet. The mixed-income housing building would contain only 140 units (including approximately 62 affordable units) and approximately 24,000 square feet of commercial uses. The student and mixed-income buildings would each be approximately 75 feet in height. Alternative 3 would include a six-story above-ground parking structure above one subterranean parking level containing approximately 875 parking spaces to meet LAMC requirements. The parking structure would be constructed south of the four contributing buildings that would remain on-site. Recreational amenities would be provided on the roof level of the parking garage for residents' use. Under Alternative 3, the amount of excavation, and soil hauling would be similar to that of the Project; however, the construction duration would be shorter due to the reduction in the amount of demolition required (due to the retention of four existing buildings) as well as the reduced total floor area and building heights of the proposed buildings.

As with the Project, Alternative 3 would require a zone and height district change to (T)(Q)C2-2D. Upon completion, Alternative 3 would result in approximately 460,000 square feet of new floor area, including approximately 83,000 square feet of commercial floor area, which equates to a total maximum FAR of 2.75:1 and a commercial FAR of 0.50:1.

Impact Summary

Alternative 3 was included in the alternatives analysis based its potential to reduce the impacts of the Project based upon a reduced scope of development. Alternative 3 would remove only three contributing structures, as compared to the seven contributing structures to be removed by the Project, and would implement similar historic mitigation measures as the Project. However, it is assumed that the impacts to historic resources would remain significant and unavoidable, although they would be substantially lessened as compared to the Project. In addition, cumulative on-site construction noise impacts would be significant and unavoidable if Related Project No. 15 was to be constructed concurrently with Alternative 3. Furthermore, although impacts would be less than those of the Project, cumulative on-site noise impacts associated with operation of Alternative 3 and Related Project No. 21 would be significant and unavoidable. In addition, while Alternative 3 would likely result in one less operational traffic impact during the A.M. peak hour and up to two fewer impacts during the P.M. peak hour at study intersections, impacts at other intersections would remain significant and unavoidable. All

other impacts would be similar to or less than those of the Project, and such impacts would be less than significant or less than significant with mitigation.

Finding

The City finds, pursuant to Public Resources Code Section 21081(a)(3), that specific economic, legal, social, technological, or other considerations, including considerations identified in Section XI of these findings (Statement of Overriding Considerations), make infeasible Alternative 3 as described in the Draft EIR.

Rationale for Findings

Although Alternative 3 would lessen the Project's significant and unavoidable impacts regarding aesthetics, views, historic resources, noise, and intersection levels of service, it would not eliminate these impacts. In addition, Alternative 3 would not meet the Project objectives to the same extent as the Project.

Alternative 3 represents a reduced scope of development compared to the Project due to the reduction of hotel rooms, student housing and mixed income dwelling units, commercial floor area, and building height and overall floor area. Specifically, Alternative 3 would only develop 224 hotel guest rooms (in lieu of 298), 166 student housing units (in lieu of 222 units), 78 market-rate dwelling units (in lieu of 104), and 62 affordable dwelling units (in lieu of 82). Therefore, as compared to the Project, Alternative 3 would not provide the same number of new short-term and extended-stay lodging opportunities that are easily accessible to Exposition Park, the USC campus, and the Los Angeles Convention Center, as well as other museum and cultural facilities in the surrounding area. Moreover, Alternative 3 would not provide new market-rate and affordable housing opportunities within the Southeast Community Plan Area to the same extent as the Project, nor would it provide new student housing along the Figueroa Corridor, in close proximity to USC, to the same extent as the Project. In addition, although Alternative 3 would assist with the revitalization of the Project Site, the reduction in the amount of commercial uses proposed would lower the investment in the Southeast Los Angeles Community Plan area, limit the amount of community-serving retail and restaurant uses at the Project Site, reduce the number of employment opportunities created, and decrease the area's tax base when compared to the Project. Moreover, Alternative 3 would not avoid or substantially lessen any of the Project's significant and unavoidable impacts.

In addition, regarding the City's planning goals and policies, the City supports redevelopment of the Project Site with high density uses and has utilized planning tools such as Community Plan Footnote No. 14 to maximize developable area on the site with incentivizes for both student housing and affordable housing. Alternative 3 would not maximize developable area on the Project Site due to the reduced proposed density of the alternative. Moreover, the City has stated that Regional Centers should contain uses to maximize density on development sites located adjacent to transit and within the transit core areas identified in the City's planning and policy documents. The reduced density associated with Alternative 3 does not meet to the same extent the City's planning goals for density, student housing, and affordable housing, and is less desirable from a policy standpoint.

Furthermore, regarding social and other considerations, the Project Site is located in an area of the City that is undergoing change and densification. The existing conditions and development trends in the vicinity of the Project Site are maximizing density because the area is transit rich and located near amenities of regional significance, such as the adjacent Exposition Park, various museum and institutional uses, regional entertainment/sports venues, and the University of Southern California campus. Thus, there are several social and other considerations that

warrant maximizing the density of development on the Project Site to implement a mixed-use, mixed-income residential and hotel project that can deliver the amount and type of housing, hotel rooms and amenities desired by the City to support citywide housing goals, affordable housing needs, hotel room demand caused by convention business, regional entertainment venues, domestic and international tourism, and the forthcoming Olympic Games.

Reference

Section V, Alternatives, of the Draft EIR.

Alternative 4 – Zoning Compliant Alternative

Alternative 4, the Zoning Compliant Alternative, would construct a mixed-use project with approximately 249,000 square feet of residential uses and a combined total of approximately 40,000 square feet of commercial uses, in accordance with the existing land use designation and City-approved zoning of the Project Site. Specifically, Alternative 4 would include 210 student housing units, 90 mixed-income housing units (including approximately 32 affordable housing units), approximately 30,000 square feet of retail uses, and approximately 10,000 square feet of restaurant uses. In total, the Zoning Compliant Alternative would construct approximately 289,000 square feet of new floor area within three buildings on the Project Site. The new buildings would not exceed the 75 foot/six-story height limited imposed by the existing C2-1L and R4-1L zone. In addition, Alternative 4 would include approximately 600 parking spaces within a five-story above-ground parking garage to support the proposed uses. The Zoning Compliant Alternative would reduce the amount of excavation, soil hauling, and construction since it would not construct the hotel building proposed by the Project, which would include one subterranean level. Accordingly, the construction amount and duration for Alternative 4 would also be reduced compared to the Project. Upon completion, the Zoning Compliant Alternative would result in a maximum FAR of 1.5:1 in compliance with Community Plan Footnote 14.

Impact Summary

The Zoning Compliant Alternative would not eliminate or substantially lessen the Project's significant environmental impacts related to aesthetics and view impacts on historic resources during operation, direct impacts to historic resources, and impacts to intersection levels of service during operation. In addition, cumulative on-site construction noise impacts would be significant and unavoidable if Related Project No. 15 was to be constructed concurrently with Alternative 4. Furthermore, although impacts would be less than those of the Project, cumulative on-site noise impacts associated with operation of Alternative 4 and Related Project No. 21 would be significant and unavoidable. All other impacts would be similar to or less than those of the Project, and such impacts would be less than significant or less than significant with mitigation.

Finding

The City finds, pursuant to Public Resources Code Section 21081(a)(3), that specific economic, legal, social, technological, or other considerations, including considerations identified in Section XI of these findings (Statement of Overriding Considerations), make infeasible Alternative 4 as described in the Draft EIR.

Rationale for Findings

Although Alternative 4 would lessen the Project's significant and unavoidable impacts regarding intersection levels of service, it would not eliminate these impacts. In addition, Alternative 4 would not avoid or substantially lessen the Project's significant impacts regarding aesthetics, views, historic resources, and noise. Moreover, Alternative 4 would not meet the Project objectives to the same extent as the Project.

Overall, the Zoning Compliant Alternative represents a reduced scope of development compared to the Project since Alternative 4 would not include any hotel or office uses. In addition, Alternative 4 would reduce the number of student housing units and mixed-income housing units proposed, as well as the amount of commercial uses. As such, although Alternative 4 would result in an infill mixed-use project near transit opportunities, Alternative 4 would not develop any short-term or extended-stay lodging opportunities that are easily accessible to Exposition Park, USC Campus, and the Los Angeles Convention Center, as well as other museum and cultural facilities in the surrounding area; and would not maximize sales and transient occupancy tax revenue for the City. Alternative 4 would also not meet several of the Project's basic objectives to the same extent as the Project. Specifically, due to its significantly reduced residential density, Alternative 4 would not meet existing demand for market-rate and affordable housing units within the Southeast Los Angeles Plan area to the same extent as the Project, nor would it provide a significant amount of new student housing along the Figueroa Corridor in close proximity to USC to the same extent as the Project. In addition, due to the reduction of commercial uses, Alternative 2 would not improve the pedestrian environment along Figueroa Street to the same extent as the Project. Of the Project objectives that Alternative 4 would achieve, many would not be achieved to the same extent as the Project.

In addition, regarding the City's planning goals and policies, the City supports redevelopment of the Project Site with high density uses and has utilized planning tools such as Community Plan Footnote No. 14 to maximize developable area on the site with incentivizes for both student housing and affordable housing. Alternative 4 would not maximize developable area on the Project Site due to the reduced proposed density of the alternative. Moreover, the City has stated that Regional Centers should contain uses to maximize density on development sites located adjacent to transit and within the transit core areas identified in the City's planning and policy documents. The reduced density associated with Alternative 4 does not meet to the same extent the City's planning goals for density, student housing, and affordable housing, and is less desirable from a policy standpoint.

Furthermore, regarding social and other considerations, the Project Site is located in an area of the City that is undergoing change and densification. The existing conditions and development trends in the vicinity of the Project Site are maximizing density because the area is transit rich and located near amenities of regional significance, such as the adjacent Exposition Park, various museum and institutional uses, regional entertainment/sports venues, and the University of Southern California campus. Thus, there are several social and other considerations that warrant maximizing the density of development on the Project Site to implement a mixed-use, mixed-income residential and hotel project that can deliver the amount and type of housing, hotel rooms and amenities desired by the City to support citywide housing goals, affordable housing needs, hotel room demand caused by convention business, regional entertainment venues, domestic and international tourism, and the forthcoming Olympic Games.

Reference

Section V, Alternatives, of the Draft EIR.

Project Alternatives Considered and Rejected

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

All Office Project

This alternative would construct an all-office project containing up to approximately 290,000 square feet of floor area with a maximum height of 75 feet/six stories and floor area ratio (FAR) of 1.5:1 in compliance with the existing Community Commercial land use designation and predominately commercial zone. This alternative was considered and rejected because it would not meet the Project's basic objectives of providing student housing and market-rate and affordable housing in the Southeast Los Angeles Community Plan area, near the University of Southern California. This alternative would also fail to meet the Project's basic objective of providing short-term and extended stay lodging that is accessible to USC, Exposition Park, and other nearby destinations, and would not provide neighborhood-serving retail and restaurant uses, thereby failing to maximize sales and transient occupancy tax for the City.

Alternative Project Site

The Project Applicant considered the possibility of relocating the Project to avoid significant impacts to the existing historic buildings by 1) utilizing the adjacent parking lot parcels and/or the commercial retail development immediately south of the Project Site; 2) vacating Flower Drive; and/or 3) relocating the Project Site to the Los Angeles Memorial Coliseum parking lots. However, the Project Applicant already owns the Project Site and cannot reasonably be expected to acquire, control, or access an alternative site in a timely fashion. Moreover, these contemplated additional sites are encumbered by long-term leases and/or State agency fee interests that would preclude any timely development of the property. Additionally, development of the Project at an alternative site could potentially produce other environmental impacts that would otherwise not occur at the current Project Site and result in greater environmental impacts when compared with the Project. Therefore, an alternative site is not considered feasible, as the Project Applicant does not own another suitable site that would achieve the underlying purpose and objectives of the Project.

Environmentally Superior Alternative

Section 15126.6(e)(2) of the CEQA Guidelines indicates that an analysis of alternatives to a project shall identify an Environmentally Superior Alternative among the alternatives evaluated in an EIR. The CEQA Guidelines also state that should it be determined that the No Project Alternative is the Environmentally Superior Alternative, the EIR shall identify another Environmentally Superior Alternative among the remaining alternatives. Pursuant to Section 15126.6(c) of the CEQA Guidelines, the analysis below addresses the ability of the alternatives to "avoid or substantially lessen one or more of the significant effects" of the Project.

Of the alternatives analyzed in the Draft EIR, Alternative 1, the No Project Alternative would avoid all of the Project's significant environmental impacts, including the Project's significant and unavoidable impacts related to aesthetics during operation, views, historic resources, and traffic intersection levels of service during operation. Furthermore, Alternative 1 would avoid the Project's significant cumulative on-site construction noise impacts if Related Project No. 15 were to be constructed concurrently with the Project. Alternative 1 would also reduce all of the

Project's less-than-significant and less-than-significant-with-mitigation impacts. However, the No Project Alternative would not meet any of the Project basic objectives.

In accordance with the CEQA Guidelines requirement to identify an Environmentally Superior Alternative other than the No Project Alternative (Alternative 1 - No Project Alternative), a comparative evaluation of the remaining alternatives indicates that Alternative 2, the Community Plan Update Compliant/Historic Preservation Alternative, would be the Environmentally Superior Alternative. As discussed above, Alternative 2 would eliminate the Project's significant environmental impacts related to aesthetics and view impacts on historic resources and direct impacts to historic resources. However, Alternative 2 would result in greater impacts related to archaeological resources, paleontological resources, and tribal cultural resources during construction compared to those of the Project, although such impacts would remain less than significant or less than significant with mitigation. Impacts to intersection levels of service under Alternative 2 would be reduced compared to the Project but would remain significant and unavoidable. Furthermore, cumulative on-site construction noise impacts would be significant and unavoidable if Related Project No. 15 was to be constructed concurrently with Alternative 2. In addition to eliminating some of the Project's significant and unavoidable impacts, Alternative 2 would also reduce many of the Project's less-than-significant and less-than-significant-with-mitigation impacts. Thus, of the range of alternatives analyzed, Alternative 2 would be the Environmentally Superior Alternative. However, as discussed in detail in Subsection V.B.4 of the Draft EIR, although Alternative 2 would meet one of the Project's basic objectives, it would fail to meet three of the Project's basic objectives and would not achieve the remaining objectives to the same extent as the Project.

XI. OTHER CEQA CONSIDERATIONS

Growth Inducing Impacts

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

According to the Department of City Planning, the most recent estimated household size for multi-family housing units in the City of Los Angeles area is 2.44 persons per unit. Applying this factor, development of 186 mixed-income housing units would result in an increase of approximately 454 residents. The 222 student housing units that would be constructed would not be expected to directly increase the population of the City subregion, as the student housing units are proposed to accommodate existing student housing demand. To develop the Project, the 32 existing multi-family residential units on the Project Site would be removed, which, by applying the average household size of 2.44 persons per unit, equates to the displacement of approximately 78 existing residents. Therefore, the Project is estimated to generate approximately 375 net new residents. As discussed in the Initial Study for the Project, which is included in Appendix A of the Draft EIR, the estimated 375 net new residents generated by the Project would represent approximately 0.34 percent of the population growth forecasted by SCAG in the City of Los Angeles Subregion between 2016 and the Project buildout year. Therefore, the Project's residents would be well within SCAG's population projection for the Subregion and would not result in a significant direct growth-inducing impact.

During construction, the Project would create temporary construction-related jobs. However, the work requirements of most construction projects are highly specialized such that construction workers remain at a job site only for the time in which their specific skills are needed to complete a particular phase of the construction process. Thus, construction workers would not

be expected to relocate to the Project vicinity as a direct consequence of working on the Project. Therefore, given the availability of construction workers, the Project would not be considered growth-inducing from a short-term employment perspective. Rather, the Project would provide a public benefit by providing new employment opportunities during the construction period.

During Project operation, as discussed in the Initial Study for the Project, which is included in Appendix A of the Draft EIR, the Project's proposed uses would generate approximately 858 employees, based on employee generation rates promulgated by the Los Angeles Unified School District (LAUSD). As further discussed in the Initial Study, the Project's 858 estimated employees would constitute approximately 1.28 percent of the City of Los Angeles Subregion's employment growth forecasted between 2016 and the Project's buildout year. As such, the Project would be unlikely to create an indirect demand for additional housing in the area, and any new demand, should it occur, would be minor in the context of forecasted growth for the Subregion.

The area surrounding the Project Site is already developed with residential, commercial, educational, institutional, and entertainment-related uses, and the Project would not remove impediments to growth. The Project Site is located within an urban area that is currently served by existing utilities and infrastructure. While the Project may require minor local infrastructure upgrades to maintain and improve water, sewer, electricity, and natural gas lines onsite and in the immediate vicinity of the Project Site, such improvements would be limited to serving Project-related demand, and would not necessitate major local or regional utility infrastructure improvements that have not otherwise been accounted for and planned for on a regional level.

Overall, the Project would be consistent with the growth forecast for the City of Los Angeles Subregion and would be consistent with regional policies to reduce urban sprawl, efficiently utilize existing infrastructure, reduce regional congestion, and improve air quality through the reduction of vehicle miles traveled. In addition, the Project would not require any major roadway improvements nor would the Project open any large undeveloped areas for new use. Any access improvements would be limited to driveways necessary to provide immediate access to the Project Site and to improve safety and walkability. Therefore, direct and indirect growth-inducing impacts would be less than significant.

Significant Irreversible Environmental Changes

Section 15126.2(c) of the CEQA Guidelines indicates that an EIR should evaluate any significant irreversible environmental changes that would occur should the proposed project be implemented. The types and level of development associated with the project would consume limited, slowly renewable, and non-renewable resources. This consumption would occur during construction of the project and would continue throughout its operational lifetime. The development of the Project would require a commitment of resources that would include: (1) building materials and associated solid waste disposal effects on landfills; (2) water; and (3) energy resources (e.g., fossil fuels) for electricity, natural gas, and transportation.

Building Materials and Solid Waste

Construction of the Project would require consumption of resources that do not replenish themselves or which may renew so slowly as to be considered non-renewable. These resources would include certain types of lumber and other forest products, aggregate materials used in concrete and asphalt (e.g., sand, gravel and stone), metals (e.g., steel, copper and lead), and petrochemical construction materials (e.g., plastics).

During construction of the Project, a minimum of 50 percent of the non-hazardous demolition and construction debris would be recycled and/or salvaged for reuse in compliance with the requirements of the City of Los Angeles Green Building Code. In addition, during operation, the Project would provide a designated recycling area for Project residents to facilitate recycling in accordance with the City of Los Angeles Space Allocation Ordinance (Ordinance No. 171,687) and the Los Angeles Green Building Code. Thus, the consumption of non-renewable building materials such as lumber, aggregate materials, and plastics would be reduced.

Water

Consumption of water during construction and operation of the Project is addressed in Section IV.L.1, Utilities and Service Systems—Water Supply and Infrastructure, of the Draft EIR. As evaluated therein, given the temporary nature of construction activities, the short-term and intermittent water use during construction of the Project would be less than the net new water consumption at Project buildout. In addition, water use during construction would also be offset by the estimated 11,753 gallons per day of water currently consumed by the existing uses, which would be removed as part of the Project. During operation, the estimated water demand for operation of the Project would not exceed the available long-term supplies projected by the City of Los Angeles Department of Water and Power (LADWP) during wet-year, dry-year, or multi-dry-year conditions. Thus, LADWP would be able to meet the water demand of the Project, as well as the existing and planned future water demands of its service area. Furthermore, pursuant to Project Design Feature L.1-1, the Project would implement a variety of water conservation features to reduce indoor water use by at least 20 percent in accordance with the City of Los Angeles Green Building Code. Thus, as evaluated in Section IV.L.1, Utilities and Service Systems—Water Supply and Infrastructure, of the Draft EIR, while Project construction and operation would result in some irreversible consumption of water, the Project would not result in a significant impact related to water supply.

Energy Consumption and Air Quality

During ongoing operation of the Project, non-renewable fossil fuels would represent the primary energy source, and thus the existing finite supplies of these resources would be incrementally reduced. Fossil fuels, such as diesel, gasoline, and oil, would also be consumed in the use of construction vehicles and equipment. Project consumption of non-renewable fossil fuels for energy use during construction and operation of the Project is addressed in Section IV.M, Analysis of Appendix F: Energy Conservation, of the Draft EIR. As discussed therein, construction activities for the Project would not require the consumption of natural gas, but would require the use of electricity and fossil fuels. As discussed therein, the Project's estimated construction electricity usage represents approximately 0.12 percent of the estimated net operational demand, which would be within the supply and infrastructure service capabilities of LADWP. Thus, impacts related to electricity usage would be less than significant. Furthermore, as the consumption of fossil fuels would occur on a temporary basis during construction, impacts related to the consumption of fossil fuels during construction of the Project would be less than significant.

During operation, the Project's increase in electricity and natural gas demand would be within the anticipated service capabilities of LADWP and the Southern California Gas Company, respectively. As discussed in Section IV.M, Analysis of Appendix F: Energy Conservation, of the Draft EIR, the Project would be designed and constructed in accordance with state and local green building standards that would serve to reduce the energy demand of the Project. Specifically, the Project would comply with applicable regulatory requirements for the design of new buildings, including the provisions set forth in the 2016 CALGreen Code and California's Building Energy Efficiency Standards, which have been incorporated into the City of Los

Angeles Green Building Code. In addition, new buildings and infrastructure would be designed to be environmentally sustainable and capable of achieving the standards of the Silver Rating under the U.S. Green Building Council's LEED® green building program or equivalent green building standards. Therefore, the Project would not cause the wasteful, inefficient, and unnecessary consumption of energy and would be consistent with the intent of Appendix F to the CEQA Guidelines. In addition, Project operations would not conflict with adopted energy conservation plans. Refer to Section IV.M, Analysis of Appendix F: Energy Conservation, of the Draft EIR, for further analysis regarding the Project's consumption of energy resources.

Environmental Hazards

The Project's potential use of hazardous materials is addressed in Section IV.F, Hazards and Hazardous Materials, of the Draft EIR. As evaluated therein, operation of the Project would involve the limited use of potentially hazardous materials typical of those used in residential, hotel, office, retail, and restaurant developments, including cleaning agents, paints, pesticides, and other materials used for landscaping. Construction of the Project would also involve the temporary use of potentially hazardous materials, including fuel and oils associated with construction equipment, as well as coatings, paints, adhesives, and caustic or acidic cleaners. However, all potentially hazardous materials would be used, stored and disposed of in accordance with manufacturers' instructions and handled in compliance with applicable federal, state, and local regulations. Thus, any associated risk would be adequately reduced to a less-than-significant level through compliance with these standards and regulations. As such, compliance with regulations and standards would serve to protect against significant and irreversible environmental change that could result from the accidental release of hazardous materials.

XI. STATEMENT OF OVERRIDING CONSIDERATIONS

The EIR identified the following unavoidable significant impacts: 1) Aesthetics; 2) Views; 3) Cultural Resources – Historic Resources; 4) Noise – cumulative construction noise and cumulative operational noise; and 5) Traffic and Access – operational level of service impacts. Section 21081 of the California Public Resources Code and Section 15093(b) of the CEQA Guidelines provide that when the decisions of the public agency allow the occurrence of significant impacts identified in the EIR that are not substantially lessened or avoided, the lead agency must state in writing the reasons to support its action based on the Final EIR and/or other information in the record. Article I of the City's CEQA Guidelines incorporates all of the State CEQA Guidelines contained in Title 14, California Code of Regulations, Sections 15000 et seq. and thereby requires, pursuant to CEQA Guidelines Section 15093(b), that the decision-maker adopt a Statement of Overriding Considerations at the time of approval of a Project if it finds that significant adverse environmental effects identified in the Final EIR cannot be substantially lessened or avoided. These findings and the Statement of Overriding Considerations are based on substantial evidence in the record, including but not limited to the EIR, the source references in the EIR, and other documents and material that constitute the record of proceedings.

Accordingly, based on the analysis provided in the Final EIR, the City adopts the following Statement of Overriding Considerations. The City recognizes that significant and unavoidable impacts will result from implementation of the Project. Having (i) adopted all feasible mitigation measures, (ii) rejected as infeasible alternatives to the project, (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 each of the Project's benefits, as listed below, outweighs and overrides the significant unavoidable impacts of the Project.

Summarized below are the benefits, goals and objectives of the Project. These provide the rationale for approval of the proposed Project. Any one of the overriding considerations of economic, social, aesthetic and environmental benefits individually would be sufficient to outweigh the significant unavoidable impacts of the Project and justify the approval, adoption or issuance of all of the required permits, approvals and other entitlements for the Project and the certification of the completed Final EIR. Despite the unavoidable aesthetics, cultural resources, noise, and traffic impacts caused by the construction of the Project, the City approves the Project based on the following contributions of the Project to the community:

- **Site Redevelopment.** The Project would substantially improve the existing conditions on the Project Site, by transforming the site into an infill mixed-use development, offering new hotel guest rooms, student housing, market-rate multi-family residential units, deed-restricted affordable housing, new creative office space, and neighborhood serving retail and restaurant uses. The Project would incorporate a pedestrian-oriented building design, providing a substantially improved streetscape, completing the Flower Drive roadway, increasing onsite landscaping, and improving security and building lighting that would enhance the aesthetic and character of the Project Site. In this respect, the Project is an opportunity to implement a redevelopment project strategically positioned in proximity to mass transit and with direct synergy to the educational, institutional, and entertainment/sports venues near the University of Southern California campus and Exposition Park.
- **Supports City's Hotel Goals and Tourism.** The Project will develop 298 new short-term and extended-stay hotel guest rooms that will provide lodging opportunities for visitors to the cultural and sporting attractions of Exposition Park, the USC campus, the Los Angeles Convention Center, and the business and entertainment center of downtown Los Angeles. Hence, the Project is a substantial benefit for the City to accommodate visitors and tourism and the related direct and indirect economic benefits.
- **Provides Student Housing in Proximity to Educational Institutions.** The Project will develop 222 new student housing units in close proximity to the USC campus, allowing easy access to campus by biking, walking, and use of mass transit, thereby supporting educational uses and reducing single-occupancy vehicle trips.
- **Supports City's Housing Goals.** The Project helps achieve the Mayor's goal to build 100,000 units of housing by 2021 by developing 186 new multi-family residential dwelling units, in a mix of unit types, including 82 deed-restricted units that will be affordable to low-income households, thereby significantly enhancing the stock of housing and affordable housing units, and in particular in the Southeast Los Angeles Community Plan area.
- **Employment and Tax Revenue.** The Project will develop approximately 96,000 square feet of new retail, restaurant, commercial office, and ancillary hotel uses that provide short- and long-term employment opportunities for the City. The Project would provide substantial economic benefits for the City as it would generate over 1,100 construction jobs, and operation will create approximately 440 full- and part-time permanent jobs. In addition, the Project would result in the annual generation of \$5.5 million net present value of net new City tax revenues.
- **Sustainability.** The Project will be consistent with the City's Green Building Code, LA Green Plan, and Sustainable City pLAN by incorporating sustainable and green building design and construction to promote resource conservation, including electric-vehicle charging and water

conservation measures in excess of Code requirements, and incorporation of sustainability measures to achieve LEED Silver equivalency.

- **Smart Growth.** The Project is consistent with the City's current and long-term planning visions for the Project Site. The City desires to locate density near mass transit to reduce environmental impacts and implement smart growth planning decisions. This strategy is particularly relevant to reduce traffic, air quality, greenhouse gas, and health impacts that are caused by vehicular travel. The Project near Metro Expo Line and Blue Line transit stations and existing and new pedestrian and bicycle infrastructure developed as part of the MyFigueroa project. In these respects, the Project is consistent with planning goals and policies to improve the area, and results in a beneficial reduction in Vehicle Miles Travelled and related environmental and land use impacts.

X. GENERAL FINDINGS.

1. The City, acting through the Department of City Planning, is the "Lead Agency" for the Project that is evaluated in the EIR. The City finds that the EIR was prepared in compliance with CEQA and the CEQA Guidelines. The City finds that it has independently reviewed and analyzed the EIR for the Project, that the Draft EIR which was circulated for public review reflected its independent judgment, and that the Final EIR reflects the independent judgment of the City.
2. The EIR evaluated the following potential project and cumulative environmental impacts: Aesthetics; Air Quality; Cultural Resources; Geology and Soils; Greenhouse Gas Emissions; Hazards and Hazardous Materials; Land Use; Noise; Public Services; Traffic and Access; Tribal Cultural Resources; Utilities; and Energy Conservation and Infrastructure. Additionally, the EIR considered Growth Inducing Impacts and Significant Irreversible Environmental Changes. The significant environmental impacts of the Project and the alternatives were identified in the EIR.
3. The City finds that the EIR provides objective information to assist the decision-makers and the public at large in their consideration of the environmental consequences of the Project. The public review period provided all interested jurisdictions, agencies, private organizations, and individuals the opportunity to submit comments regarding the Draft EIR. The Final EIR was prepared after the review period and responds to comments made during the public review period.
4. Textual refinements and errata were compiled and presented to the decision-makers for review and consideration. The City staff has made every effort to notify the decision-makers and the interested public/agencies of each textual change in the various documents associated with Project review. These textual refinements arose for a variety of reasons. First, it is inevitable that draft documents would contain errors and would require clarifications and corrections. Second, textual clarifications were necessitated to describe refinements suggested as part of the public participation process.
5. 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 response to the comments. The Department of City Planning reviewed the comments received and responses thereto and has determined that neither the comments received nor the responses to such comments add significant new information regarding environmental impacts to the Draft EIR. The Lead Agency has based its actions on full appraisal of all

viewpoints, including all comments received up to the date of adoption of these findings, concerning the environmental impacts identified and analyzed in the EIR.

6. The Final EIR documents include changes to the Draft EIR. The Final EIR provides additional information that was not included in the Draft EIR. Having reviewed the information contained in the Draft EIR and the Final EIR and in the administrative record, as well as the requirements of CEQA and the CEQA Guidelines regarding recirculation of Draft EIRs, the City finds that there are no new significant impacts, 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 recirculation of the Draft EIR, or preparation of a supplemental or subsequent EIR.

Specifically, the City finds that:

- a. The Responses to Comments contained in the Final EIR fully considered and responded to comments claiming that the Project would have significant impacts or more severe impacts not disclosed in the Draft EIR and include substantial evidence that none of these comments provided substantial evidence that the project would result in changed circumstances, significant new information, considerably different mitigation measures, or new or more severe significant impacts than were discussed in the Draft EIR.
 - b. 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.
 - c. None of the information submitted after publication of the Final EIR, including testimony at and documents submitted for the public hearings on the Project, constitutes significant new information or otherwise requires preparation of a supplemental or subsequent EIR. The City does not find this information and testimony to be credible evidence of a significant impact, a substantial increase in the severity of an impact disclosed in the Final EIR, or a feasible mitigation measure or alternative not included in the Final EIR.
7. The mitigation measures identified for the Project were included in the Draft and Final EIRs. As revised, the final mitigation measures for the Project are described in the Mitigation Monitoring Program (MMP). Each of the mitigation measures identified in the MMP is incorporated into the Project. The City finds that the impacts of the Project have been mitigated to less than significance by the feasible mitigation measures identified in the MMP.
 8. CEQA requires the Lead Agency approving a project to adopt an MMP or the changes to the project which it has adopted or made a condition of project approval to ensure compliance with the mitigation measures during project implementation. The mitigation measures included in the EIR as certified by the City serves that function. The MMP includes all 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 Section 21081.6, the City hereby adopts the MMP.
 9. In accordance with the requirements of Public Resources Section 21081.6, the City hereby adopts each of the mitigation measures expressly set forth herein as conditions of approval for the Project.

10. The custodian of the documents or other material which constitute the record of proceedings upon which the City's decision is based is the City Department of City Planning, Environmental Review Section, 221 North Figueroa Street, Room 1350, Los Angeles, California 90012.
11. 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.
12. 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.
13. 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 other regulatory jurisdictions.

PUBLIC HEARING AND COMMUNICATIONS

Public Hearing

A public hearing was held at City Hall for the proposed project entitlements on November 7, 2018 and was attended by approximately 60 individuals. At the public hearing, testimony was provided by the project applicant; 13 speakers in support of the project representing the following groups: City Councilmember Curren Price (District 9), Los Angeles/Orange County Building Trades Council, Los Angeles Carpenters Union, Soledad Enrichment Action, Comunidad Agape, Mamas de Sur Centro, Sharing University, and local residents; 23 speakers in opposition of the project representing the Empowerment Congress North Area Neighborhood Development Council, North University Park Community Association (NUPCA), West Adams Heritage Association (WAHA), Adams Dockweiler Heritage Organizing Committee (ADHOC), Strategic Actions for a Just Economy (SAJE), local residents, and residents of the Project Site.

Note: On December 5, 2018, a separate public hearing regarding the Vesting Tract Map subdivision and Haul Route requests was held by the Deputy Advisory Agency.

Summary of Public Hearing Testimony

At the hearing, the project applicant and architect both presented the project. They highlighted the project's goals to redevelop the site, continue the revitalization of South Los Angeles, provide student housing in proximity to the University of Southern California (USC) campus, develop hotel guest rooms towards the City's lodging needs, bring in new affordable housing units as part of a mixed-income residential building, and add new commercial uses. The architect noted that the buildings are organized around a central landscaped plaza amenity, with pedestrian-oriented ground floor design, and a streetscape to complements the MyFig project. Further descriptions were provided of the parking structure acting as a buffer to the freeway, with clubhouse structures on the east side to buffer the outdoor rooftop amenity spaces. The project and requests would conform to city and community plan policies and regulations. The applicant touted the project's economic benefits, sustainability features, and that the project is supported by the County Supervisor, California Science Center, local union groups, and a number of residents.

Comments are summarized below:

Support

- The Project will provide much-needed housing and affordable housing.
- Student housing, hotel uses, and new jobs will benefit the neighborhood.
- It will provide economic benefits and contribute to the redevelopment of South Los Angeles.
- The Project will increase safety in the area.
- The site is proximate to transit, Exposition Park, and walkable areas.
- The Project should provide transit-oriented improvements and programs.

Opposition

- The Project will displace a number of long-time residents and remove rent-stabilized units and affordable housing. Displacing these residents will break up an established community, limit residents' access to work, school, and services due to the lack of affordable housing options in the area, and result in severe financial and emotional hardships for residents, including homelessness.

- The Project will indirectly increase rents in the area and cause gentrification.
- The Flower Drive Historic District has been identified as a historic resource. Removal of the resource would be in conflict with State, City, and Community Redevelopment Agency policies which support the preservation of historic resources.
- The City should support a preservation alternative that preserves all the historic structures, and the EIR's Alternatives analysis is flawed by claiming that a preservation alternative is infeasible.
- Removal of half of the Historic District will pave the way for removal of the northern portion.
- Mitigation measures regarding the historic resources are inadequate.
- The EIR is otherwise deficient in stormwater mitigation, noise, and traffic impacts.
- The economic benefit of the project will not directly benefit the local community.
- The current design does not meet the area context and replacing homes with a parking garage wall along Flower Drive will create an unsafe environment.
- The Project violates the 30-foot height limit of the pedestrian-oriented district.

Communications Received

Three comment letters of support were received for the project from County of Los Angeles Supervisor Ridley-Thomas (2nd District), the California Science Center and a petition with signatures from over 1,000 community residents. Supporting statements echoed the same points presented during the public hearing. Over 20 letters opposing the project were submitted by the Empowerment Congress North Area Neighborhood Development Council, North University Park Community Association (NUPCA), West Adams Heritage Association (WAHA), Adams Dockweiler Heritage Organizing Committee (ADHOC), Strategic Actions for a Just Economy (SAJE), local residents, and residents of the Project Site, and generally mirrored the same points presented during the public hearing. In addition, three letters with general comments were submitted by the Department of Toxic Substances Control (DTSC), County of Los Angeles Public Health, and City of Los Angeles Bureau of Sanitation, with the following additional concerns:

General

- DTSC states that the EIR should address potential hazardous materials and contamination on-site.
- The County states that due to the Project Site's adjacency to the freeway, the project may be adversely affected by traffic air pollution and should utilize current best practices for reducing exposure to air pollution.

Environmental Impact Report Comments

In addition, a number of public comments were submitted regarding the Project's environmental analysis during the Environmental Impact Report (EIR) process. Letters were provided from the following agencies, groups, and individuals: Caltrans, Native American Heritage Commission, Southern California Air Quality Management District (SCAQMD), Metro, City of Los Angeles Bureau of Sanitation, University Park Historic Preservation Overlay Zone Board, California Preservation Foundation, Los Angeles Conservancy, WAHA, NUCPA, Empowerment Congress North Area Neighborhood Development Council, SAJE, and six additional individuals.

Additional public comments regarding the Draft Environmental Impact Report (EIR) for the project are addressed in the Final EIR:

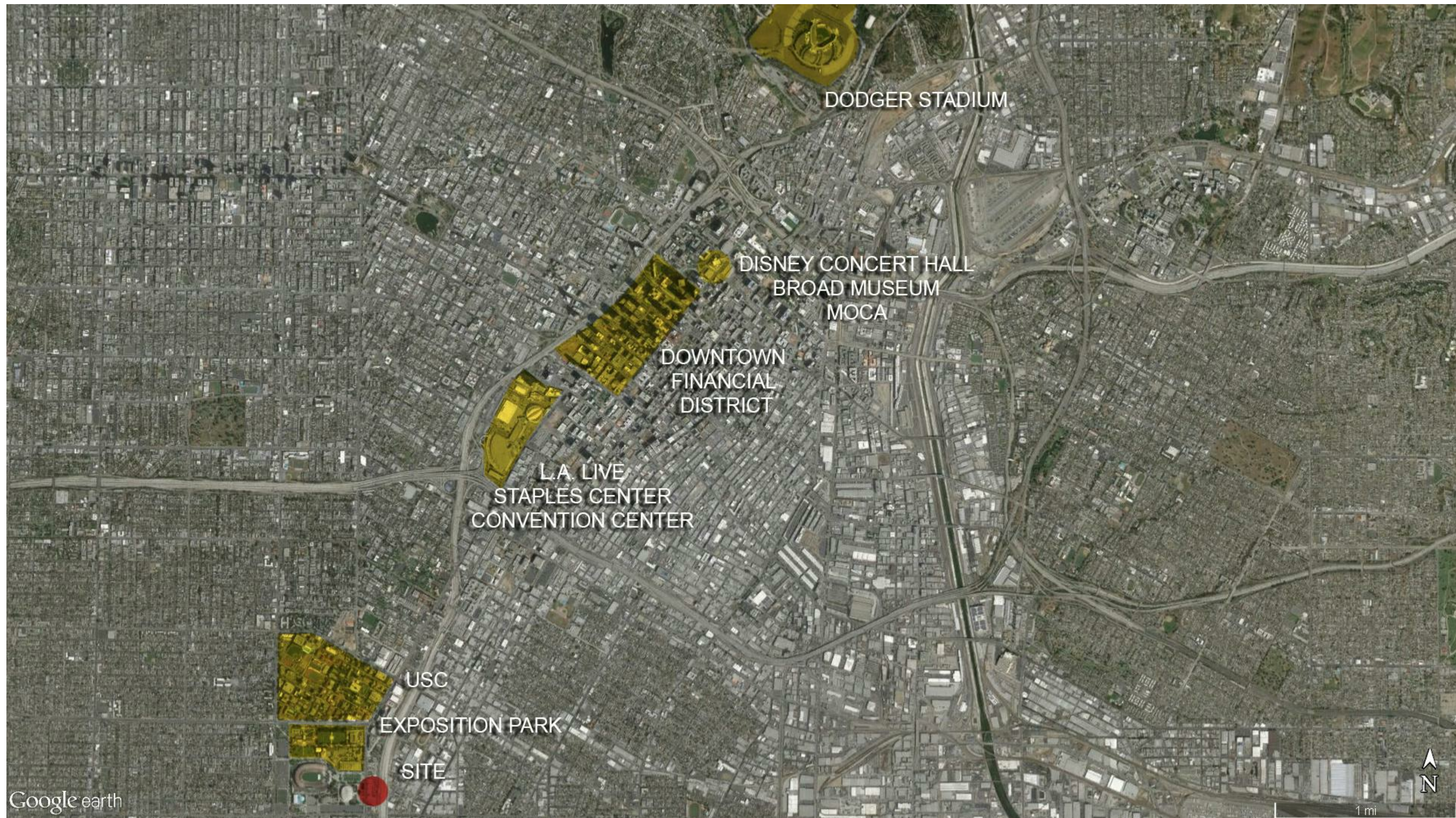
<https://planning.lacity.org/eir/TheFigProject/ThefigCoverPg.html>

THE FIG

ENTITLEMENT SUBMITTAL PACKAGE

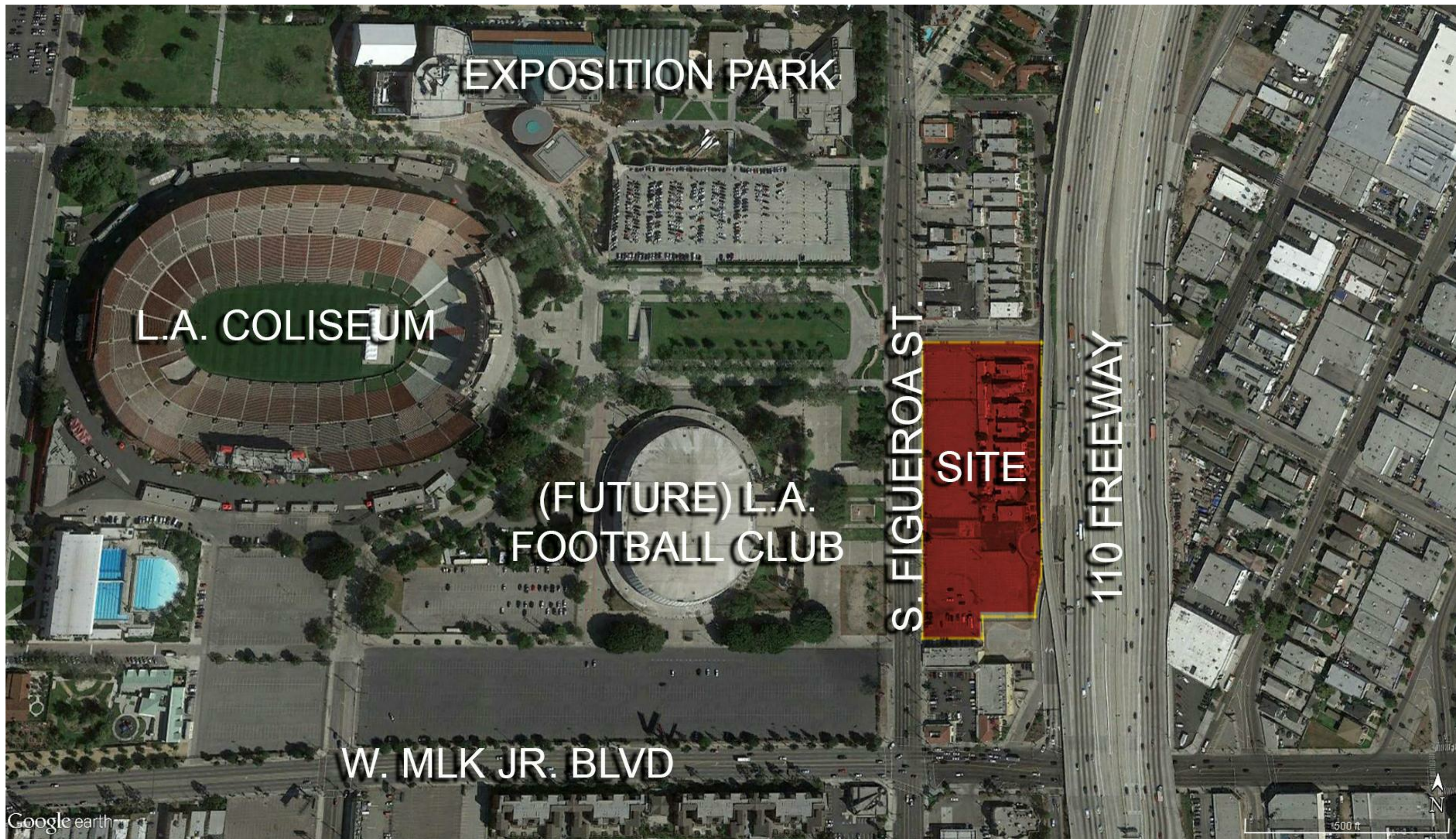


CPC-2016-2658-VZC-HD-CU-MCUP-ZAD-SPR
EXHIBIT A - Project Plans February 14, 2019

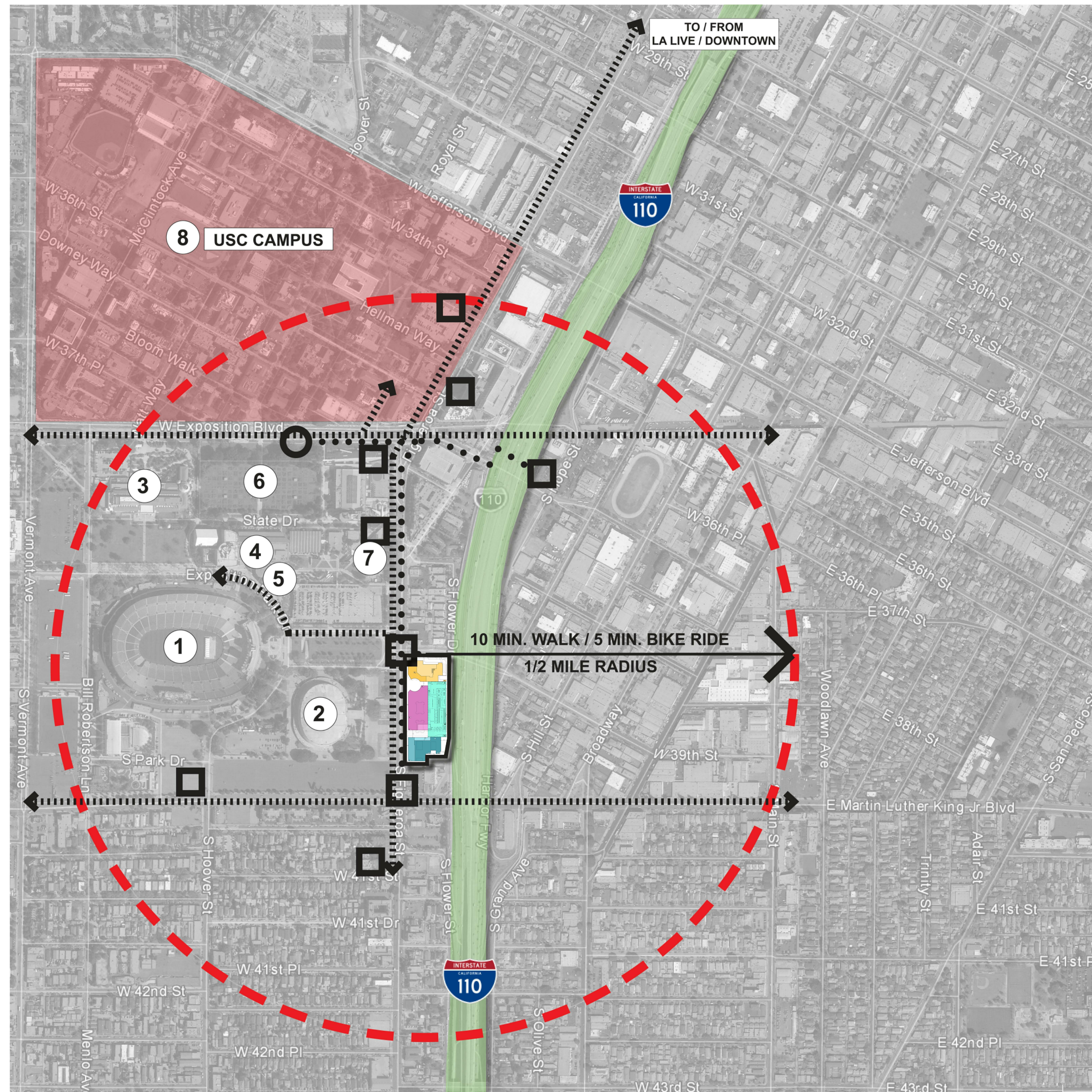


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SHEET INDEX, SITE LOCATION AND CONTEXT MAPS



PEDESTRIAN AND BICYCLING CIRCULATION

THE FIG – PROJECT SUMMARY

APPLICANT: THE VENTUS GROUP - 2030 Main Street, #530, Irvine, CA 92614

PROPOSED DEVELOPMENT: 624,167 SQUARE FOOT MIXED USE DEVELOPMENT INCLUDING A 298 ROOM HOTEL, 408 RESIDENTIAL UNITS, 96,446 S.F. OF COMMERCIAL USES INCLUDING GROUND LEVEL RETAIL, RESTAURANT, AND OFFICE USES, AND A SHARED 7 STORY PARKING GARAGE CONTAINING A MINIMUM OF 1,017 SPACES WITH ROOF TOP AMENITIES FOR THE RESIDENTIAL UNITS AND HOTEL.

ADDRESS & LOCATION

3900, 3902 thru 3972 SOUTH FIGUEROA STREET and 3901 thru 3969 S. FLOWER STREET and 450 W. 39th STREET, LOS ANGELES, CA 90037
THE PROJECT IS LOCATED ON THE SOUTHEAST CORNER OF SOUTH FIGUEROA STREET AND 39TH STREET.

LEGAL DESCRIPTION

LOTS 2 THROUGH 14 AND 21 THROUGH 34 AND PORTIONS OF LOTS 1 AND 20 IN BLOCK 15 OF ZOBELEIN’S GRAND AVENUE AND FIGUEROA STREET TRACT, (TRACT NUMBER 2411), IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, CURRENTLY COMPRISED OF APN: 5037-032-003 THROUGH -008, -022 THROUGH-033, -041 THROUGH -048.

LOT AREA

192,605 S.F.	
<i>HOTEL BUILDING FLOOR AREA</i>	
298 GUEST ROOMS	167,430 SF
GUEST AMENITIES & OTHER USES	23,396 SF
SHARED GUEST/PUBLIC AMENITIES	13,553 SF
MEETING ROOMS	7,203 SF
RETAIL/RESTAURANT USES	15,335 SF
TOTAL	226,917 SF

<i>STUDENT HOUSING BUILDING FLOOR AREA</i>	
DWELLING UNITS, (222 D.U.)	174,688 SF
RETAIL/RESTAURANT USES	32,991 SF
COVERED ROOFTOP AMENITITES	1,950 SF
LOBBIES & TRASH, (WITHIN PARKING STRUCTURE)	5,985 SF
TOTAL	215,614 SF

<i>MIXED INCOME BUILDING FLOOR AREA</i>	
DWELLING UNITS, (186 D.U.)	151,012 SF
RETAIL/RESTAURANT USES	7,000 SF
OFFICE USES	20,364 SF
AMENITIES & OTHER USES	1,960 SF
COVERED ROOFTOP AMENITIES	1,300 SF
TOTAL	181,636 SF

PROJECT TOTAL	624,167 SF
PROJECT FAR	3.24:1
COMMERCIAL TOTAL	96,446 SF
COMMERCIAL FAR	0.50:1

VEHICULAR PARKING REQUIRED

MINIMUM OF 1,017 SPACES REQUIRED			
<i>HOTEL PARKING SUMMARY</i>			
<u>ROOMS</u>	<u>REQUIREMENT</u>	<u>SPACES REQ.</u>	
1-30, (30)	1 SPACE/ROOM	30	
31-60, (30)	0.5 SPACE/ROOM	15	
OVER 60,(238)	0.33 SPACE/ROOM	79	
SUBTOTAL		124	
BICYCLE PARKING REDUCTION		-7	
TOTAL		117	
<i>HOUSING PARKING SUMMARY, (COMBINED STUDENT HOUSING AND MIXED INCOME)</i>			
<u>UNITS</u>	<u>REQUIREMENT</u>	<u>SPACES REQ.</u>	
STUDIO, (82)	1 SPACE/UNIT	82	
1BR/1BA,(197)	1.5 SPACE/UNIT	296	
2BR/2BA,(119)	2 SPACES/UNIT	238	
4BR/2BA,(10)	2 SPACES/UNIT	20	
SUBTOTAL		636	
BICYCLE PARKING REDUCTION		-95	
TOTAL		541	
<i>COMMERCIAL PARKING SUMMARY</i>			
<u>USE REQ</u>	<u>S.F.</u>	<u>REQUIREMENT</u>	<u>SPACES</u>
RETAIL/RESTAURANT	55,326	2 SPACES/1,000 SF	111
CREATIVE OFFICE	20,364	2 SPACES/1,000 SF	41
HOTEL MEETING ROOMS	7,203	28.6 SPACES/1,000 SF	206
SHARED GUEST/PUBLIC	13,553	2 SPACES/1,000 SF	27
SUBTOTAL			385
BICYCLE PARKING REDUCTION			-26
TOTAL			359

BICYCLE PARKING REQUIRED

114 SHORT TERM REQUIRED 472 LONG TERM REQUIRED			
<i>REQUIRED BICYCLE PARKING SUMMARY</i>			
<u>USE/TYPE</u>	<u>REQUIREMENT</u>	<u>SHORT-TERM</u>	<u>LONG-TERM</u>
RESIDENTIAL, (408 UNITS)	1 SPACE/10 UNITS, (SHORT-TERM) 1 SPACE/UNIT, (LONG-TERM)	41	408
HOTEL, (298 ROOMS)	1 SPACE/20 ROOMS, (SHORT-TERM) 1 SPACE/20 ROOMS, (LONG-TERM)	15	15
RETAIL/RESTAURANT (55,326 SF)	1 SPACE/2,000 SF, (SHORT-TERM) 1 SPACE/2,000 SF, (SHORT-TERM)	28	28
CREATIVE OFFICE, (20,364 SF)	1 SPACE/10,000 SF, (SHORT-TERM) 1 SPACE/5,000 SF, (LONG-TERM)	2	4
HOTEL MEETING ROOMS, (7,203 SF)	1 SPACE/350 SF, (SHORT-TERM) 1 SPACE/700 SF, (LONG-TERM)	21	10
SHARED GUEST/PUBLIC AMENITIES, (13,553 SF)	1 SPACE/2,000 SF, (SHORT-TERM) 1 SPACE/2,000 SF, (LONG-TERM)	7	7

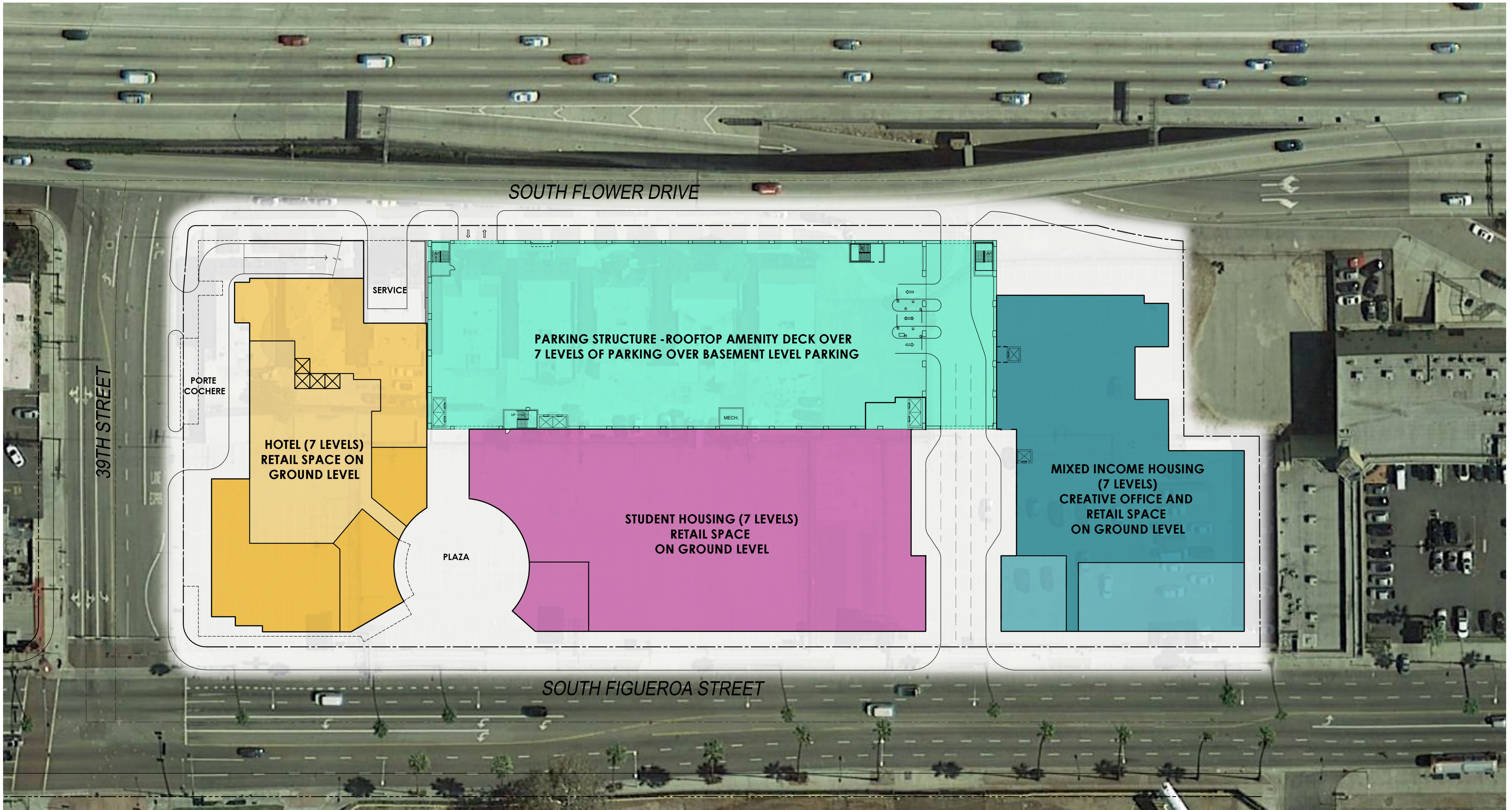
OPEN SPACE REQUIRED

<i>STUDENT HOUSING</i>		
<u>USE/TYPE</u>	<u>REQUIREMENT</u>	<u>OPEN SPACE REQUIRED</u>
STUDIO, (36)	100 SF PER UNIT	3,600 SF
1BR/1BA, (104)	100 SF PER UNIT	10,400 SF
2BR/2BA, (72)	125 SF PER UNIT	9,000 SF
4BR/2BA, (10)	175 SF PER UNIT	1,750 SF
TOTAL REQUIRED		24,750 SF
<i>MIXED INCOME HOUSING</i>		
<u>USE/TYPE</u>	<u>REQUIREMENT</u>	<u>OPEN SPACE REQUIRED</u>
STUDIO, (46)	100 SF PER UNIT	4,600 SF
1BR/1BA, (93)	100 SF PER UNIT	9,300 SF
2BR/2BA, (47)	125 SF PER UNIT	5,875 SF
TOTAL REQUIRED		19,775 SF

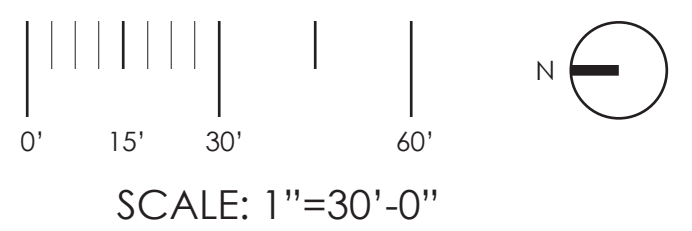
OPEN SPACE PROVIDED

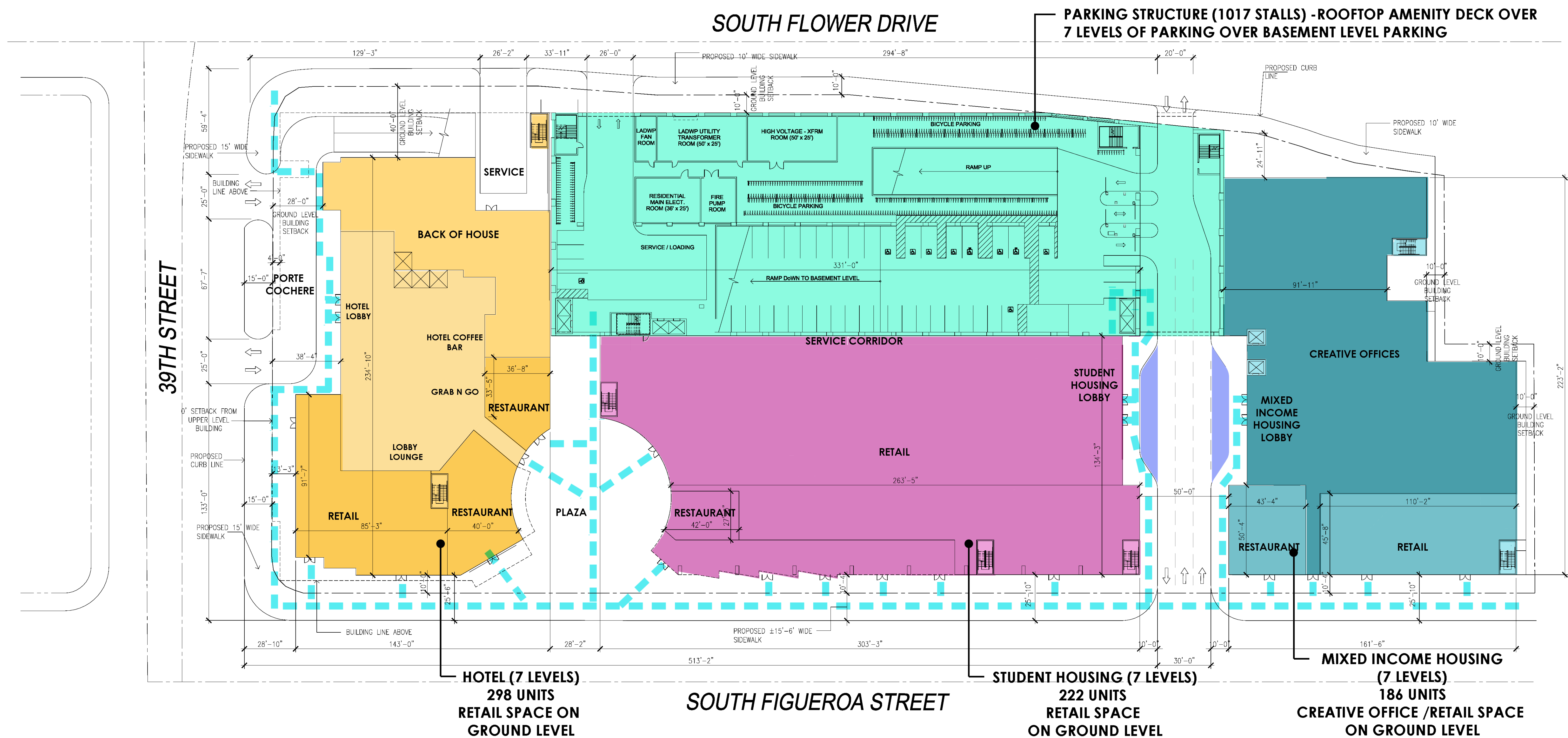
<i>STUDENT HOUSING</i>	
COURTYARDS, (OUTDOOR)	6,800 SF
FITNESS CENTER	1,950 SF
(LOCATED ON PARKING GARAGE ROOFTOP)	
OUTDOOR AMENITIES	13,500 SF
(PARKING GARAGE ROOFTOP)	
OUTDOOR TERRACES	2,880 SF
TOTAL PROVIDED	25,130 SF
<i>MIXED INCOME HOUSING</i>	
COURTYARDS, (OUTDOOR)	3,415 SF
FITNESS CENTER	1,300 SF
(LOCATED ON PARKING GARAGE ROOFTOP)	
OUTDOOR AMENITIES	9,800 SF
(LOCATED ON PARKING GARAGE ROOFTOP)	
OUTDOOR TERRACES	975 SF
INDOOR LOUNGES	1,960 SF
Courtyard (OUTDOOR)	2,350 SF
TOTAL PROVIDED	19,800 SF

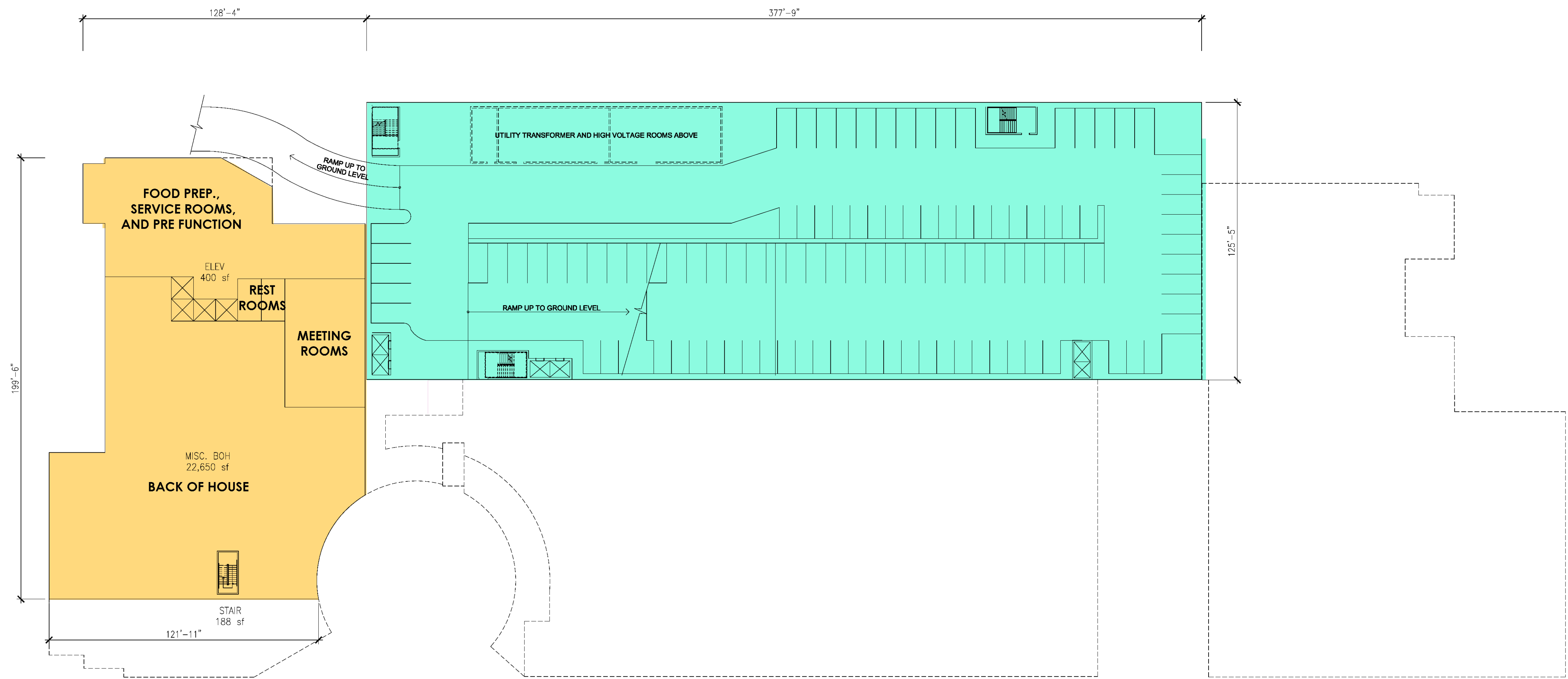
PROJECT SUMMARY



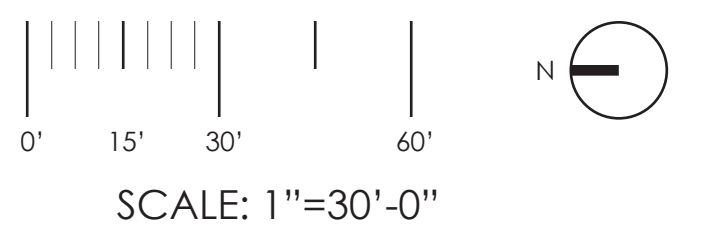
PLOT PLAN





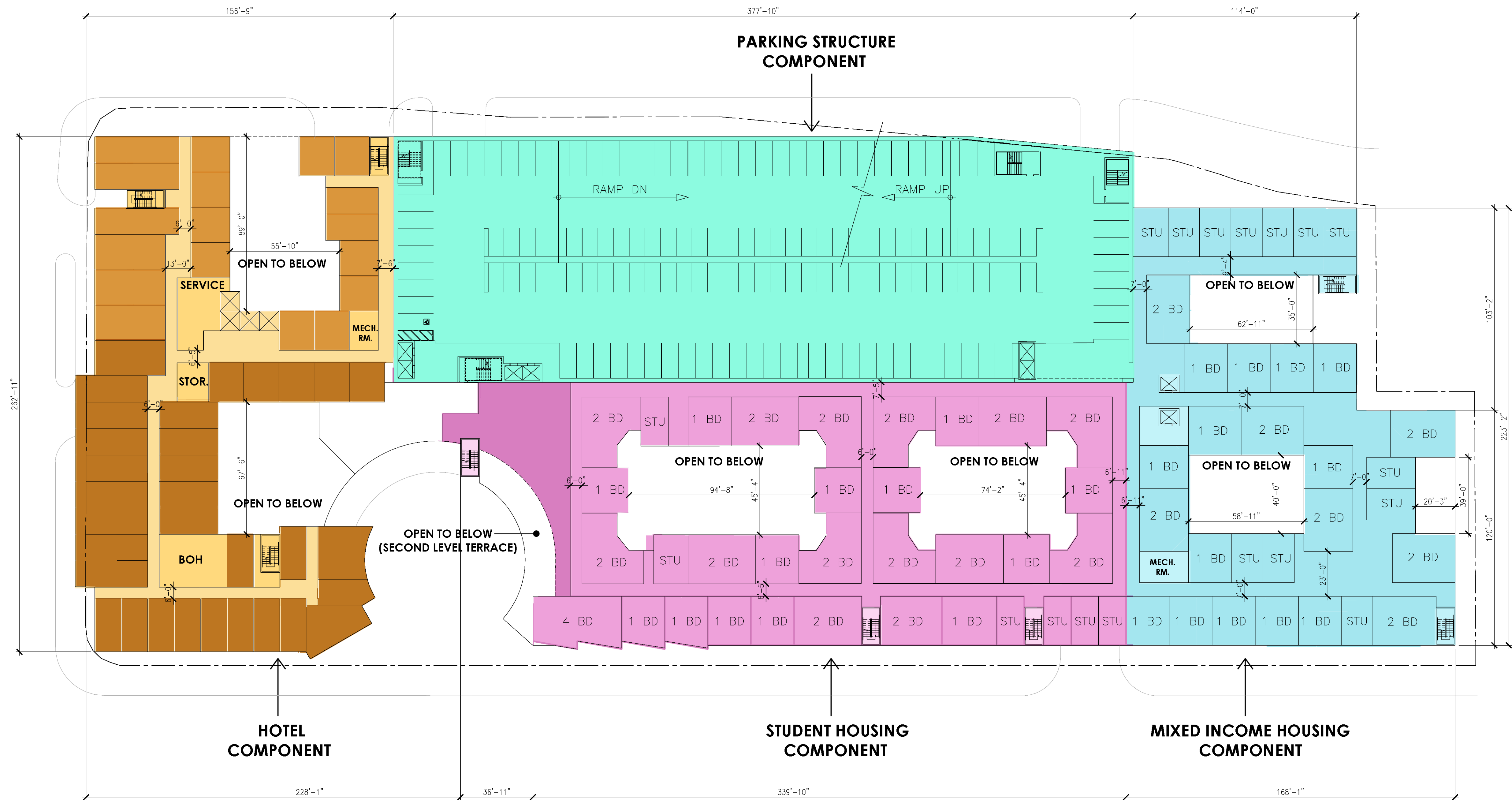


BASEMENT LEVEL

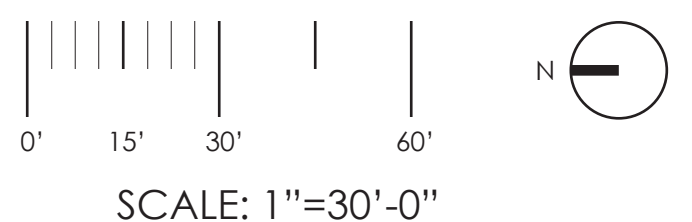


HOTEL ROOM TYPES

- EXTENDED STAY
- SELECT SERVICE

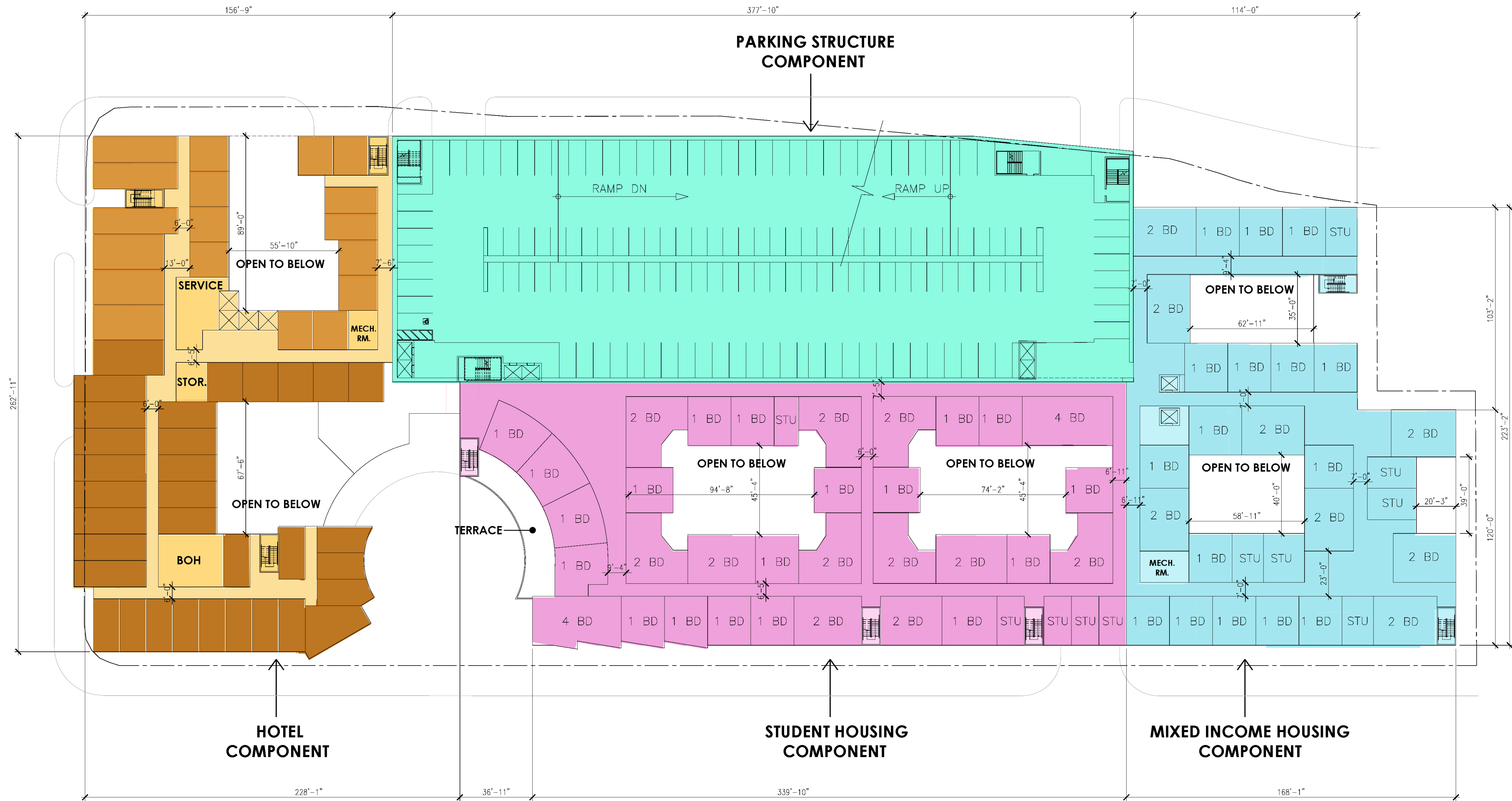


LEVEL 03

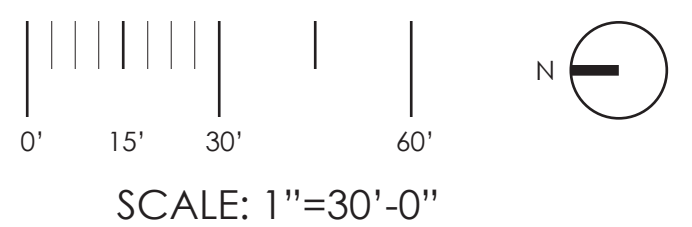


HOTEL ROOM TYPES

- EXTENDED STAY
- SELECT SERVICE

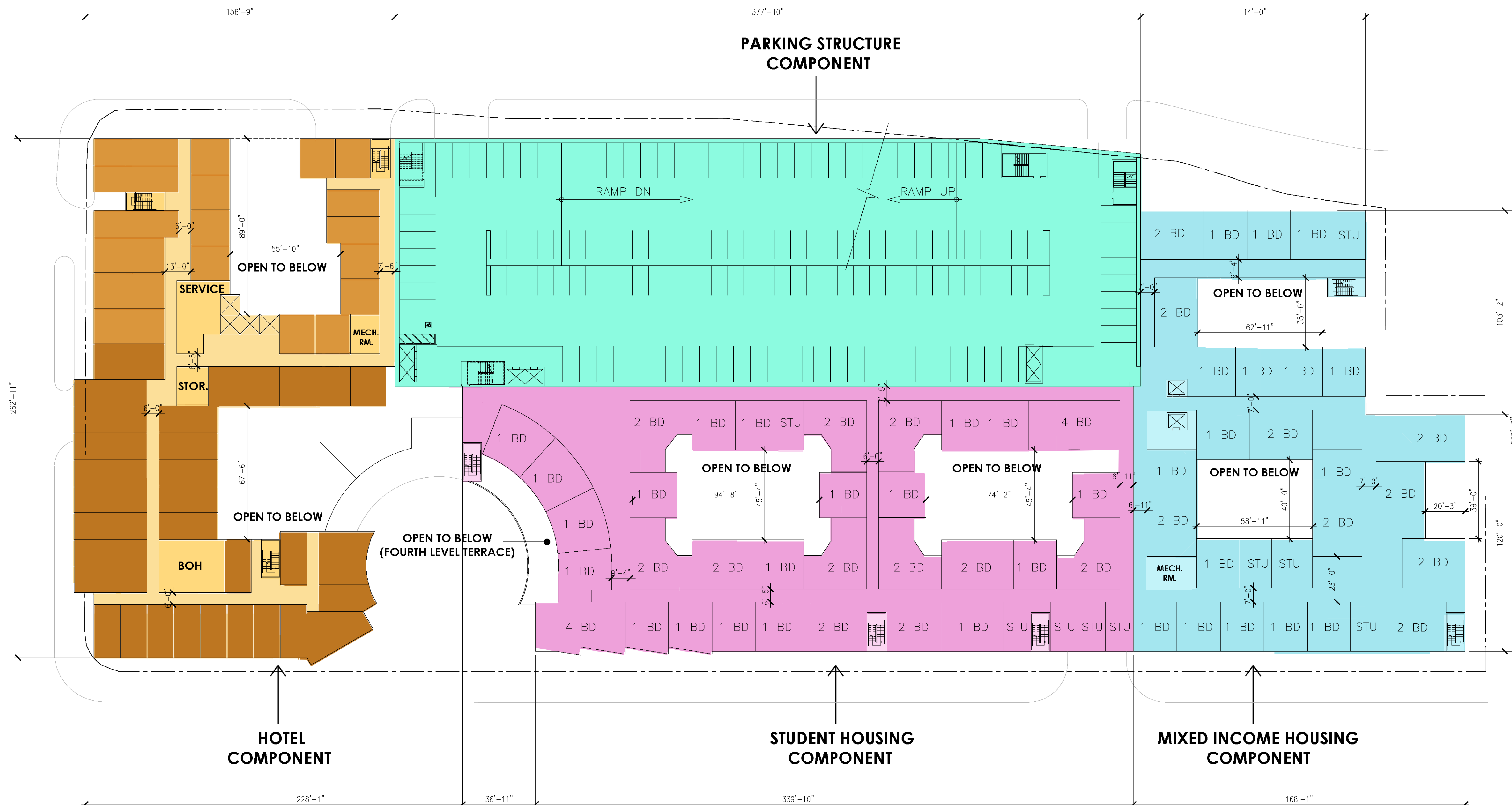


LEVELS 04

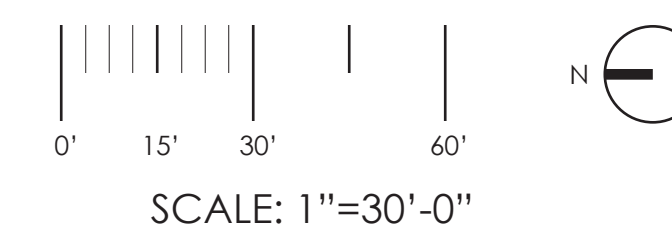


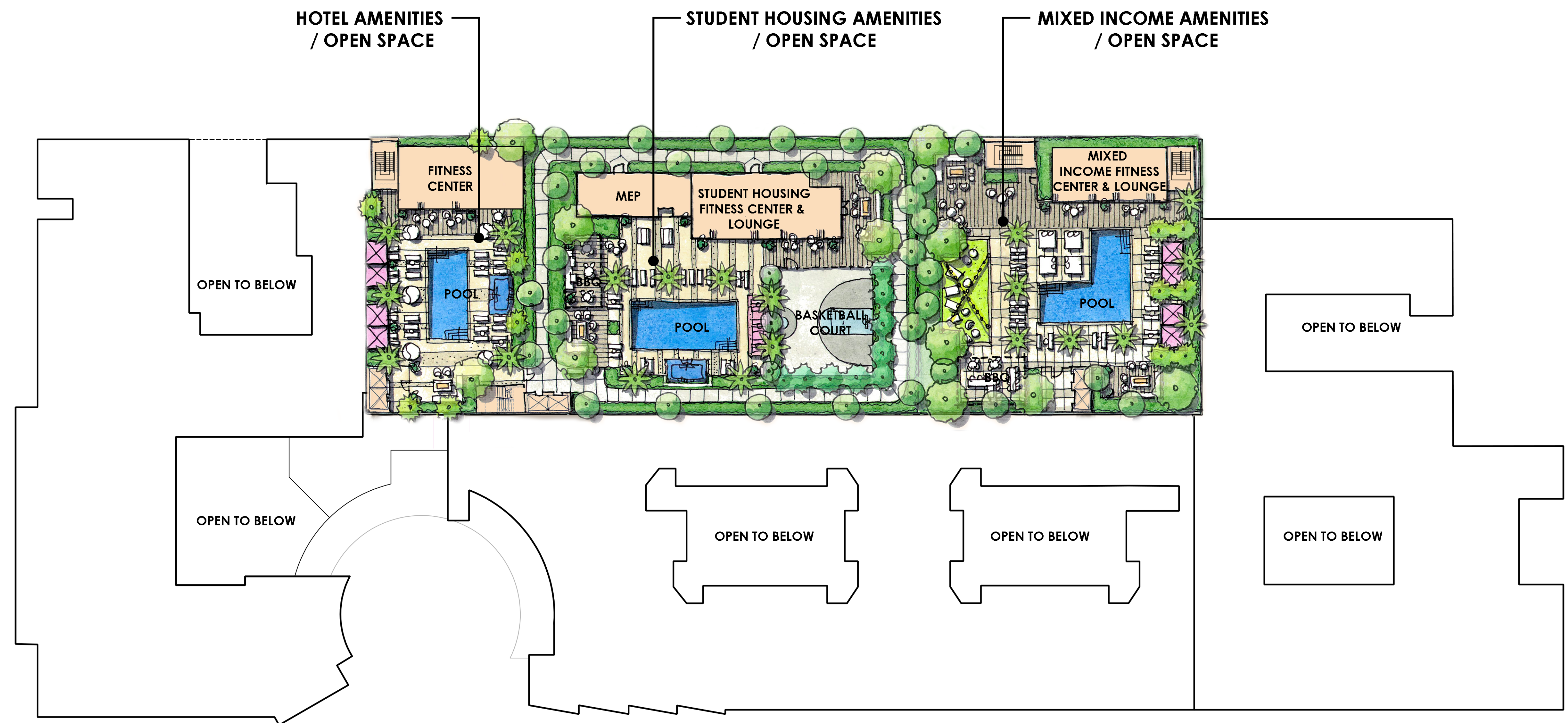
HOTEL ROOM TYPES

- EXTENDED STAY
- SELECT SERVICE

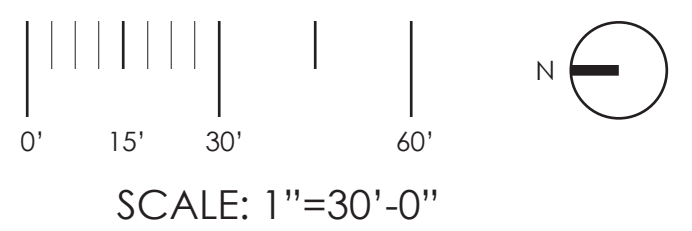


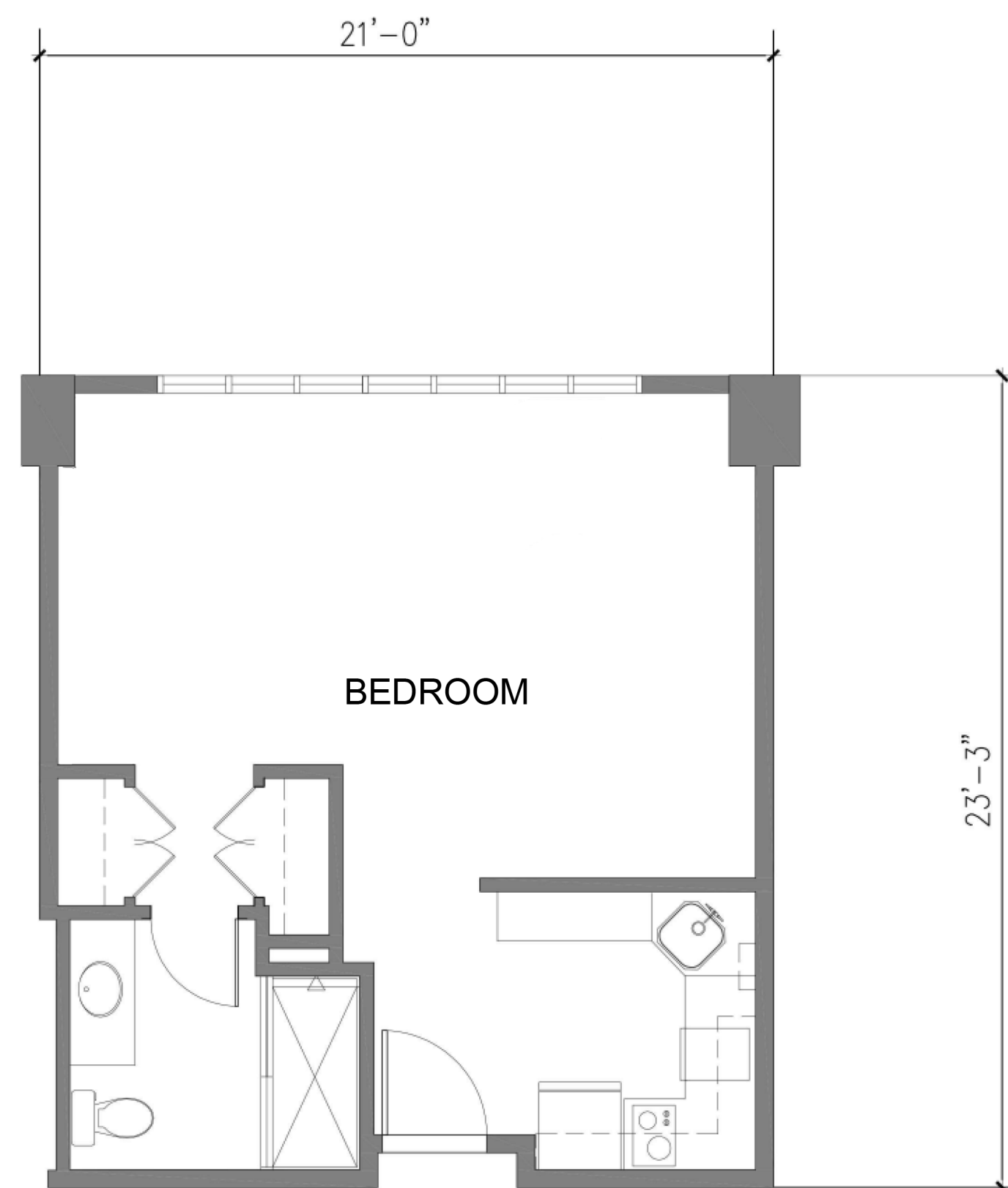
LEVELS 05 - 07



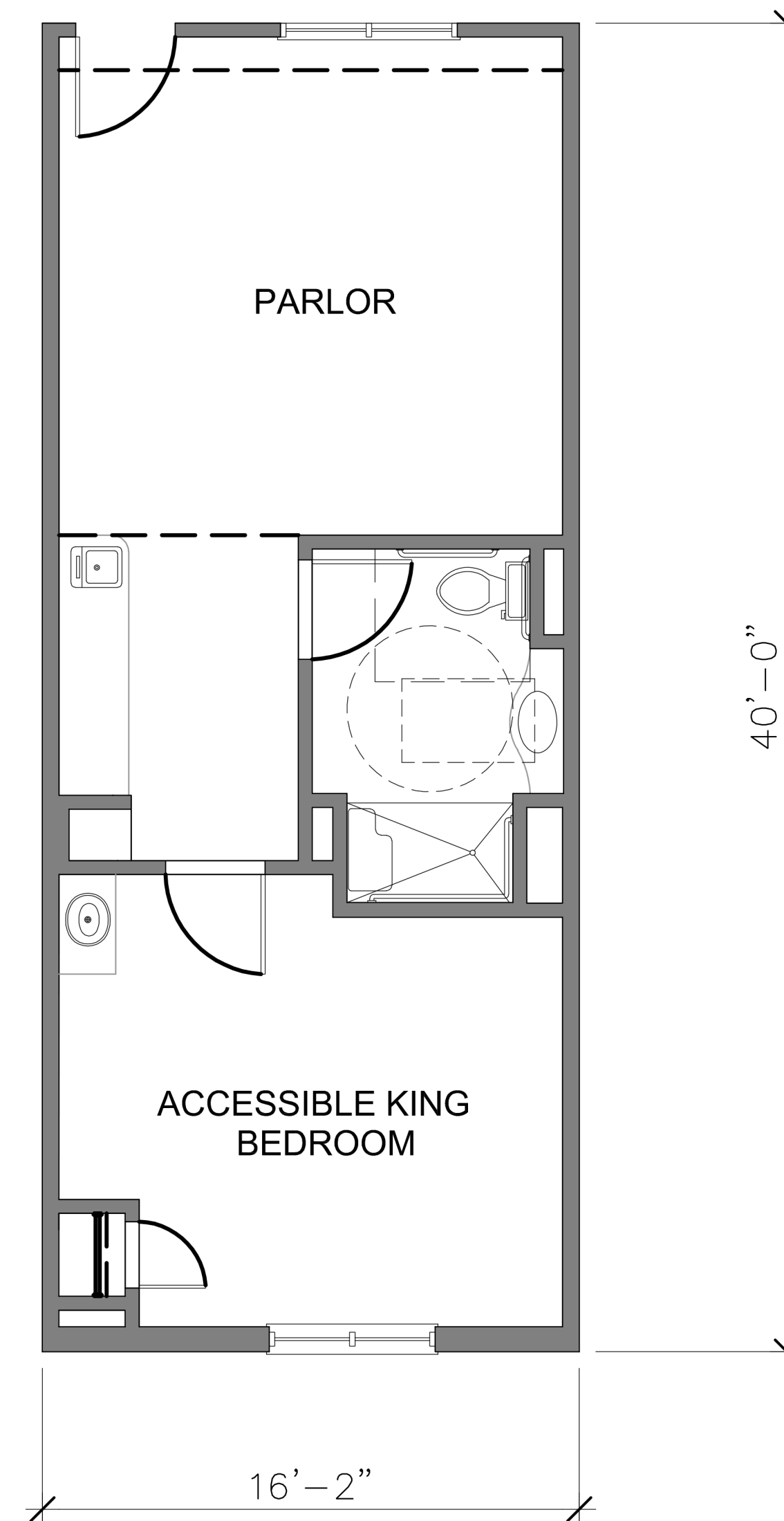


ROOF LEVEL

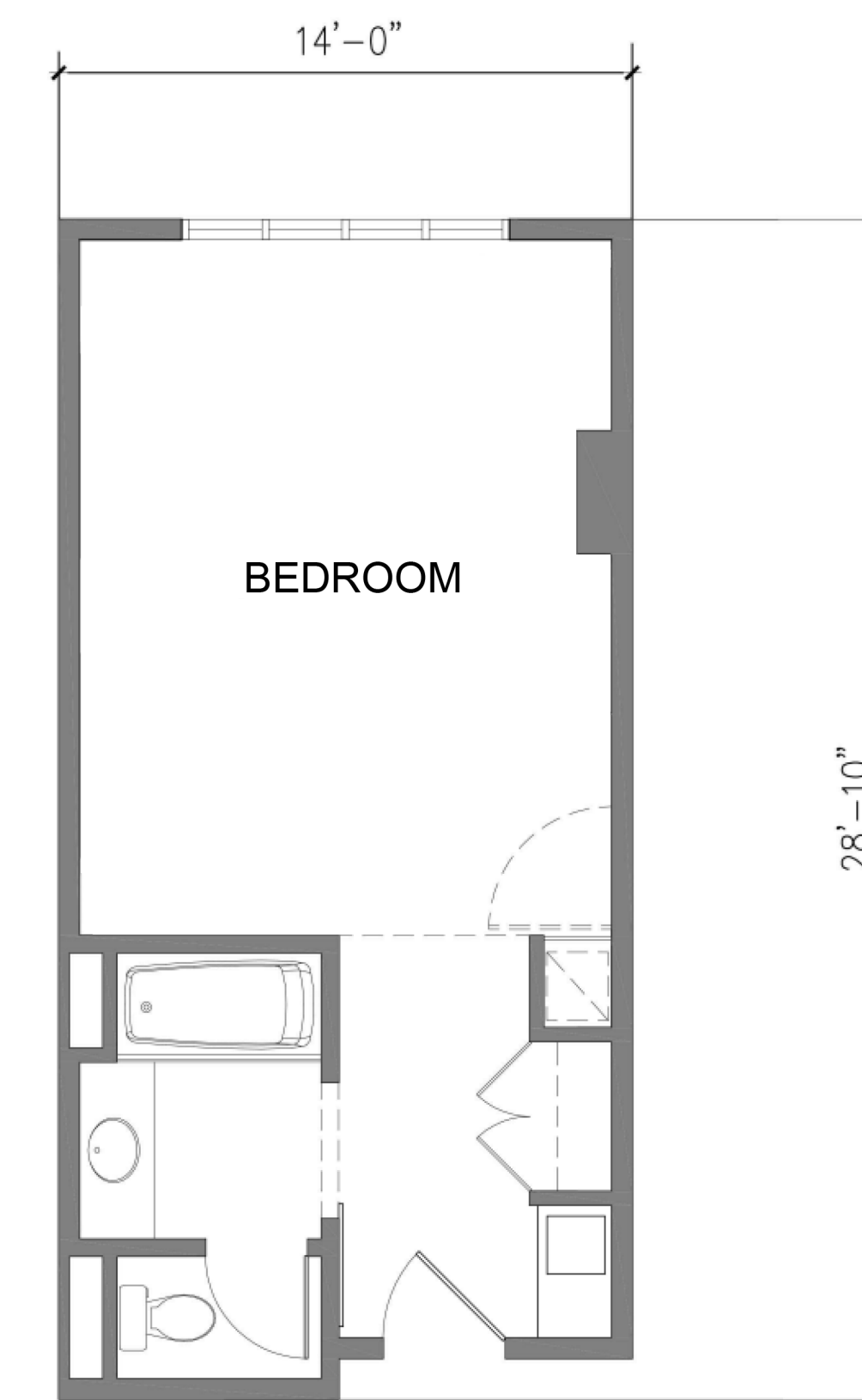




TYPICAL EXTENDED STAY GUESTROOM

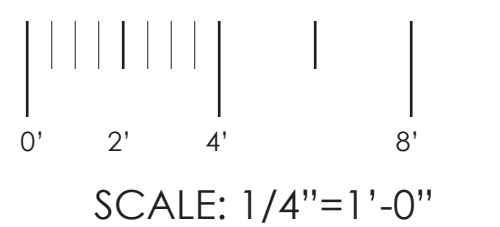


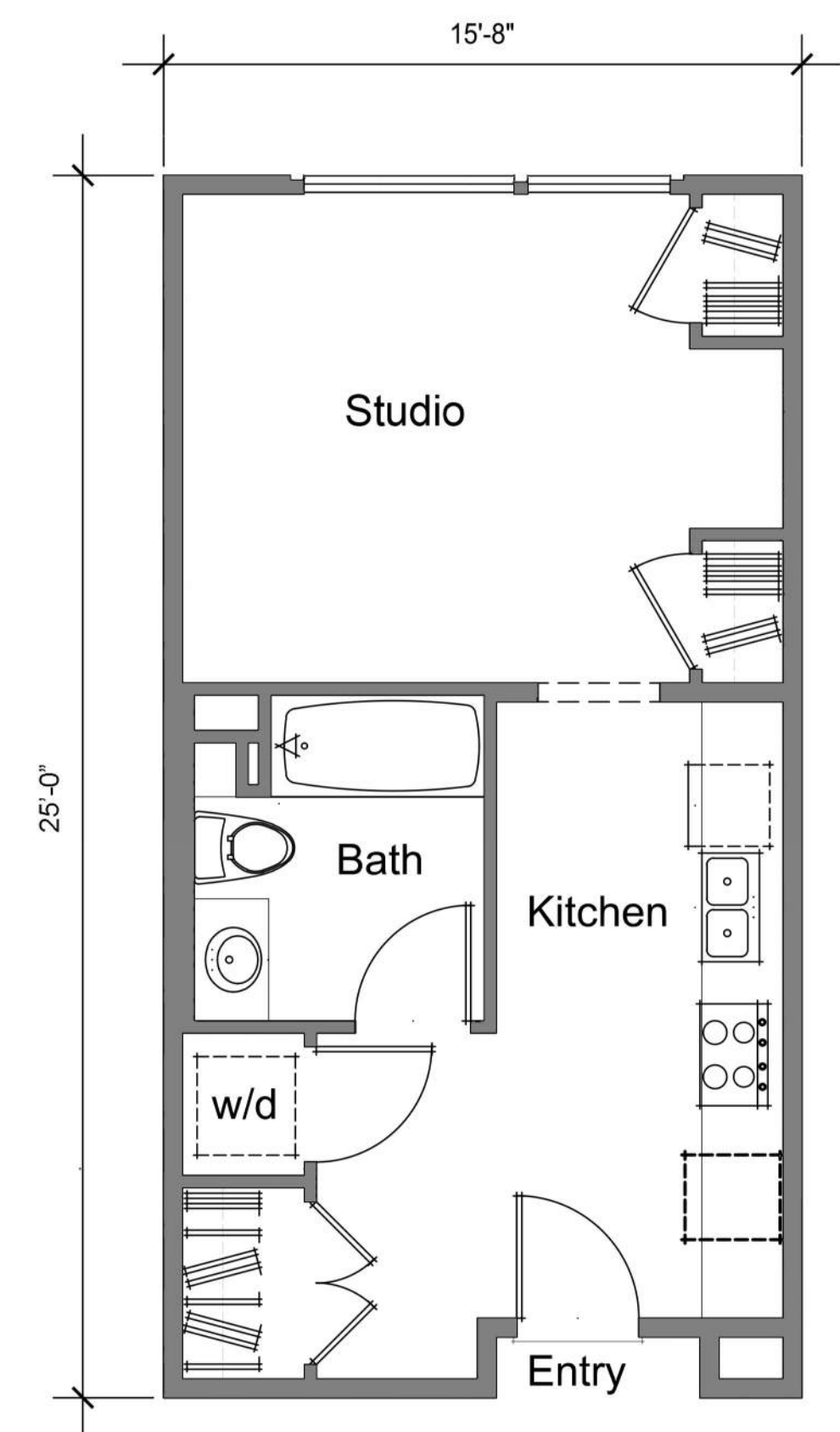
TYPICAL EXTENDED STAY GUESTROOM



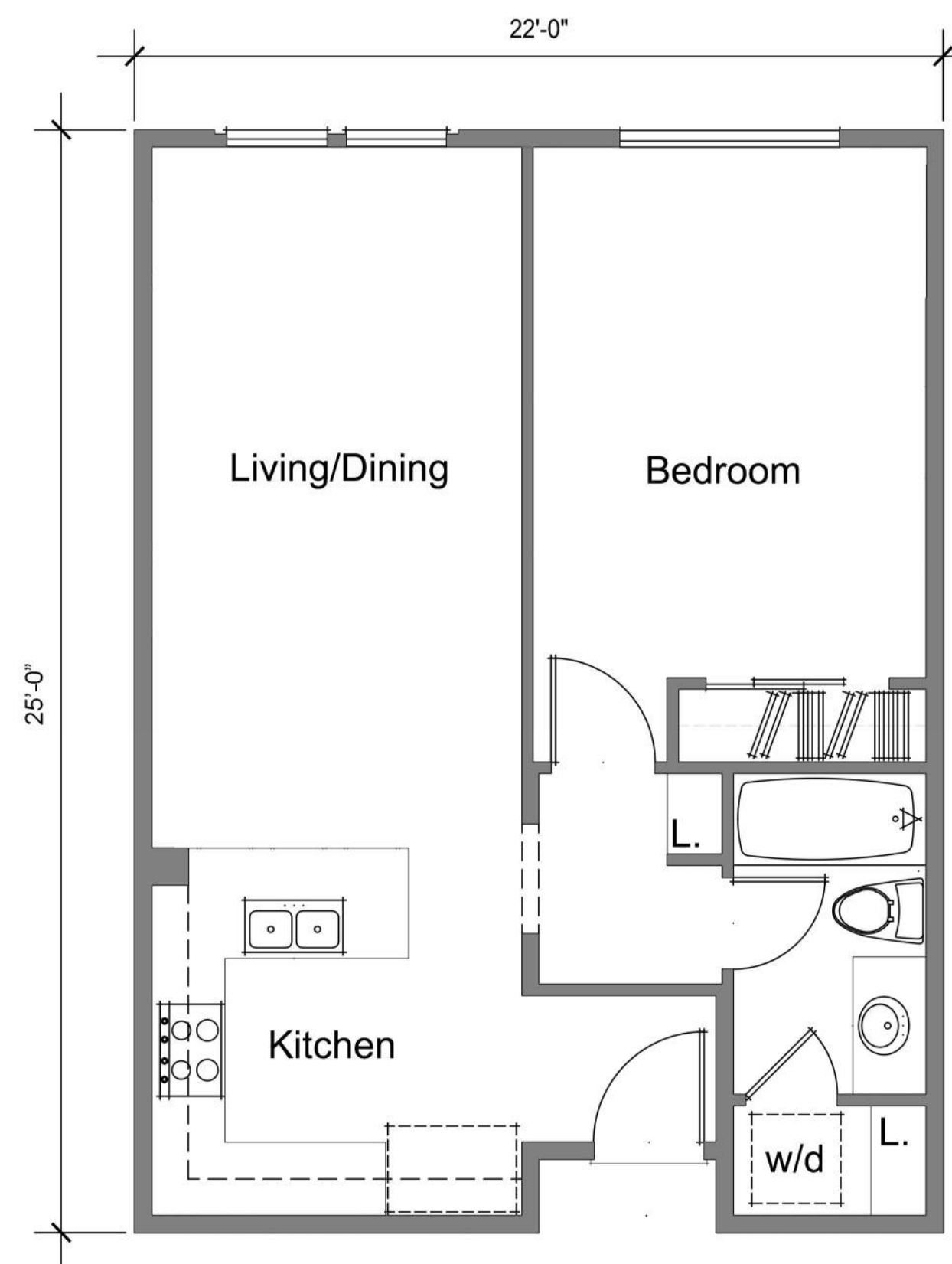
TYPICAL SELECT SERVICE GUESTROOM

HOTEL TYPICAL GUESTROOM PLANS

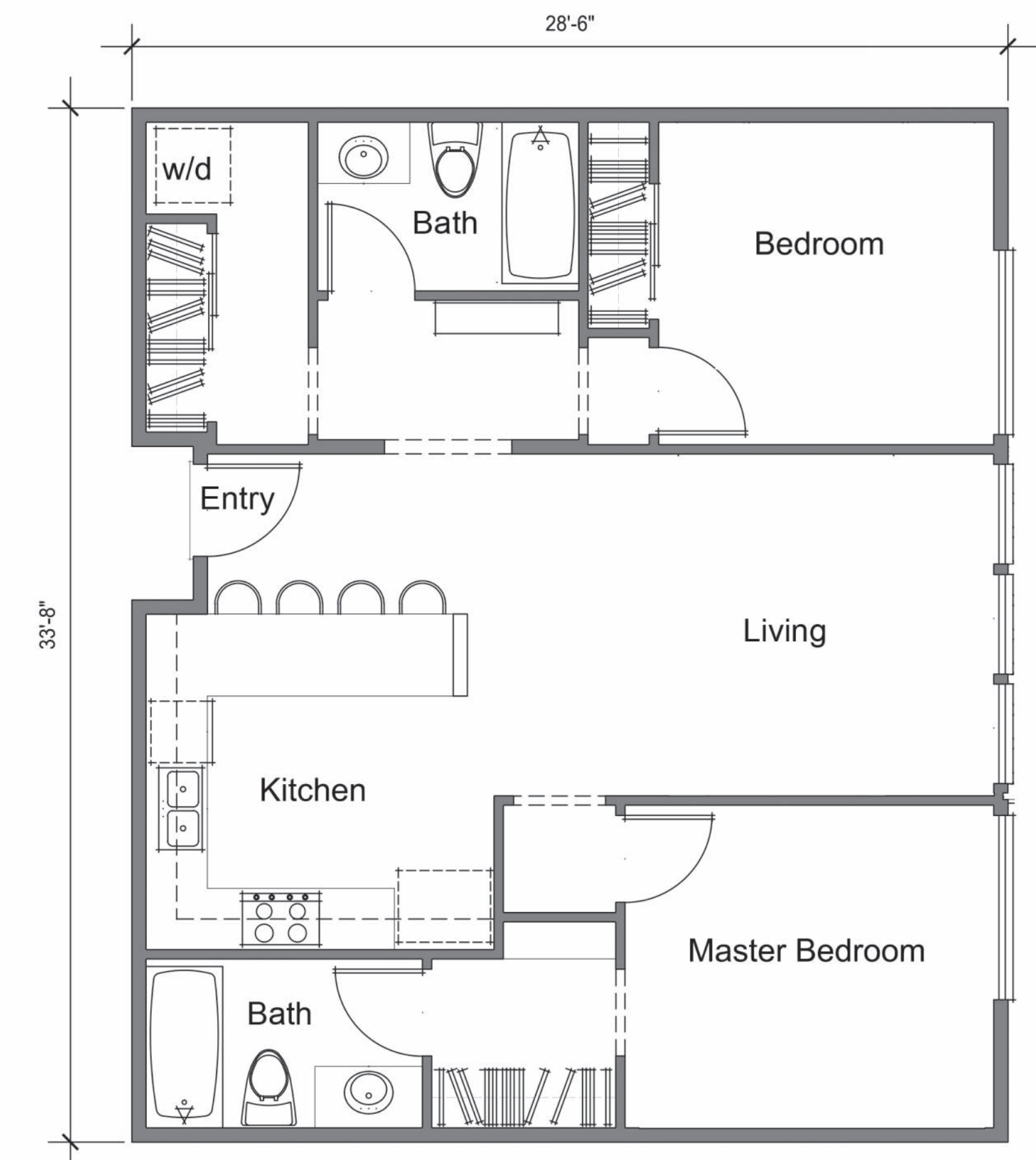




TYPICAL FLOOR PLAN - 1 STUDIO

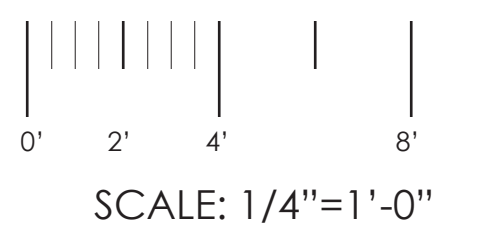


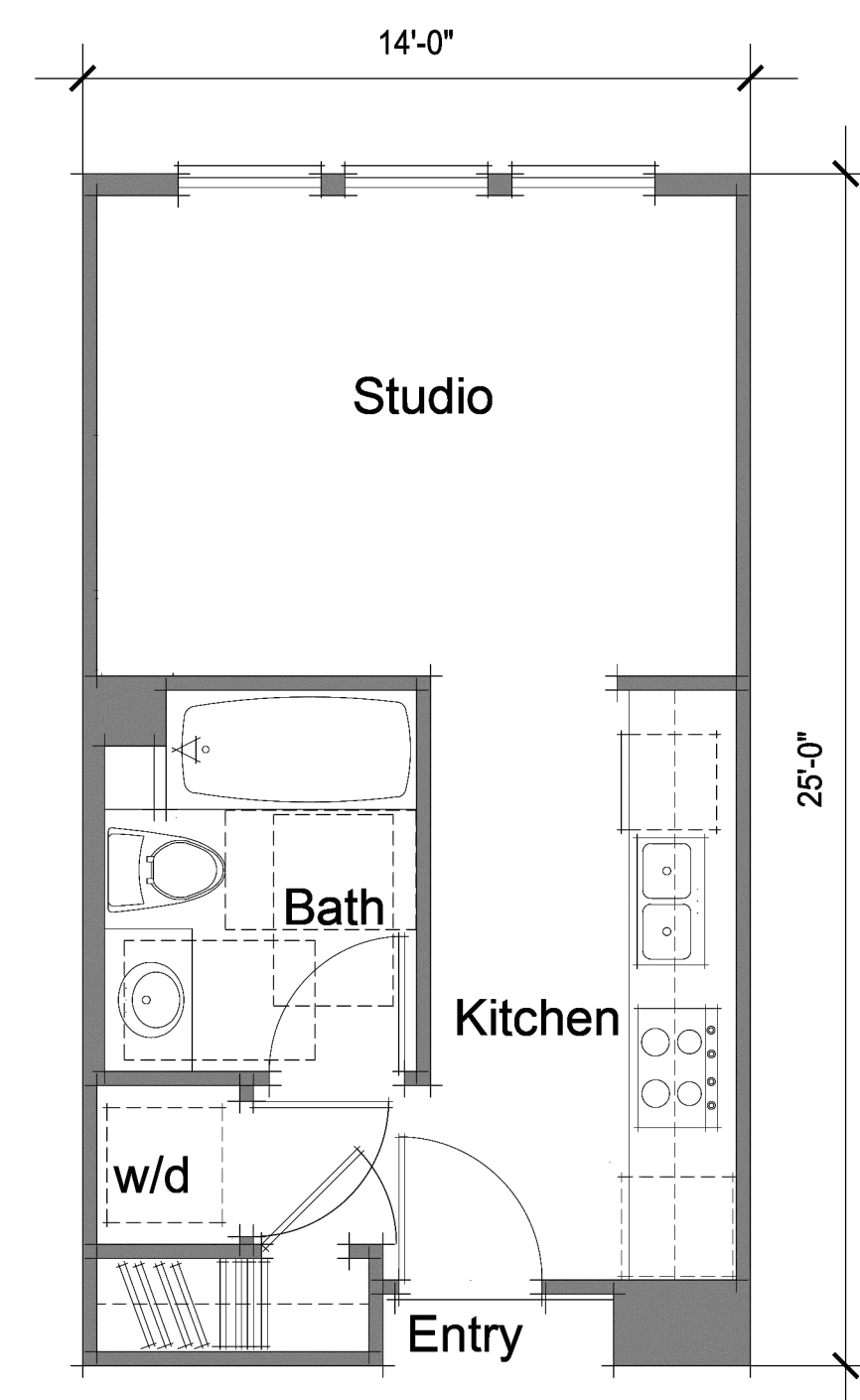
TYPICAL FLOOR PLAN - 1 BEDROOM / 1 BATH



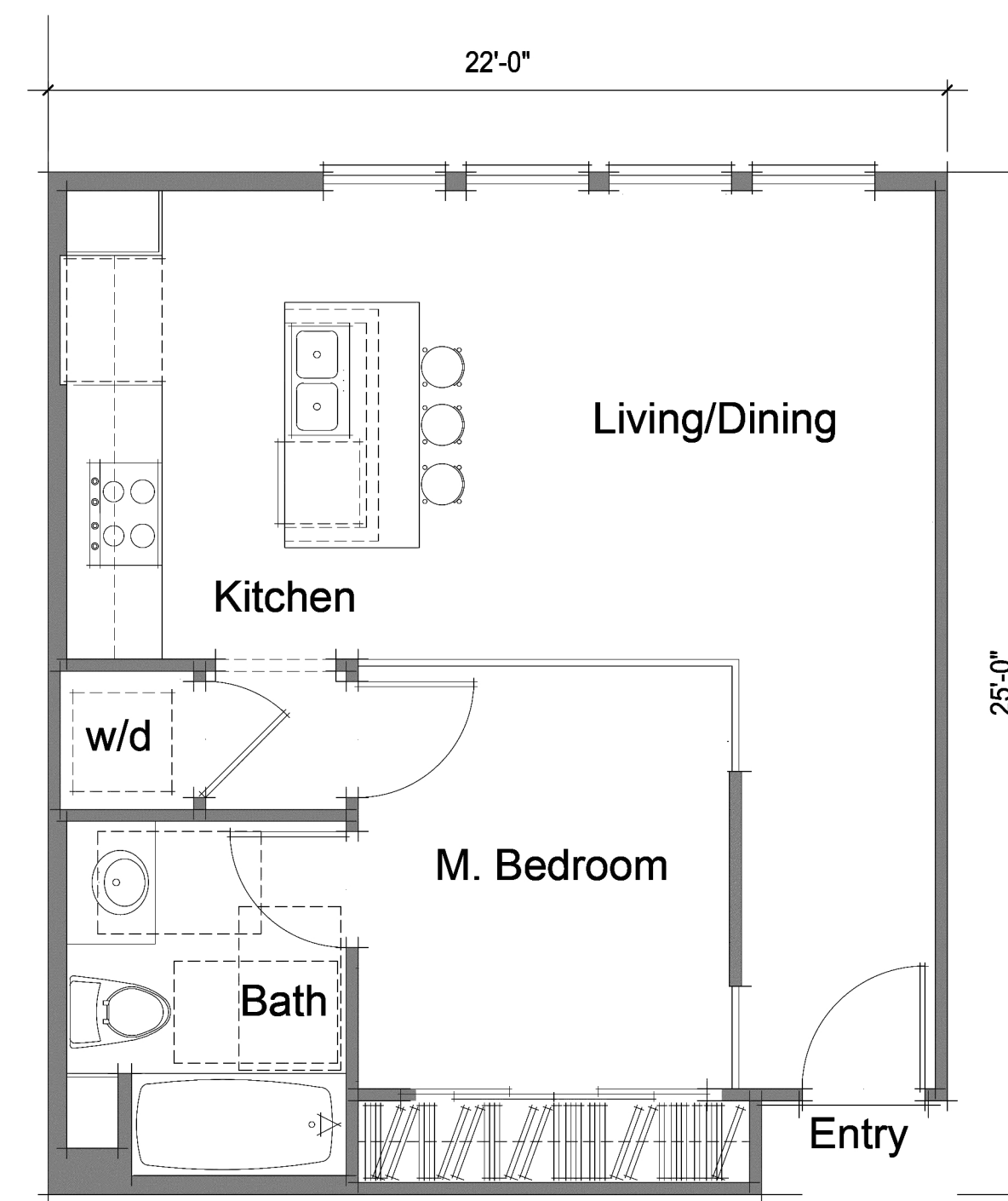
TYPICAL FLOOR PLAN - 2 BEDROOM / 2 BATH

MIXED-INCOME HOUSING TYPICAL UNIT PLANS

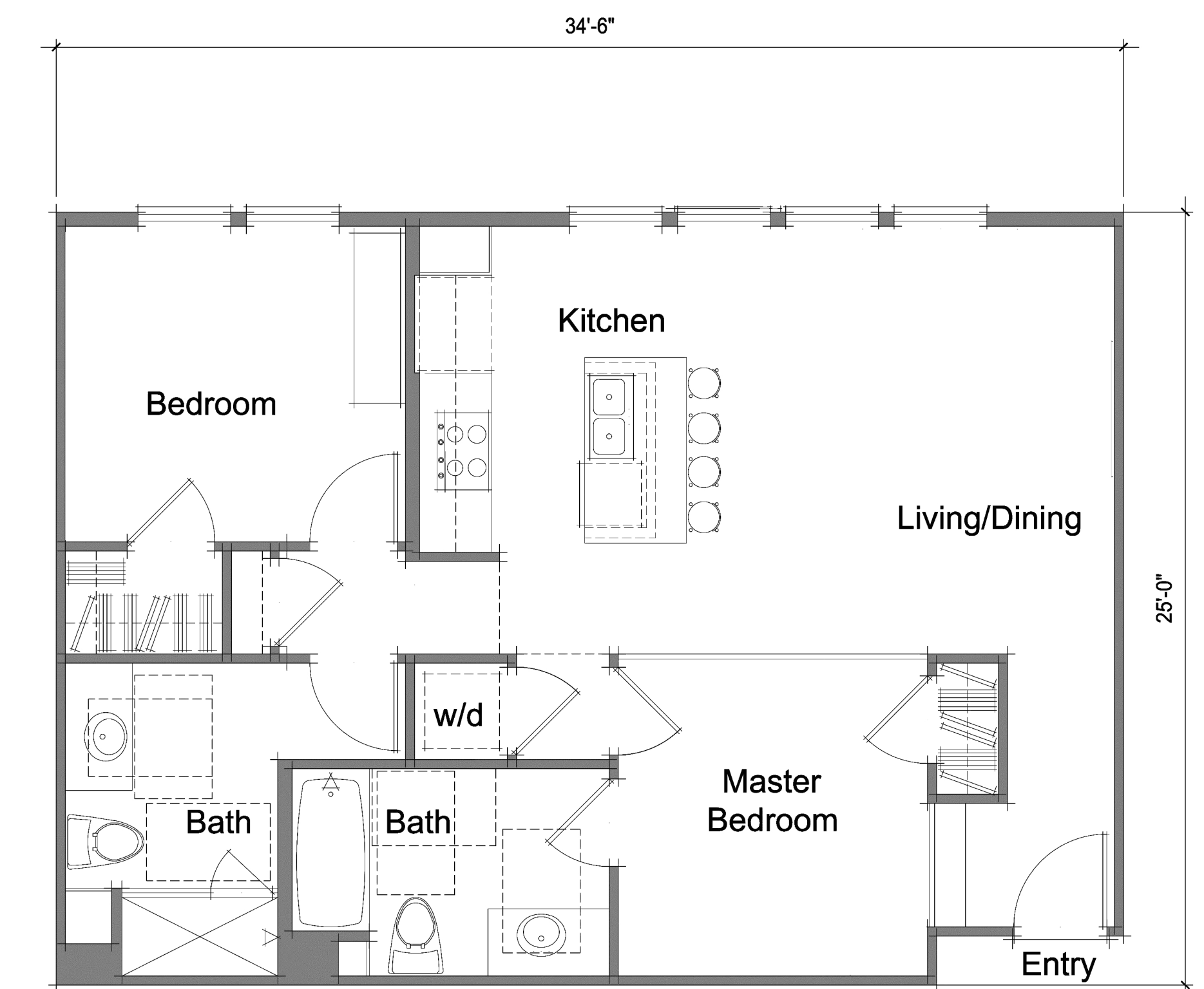




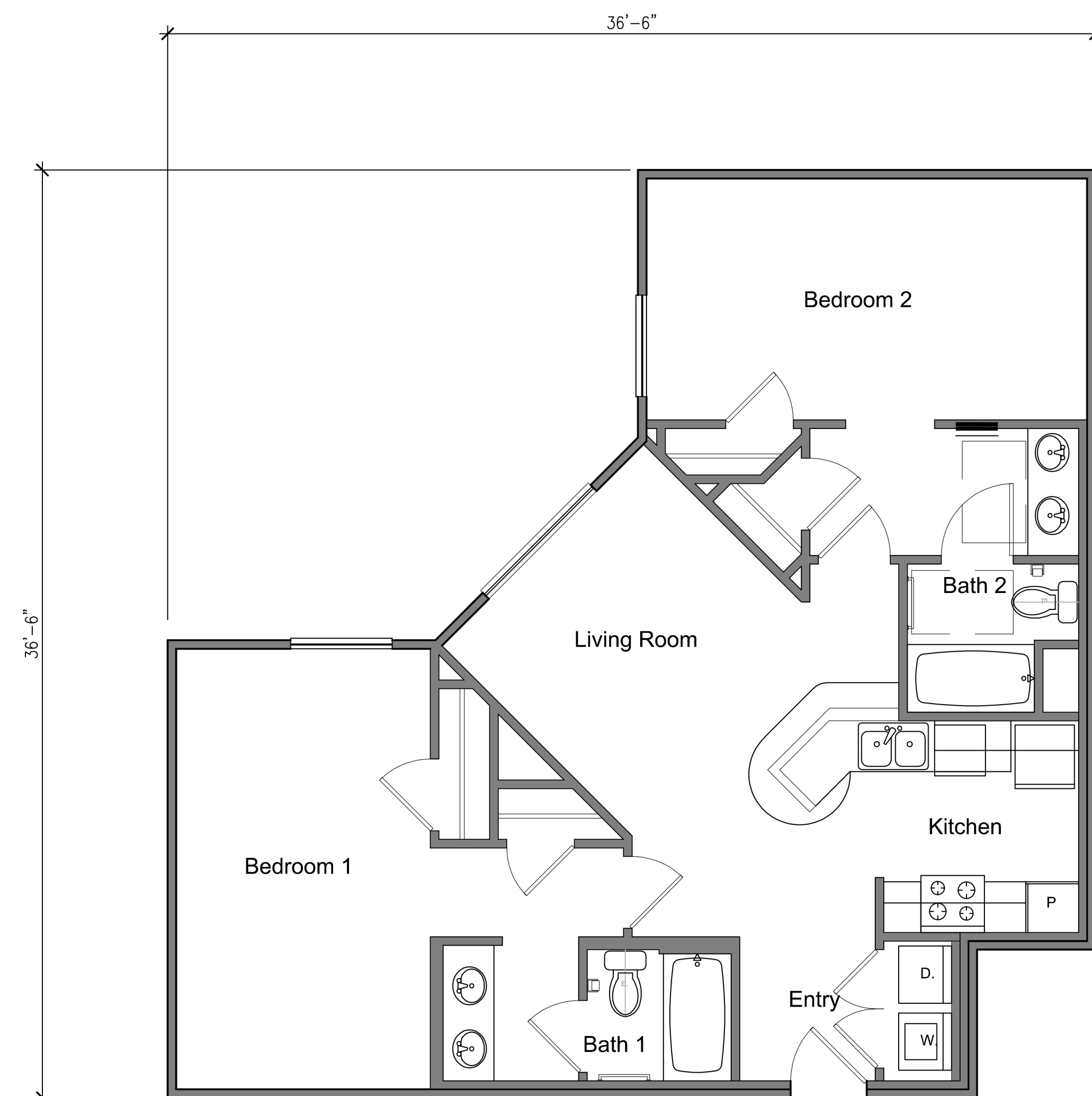
TYPICAL FLOOR PLAN - 1 STUDIO



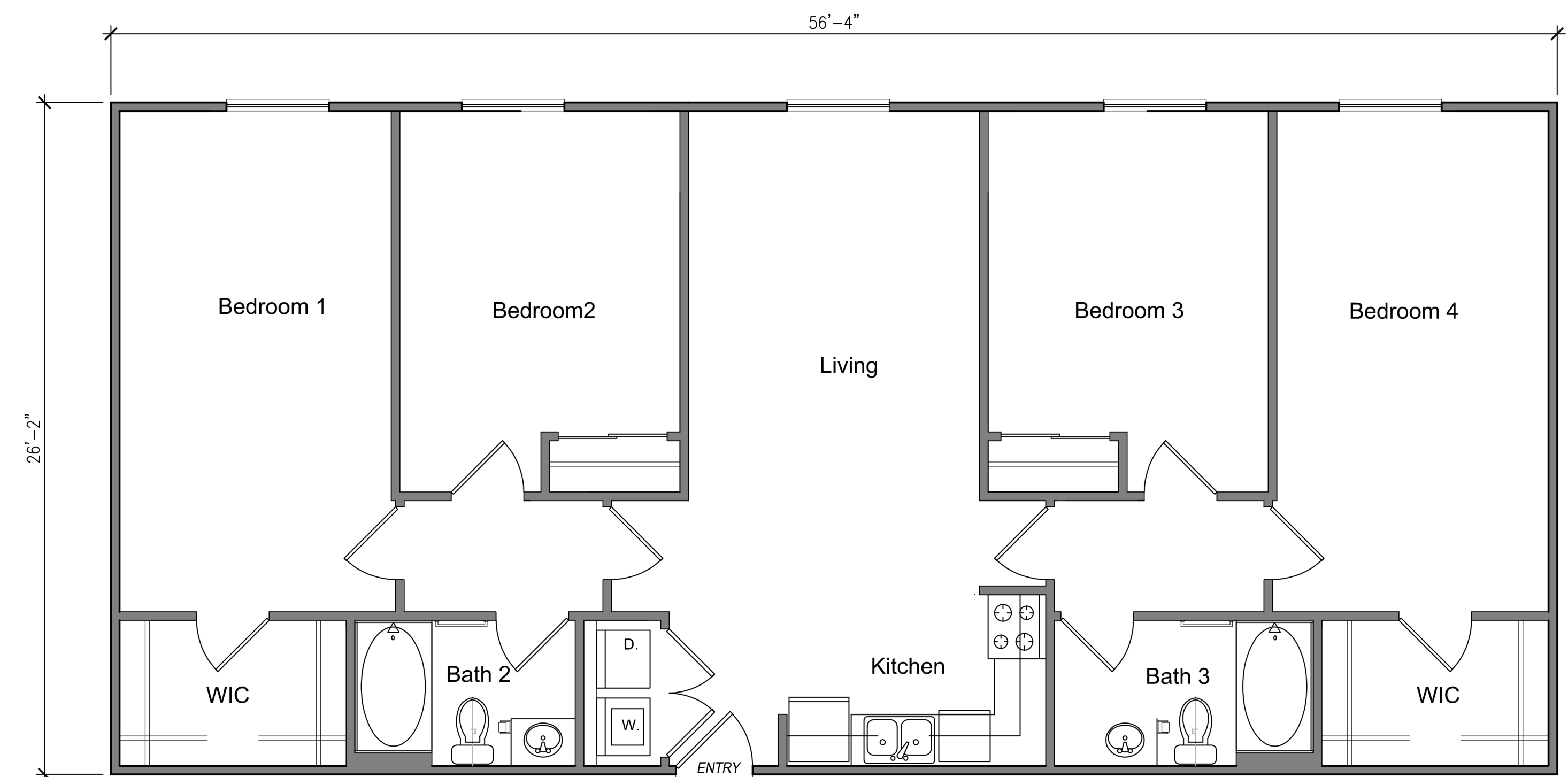
TYPICAL FLOOR PLAN - 1 BEDROOM / 1 BATH



TYPICAL FLOOR PLAN - 2 BEDROOM / 2 BATH



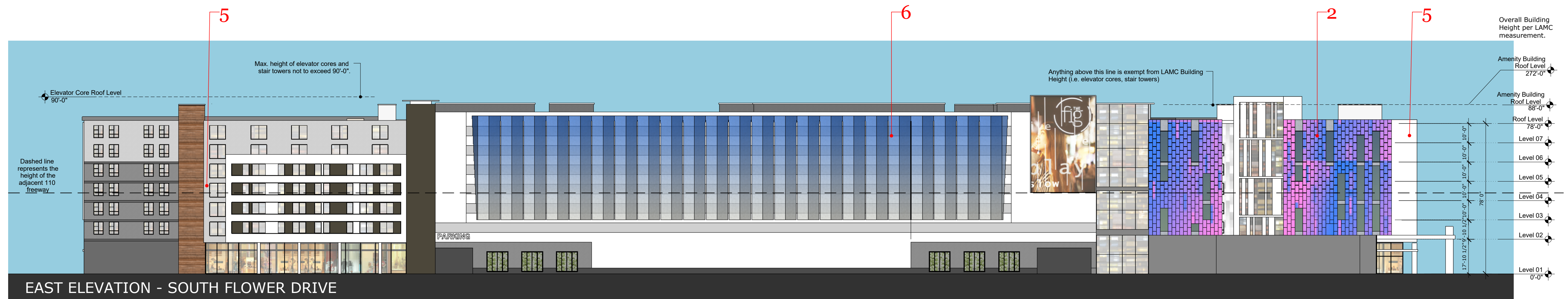
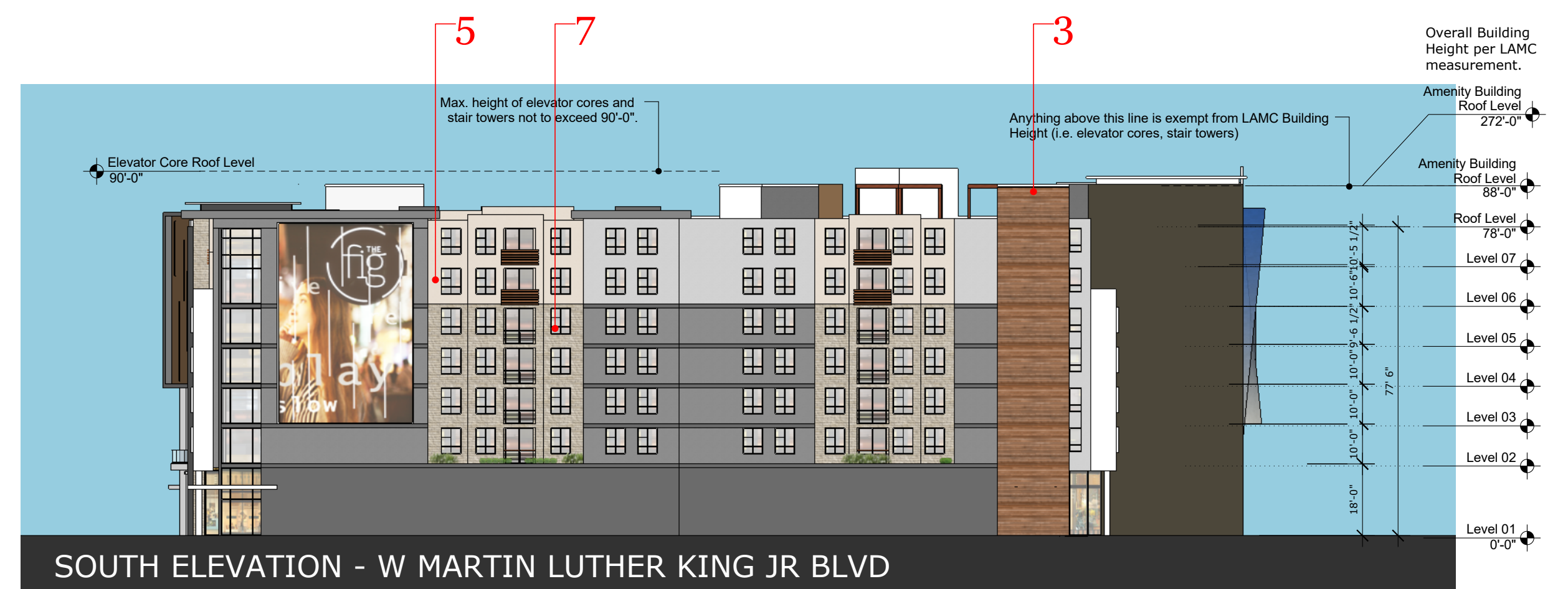
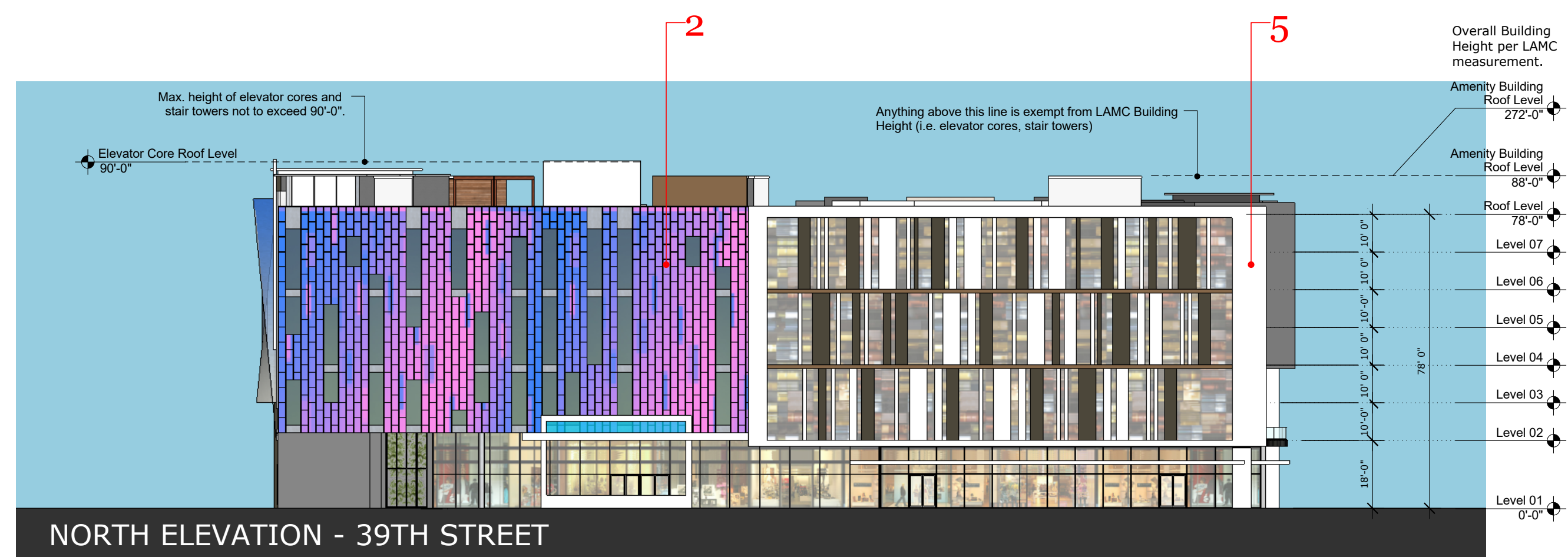
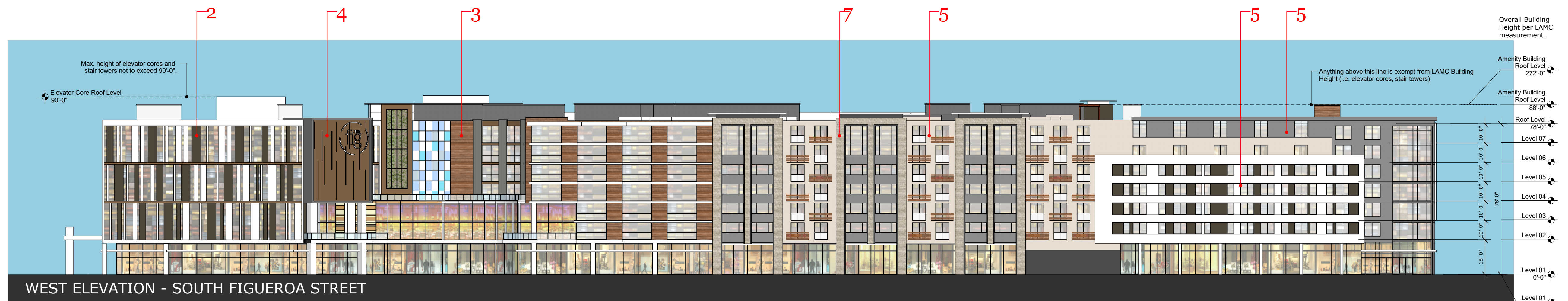
TYPICAL FLOOR PLAN (CORNER UNIT) - 2 BEDROOM / 2 BATH



TYPICAL FLOOR PLAN - 4 BEDROOM / 4 BATH

STUDENT HOUSING TYPICAL UNIT PLANS





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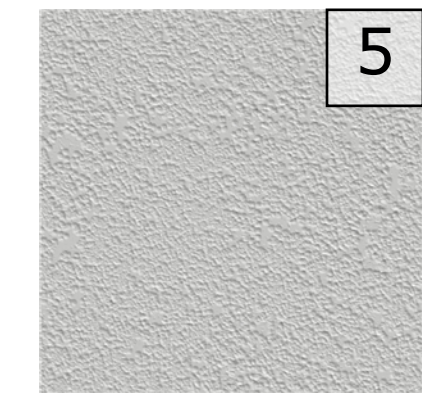
2 EXTERIOR PORCELAIN TILE CLADDING



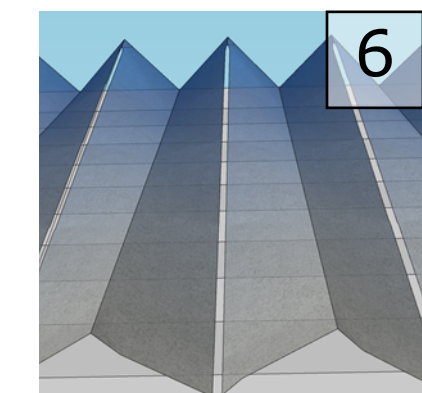
3 EXTERIOR WOOD CLADDING



4 PAINTED SOLID METAL SHEET



5 STUCCO

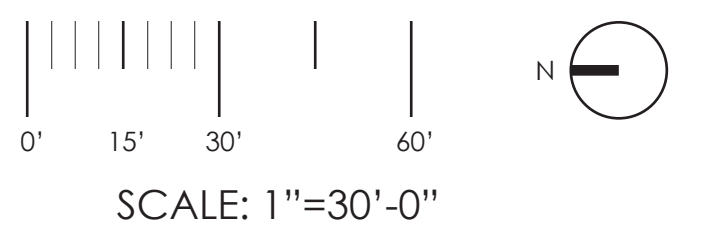


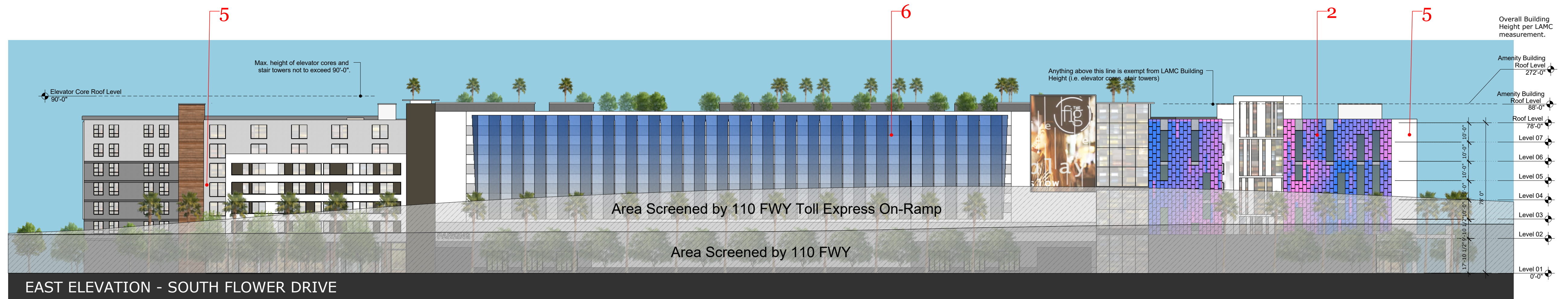
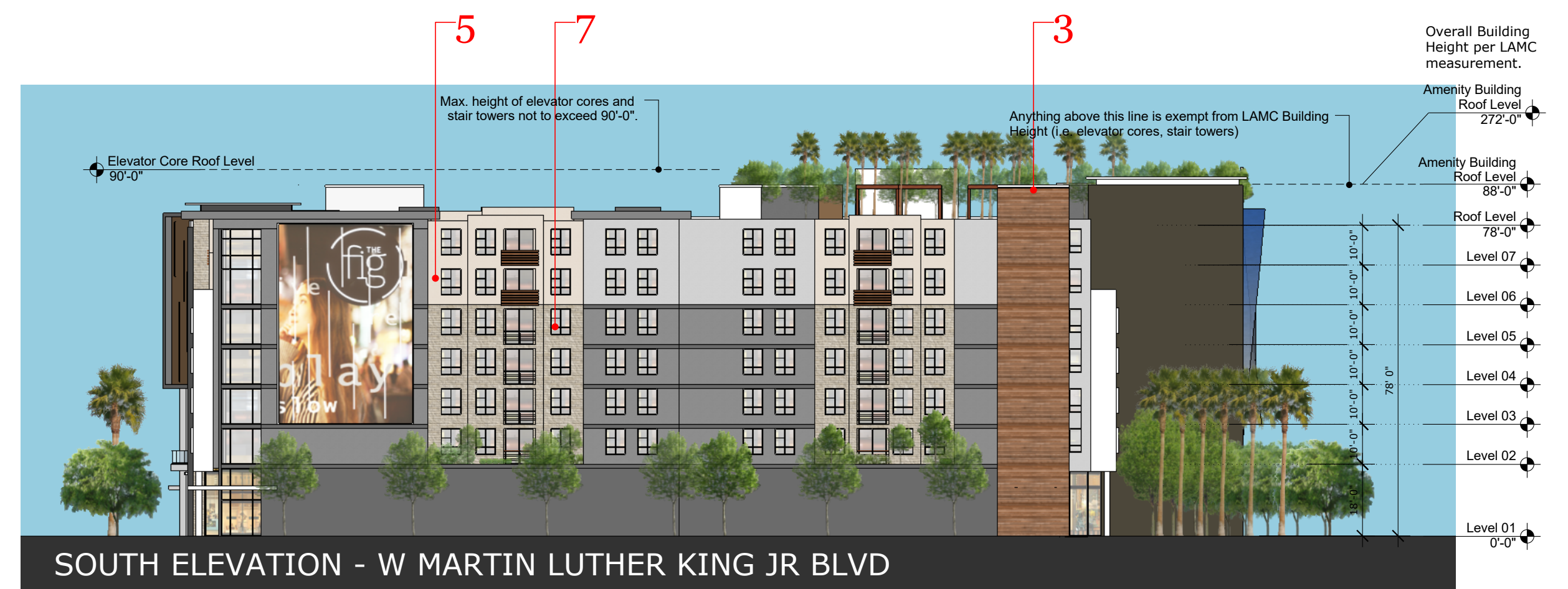
6 ARCHITECTURAL WOVEN MESH SYSTEM - ACCORDIAN-LIKE INSTALLATION PATTERN



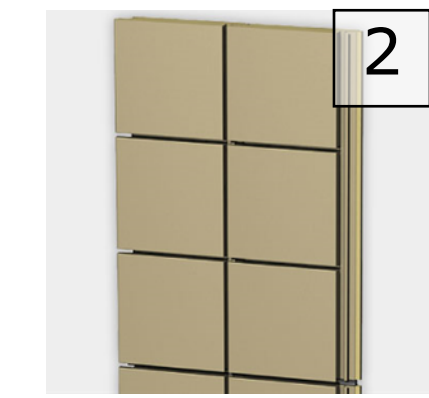
7 STONE VENEER

EXTERIOR ELEVATIONS





1 EXTERIOR METAL CLADDING



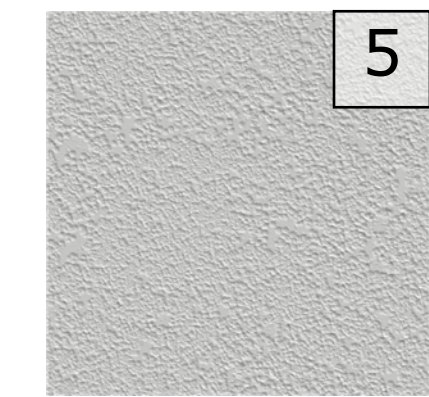
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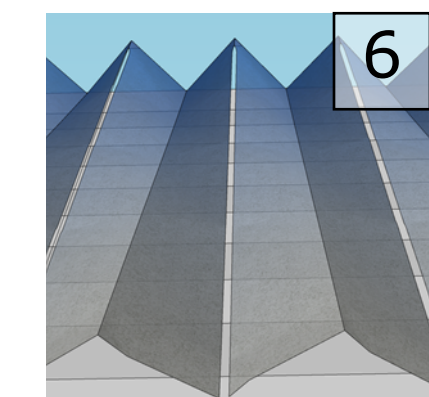
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4 PAINTED SOLID METAL SHEET



5 STUCCO

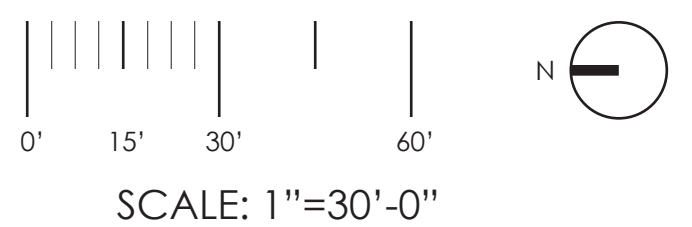


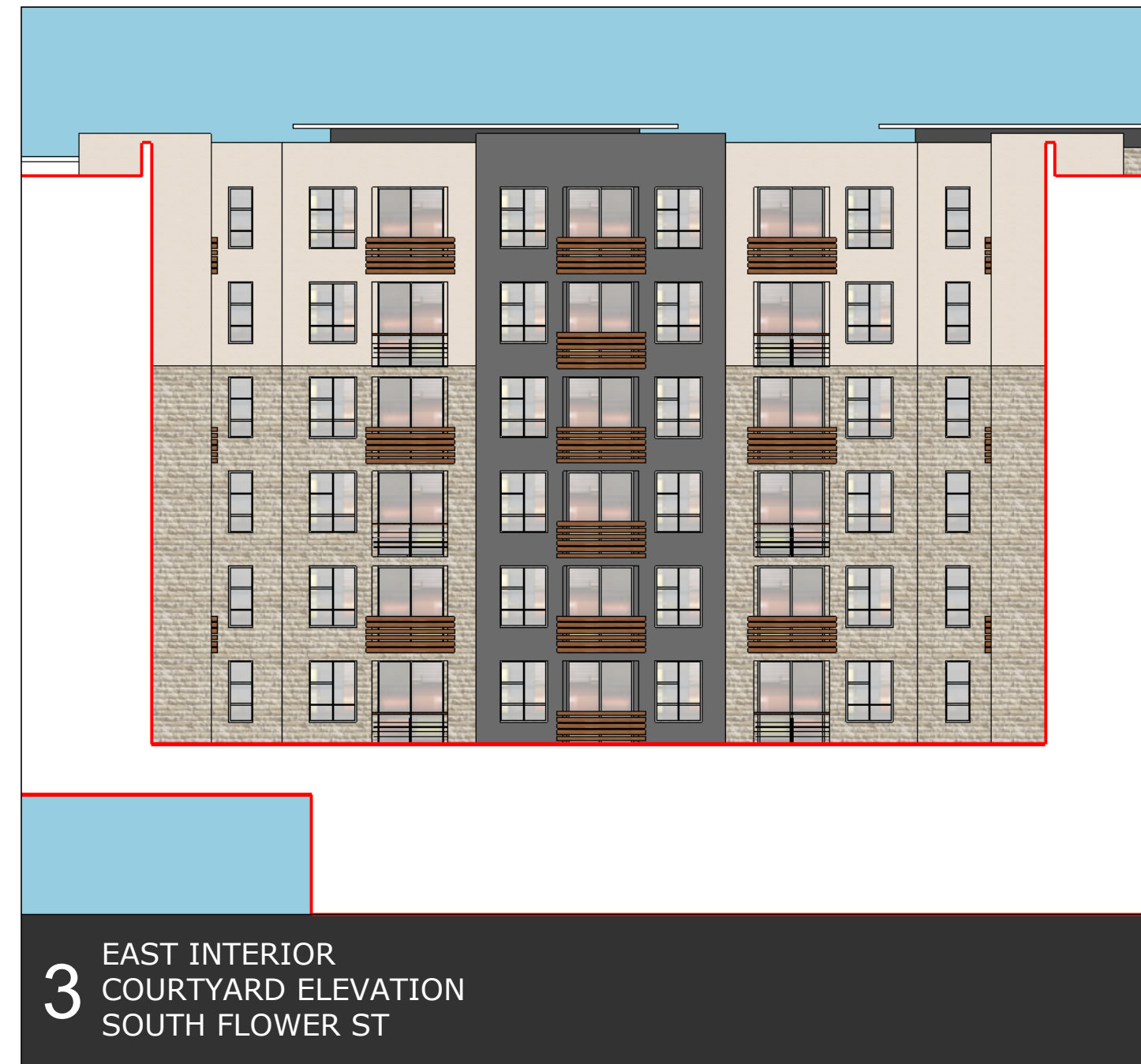
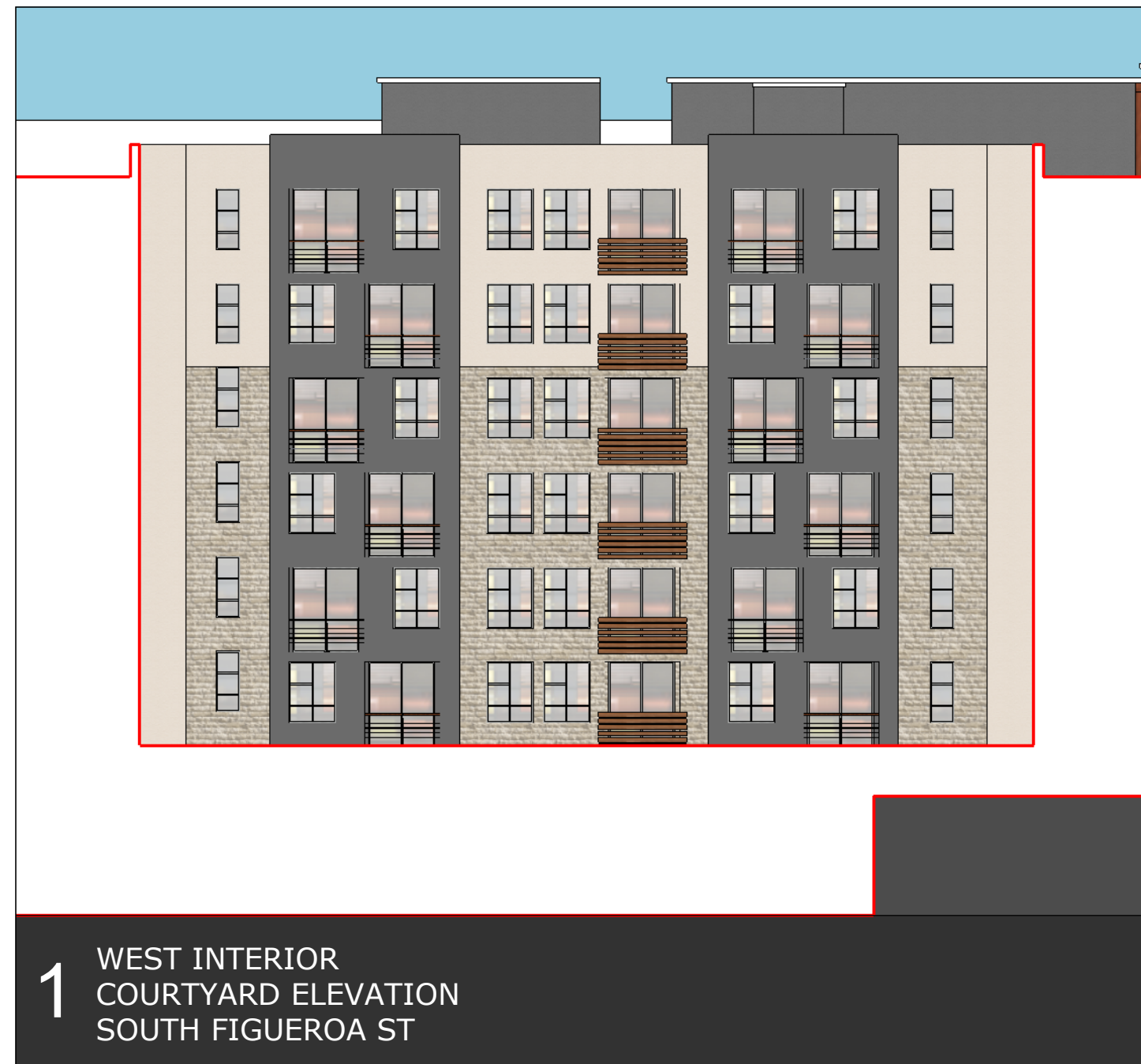
6 ARCHITECTURAL WOVEN MESH SYSTEM - ACCORDIAN-LIKE INSTALLATION PATTERN



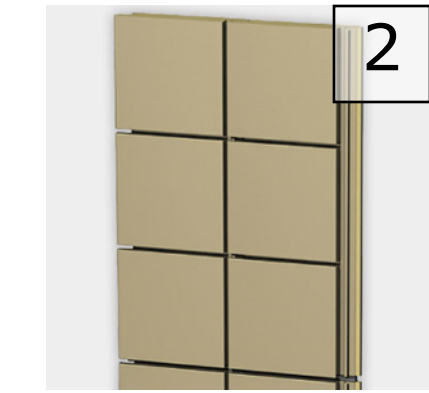
7 STONE VENEER

SCREENED ELEVATIONS





1 EXTERIOR METAL CLADDING



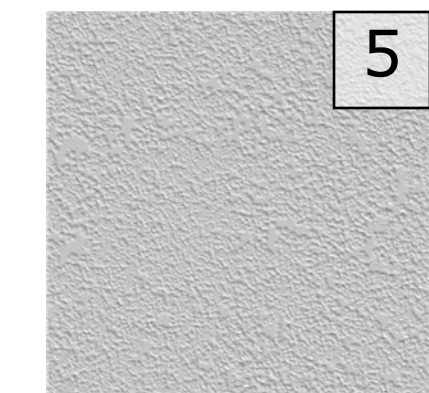
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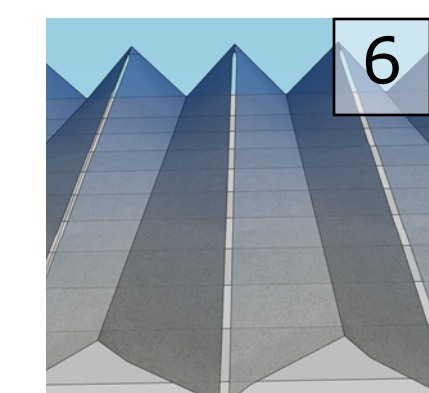
3 EXTERIOR WOOD CLADDING



4 PAINTED SOLID METAL SHEET



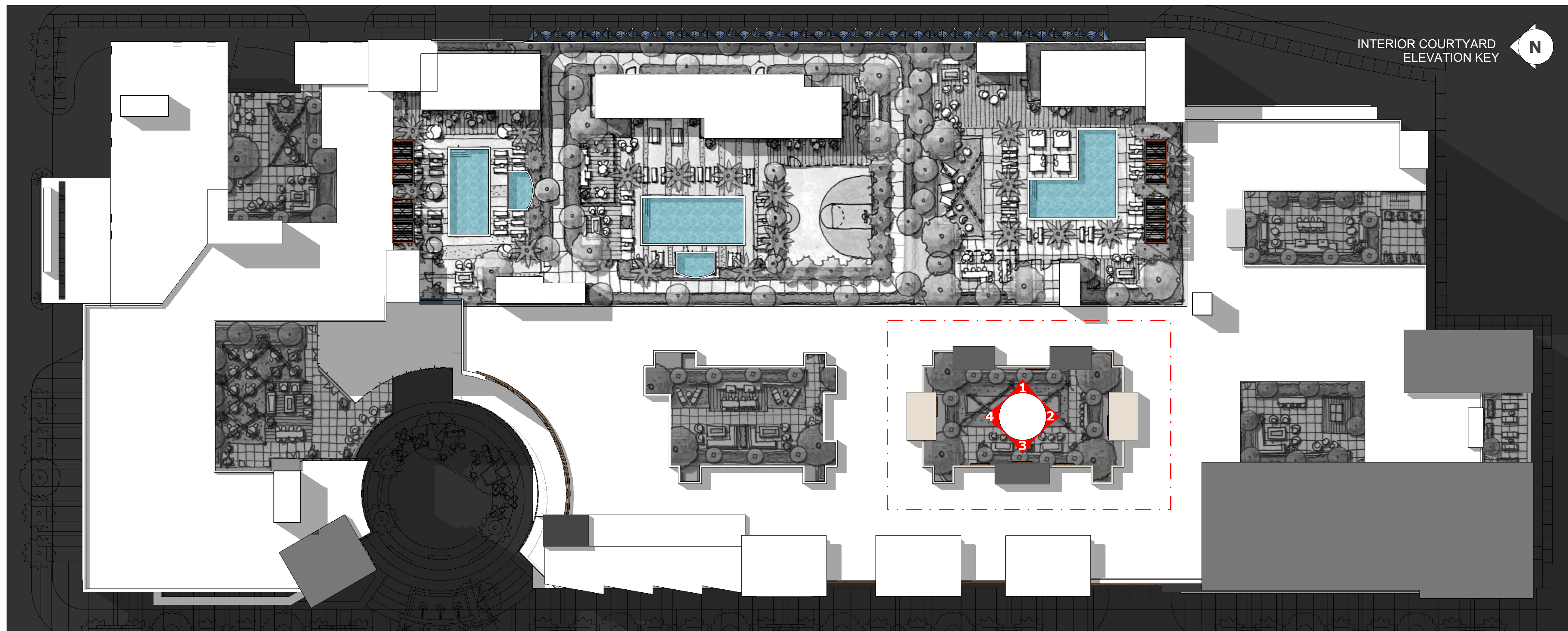
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6 ARCHITECTURAL WOVEN MESH SYSTEM - ACCORDIAN-LIKE INSTALLATION PATTERN

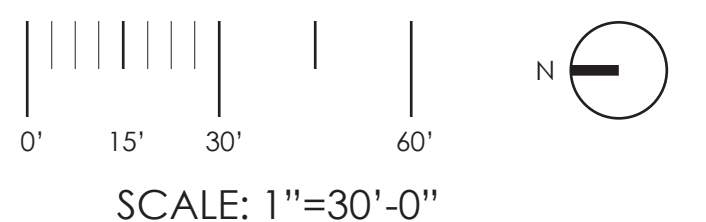


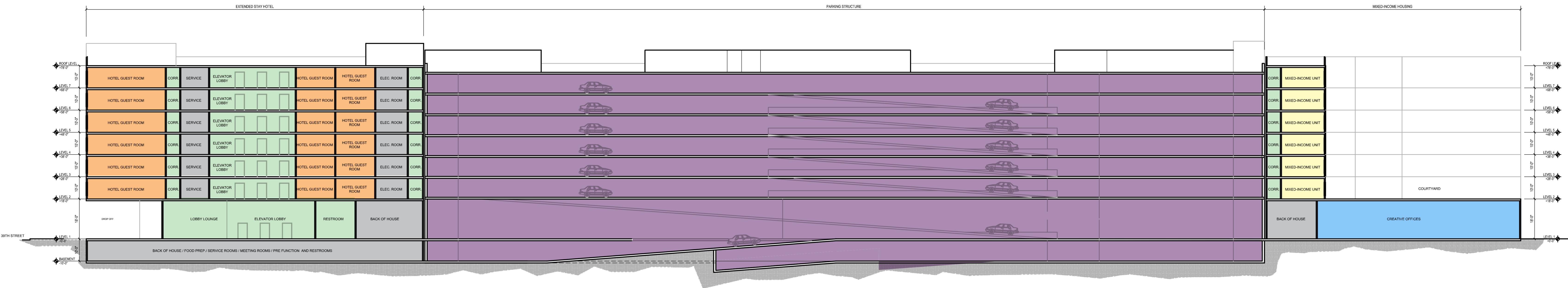
7 STONE VENEER



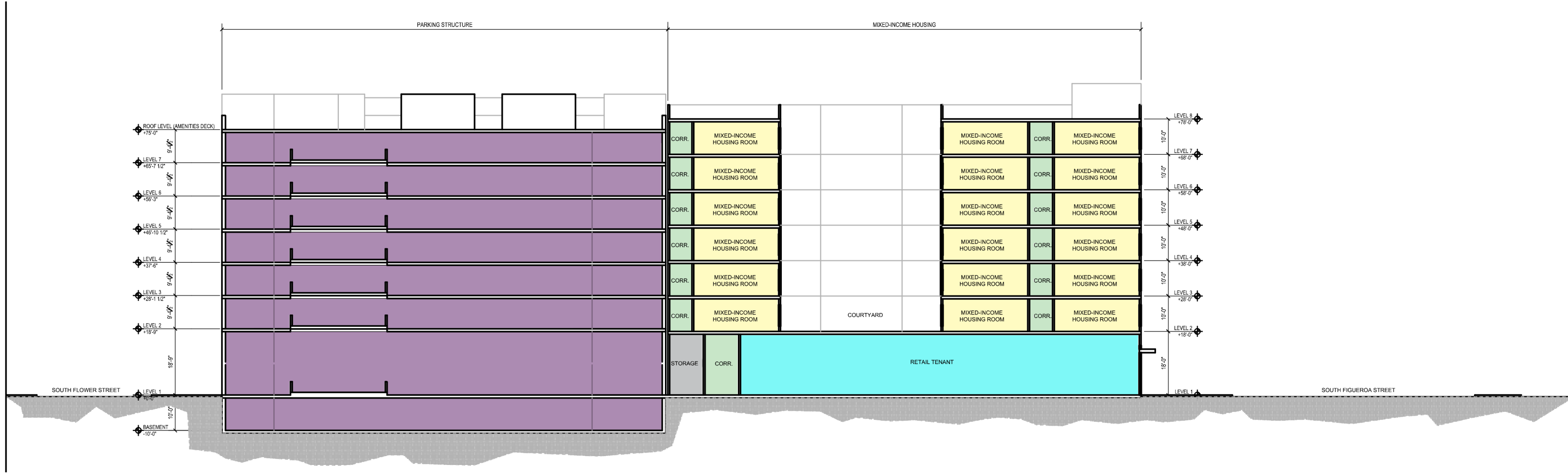
Note: During Summer, Spring, and Fall, Courtyards receive sun exposure from 11am to 2pm per shadow study.

COURTYARD ELEVATIONS

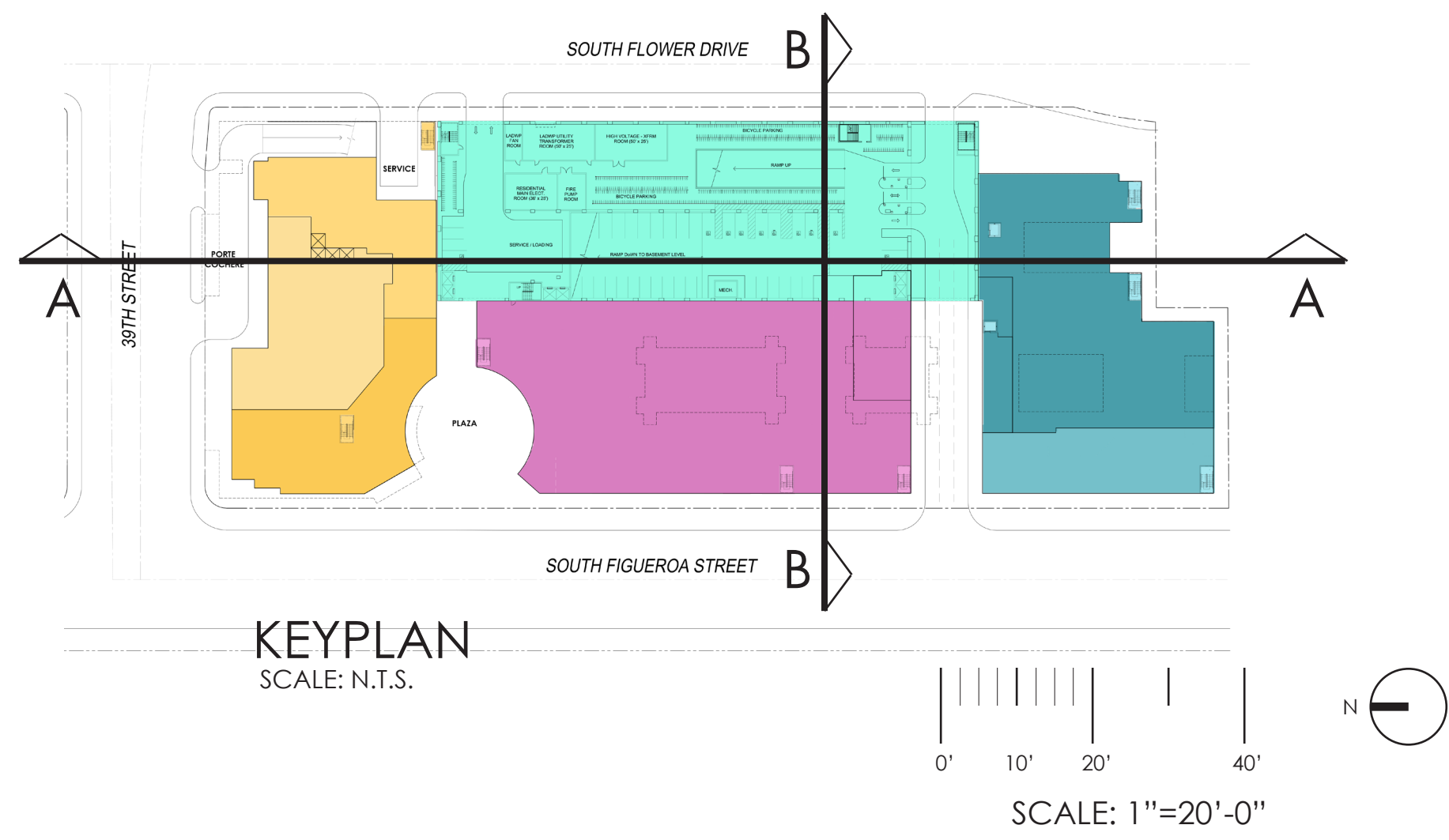




BUILDING SECTION AA



BUILDING SECTION BB



BUILDING SECTIONS



PERSPECTIVE RENDERING



PERSPECTIVE RENDERING



PERSPECTIVE RENDERING



PERSPECTIVE RENDERING



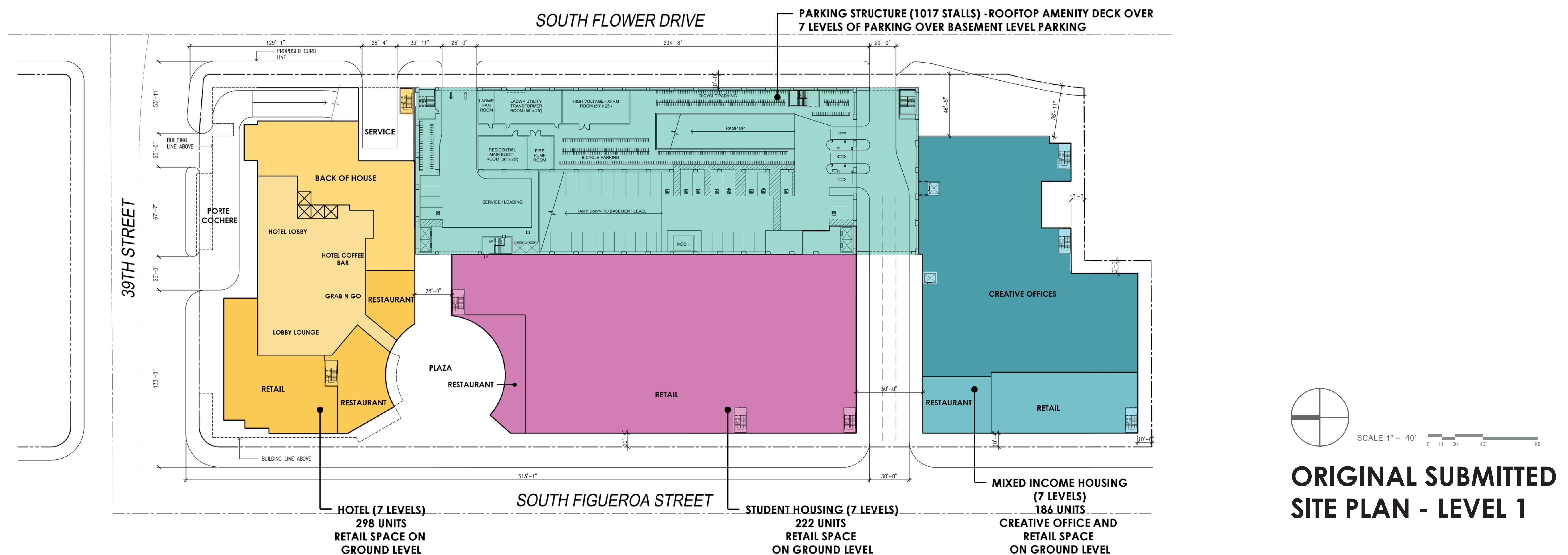
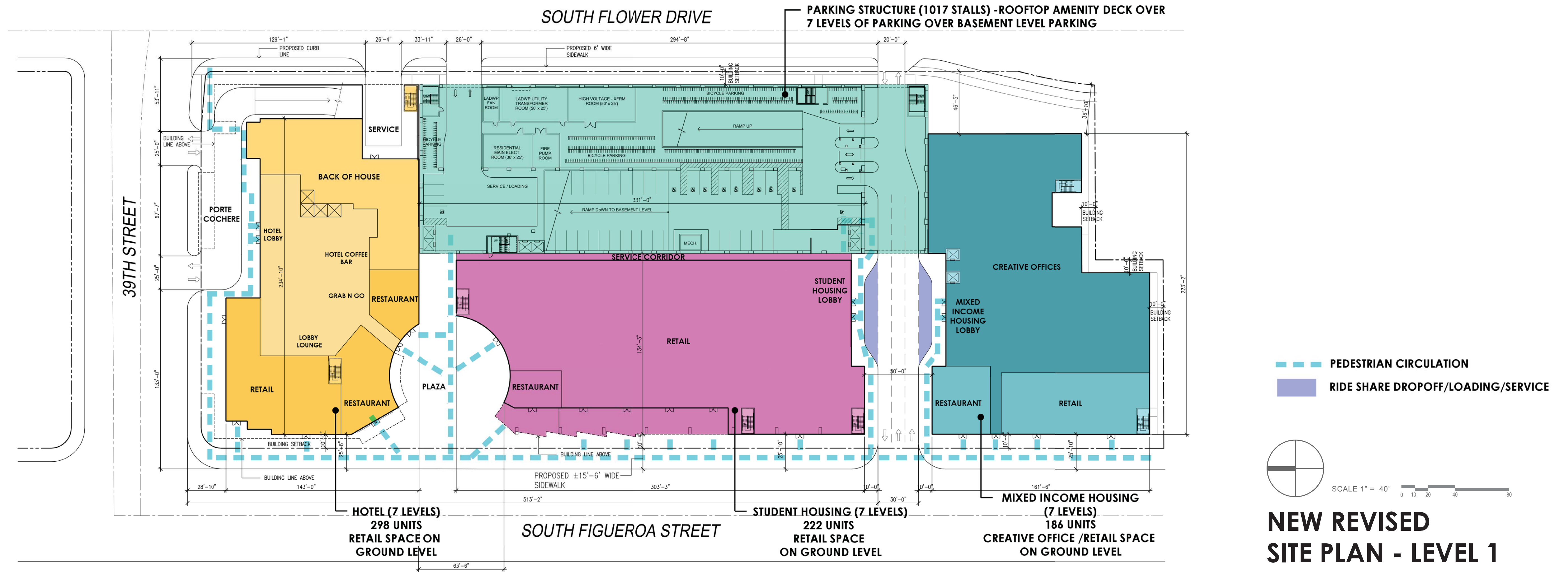
PERSPECTIVE RENDERING

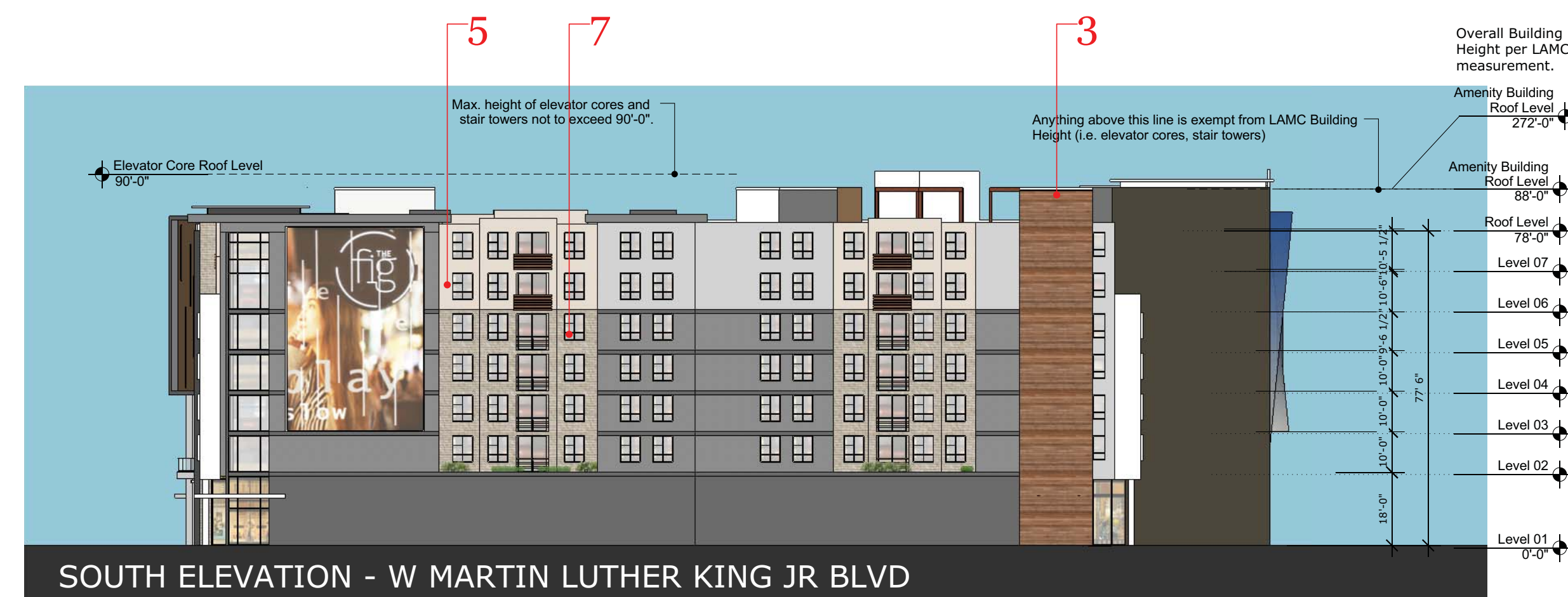


PERSPECTIVE RENDERING

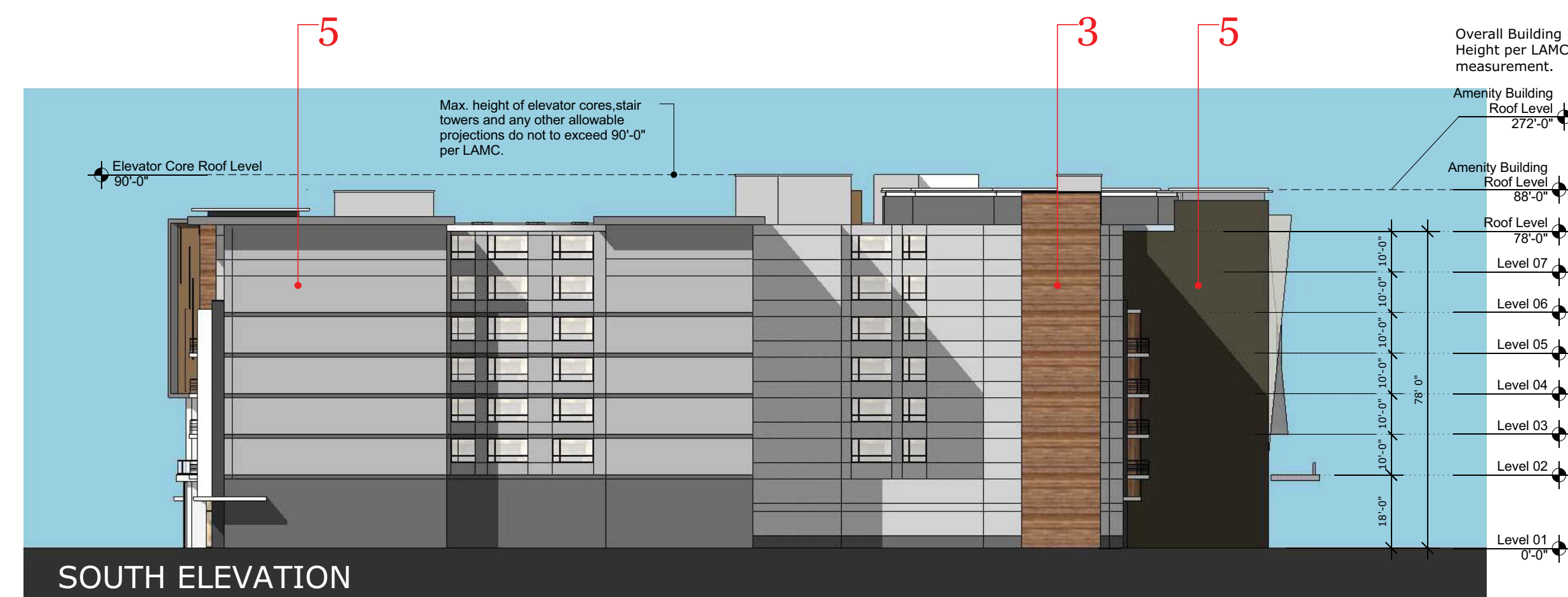


PERSPECTIVE RENDERING





NEW REVISED ELEVATION



ORIGINAL SUBMITTED ELEVATION

EXTERIOR ELEVATIONS



EXTERIOR METAL CLADDING



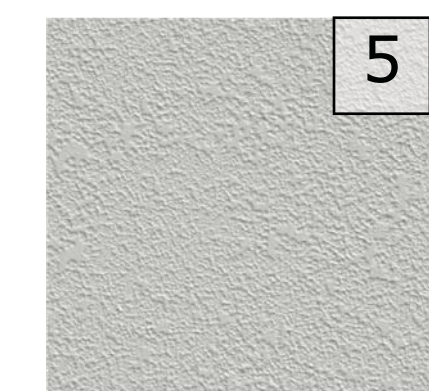
EXTERIOR PORCELAIN TILE CLADDING



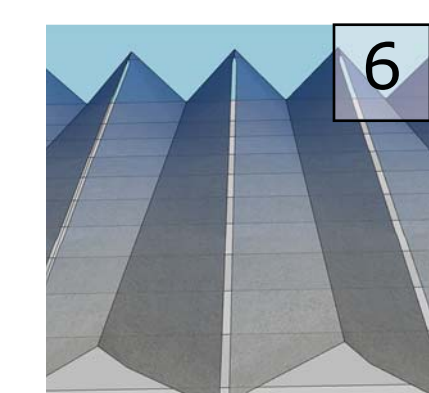
EXTERIOR WOOD CLADDING



PAINTED SOLID METAL SHEET



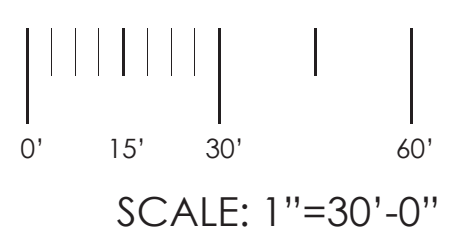
STUCCO



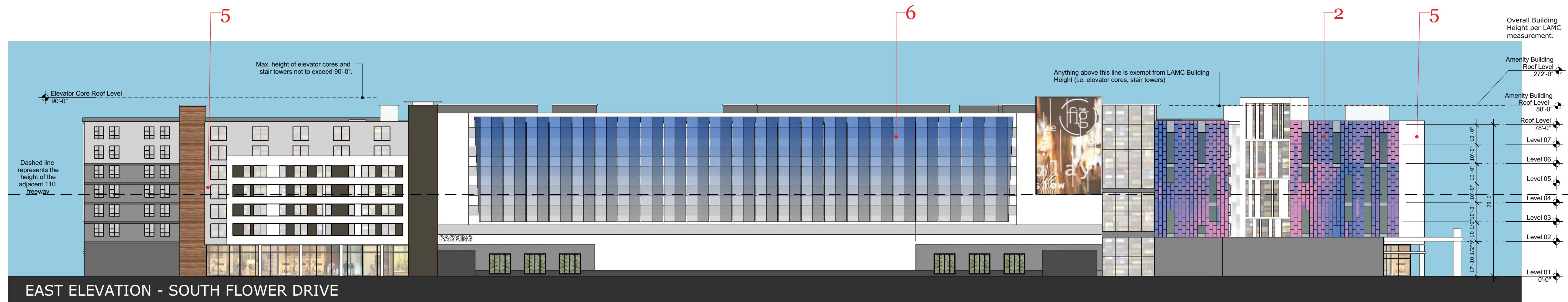
ARCHITECTURAL WOVEN MESH SYSTEM - ACCORDIAN-LIKE INSTALLATION PATTERN



STONE VENEER

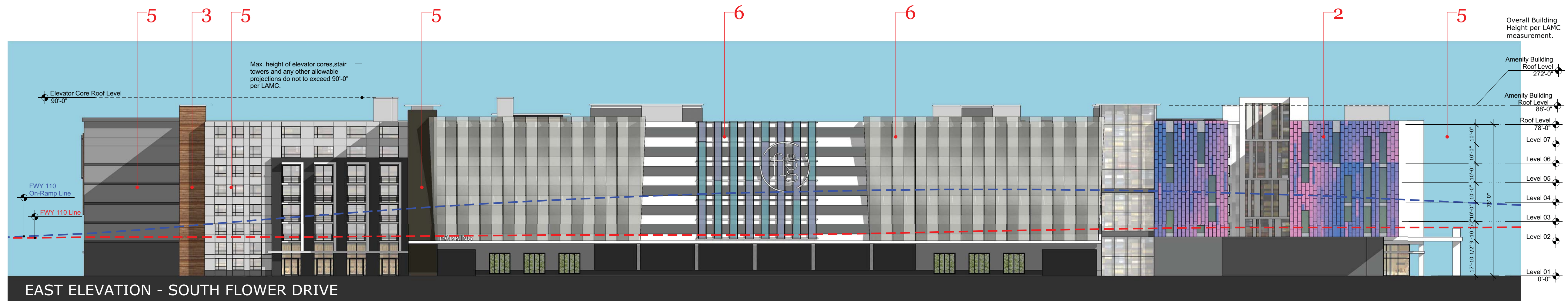


SCALE: 1"=30'-0"



EAST ELEVATION - SOUTH FLOWER DRIVE

NEW REVISED ELEVATION



EAST ELEVATION - SOUTH FLOWER DRIVE

ORIGINAL SUBMITTED ELEVATION



1 EXTERIOR METAL CLADDING



2 EXTERIOR PORCELAIN TILE CLADDING



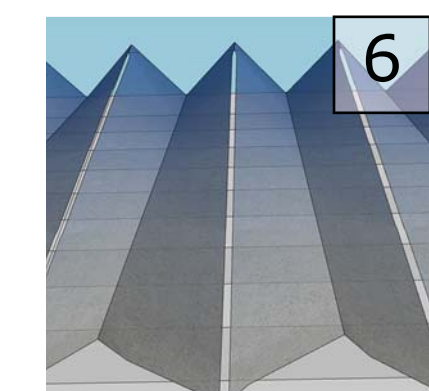
3 EXTERIOR WOOD CLADDING



4 PAINTED SOLID METAL SHEET



5 STUCCO



6 ARCHITECTURAL WOVEN MESH SYSTEM - ACCORDIAN-LIKE INSTALLATION PATTERN



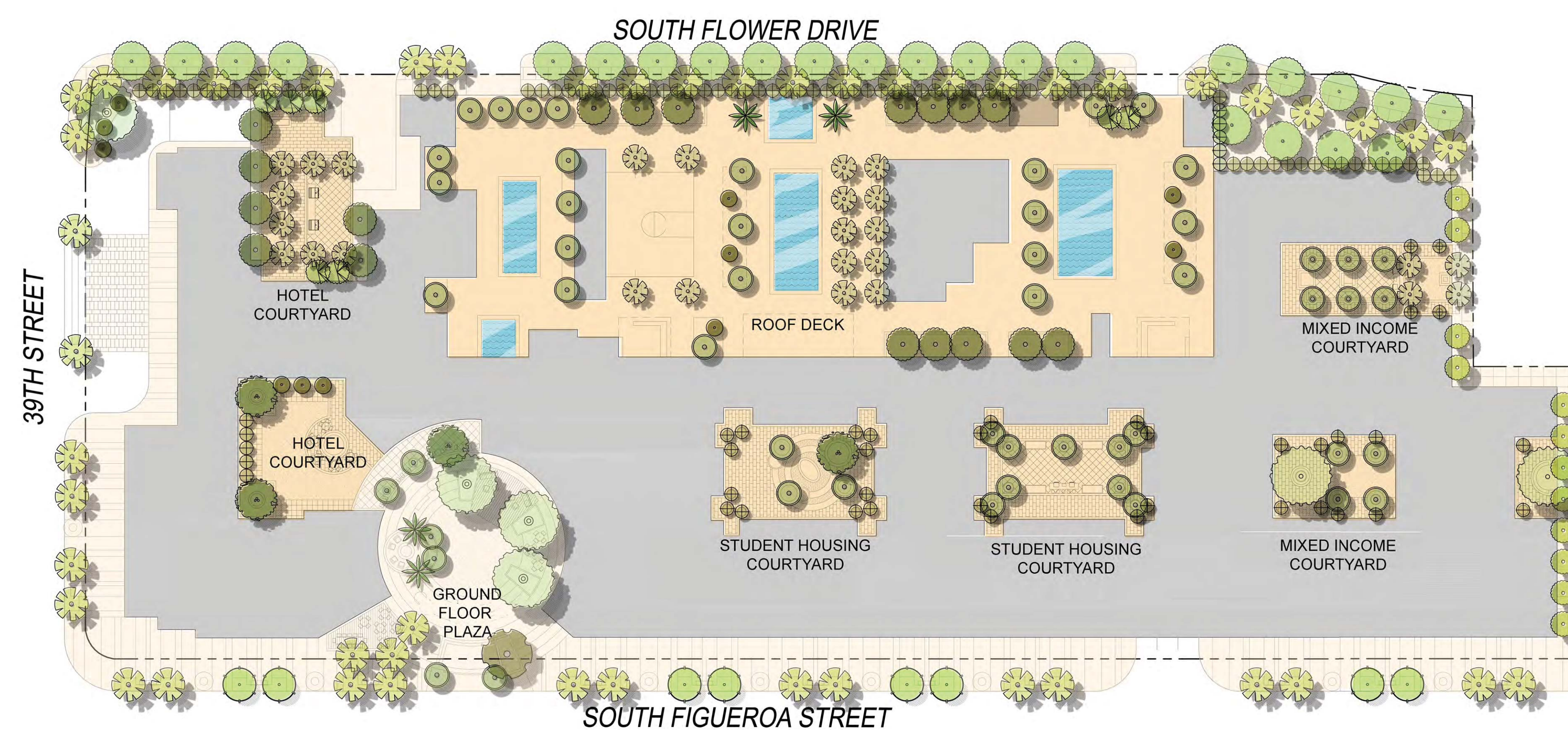
7 STONE VENEER

0' 15' 30' 60'
SCALE: 1"=30'-0"

EXTERIOR ELEVATIONS

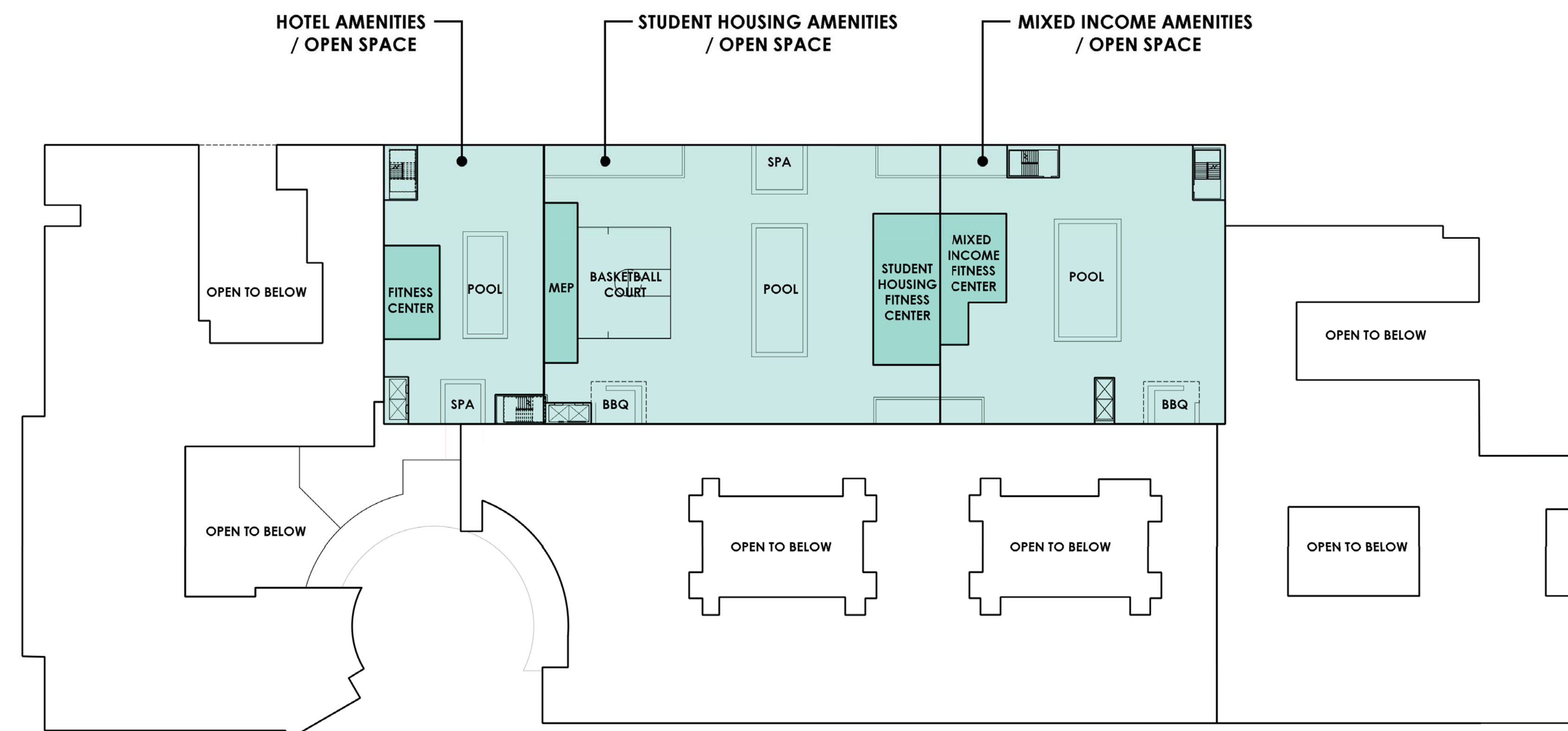
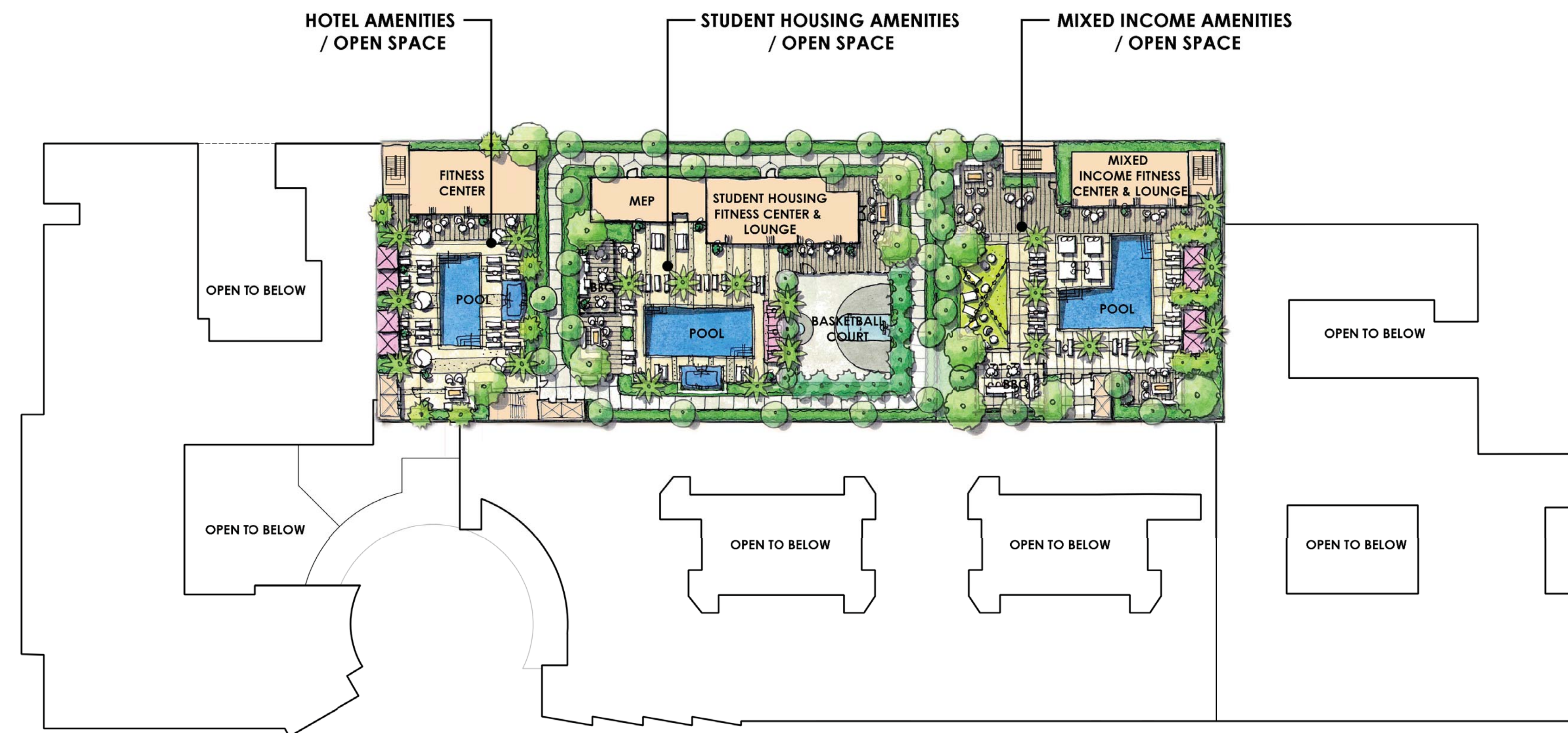


NEW REVISED



ORIGINAL SUBMITTED

ROOF DECK LANDSCAPE



ROOF LEVEL



**NEW REVISED
PERSPECTIVE RENDERING**



**ORIGINAL SUBMITTED
PERSPECTIVE RENDERING**

IV. Mitigation Monitoring Program

1. Introduction

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 a public agency adopt a program for monitoring or reporting mitigation measures and project revisions, which it has required to mitigate or avoid significant environmental effects. This MMP has been prepared in compliance with the requirements of CEQA, Public Resources Code Section 21081.6 and Section 15097 of the State CEQA Guidelines.

The City of Los Angeles is the Lead Agency for the Project and therefore is responsible for administering and implementing the MMP. A public agency may delegate reporting or monitoring responsibilities to another public agency or to a private entity that 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.

An Environmental Impact Report (EIR) has been prepared to address the potential environmental impacts of the Project. The evaluation of the Project’s impacts in the EIR takes into consideration the project design features (PDF) and applies mitigation measures (MM) needed to avoid or reduce potentially significant environmental impacts. This MMP is designed to monitor implementation of the PDFs and MMs identified for the Project.

2. Organization

As shown on the following pages, each identified PDF and MM for the Project is listed and categorized by environmental impact area, with accompanying identification of the following:

- Enforcement Agency—the agency with the power to enforce the project design feature or mitigation measure.

- **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 project design feature or mitigation measure shall be monitored.
- **Monitoring Frequency**—the frequency at which the project design feature or mitigation measure shall be monitored.
- **Action Indicating Compliance**—the action by which the Enforcement or Monitoring Agency indicates that compliance with the identified project design feature or required mitigation measure has been implemented.

3. Administrative Procedures and Enforcement

This MMP shall be enforced throughout all phases of the Project. The Applicant shall be responsible for implementing each PDF and MM and shall be obligated to provide certification, as identified below, to the appropriate monitoring and enforcement agencies that each PDF and MM has been implemented. The Applicant shall maintain records demonstrating compliance with each PDF and MM. Such records shall be made available to the City upon request.

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

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

4. Program Modification

After review and approval of the final MMP by the Lead Agency, minor changes and modifications to the MMP are permitted, but can only be made subject to City approval. The Lead Agency, in conjunction with any appropriate agencies or departments, will

determine the adequacy of any proposed change or modification. This flexibility is necessary in light of the nature of the MMP and the need to protect the environment. No changes will be permitted unless the MMP continues to satisfy the requirements of CEQA, as determined by the Lead Agency.

The Project shall be in substantial conformance with the PDFs and MMs contained in this MMP. The enforcing departments or agencies may determine substantial conformance with PDFs and MMs in the MMP in their reasonable discretion. If the department or agency cannot find substantial conformance, a PDF or MM may be modified or deleted as follows: the enforcing department or agency, or the decision maker for a subsequent discretionary project related approval finds that the modification or deletion complies with CEQA, including CEQA Guidelines Sections 15162 and 15164, which could include the preparation of an addendum or subsequent environmental clearance, if necessary, to analyze the impacts from the modifications to or deletion of the PDFs or MMs. Any addendum or subsequent CEQA clearance shall explain why the PDF or MM is no longer needed, not feasible, or the other basis for modifying or deleting the PDF or MM. Under this process, the modification or deletion of a PDF or MM shall not, in and of itself, require a modification to any Project discretionary approval unless the Director of Planning also finds that the change to the PDF or MM results in a substantial change to the Project or the non-environmental conditions of approval.

6. Mitigation Monitoring Program

A. Aesthetics, Views, Light/Glare, and Shading

(1) Project Design Features

Project Design Feature A-1: Temporary construction fencing shall be placed along the periphery of the active construction areas to screen the construction activity from view at the street level, and to keep unpermitted persons from entering the construction area.

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

Project Design Feature A-2: The Project 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 that are accessible/visible to the public, and that such temporary barriers and walkways are maintained in a visually attractive manner (i.e., free of trash, graffiti, peeling postings and of uniform paint color or graphic treatment) throughout the construction period.

- **Enforcement Agency:** City of Los Angeles Department of City Planning; City of Los Angeles Department of Building and Safety
- **Monitoring Agency:** City of Los Angeles Department of City Planning; City of Los Angeles Department of Building and Safety
- **Monitoring Phase:** Construction
- **Monitoring Frequency:** During field inspection(s)
- **Action Indicating Compliance:** Field inspection sign-off

Project Design Feature A-3: Light sources associated with Project construction shall be shielded and/or aimed so that no direct beam illumination is provided outside of the Project Site boundary. However, construction lighting shall not be so limited as to compromise the safety of construction workers.

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

Project Design Feature A-4: New on-site utilities that may be required to serve the Project shall be installed underground, where practical.

- **Enforcement Agency:** City of Los Angeles Department of Building and Safety; City of Los Angeles Department of Water and Power
- **Monitoring Agency:** City of Los Angeles Department of Building and Safety; City of Los Angeles Department of Water and Power
- **Monitoring Phase:** Pre-construction; construction
- **Monitoring Frequency:** Once at Project plan check; once during field inspection
- **Action Indicating Compliance:** Plan check approval and issuance of applicable building permit; issuance of Certificate of Occupancy

Project Design Feature A-5: Mechanical, electrical, and roof top equipment, as well as building appurtenances, shall be screened from public view.

- **Enforcement Agency:** City of Los Angeles Department of Building and Safety
- **Monitoring Agency:** City of Los Angeles Department of Building and Safety
- **Monitoring Phase:** Construction
- **Monitoring Frequency:** Once at Project plan check; once during field inspection
- **Action Indicating Compliance:** Plan check approval and issuance of applicable building permit; issuance of Certificate of Occupancy

Project Design Feature A-6: Trash areas associated with the proposed buildings shall be enclosed or otherwise screened from view from public rights-of-way.

- **Enforcement Agency:** City of Los Angeles Department of Building and Safety
- **Monitoring Agency:** City of Los Angeles Department of Building and Safety
- **Monitoring Phase:** Construction
- **Monitoring Frequency:** Once at Project plan check; once during field inspection
- **Action Indicating Compliance:** Plan check approval and issuance of applicable building permit; issuance of Certificate of Occupancy

Project Design Feature A-7: All new outdoor lighting required for the Project shall be shielded and directed towards the interior of the Project Site such that the light source does not project directly upon any adjacent property.

- **Enforcement Agency:** City of Los Angeles Department of Building and Safety
- **Monitoring Agency:** City of Los Angeles Department of Building and Safety
- **Monitoring Phase:** Construction; pre-operation
- **Monitoring Frequency:** Once at Project plan check; once during field inspection

- **Action Indicating Compliance:** Plan check approval and issuance of applicable building permit; issuance of Certificate of Occupancy

Project Design Feature A-8: Glass used in building façades shall be anti-reflective or treated with an anti-reflective coating in order to minimize glare.

- **Enforcement Agency:** City of Los Angeles Department of City Planning; City of Los Angeles Department of Building and Safety
- **Monitoring Agency:** City of Los Angeles Department of City Planning; City of Los Angeles Department of Building and Safety
- **Monitoring Phase:** Construction
- **Monitoring Frequency:** Once at Project plan check; once during field inspection
- **Action Indicating Compliance:** Plan approval and issuance of applicable building permit; issuance of Certificate of Occupancy

Project Design Feature A-9: The Project Applicant shall remove the existing three billboards on-site and shall not include off-site signs.

- **Enforcement Agency:** City of Los Angeles Department of Building and Safety
- **Monitoring Agency:** City of Los Angeles Department of Building and Safety
- **Monitoring Phase:** Pre-construction; pre-operation
- **Monitoring Frequency:** Once at Project plan check; once during field inspection
- **Action Indicating Compliance:** Plan check approval and issuance of applicable building permit; issuance of Certificate of Occupancy

C. Cultural Resources

(1) Project Design Features

Project Design Feature C-1: The Project Applicant shall retain a relocation consultant to assist current Project Site residents by providing services including, but not limited to, identification of available replacement dwellings, transportation to view potential replacement housing, coordination of movers, and establishment/oversight of relocation fee escrow accounts.

- **Enforcement Agency:** City of Los Angeles Department of City Planning

- **Monitoring Agency:** City of Los Angeles Department of City Planning
- **Monitoring Phase:** Pre-construction
- **Monitoring Frequency:** Prior to issuance of any demolition permit for residential structures
- **Action Indicating Compliance:** Submittal of relocation plan to Department of City Planning

(2) Mitigation Measures

Mitigation Measure C-1: Prior to the issuance of a demolition permit, a report documenting the architectural and historical significance of the Flower Drive Historic District shall be prepared. One original copy of the report in both digital and hard copy format shall be assembled and offered to the Southern California Information Center at California State University Fullerton, the Los Angeles Conservancy, the Los Angeles Central Library, and the City of Los Angeles Office of Historic Resources. The report shall be created by a historic preservation professional meeting the Secretary of the Interior's Professional Qualifications Standards for history or architectural history. The report shall include:

- a. A written report according to the Historic American Building Survey (HABS) narrative format, which includes historical and descriptive information, index to photographs, and photo key plan.
 - b. Duplicates of historic photographs, if available.
 - c. Duplicates of original drawings, if available.
 - d. 35 mm black and white photographs (or digital images for the digital copies of the report). The photographs shall be keyed to a site plan to show the location of each photograph taken. Views shall include the setting of the district and exterior views of all of the contributing buildings.
- **Enforcement Agency:** City of Los Angeles Department of City Planning, Office of Historic Resources
 - **Monitoring Agency:** City of Los Angeles Department of City Planning, Office of Historic Resources
 - **Monitoring Phase:** Pre-construction
 - **Monitoring Frequency:** Once at Project plan check
 - **Action Indicating Compliance:** Submittal of compliance documentation to City of Los Angeles Department of City Planning and subsequent issuance of demolition permit

Mitigation Measure C-2: A salvage and reuse plan shall be created, identifying elements and materials that can be saved prior to the issuance of a demolition permit. The plan shall be prepared by a historic preservation professional meeting the Secretary of the Interior's Professional Qualifications Standards for architectural history or historic architecture with demonstrated experience in developing salvage and reuse plans. The plan shall be submitted to the City of Los Angeles Office of Historic Resources. Elements and materials that may be salvageable include: windows, doors, roof tiles, decorative elements, framing members, light fixtures, plumbing fixtures, and flooring materials such as tiles and hardwood. The salvageable items shall be removed in the gentlest, least destructive manner possible. The plan shall identify the recipient(s) for the items.

- **Enforcement Agency:** City of Los Angeles Department of City Planning, Office of Historic Resources
- **Monitoring Agency:** City of Los Angeles Department of City Planning, Office of Historic Resources
- **Monitoring Phase:** Pre-construction
- **Monitoring Frequency:** Once at Project plan check
- **Action Indicating Compliance:** Submittal of compliance documentation to City of Los Angeles Department of City Planning and subsequent issuance of demolition permit

Mitigation Measure C-3: Seven of the eight multifamily residential buildings currently located on the Project Site are designated contributors to the Flower Drive Historic District. At least three of the seven contributors shall be relocated to a suitable and appropriately zoned site or sites within 5 miles of the Project Site, to the satisfaction of the Planning Department. The relocation of at least three contributors shall be completed prior to the issuance of a final certificate of occupancy for the Project.

All buildings that are not to be relocated shall be made available to third parties for relocation and/or salvage in accordance with the salvage and reuse plan prepared pursuant to Mitigation Measure C-2. The Project Applicant shall publicize the availability of any such buildings for relocation and/or salvage by publishing a notice in a newspaper of general circulation and by directly informing potentially interested parties at least 180 days prior to the application for any demolition permit ("Notice of Availability"). Any third party interested in pursuing relocation and/or salvage activities shall notify the Applicant of their interest within 30 days of the Notice of Availability being provided. At least 60 days prior to the Project Applicant commencing demolition activities at the Project Site, the Project Applicant shall notify all interested third parties of such impending demolition ("Notice

of Demolition”). All proposed relocation and/or salvage activities proposed by third parties shall be completed no later than 30 days after receiving a Notice of Demolition.

Any such buildings made available for relocation and/or salvage shall be made available at no cost for the building itself, but a third party that undertakes relocation and/or salvage activities shall be responsible for costs associated with those activities.

All relocated buildings, whether relocated by the Project Applicant or a third party, shall be moved in accordance with all applicable regulatory requirements, including those applicable provisions of Chapter 83 of the Los Angeles Building Code, and shall be moved during off-peak hours so as to avoid potential traffic impacts. .

- **Enforcement Agency:** City of Los Angeles Department of City Planning, Office of Historic Resources
- **Monitoring Agency:** City of Los Angeles Department of City Planning, Office of Historic Resources
- **Monitoring Phase:** Pre-construction
- **Monitoring Frequency:** Once prior to demolition
- **Action Indicating Compliance:** Submittal of compliance documentation to City of Los Angeles Department of City Planning and subsequent issuance of demolition permit

Mitigation Measure C-4: A qualified paleontologist shall be retained to perform periodic inspections of excavation and grading activities at the Project Site. The frequency of inspections shall be based on consultation with the paleontologist and shall depend on the rate of excavation and grading activities and the materials being excavated. If paleontological materials are encountered, the paleontologist shall temporarily divert or redirect grading and excavation activities in the area of the exposed material to facilitate evaluation and, if necessary, salvage. The paleontologist shall then assess the discovered material(s) and prepare a survey, study or report evaluating the impact. The Project Applicant shall then comply with the recommendations of the evaluating paleontologist, and a copy of the paleontological survey report shall be submitted to the Los Angeles County Natural History Museum.

- **Enforcement Agency:** Los Angeles Department of Building and Safety
- **Monitoring Agency:** Los Angeles Department of Building and Safety
- **Monitoring Phase:** Construction

- **Monitoring Frequency:** To be determined by consultation with paleontologist
- **Action Indicating Compliance:** Submittal of compliance documentation prepared by qualified paleontologist

E. Greenhouse Gas Emissions

(1) Project Design Features

Project Design Feature E-1: The design of the new buildings shall incorporate features to be capable of achieving at least Silver certification under the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED)-NC® v2009. Such LEED® features shall include energy-efficient buildings, a pedestrian- and bicycle-friendly site design, and water conservation measures, among others.

- **Enforcement Agency:** City of Los Angeles Department of City Planning
- **Monitoring Agency:** City of Los Angeles Department of Building and Safety
- **Monitoring Phase:** Pre-construction; construction
- **Monitoring Frequency:** Once at Project plan check; once during field inspection
- **Action Indicating Compliance:** Plan approval and issuance of applicable building permit; issuance of Certificate of Occupancy

Project Design Feature E-2: No natural gas fueled fireplaces shall be installed in the residences.

- **Enforcement Agency:** City of Los Angeles Department of Building and Safety
- **Monitoring Agency:** City of Los Angeles Department of Building and Safety
- **Monitoring Phase:** Pre-construction; pre-operation
- **Monitoring Frequency:** Once at Project plan check; once during field inspection
- **Action Indicating Compliance:** Plan check approval and issuance of applicable building permit; issuance of Certificate of Occupancy

Project Design Feature E-3: A minimum of 20 percent of the total code-required parking spaces for the project shall be capable of supporting future electric vehicle supply equipment (EVSE). Project plans shall indicate the proposed type and location(s) of EVSE and also include raceway

method(s), wiring schematics and electrical calculations to verify that the electrical system has sufficient capacity to simultaneously charge all electric vehicles (EVs) at all designated EV charging locations at their full rated amperage. Plan design shall be based upon Level 2 or greater EVSE at its maximum operating capacity. Only raceways and related components are required to be installed at the time of construction. When the application of the 20 percent results in a fractional space, round up to the next whole number. A label stating "EV CAPABLE" shall be posted in a conspicuous place at the service panel or subpanel and next to the raceway termination point.

- **Enforcement Agency:** City of Los Angeles Department of Building and Safety
- **Monitoring Agency:** City of Los Angeles Department of Building and Safety
- **Monitoring Phase:** Pre-construction; construction
- **Monitoring Frequency:** Once at Project plan check; once during field inspection
- **Action Indicating Compliance:** Plan approval and issuance of applicable building permit; issuance of Certificate of Occupancy

Project Design Feature E-4: A minimum of 5 percent of the total code-required parking spaces shall be equipped with EV charging stations. Project plans shall indicate the proposed type and location(s) of charging stations. Plan design shall be based on Level 2 or greater EVSE at its maximum operating capacity. When the application of the 5-percent requirement results in a fractional space, round up to the next whole number.

- **Enforcement Agency:** City of Los Angeles Department of Building and Safety
- **Monitoring Agency:** City of Los Angeles Department of Building and Safety
- **Monitoring Phase:** Pre-construction; construction
- **Monitoring Frequency:** Once at Project plan check; once during field inspection
- **Action Indicating Compliance:** Plan approval and issuance of applicable building permit; issuance of Certificate of Occupancy

H. Noise

(1) Project Design Features

Project Design Feature H-1: Power construction equipment (including combustion engines), fixed or mobile, shall be equipped with state-of-the-art noise shielding and muffling devices (consistent with manufacturers' standards). All equipment shall be properly maintained to assure that no additional noise, due to worn or improperly maintained parts, would be generated.

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

Project Design Feature H-2: Project construction shall not include the use of driven (impact) pile systems.

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

Project Design Feature H-3: All outdoor mounted mechanical equipment shall be enclosed or screened from off-site noise-sensitive receptors.

- **Enforcement Agency:** City of Los Angeles Department of City Planning
- **Monitoring Agency:** City of Los Angeles Department of Building and Safety
- **Monitoring Phase:** Pre-construction; construction
- **Monitoring Frequency:** Once at Project plan check; once during field inspection
- **Action Indicating Compliance:** Plan approval and issuance of applicable building permit; issuance of Certificate of Occupancy

Project Design Feature H-4: Outdoor amplified sound systems shall be designed so as not to exceed the maximum noise level of 80 dBA (L_{eq-1hr}) at a distance of 25 feet from the amplified sound systems (i.e., speaker face) at the ground level outdoor dining/plaza, 85 dBA (L_{eq-1hr}) at the Hotel Level 2 courtyards, Student Housing and Mixed Housing Level 2 courtyards and roof level amenities deck, and 95 dBA (L_{eq-1hr}) at the Hotel roof amenities deck.

- **Enforcement Agency:** City of Los Angeles Department of City Planning; City of Los Angeles Department of Building and Safety
- **Monitoring Agency:** City of Los Angeles Department of City Planning; City of Los Angeles Department of Building and Safety
- **Monitoring Phase:** Post-construction
- **Monitoring Frequency:** Once at Project plan check; once at field inspection during operation
- **Action Indicating Compliance:** Plan approval and field inspection sign-off and submittal of compliance report from noise consultant

(2) Mitigation Measures

Mitigation Measure H-1: A temporary and impermeable sound barrier shall be erected as follows:

- Along the Project Site's northern property line. The temporary sound barrier shall be designed to provide a 10-dBA (for the residential use on 39th Street) noise reduction at the ground level of the adjacent noise-sensitive receptors.
- Along the Project Site's western property line. The temporary sound barrier shall be designed to provide a 5-dBA noise reduction at Christmas Tree Lane within Exposition Park.
- **Enforcement Agency:** City of Los Angeles Department of Building and Safety
- **Monitoring Agency:** City of Los Angeles Department of Building and Safety
- **Monitoring Phase:** Pre-construction; construction
- **Monitoring Frequency:** Once at Project plan check prior to issuance of grading permit; once during field inspection
- **Action Indicating Compliance:** Plan check approval and issuance of grading permit; field inspection sign-off

Mitigation Measure H-2: The Project Applicant shall retain the services of a qualified vibration consultant to monitor ground-borne vibration at the adjacent building to the south of the Project Site during site excavation

when the use of heavy construction equipment, such as a large bulldozer, drill rig, or loaded truck occurs within 15 feet of the building. The vibration monitoring system shall be able to:

- Measure and continuously store the peak particle velocity (PPV) in inch/second. Vibration data shall be stored on a one-second interval.
- Provide real-time alert (via text message and/or email to on-site personnel) when the vibration levels exceed 0.2 inch/second (PPV).

The measured vibration data shall be documented within a report that shall include: a description of the measurement location, the measurement time, and the recorded values (maximum, minimum and mean levels on an hourly basis).

If the measured ground-borne vibration levels exceed 0.2 inch/second (PPV) at the adjacent offsite structure to the south, the Project contractor shall immediately employ alternative construction methods, so that the ground-borne vibration levels do not exceed 0.2 inch/second (PPV).

- **Enforcement Agency:** City of Los Angeles Department of City Planning; City of Los Angeles Department of Building and Safety
- **Monitoring Agency:** City of Los Angeles Department of City Planning; City of Los Angeles Department of Building and Safety
- **Monitoring Phase:** Pre-construction; construction
- **Monitoring Frequency:** Once at Project plan check; once during field inspection
- **Action Indicating Compliance:** Plan approval and issuance of applicable building permit; submittal of compliance report from noise consultant

I.1 Public Services—Police Protection

(1) Project Design Features

Project Design Feature I.1-1: During construction, the Project shall implement temporary security measures including security fencing, lighting, and locked entry.

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

- **Monitoring Phase:** Construction
- **Monitoring Frequency:** Once during field inspection
- **Action Indicating Compliance:** Field inspection sign-off

Project Design Feature I.1-2: During operation, the Project shall include private on-site security, a closed circuit security camera system, and keycard entry for the residential buildings and the residential parking areas.

- **Enforcement Agency:** City of Los Angeles Police Department; City of Los Angeles Department of Building and Safety
- **Monitoring Agency:** City of Los Angeles Department of Building and Safety
- **Monitoring Phase:** Operation
- **Monitoring Frequency:** Annually
- **Action Indicating Compliance:** Documentation of private on-site security in annual compliance report

Project Design Feature I.1-3: The Project shall provide sufficient lighting of building entries and walkways to provide for pedestrian orientation and clearly identify a secure route between parking areas and points of entry into buildings.

- **Enforcement Agency:** City of Los Angeles Police Department; City of Los Angeles Department of Building and Safety
- **Monitoring Agency:** City of Los Angeles Department of Building and Safety
- **Monitoring Phase:** Pre-construction; pre-operation
- **Monitoring Frequency:** Once at Project plan check; once during field inspection
- **Action Indicating Compliance:** Plan check approval and issuance of applicable building permit; issuance of Certificate of Occupancy

Project Design Feature I.1-4: The Project shall provide sufficient lighting of parking areas to maximize visibility and reduce areas of concealment.

- **Enforcement Agency:** City of Los Angeles Police Department; City of Los Angeles Department of Building and Safety
- **Monitoring Agency:** City of Los Angeles Department of Building and Safety
- **Monitoring Phase:** Pre-construction; pre-operation
- **Monitoring Frequency:** Once at Project plan check; once during field inspection

- **Action Indicating Compliance:** Plan check approval and issuance of applicable building permit; issuance of Certificate of Occupancy

Project Design Feature I.1-5: The Project shall design entrances to, and exits from buildings, open spaces around buildings, and pedestrian walkways to be open and in view of surrounding sites.

- **Enforcement Agency:** City of Los Angeles Police Department; City of Los Angeles Department of Building and Safety
- **Monitoring Agency:** City of Los Angeles Department of Building and Safety
- **Monitoring Phase:** Pre-construction; pre-operation
- **Monitoring Frequency:** Once at Project plan check; once during field inspection
- **Action Indicating Compliance:** Plan check approval and issuance of applicable building permit; issuance of Certificate of Occupancy

Project Design Feature I.1-6: Prior to the issuance of a building permit, the Project Applicant shall consult with LAPD's Crime Prevention Unit regarding the incorporation of crime prevention features appropriate for the design of the Project, including applicable features in LAPD's Design Out Crime Guidelines.

- **Enforcement Agency:** City of Los Angeles Police Department; City of Los Angeles Department of City Planning
- **Monitoring Agency:** City of Los Angeles Department of City Planning
- **Monitoring Phase:** Pre-construction
- **Monitoring Frequency:** Once at Project plan check prior to the issuance of applicable building permit
- **Action Indicating Compliance:** Submittal of compliance documentation and subsequent issuance of applicable building permit

Project Design Feature I.1-7: Prior to the issuance of a certificate of occupancy, the Project Applicant shall submit a diagram of the Project Site to the LAPD South Bureau Commanding Officer that includes access routes and any additional information that might facilitate police response.

- **Enforcement Agency:** City of Los Angeles Police Department; City of Los Angeles Department of City Planning
- **Monitoring Agency:** City of Los Angeles Department of City Planning

- **Monitoring Phase:** Pre-operation
- **Monitoring Frequency:** Once prior to the issuance of Certificate of Occupancy
- **Action Indicating Compliance:** Submittal of compliance documentation and subsequent issuance of Certificate of Occupancy

I.4 Public Services—Libraries

(1) Project Design Features

Project Design Feature I.4-1: The Project Applicant shall pay a fee of \$200 per capita to the LAPL prior to the issuance of a building permit. The estimated residential population shall be calculated by multiplying the number of dwelling units within the Mixed-Income Housing Component by the average household size of 2.44 persons per household.

- **Enforcement Agency:** City of Los Angeles Department of City Planning
- **Monitoring Agency:** City of Los Angeles Public Library
- **Monitoring Phase:** Pre-operation
- **Monitoring Frequency:** Once prior to issuance of Certificate of Occupancy
- **Action Indicating Compliance:** Issuance of Certificate of Occupancy

J. Traffic, Access, and Parking

(1) Project Design Features

Project Design Feature J-1: Prior to the start of construction, the Project shall prepare a Construction Traffic Management Plan and submit it to LADOT for review and approval. The Construction Traffic Management Plan shall include a Worksite Traffic Control Plan which shall facilitate traffic and pedestrian movement and minimize the potential conflicts between construction activities, street traffic, bicyclists, and pedestrians. The plan shall show the location of any roadway or sidewalk closures, traffic detours, haul routes, hours of operation, protective devices, warning signs and access to abutting properties. Furthermore, the Construction Traffic Management Plan and Worksite Traffic Control Plan shall include, but not be limited to, the following measures:

- Maintain access for land uses in the vicinity of the Project Site during construction;
- Schedule construction material deliveries during off-peak periods to the extent practical;
- Minimize obstruction of traffic lanes on Figueroa Street and 39th Street adjacent to the Project Site;
- Organize Project Site deliveries and the staging of all equipment and materials in the most efficient manner possible, and on-site where possible, to avoid an impact to the surrounding roadways;
- Coordinate truck activity and deliveries to ensure trucks do not wait to unload or load at the Project Site and impact roadway traffic, and if needed, utilize an organized off-site staging area;
- Control truck and vehicle access to the Project Site with flagmen;
- Designate travel routes for trucks on Figueroa Street, Martin Luther King Jr. Boulevard, and other arterial roadways, to prevent trucks from using residential streets;
- Limit sidewalk and lane closures, and avoid peak hours to the extent possible. Where such closures are necessary, the Project's Worksite Traffic Control Plan shall identify the location of any sidewalk or lane closures and identify all traffic control measures, signs, delineators, and work instructions to be implemented by the construction contractor through the duration of demolition and construction activity;
- Identify alternative sites for bus stops that must be relocated and undertake any required relocation in coordination with LADOT and Metro; and
- Parking for construction workers shall be provided either on-site or at off-site, off-street locations. Parking shall not be allowed on residential streets in the vicinity of the Project.
- The contractor or its designee shall notify the LAUSD Transportation Branch and the site administrator of the Dr. Theodore T. Alexander Science Center School of the expected start and ending dates of construction. In addition, the contractor must coordinate with LAUSD site administrators and/or designated representatives to ensure that effective measures are employed to reduce construction-related effects related to existing pedestrian and school bus routes, and school drop off/pick up areas on the proximate LAUSD facilities. In addition, throughout the duration of construction, the contractor must maintain safe and convenient pedestrian routes to schools (refer to the map provided for the Alexander Science Center at <https://achieve.lausd.net/Page/3990> or as may be updated by LAUSD). The contractor must also notify

workers of the provision of the California Vehicle Code that requires vehicles to stop when encountering school buses using red-flashing-lights must-stop-indicators and that no staging or parking of construction-related vehicles, including worker-transport vehicles, shall occur on or adjacent to a school property.

- **Enforcement Agency:** City of Los Angeles Department of Transportation
- **Monitoring Agency:** City of Los Angeles Department of Transportation
- **Monitoring Phase:** Pre-construction; construction
- **Monitoring Frequency:** Once at Project plan check; once during field inspection
- **Action Indicating Compliance:** Plan check approval and issuance of grading permit; field inspection sign-off

Project Design Feature J-2: During construction of the Project, a minimum of one lane of Flower Drive shall remain open to provide access to the properties located immediately south of the Project Site, at the northeast corner of Figueroa Street and Martin Luther King Jr. Boulevard.

- **Enforcement Agency:** City of Los Angeles Department of Transportation
- **Monitoring Agency:** City of Los Angeles Department of Transportation
- **Monitoring Phase:** Construction
- **Monitoring Frequency:** During field inspection(s)
- **Action Indicating Compliance:** Field inspection sign-off/Submittal of Compliance Report

(2) Mitigation Measures

Mitigation Measure J-1: Transportation Demand Management (TDM) Program—

The Project shall prepare and implement a TDM Program that includes strategies to promote non-automobile travel and reduce the use of single-occupant vehicle trips. The TDM Program shall include design features, transportation services, education programs, and incentive programs intended to reduce the amount of single-occupancy vehicles during commute hours. A preliminary TDM program shall be prepared and provided for LADOT review prior to the issuance of the first building permit for this Project and a final TDM program approved by DOT is required prior to the issuance of the first certificate of occupancy for the Project. The TDM Program strategies should include, but not be limited to, the following strategies:

- An on-site Transportation Information Center
- Preferential rideshare loading/unloading or parking location
- Convenient parking and facilities for bicycle riders
- Guaranteed ride home programs for employees
- Allowance for flexible and alternative work schedules
- Administrative support for the formation of carpools/vanpools
- Promotion of transit, walk, or bike to work events
- Project design elements to ensure a bicycle, transit, and pedestrian friendly environment
- Unbundled parking from housing cost
- Parking cash-out programs for Project and uses as appropriate
- A Covenant and Agreement to ensure that the TDM program will be maintained.

The following improvements proposed by the project as part of its transit and mobility improvement program should be part of the TDM program:

- Provide sidewalk bike racks (including near bus stops).
- Participate in the City's Bike Share Program by providing an area for bike share facilities.
- Make a one-time financial contribution of \$150,000 to the City of Los Angeles Department of Transportation, to be used in the implementation of the Mobility Hub in the general area of the Project.
- Participate in a Car-Share Program, and provide a minimum of ten off-street car share parking spaces
- Provide an on-site transportation coordinator to promote alternatives to the car and to facilitate rideshare.
- Facilitate carpools and vanpools for project employees, students, etc. by providing priority locations for carpool and vanpool parking.
- Provide an on-site information facility to make available information on car-sharing, transit, vanpools, taxis, etc. (e.g. kiosk, concierge, or transportation office).
- Encourage implementation of bus shelters in the area of the Project.
- Unbundle parking from housing cost.
- Implement parking cash-out programs for Project land uses

- Facilitate shuttle service from the Project to nearby destinations including the USC campus and nearby transit stations
- In addition, the Project shall enhance existing transit service in the Project vicinity as follows:
- Contribution of a fixed fee of \$750,000 to a trust fund to be administered by LADOT for the implementation of alternative transportation modes focused along the Figueroa Street corridor and the DASH F route. The funding may include purchase of one 35-foot zero emission bus, maintenance cost of three years, driver salary for three years, fuel expenses for three years, and route modification to include the Project Site.
- **Enforcement Agency:** City of Los Angeles Department of Transportation
- **Monitoring Agency:** City of Los Angeles Department of Transportation
- **Monitoring Phase:** Pre-operation
- **Monitoring Frequency:** Once prior to issuance of Certificate of Occupancy
- **Action Indicating Compliance:** Approval of TDM Program by Los Angeles Department of Transportation; Issuance of Certificate of Occupancy; Annual compliance report

Mitigation Measure J-2: Transportation Systems Management (TSM) Improvements—The Project shall contribute up to \$80,000 toward TSM improvements within the Central District to better accommodate intersection operations and increase intersection capacity throughout the study area, to the satisfaction of the LADOT ATSAC Section. The Project shall fund the installation of new closed circuit television (CCTV) cameras (a total of four cameras, including necessary mounting poles, fiber optic and electrical connections) at the following four intersections:

- Intersection No. 2: Figueroa Street & Jefferson Boulevard
- Intersection No. 9: Figueroa Street & Exposition Boulevard
- Intersection No. 21: Figueroa Street & Martin Luther King Jr. Boulevard
- Intersection No. 23: I-110 NB Ramps/Hill Street & Martin Luther King Jr. Boulevard

Prior to the issuance of any building permit, LADOT shall determine whether the CCTV installations shall be implemented by the Applicant through the B-permit process of the Bureau of Engineering (BOE), or through payment of a one-time fixed fee of \$80,000 from the Project to

LADOT to fund the cost of the upgrades, and LADOT shall design and construct the upgrades. If the installations are implemented by the Project through the B-Permit process, then these improvements shall be guaranteed prior to the issuance of any building permit and completed prior to the issuance of any certificate of occupancy. Temporary certificates of occupancy may be granted in the events of any delay through no fault of the applicant, provided that, in each case, the applicant has demonstrated reasonable efforts and due diligence to the satisfaction of LADOT.

- **Enforcement Agency:** City of Los Angeles Department of Transportation; City of Los Angeles Department of City Planning
- **Monitoring Agency:** City of Los Angeles Department of Transportation
- **Monitoring Phase:** Construction
- **Monitoring Frequency:** Once prior to issuance of applicable Certificate of Occupancy
- **Action Indicating Compliance:** Written verification of payment of fees to the City of Los Angeles Department of Transportation or implementation of TSM improvements; issuance of Certificate of Occupancy

L.1 Utilities and Service Systems—Water Supply and Infrastructure

(1) Project Design Features

Project Design Feature L.1-1: The Project design shall incorporate the following design features to support water conservation:

- High-efficiency toilets with flush volume of 1.06 gallons of water per flush or less throughout the Project Site.
- Waterless urinals (for all public restrooms throughout the Project Site).
- Showerheads with flow rate of 1.5 gallons per minute or less.
- Install a meter on the pool make-up line so water use can be monitored and leaks can be identified and repaired
- Leak detection system for swimming pools and Jacuzzi, or other comparable spa equipment introduced on-site.
- Water-saving pool filter.
- Pool/spa recirculating filtration equipment.

- Drip/subsurface irrigation (micro irrigation).
- Micro-spray.
- Domestic Water Heating System to be located in close proximity to point(s) of use.
- Proper hydro-zoning (group plants with similar water requirements together).
- Zoned irrigation.
- Landscape contouring to minimize precipitation runoff
- Drought-tolerant plants—23 percent of total landscaping.
- Infiltration using a drywell and detention system to capture, store, and treat stormwater for a drainage area of approximately 4.42 acres.
- **Enforcement Agency:** City of Los Angeles Department of Water and Power; City of Los Angeles Department of Building and Safety
- **Monitoring Agency:** City of Los Angeles Department of Building and Safety
- **Monitoring Phase:** Pre-construction; construction
- **Monitoring Frequency:** Once at Project plan check; once prior to issuance of Certificate of Occupancy
- **Action Indicating Compliance:** Plan approval and issuance of applicable building permit; issuance of Certificate of Occupancy

L.3 Utilities and Service Systems—Solid Waste

(1) Project Design Features

Project Design Feature L.3-1: Building materials with a minimum of 10 percent recycled-content shall be used for the construction of the Project.

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

Project Design Feature L.3-2: During construction, the Project shall implement a construction waste management plan to recycle and/or salvage a

minimum of 75 percent of non-hazardous construction debris or minimize the generation of construction waste to 2.5 pounds per square foot of building floor area.

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

Project Design Feature L.3-3: During operation, the Project shall have a solid waste diversion rate of at least 50 percent, pursuant to the City of Los Angeles Solid Waste Management Policy Plan, which was adopted by the City to comply with AB 939. The Project shall adopt current available recycling practices, including off-site sorting of waste by third-party vendors, permitted by the LAMC to achieve a minimum diversion of 50 percent.

- **Enforcement Agency:** City of Los Angeles Department of City Planning; City of Los Angeles Department of Public Works Bureau of Sanitation
- **Monitoring Agency:** City of Los Angeles Department of Public Works, Bureau of Sanitation
- **Monitoring Phase:** Operation
- **Monitoring Frequency:** Annually
- **Action Indicating Compliance:** Submittal of compliance documentation to City of Los Angeles Department of City Planning