



LOS ANGELES CITY PLANNING COMMISSION

200 North Spring Street, Room 272, Los Angeles, California, 90012-4801, (213) 978-1300

www.planning.lacity.org

LETTER OF DETERMINATION

MAILING DATE: AUG 04 2020

Case No. ZA-2016-3908-MCUP-DI-SPP-DB-1A

Council District: 3 – Blumenfield

CEQA: ENV-2016-3909-EIR; SCH No. 2016111027

Plan Area: Canoga Park–Winnetka–Woodland Hills–West Hills

Related Cases: VTT-74587-1A; VTT-74588-1A;

VTT-74589-1A; AA-2016-3910-PMEX

Project Site: 6100 North Topanga Canyon Boulevard;
21800 and 21900 West Erwin Street;
21801, 21821, 21901 and 21931 West Oxnard Street;
6101 North Owensmouth Avenue

**Applicant/
Appellant:** Larry Green, Westfield Promenade LLC; Promenade Buyer, LLC
Representative: Cindy Starrett/Shivaun Cooney, Latham and Watkins, LLP

Appellants: Jeff Bornstein

Christine L. Rowe

John M. Walker, Esq., Woodland Hills Homeowners Organization

Gina K. Thornburg, PhD

At its meeting of **May 28, 2020**, the Los Angeles City Planning Commission took the actions below in conjunction with the approval of the following project:

Redevelopment of the existing Westfield Promenade Shopping Center located within the Warner Center Specific Plan area on a 34-acre site (after dedication) consisting of the demolition of 641,164 square feet of existing floor area for the construction of a multiple-phase, mixed-use development comprised of residential, retail/restaurant, office, hotel and entertainment uses. Upon completion, the Project would include a total of 3,271,050 square feet of floor area, resulting in a net increase of 2,629,886 square feet of new floor area, including up to 1,432 multi-family residential units (of which 5 percent of the units proposed in the Northeast A, Northeast B, and Northwest B Phases, shall be Very Low Income Housing Units, and 5 percent shall be Workforce Housing Units), approximately 280,000 square feet of retail/restaurant uses, approximately 731,500 square feet of office space, up to 572 hotels rooms within two hotels, and a fully-enclosed Entertainment and Sports Center approximately 181,550 square-feet and 10,000 seats in size, or a partial-roof Entertainment and Sports Center approximately 181,550 square-feet and 7,500 seats in size. The proposed uses would be provided in several buildings throughout the Project Site that would range in height from one-story retail and three- to five-story creative office, to a 28-story office tower. The Project proposes 5,655 parking spaces on-site in a combination of parking structures, subterranean parking, and limited surface parking. The Project proposes approximately 6.0 acres of ground level, publicly accessible open space, including a central green space and plaza areas. The Project includes the removal and/or relocation of eight on-site protected trees, and 90 street trees.

1. **Found**, pursuant to Sections 21082.1(c) and 21081.6 of the Public Resources Code, and CEQA Guidelines Section 15163 and 15093, the City Planning Commission has reviewed and considered the information contained in the Supplemental Environmental Impact Report prepared for this Project, which includes the Draft Supplemental EIR, No. ENV-2016-3909-EIR (SCH No. 2016111027), dated April 26, 2018, Final Supplemental EIR dated April 5, 2019 (The Promenade 2035 Project Supplemental EIR), and Erratum dated May 2020, as well as the whole of the administrative record; and

CERTIFIED the following:

- a. The Promenade 2035 Project Supplemental EIR has been completed in compliance with the California Environmental Quality Act (CEQA);
- b. The Promenade 2035 Project Supplemental EIR was presented to the City Planning Commission as a decision-making body of the lead agency; and
- c. The Promenade 2035 Project Supplemental EIR reflects the independent judgment and analysis of the lead agency.

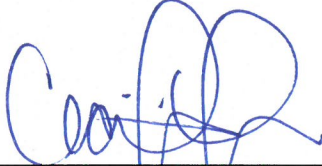
ADOPTED the following:

- a. The related and prepared Promenade 2035 Project Environmental Findings;
 - b. The Statement of Overriding Considerations; and
 - c. The Mitigation Monitoring Program prepared for the Promenade 2035 Supplemental EIR (Exhibit B);
2. **Granted** the appeal in part, **denied** the appeal in part and sustained the Zoning Administrator's determination dated July 17, 2019;
 3. **Approved**, pursuant to Section 12.24.W 1 of the Los Angeles Municipal Code (LAMC), a Master Alcohol Conditional Use Permit for on-site alcohol sales of a full-line of alcoholic beverages within 12 restaurants, two hotels and the Entertainment and Sports Center, four residential buildings, two off-site sales of a full line of alcoholic beverages for one full-service grocery store, and one pharmacy/drug store;
 4. **Interpreted**, pursuant to LAMC Section 11.5.7.H, the use of a fully-enclosed Entertainment and Sports Center with maximum seating of up to 10,000 seats or a partial-roof Entertainment and Sports Center with maximum seating of 7,500 seats, as a permitted use within the Warner Center 2035 Plan's Downtown District;
 5. **Approved**, pursuant to LAMC Section 11.5.7, a Project Permit Compliance Review for the Warner Center 2035 Specific Plan, for a fully-enclosed 181,550 square foot, 10,000-seat Entertainment and Sports Center or a partial-roof 181,550 square foot, 7,500-seat Entertainment and Sports Center, with shared parking, off-site parking, all as part of a multiple-phase project, master planned project, including incentivized uses, and signage (Master Sign Plan);
 6. **Approved**, pursuant to LAMC Section 12.22 A.25(g)(3)(ii), a Waiver of Development Standard (Off-Menu) Affordable Housing Incentive for a project providing 54 Very Low Income Household Units in the Northeast A and Northeast B Phases (five percent of units proposed) and Northwest B Phase (five percent of units proposed), to allow a reduction in residential building heights for a mixed-use Project with a residential component where the height of the floor level of the highest residential dwelling unit would range in height from approximately 67 to 70 feet located in the Northeast A and Northeast B Phases, and Northwest B Phase, in lieu of the minimum 100-feet above the adjacent grade required pursuant to Section 6.1.2.3.5(c) of the WC2035 Plan;
 7. **Adopted** the attached Modified Conditions of Approval; and
 8. **Adopted** the attached Amended Findings.

The vote proceeded as follows:

Moved: Perlman
Second: Millman
Ayes: Choe, Khorsand, Leung, Mitchell
Absent: Ambroz, Mack, Padilla-Campos

Vote: 6 – 0



Cecilia Lamas, Commission Executive Assistant
Los Angeles City Planning Commission

Fiscal Impact Statement: There is no General Fund impact as administrative costs are recovered through fees.

Effective Date/Appeals: The decision of the Los Angeles City Planning Commission is final and effective upon the mailing of this determination letter and not further appealable.

Notice: An appeal of the CEQA clearance for the Project pursuant to Public Resources Code Section 21151(c) is only available if the Determination of the non-elected decision-making body (e.g., ZA, AA, APC, CPC) **is not further appealable** and the decision is final.

If you seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, the petition for writ of mandate pursuant to that section must be filed no later than the 90th day following the date on which the City's decision became final pursuant to California Code of Civil Procedure Section 1094.6. There may be other time limits which also affect your ability to seek judicial review.

Attachment: Modified Conditions of Approval, Amended Findings

c: Charles Rausch, Associate Zoning Administrator
Luci Ibarra, Principal Planner
Milena Zasadzien, Senior City Planner
Elva Nuño-O'Donnell, City Planner

CONDITIONS OF APPROVAL

(As modified by the City Planning Commission on May 28, 2020)

Master Conditional Use for the Sale and Dispensing of Alcoholic Beverages

1. Grant. Approved herein is a Master Conditional Use Permit to allow for the service of a full-line of alcoholic beverages for on-site sale and consumption for up to 12 restaurants, two hotels, an Entertainment and Sports Center, and four residential buildings; and two (2) the sale of a full-line of alcoholic beverages for off-site consumption for one grocery store and one pharmacy/drug store, subject to the following limitations:
2. All other use, height and area regulations of the Municipal Code and all other applicable government/regulatory agencies shall be strictly complied with in the development and use of the property, except as such regulations are herein specifically varied or required.
3. The use and development of the property shall be in substantial conformance with the plot plan and floor plan submitted with the application and marked Exhibit "A", except as may be revised as a result of this action.
4. The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the Zoning Administrator to impose additional corrective Conditions, if, in the Zoning Administrator's opinion, such Conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.
5. All graffiti on the site shall be removed or painted over to match the color of the surface to which it is applied within 24 hours of its occurrence.
6. A copy of the first page of this grant and all Conditions and/or any subsequent appeal of this grant and its resultant Conditions and/or letters of clarification shall be printed on the building plans submitted to the Department of City Planning and the Department of Building and Safety for purposes of having a building permit issued at any time during the term of this grant.
7. Prior to the effectuation of this grant, a covenant acknowledging and agreeing to comply with all the terms and conditions established herein shall be recorded in the County Recorder's Office. The agreement (standard master covenant and agreement form CP-6770) shall run with the land and shall be binding on any subsequent owners, heirs or assigns. The agreement with the conditions attached must be submitted to the Development Services Center for approval **before** being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided to the Department of City Planning for inclusion in case file.
8. No after-hour use is permitted, except routine clean-up. This includes, but is not limited to, private or promotional events, special events, excluding any activities which are issued film permits by the City.
9. A camera surveillance system shall be installed and operated at all times to monitor the interior, entrance, exits, and exterior areas, in front of, and around the premises. Recordings shall be maintained for a minimum of 30 days and are intended for use by the

Los Angeles Police Department.

10. The security plan must be reviewed and approved by the Police Department. The approved security plan will be maintained by the Department of City Planning and be made available to the Police Department and the Department of Building and Safety for the purpose of verification or inspections.
11. Complaint Log. Prior to the utilization of this grant, a telephone number and email address shall be provided for complaints or concerns from the community regarding the operation. The phone number and email address shall be posted at the following locations:
 - a. Entry, visible to pedestrians
 - b. Customer service desk, front desk or near the reception area.

Complaints shall be responded to within 24 hours. The applicant shall maintain a log of all calls and emails, detailing: (1) date complaint received; (2) nature of complaint, and (3) the manner in which the complaint was resolved.

12. **STAR/LEAD Training.** Within the first six months of operation or the effectuation of the grant, all employees involved with the sale of alcohol shall enroll in the Los Angeles Police Department "Standardized Training for Alcohol Retailers" (STAR) or Department of Alcoholic Beverage Control to issue a letter/certificate identifying which employees completed the training. Thereafter, STAR/LEAD training shall be conducted for all new hires within three (3) months of their employment.
13. The applicant shall be responsible for monitoring both patron and employee conduct on the premises and within the parking areas under his/her control to assure such conduct does not adversely affect or detract from the quality of life or adjoining residents, property owners, and businesses.
14. Loitering is prohibited on or around these premises or the area under the control of the applicant. "No Loitering or Public Drinking" signs shall be posted in and outside of the subject facility.
15. At least one on-duty manager with authority over the activities within the facilities shall be on the premises during business hours. The on-duty manager's responsibilities shall include the monitoring of the premises to ensure compliance with all applicable State laws, Municipal Code requirements and conditions imposed by the Department of Alcoholic Beverage Control (ABC) and the conditional use herein. Every effort shall be undertaken in managing the subject premises and the facility to discourage illegal and criminal activities and any exterior area over which the building owner exercise control, in effort to ensure that no activities associated with such problems as narcotics sales, use or possession, gambling, prostitution, loitering, theft, vandalism and truancy occur.
16. The applicant shall be responsible for maintaining the premises, adjoining sidewalks, and common areas, free of debris or litter.
17. Parking shall be provided as conditioned herein pursuant to the Project Permit Compliance for the Warner Center Specific Plan 2035.
18. Coin operated game machines, pool tables, or similar game activities or equipment shall

not be permitted, unless approved by a plan approval application. Official California State lottery games and machines are allowed.

19. An electronic age verification device shall be purchased and retained on the premises to determine the age of any individual and shall be installed at each point-of-sales location. This device shall be maintained in operational condition and all employees shall be instructed in its use.
20. Smoking tobacco or any non-tobacco substance, including from electronic smoking devices, is prohibited in or within 10 feet of the outdoor dining areas in accordance with Los Angeles Municipal Code Section 41.50 B 2 C. This prohibition applies to all outdoor areas of the establishment if the outdoor area is used in conjunction with food service and/or the consumption, dispensing or sale of alcoholic or non-alcoholic beverages.
21. The applicant(s) shall comply with 6404.5(b) of the Labor Code, which prohibits smoking within any place of employment. The applicant shall not possess ashtrays or other receptacles used for the purpose of collecting trash or cigarettes/cigar butts within the interior of the subject establishment.

PLAN APPROVAL

22. The property owner or individual operator shall file a Plan Approval pursuant to Section 12.24-M of the Los Angeles Municipal Code in order to implement and utilize the Conditional Use Permit authorized for each facility. The Plan Approval application shall be accompanied by the payment of appropriate fees and must be accepted as complete by Department of City Planning. Mailing labels shall be provided by the applicant for all abutting owners, for the Council Office, the Neighborhood Council and for the Los Angeles Police Department. The purpose of the Plan Approval procedure is to review the proposed facility in greater detail and tailor specific conditions for each premise including but not limited to hours of operation, seating capacity, size, security, and/or any requirement for a subsequent approval of plans application to evaluate compliance and effectiveness of the conditions of approval. Conditions herein shall be incorporated into the Plan Approval unless in the opinion of the decision-maker the applicant has justified otherwise. A public hearing shall be conducted if the operator proposes to change the conditions. A Plan Approval without a hearing may be granted if the operator agrees to the Conditional Use Permit Conditions.

RESTAURANTS

23. **Designated Driver Program.** Prior to the utilization of this grant, the applicant shall establish a "Designated Driver Program" which shall include, but not be limited to, signs/cards, notation on websites/social media, notifying patrons of the program. The signs/cards/website/social media shall be visible to the customer and posted or printed in prominent locations or areas. These may include signs/cards on each table, at the entrance, at the host station, in the waiting area, at the bars, or in the bathrooms, or a statement in the menus, a website, or on social media.
24. Any music, sound or noise which is under control of the applicant shall not constitute a violation of Sections 112.06 or 116.01 of the Los Angeles Municipal Code (Citywide Noise Ordinance). At any time, a City representative may visit the site during operating hours to measure the noise levels. If, upon inspection, it is found that the noise level exceeds those

allowed by the citywide noise regulation, the owner/operator will be notified and will be required to modify or eliminate the source of the noise or retain an acoustical engineer to recommend, design and implement noise control measures within property such as, noise barriers, sound absorbers or buffer zones.

25. There shall be no Adult Entertainment of any type pursuant to LAMC Section 12.70.
26. **Private Events.** Any use of the restaurant for private events, including corporate events, birthday parties, anniversary parties, weddings or other private events which are not open to the general public, shall be subject to all the same provisions and hours of operation stated herein.
27. The establishment shall be maintained as a bona fide eating place (restaurant) with an operational kitchen and shall provide a full menu containing an assortment of foods normally offered in such restaurants. Food service shall be available at all times during operating hours. The establishment shall provide seating and dispense food and refreshments primarily for consumption on the premises and not solely for the purpose of food takeout or delivery.
28. Partitions separating booth/dining areas shall not exceed 54 inches in height. No obstructions shall be attached, fastened or connected to the booths/dining areas within the interior space of the facility that restrict, limit or obstruct the clear observation of the occupants.
29. No enclosed room, other than restrooms, intended for use by patrons or customers shall be permitted, except that private dining rooms with a separate access door to the interior only shall be permitted.
30. No conditional use for dancing has been requested or approved herein. Dancing is prohibited.
31. There shall be no live entertainment, karaoke, disc jockey, or amplified music on the premises, unless specifically requested in a plan approval application, except that live entertainment shall be permitted if limited to three musicians or fewer playing ambient music secondary to dining (for instance, a musician providing ambient piano music). Amplification of music from limited live entertainment, including amplified music in outdoor dining areas, is permitted provided there is no violation of Sections 112.06 or 116.01 of the Los Angeles Municipal Code (Citywide Noise Ordinance). Recorded amplified music may be curated live and played at a volume that serves as ambient music. There shall be no topless entertainment, or male or female performers, or fashion shows.
32. There shall be no speakers or amplified sound permitted in the outdoor dining area.
33. The owner or the operator shall comply with California Labor Code 6404.5 which prohibits the smoking of tobacco or any non-tobacco substance, including from electronic smoking devices or hookah pipes, within any enclosed place of employment.

VALET PARKING

34. Valet parking shall be provided to restaurant patrons. The availability of said validated parking and the location of said parking shall be made known to the public via the

restaurant menu, a posting of the information at readily visible locations and on the restaurant website. The applicant shall provide a copy of the menu, signs or web page, for inclusion in the case file.

35. A single valet operator shall be on-site who shall be responsible for enforcement of any conditions of this action regarding valet parking.
36. Valet parking shall be required to obtain all applicable licenses and/or permits from the Department of Transportation and the Los Angeles Police Department. Proof of licenses and/or permits shall be submitted to the Department of City Planning.
37. A valid valet parking contract in compliance with this condition shall be submitted to the Development Services Center. The contract shall be maintained for the life of this grant and shall include the hours of valet service and the number of valet attendants to be provided as well as the valet parking locations. If the valet operator is replaced, a copy of the replacement contract shall be provided to the Development Services Center upon execution of the new contract.
38. The valet operator shall be required to obtain a valid LAPD Commission Investigation Division (CID) Valet Operator Permit pursuant to LAMC Section 103.203 (b) and each valet attendant shall have a valid CID permit along with a valid California Driver License in their possession while on duty.

Note: Prior to providing valet services, the applicant should email ladot.valetop@lacity.org to begin the application process, review, and approval of valet operations.

39. Passenger loading shall be limited to the passenger loading spaces along Topanga Canyon Boulevard which shall also apply to any valet service. No other street parking shall be used by the valet service for passenger loading at any time.
40. Valet service shall not utilize any peripheral streets for the parking of vehicles at any time.
41. Delivery truck loading and unloading shall take place on site with no vehicles having to back into the Project via the proposed project driveways. No loading or unloading of deliveries shall be permitted along Topanga Canyon Boulevard, Erwin Street, Owensmouth Avenue, and Oxnard Street.
42. Trash pick-up, compacting, loading and unloading and receiving activities shall be limited to 7 a.m. to 6 p.m., Monday through Friday, and 10 a.m. to 4 p.m. on Saturday. No deliveries or trash pick-up shall occur on Sunday. Deliveries and trash pick-up shall be coordinated with vendors and trash companies so that these activities are not conducted within one-hour of the start time of Canoga Park High School or within one hour of the end time of regular school hours.

PROJECT PERMIT COMPLIANCE

This Project approval is subject to the following Conditions of Approval imposed to ensure compliance with the Warner Center 2035 (WC2035) Plan and is based upon the attached Findings. **In addition, the applicant shall comply with any requirements of the Department**

of Building and Safety (B&S), Department of Transportation (DOT), Bureau of Engineering (BOE), Urban Forestry Division of the Bureau of the Street Services (BSS), Bureau of Street Lighting (BSL), and the Department of Recreation and Parks (RAP).

43. Site Development. The subject Project shall be developed in substantial conformance with the site plan, floor plans, elevations, and landscape plans, marked Exhibit A dated February 20, 2020¹, and attached to the administrative file, except as modified by this action (Exhibit A-Figure V-4). Minor deviations may be allowed in order to comply with provisions of the Municipal Code, the subject conditions and the intent of the subject permit authorization. Prior to the issuance of any building permit, except for demolition, excavation, or foundation permits for any component of this Project, detailed plans showing that component's compliance with these conditions shall be submitted for review, to the satisfaction of the Director of Planning, unless otherwise specified. The phasing of the Project shall be in substantial conformance to Exhibit A (MP-25 and MP-26) and as follows:

- a. **Northeast A:** 320 residential units (of which 23 shall be Work-Live Units, five percent shall be Very Low Income Housing Units, and five percent shall be Workforce Housing Units), consisting of 350,000 square feet of residential units, and approximately 34,000 square feet of non-residential "work" portion of work-live units, 7,000 square feet of ground floor retail, proposed to be completed in 2021.
- b.
 - I. **Affordable Housing Units.** For Very Low-Income Housing Units proposed within Northeast A, Northeast B, and Northwest B referenced above, a minimum of five percent of the developed Units shall be reserved as Very Low-Income Units as defined by State Density Bonus Law 65015(C)(2).
 - II. **Location of Affordable Units.** The Applicant, or his or her successor, must provide an affordable unit dispersal proposal to be approved by HCIDLA to ensure that affordable units are not segregated or otherwise distinguishable from market-rate units.
 - III. **Changes in Restricted Units.** Deviations that increase the number of restricted affordable units or that change the composition of units shall be consistent with LAMC Section 12.22 A 25.
 - IV. **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 five percent (5%) of the development units available to Very Low Income Households, for the 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 the Guidelines for the Affordable Housing Incentives Program adopted by the City Planning Commission and with any monitoring requirements established by HCIDLA. Refer to the Density Bonus Legislative Background section of this determination.

¹ The complete Master Plan is included in the case file and hereby incorporated in this instant grant and the administrative record by reference.

V. **Affordable Housing Waiver of Development Standard.** The height of the floor level of the highest residential dwelling unit shall range in height from approximately 67 feet to 70 feet, with overall building heights for these buildings ranging from approximately 77.5 feet to 81 feet, in lieu of the minimum 100-feet above adjacent grade required pursuant to Section 6.1.2.3.5(c) of the WC2035 Plan.

VI. **Voluntary Affordable Housing Units.** In addition to Very Low-Income Units referenced above, a minimum of five percent of the residential units within the Northeast A, Northeast B, and Northwest B Phases, shall be set-aside as Workforce Housing Units with an averaged Average Median Income (AMI) of 120 percent (e.g. 2.5 percent of units could be defined as 90 percent of AMI and 2.5 percent of the units could be defined as 150 percent AMI). Prior to the 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 five percent (5%) of the proposed units available to Workforce Housing Households, for sale or rental as determined to be affordable to such households by HCIDLA for a period of 20 years. Enforcement of the terms of said covenant shall be the responsibility of HCIDLA. The applicant shall present a copy of the recorded covenant to the Department of City Planning for inclusion in this file. The project shall comply with the Guidelines for the Affordable Housing Incentives Program adopted by the City Planning Commission and with any monitoring requirements established by HCIDLA. The owner shall be responsible for any HCIDLA fees pursuant to Section 19.14 of the LAMC.

c. **Northeast B:** 326 residential units (of which 20 shall be Work-Live Units, five percent shall be Very Low Income Housing Units, and five percent shall be Workforce Housing Units), consisting of 340,000 square feet of residential uses and approximately 30,000 square feet of non-residential “work portion of work-live units, 14,000 square feet of ground level retail, proposed to be completed in 2021. This phase shall provide approximately 32,200 square feet of the Promenade Square as conditioned in this approval.

I. **Affordable Housing Units.** For Very Low-Income Housing Units proposed within Northeast A, Northeast B, and Northwest B referenced above, a minimum of five percent of the developed Units shall be reserved as Very Low-Income Units as defined by State Density Bonus Law 65015(C)(2).

II. **Location of Affordable Units.** The Applicant, or his or her successor, must provide an affordable unit dispersal proposal to be approved by HCIDLA to ensure that affordable units are not segregated or otherwise distinguishable from market-rate units.

III. **Changes in Restricted Units.** Deviations that increase the number of restricted affordable units or that change the composition of units shall be consistent with LAMC Section 12.22 A 25.

IV. **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 five percent (5%) of the development units available to Very Low Income Households, for the 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 the Guidelines for the Affordable Housing Incentives Program adopted by the City Planning Commission and with any monitoring requirements established by HCIDLA. Refer to the Density Bonus Legislative Background section of this determination.

V. **Affordable Housing Waiver of Development Standard.** The height of the floor level of the highest residential dwelling unit shall range in height from approximately 67 feet to 70 feet, with overall building heights for these buildings ranging from approximately 77.5 feet to 81 feet, in lieu of the minimum 100-foot above adjacent grade required pursuant to Section 6.1.2.3.5(c) of the WC2035 Plan.

VI. **Voluntary Affordable Housing Units.** In addition to Very Low-Income Units referenced above, a minimum of five percent of the residential units within the Northeast A, Northeast B, and Northwest B Phases, shall be set-aside as Workforce Housing Units with an averaged Average Median Income (AMI) of 120 percent (e.g. 2.5 percent of units could be defined as 90 percent of AMI and 2.5 percent of the units could be defined as 150 percent AMI). Prior to the 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 five percent (5%) of the proposed units available to Workforce Housing Households, for sale or rental as determined to be affordable to such households by HCIDLA for a period of 20 years. Enforcement of the terms of said covenant shall be the responsibility of HCIDLA. The applicant shall present a copy of the recorded covenant to the Department of City Planning for inclusion in this file. The project shall comply with the Guidelines for the Affordable Housing Incentives Program adopted by the City Planning Commission and with any monitoring requirements established by HCIDLA. The owner shall be responsible for any HCIDLA fees pursuant to Section 19.14 of the LAMC.

- c. **Northwest B:** 417 residential units (of which five percent shall be Very Low-Income Housing Units, and five percent shall be Workforce Housing Units) and approximately 85,000 square feet of ground floor retail, proposed to be completed in 2024.

I. **Affordable Housing Units.** For Very Low-Income Housing Units proposed within Northeast A, Northeast B, and Northwest B referenced above, a minimum of five percent of the developed Units shall be reserved as Very Low-Income Units as defined by State Density Bonus Law 65015(C)(2).

II. **Location of Affordable Units.** The Applicant, or his or her successor, must provide an affordable unit dispersal proposal to be approved by HCIDLA to ensure that affordable units are not segregated or otherwise distinguishable from market-rate units.

III. **Changes in Restricted Units.** Deviations that increase the number of

restricted affordable units or that change the composition of units shall be consistent with LAMC Section 12.22 A 25.

IV. **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 five percent (5%) of the development units available to Very Low Income Households, for the 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 the Guidelines for the Affordable Housing Incentives Program adopted by the City Planning Commission and with any monitoring requirements established by HCIDLA. Refer to the Density Bonus Legislative Background section of this determination.

V. **Affordable Housing Waiver of Development Standard.** The height of the floor level of the highest residential dwelling unit shall range in height from approximately 67 feet to 70 feet, with overall building heights for these buildings ranging from approximately 77.5 feet to 81 feet, in lieu of the minimum 100-feet above adjacent grade required pursuant to Section 6.1.2.3.5(c) of the WC2035 Plan.

VI. **Voluntary Affordable Housing Units.** In addition to Very Low-Income Units referenced above, a minimum of five percent of the residential units within the Northeast A, Northeast B, and Northwest B Phases, shall be set-aside as Workforce Housing Units with an averaged Average Median Income (AMI) of 120 percent (e.g. 2.5 percent of units could be defined as 90 percent of AMI and 2.5 percent of the units could be defined as 150 percent AMI). Prior to the 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 five percent (5%) of the proposed units available to Workforce Housing Households, for sale or rental as determined to be affordable to such households by HCIDLA for a period of 20 years. Enforcement of the terms of said covenant shall be the responsibility of HCIDLA. The applicant shall present a copy of the recorded covenant to the Department of City Planning for inclusion in this file. The project shall comply with the Guidelines for the Affordable Housing Incentives Program adopted by the City Planning Commission and with any monitoring requirements established by HCIDLA. The owner shall be responsible for any HCIDLA fees pursuant to Section 19.14 of the LAMC.

- d. **Northwest A-North:** 35,050 square feet of retail and 66,710 square feet of office, proposed to be completed in 2024. This phase may be combined with Northwest A-South as described below, the combined totals of which would include 114,000 square feet of office, 62,000 square feet of retail and 272 hotel rooms (approximately 209,000 square feet).
- e. **Northwest A-South:** 26,950 square feet of retail, 47,290 square feet of office and 272 hotel rooms (approximately 209,000 square feet), proposed to be completed in 2024.

- f. **Southwest:** 181,550 square feet for a fully enclosed, 10,000-seat Entertainment and Sports Center, or a partial-roof Entertainment and Sports Center, approximately 145,500 square feet of office, and 59,000 square feet of retail, proposed to be completed in 2027. Any deviation from the fully-enclosed 10,000 seat Entertainment and Sports Center or partial-roof, 7,500-seat Entertainment and Sports Center will require review and approval by the Los Angeles City Planning Commission.
 - g. **Southeast:** 369 residential units, a 300-room hotel (approximately 260,000 square feet), 472,000 square feet of office, and 53,000 square feet of retail, proposed to be completed in 2033. This phase shall provide approximately 27,741 square feet of the Promenade Square to complete the total required PAOS of 59,941 square feet, as conditioned in this approval.
- 44. Permitted Uses.** In compliance with Section 6.1.2.3.1 and Appendix A of WC2035, uses on the subject property shall be restricted to those uses permitted in the Downtown District of the WC2035 Plan (Ordinance No. 182,766). The Project is approved for the demolition of the 641,164 square feet of existing floor area and the construction of 3,271,050 square feet of new floor area for a net increase of 2,629,886 square feet for a master planned, multiple phased development consisting of 1,432 multi-family residential units, 280,000 square feet of retail/restaurant uses, 731,500 square feet of office space, up to 572 hotel rooms, and a 181,550 square-foot, fully-enclosed, 10,000-seat Entertainment and Sports Center or a 7,500-seat Entertainment and Sports Center.
- 45. Intensity.** The Project is located in the Downtown District and must comply with Section 6.1.2.3.2 of WC2035. The Project is permitted a maximum Floor Area Ratio (FAR) of 5.0:1 up to a maximum of 6.0:1 with incentivized uses. In compliance with the Intensity requirement, the Project is proposing a maximum floor area of 2,729,886 square feet on a 1,439,222 square-foot project site (after dedications) with a FAR of 2.30:1, as shown in Exhibit A (MP-9).
- 46. Permitted Development by Floor Area.** Pursuant to WC2035 Section 6.1.2.3.3, based on the Project's FAR of 2.30:1, in accordance with the Graduated FAR Table, a minimum of **52 percent Non-Residential Floor Area and 48 percent Maximum Residential Floor Area** shall be provided as shown on Exhibit A (MP-9).
- 47. Ground Floor Limitations.** Pursuant to WC2035 Section 6.1.2.3.4, the following is required:
- a. Ground floor Non-Residential Projects shall have a minimum depth of 25 feet from the front Building Façade and a minimum of 15 feet in floor-to-floor height.
 - b. The Non-Residential Ground floor shall have a minimum of 75 percent of the Building Façade located between 30 inches and 84 inches from the floor devoted to transparent windows and/or doors. Dark tinted, reflective or opaque glazing shall not be counted towards such minimum percentage.
 - c. Where residential uses are prohibited on the ground floor, non-habitable uses that are used in conjunction with residential uses may be permitted on the ground floor.
 - d. Parking shall only be permitted on the ground floor of a Building or Structure when at least 80 percent of the ground floor frontage on any side of an above-grade parking

structure that is adjacent to a public street (not including an alley) or adjacent to a public open space/plaza is devoted to ground floor Non-Residential development. At least the first 12 vertical feet of the ground-level Building Façade of such Building or Structure shall include all of the following features:

- 1) Building Façade articulation and modulation through changes in vertical wall plane and/or a change in building material;
- 2) Use of windows with glazing that may be translucent but shall not include black or mirrored glass or similar opaque glazing;
- 3) Integration of building entrances; and
- 4) Buffering of the street edge with landscaping, berms, landscaped planters.

48. Building Height. Pursuant to WC2035 Section 6.1.2.3.5, the Project is permitted an unlimited height. Building heights shall be in compliance with Exhibits A (MP-19), ranging from 35 feet to a maximum building height of 502 feet.

49. Street Standards. Pursuant to WC2035 Section 6.1.2.3.6, the street standards in the Downtown District are established pursuant to **Tables 1 and 2**.

Topanga Canyon Boulevard (SR-27) is designated as a Major Highway class II, requiring a 52-foot half right-of-way and 8-foot half easement, with a 10-foot half sidewalk, 8-foot half parkway, and 42-foot half roadway. The Project will meet this requirement and no dedication is required. **(DOT/BOE/DCP)**

Erwin Street is designated as a Modified Collector Street, requiring a 40-foot half right-of-way with an 8-foot half sidewalk and 32-foot half roadway. No dedication is required. **(DOT/BOE/DCP)**

Owensmouth Avenue is considered part of the Downtown District hub, and is designated a Modified Collector Street. The Project's frontage along this street will provide a half 45-foot right-of-way with a 10-foot half sidewalk, 8-foot half parkway, and 27-foot half roadway, through the dedication of 2 feet. **(DOT/BOE/DCP)**

Oxnard Street is a designated Major Highway Class II. The Plan requirement from Topanga Canyon Boulevard to 350 feet east of Topanga Canyon Boulevard is 57-foot half road right-of-way and a 4-foot half easement, with an 8-foot half sidewalk, 8-foot half parkway, and 45-foot half roadway. The Project will dedicate 7 feet to meet this requirement. The Plan requires starting at 350 feet east of Topanga Canyon Boulevard to provide a 52-foot half right-of-way and a 4-foot half easement, with an 8-foot half sidewalk, 8-foot half parkway, and 40-foot half roadway. The Project will meet this requirement with a dedication of 2 feet. **(DOT/BOE/DCP)**

Private streets conform with the Street Standard cross section as shown on Figure 11.

50. Activity Node. Pursuant to WC2035 Section 6.1.2.3.7, two (2) Activity Nodes shall be established at the following intersections: Erwin Street and Owensmouth Avenue; Owensmouth Avenue and Oxnard Street. The Project shall comply with WC2035 Sections

6.1.3.4.7 and 6.2.4. Within 150 linear feet from the mid-point intersecting centerline of the two streets forming an Activity Node, no habitable floor area devoted to domestic sleeping, dining, kitchen and bath/shower facilities shall be permitted on the ground floor. In addition, Non-Residential uses shall have a depth of 25 feet from the building frontage along the street, a minimum of 15 feet in floor-to-floor height, and at least 75 percent of the building facade located between 30 inches and 84 inches from the ground floor be devoted to transparent windows and/or doors. Dark tinted reflective or opaque glazing shall not be counted towards the minimum percentage.

Prior to Planning clearance, Exhibit A (MP-22) shall be revised to demonstrate a detailed, high level of design integration of pedestrian-friendly features to activate the corner including but not limited to pedestrian serving retail and/or eating areas with outdoor seating/dining that is intended to spur pedestrian activity, and/or other amenities, connecting the Activity Node to the focal point and courtyard. Revised Plans shall be reviewed by the Development Services Center. Additionally, revised open space plans showing the location of a play area for children within one of the interiors, public open spaces on-site shall be reviewed by the Development Services Center.

- 51. Active Street Frontage.** Pursuant to WC2035 Section 6.1.2.3.8, the Project is located on a section of Erwin Street and Owensmouth Avenue identified as an Active Street Frontage and shall comply with WC2035 Sections 6.1.2.3.8 and 6.2.4. Along Erwin Street and Owensmouth Avenue, the ground floor shall be limited to Non-Residential uses to a depth of 25 feet from the building frontage along the street, a minimum of 15 feet in floor-to-floor height, and at least 75 percent of the building facade located between 30 inches and 84 inches from the ground floor devoted to transparent windows and/or doors. Dark tinted, reflective or opaque glazing shall not be counted towards the minimum percentage.

Notwithstanding the foregoing, residential uses are allowed along Erwin Street and Owensmouth Avenue outside of the Activity Node as follows and as described in WC2035 Section 6.2.4.2.2., permitted residential uses in ground floor areas shall be limited to Work-Live Units, professional offices or residential common spaces, and shall be designed to include wall openings comprised of a minimum of fifty percent (50%) of the street level Building Façade located between 30 inches and 84 inches from the ground floor. Additionally, any ground floor residential units oriented to public or private streets shall be accessed individually and directly from the abutting street with individual front stoops or porches. Fence and wall heights along an Active Street Frontage shall not exceed 42 inches as measured from the highest adjacent grade.

- 52. Front Setback.** Pursuant to WC2035 Section 6.1.2.3.9, the Downtown District requires a front setback of no less than 12 feet and no more than 15 feet along an Active Street Frontage. As permitted by the approved WC2035 Plan, the Project shall observe a front setback area along Erwin Street and Owensmouth Avenue no less than 12 feet and no more than 15 feet. Prior to Planning clearance, a landscape plan shall be submitted showing that a minimum of 30 percent of the required setback area is landscaped.
- 53. Publicly Accessible Open Space (PAOS).** In compliance with WC2035 Section 6.2.2 and Appendix F, Section 7, the Project shall provide a minimum of 15 percent of the net

site area of 215,883 square feet of which 7.5 percent (215,883) and 12-foot perimeter of the setback area (48,000), may be subtracted to result in 59,941 square feet, as required PAOS, based on a site area of 1,439,222 square feet (after dedications). The Project shall be in substantial conformance and shall incorporate all of the following as shown in Exhibit A (MP-21).

- a. PAOS within a Project may be adjacent to or interrupted by the public right-of-way, but otherwise shall be contiguous;
- b. PAOS within a Project shall be integrated into the overall design of such Project;
- c. PAOS shall be integrated with neighboring buildings or structures and any existing, or approved, PAOS;
- d. PAOS shall be maintained in good condition and made open to the public from 6 a.m. to 10 p.m., seven days a week;
- e. There shall be at least two (2) signs stating the hours of operation of the PAOS, including in the focal point(s). PAOS identification signage shall indicate that the PAOS is available for use by the public from 6 a.m. to 10 p.m., seven days a week. This identification signage shall not be counted against a Project's signage limitation;
- f. At least 90 percent of the PAOS shall be open to the sky, excluding shade structures and other features or elements that are not calculated as floor area as shown in;
- g. A minimum of 50 percent of the PAOS shall be landscaped;
- h. A minimum of one (1) public seat shall be provided per 500 square feet of PAOS. Seating may be provided in a variety of traditional (i.e., benches) and non-traditional forms (i.e. planter walls). Seating may be permanent or moveable. Note: Two (2) linear feet of bench or seat wall equals one (1) seat;
- i. PAOS shall be accessible from Topanga Canyon Boulevard and Owensmouth Avenue via Promenade Boulevard, Erwin Street via Warner Drive North, and Oxnard Street via Warner Drive South;
- j. Within the PAOS, at least one (1) focal point or gathering space with a minimum of 500 square feet shall be provided; The focal point or gathering space must meet the requirements of WC2035 Section 6.2.2;
- k. Setbacks required along a public way may be counted as PAOS;
- l. The necessary infrastructure and support features shall be provided for both active and passive recreational uses for residents, employees, and visitors of all ages, including but not limited to, drinking fountains, trash cans, trash collection, security, lighting, seating, play areas, publicly accessible dog/pet relief stations, and other features necessary to enhance the recreational experience of the end-user, especially in the courtyard;
- m. The following uses shall not be counted toward a Project's PAOS requirement: surface

parking areas, open storage areas, private open space areas not accessible to the general public, swimming pools and spas unless open to the general public, loading docks and parking, driveway entrance/exit areas, sidewalks and parkways in the public right-of-way as of the date of the adoption of the Plan, and detached utility areas/pads; and

- n. Pursuant to WC2035 Section 6.2.2, prior to the issuance of any building permit, a Covenant and Agreement shall be recorded with the County Recorder's Office. It shall include a detailed, dimensioned site plan and landscape plan demonstrating the required and provided PAOS areas and a comprehensive summary table showing compliance with the regulations contained in the applicable PAOS condition herein.

54. Shared Parking. As permitted in WC2035 Section 6.2.3.5, and pursuant to requirements and procedures in LAMC Section 12.24.X.20, the Director approves a shared parking agreement for retail, office and Entertainment Center uses on the Project Site. Parking required for the Project's residential and hotel uses shall not be shared; however, parking provided for the Project's residential and hotel uses in excess of the required number of parking spaces may be shared. The property owner shall submit a Shared Parking Agreement to the Development Services Center and any final documentation relating to the use, hours of operation, allocation of parking spaces. A covenant acknowledging to comply with all the terms of the Shared Parking agreement, including continued maintenance and operation of the shared parking arrangement, shall be recorded in the County Recorder's Office (standard master form covenant and agreement form CP-6770). The agreement shall run with the land and shall be binding on all subsequent owners, heirs or assigns. The agreement with the conditions attached must be submitted to the Development Services Center for approval prior to recordation. After recordation, a certified copy bearing the Recorder's number and shall be provided to the Department of City Planning for inclusion in the case file.

55. Entertainment Use. In compliance with WC2035 Section 6.2.9, the Entertainment and Sports Center (ESC) shall be in substantial conformance with Exhibit A and the following standards and conditions:

- a. Adult Entertainment, including not but limited to strip clubs, cabarets, and "hostess" type activities shall not be permitted.
- b. Noise level of any Entertainment Use shall not cause disruption above the ambient urban noise levels along the adjacent public streets.² The Entertainment and Sports Center shall be full enclosed with a roof.
- c. Security and Crowd Control. The applicant, or its successor, shall be responsible for the expense of additional security and a public safety plan. In accordance with PDF J.1-2 and J.1-3 of the MMP, a security plan shall be developed and implemented for the ESC.

² As analyzed in Section IV.H. Noise, of the Promenade Draft Supplemental EIR, in accordance with City of Los Angeles Noise Regulations (Los Angeles Municipal Code, Chapter XI, Section 112.02), a noise level increase from certain regulated noise sources of 5 dBA over the existing or presumed ambient noise level at an adjacent property line is considered a violation of the Noise Regulations.

- d. Prior to the issuance of any building permit (including demolition and grading), the applicant shall meet with the LADOT and LAPD to determine additional security measures to any subterranean parking below the ESC.
- e. Event Management Plan (EMP). Notwithstanding Project Design Feature K-6, the Director of Planning, in consultation with LADOT, may require additional on-site measures identified in PDF K-6 for ESC attendance such as traffic control officers, changeable message signs, etc. depending on the event attendance, time of year, time of day and type of event. The EMP must be reviewed by LADOT and approved by the Director of Planning, prior to any events at the ESC.
- f. The Entertainment and Sports Center's enclosed music/sports venue shall be limited to no more than a maximum of 10,000 seats for a fully-enclosed venue and a maximum of 10,000 attendees, or a maximum of 7,500 seats for a partial-roof Entertainment and Sports Center, and a maximum of 7,500 attendees at events at any given time. No standing room shall be permitted in excess of either the 10,000 or 7,500 attendees.
- g. **Design Review for Entertainment and Sports Center.** Prior to the issuance of a building permit for the proposed 10,000-seat, enclosed Entertainment and Sports Center, or alternatively, issuance of a building permit for a partial-roof Entertainment and Sports Center open air sports facilities with a maximum of 7,500 seats, the Applicant shall submit plans sufficient for an Entertainment and Sports Center specific to substantial conformance design review together with identification of the proposed operator.
 - I. Community Workshop. Prior to City approval of the Entertainment and Sports Center-specific substantial conformance design review, the Applicant will also host a workshop for interested community members and provide a report to the Department of City Planning of the information presented at the workshop, the notice and list of those notified, and a summary of comments received including any written comments.
 - II. Partially Open Roof. Identification of Noise Reduction Measures. In the event the Applicant has proposed a partially open roof for open air sports, the Applicant shall submit evidence of noise reduction measures incorporated into the design of the Entertainment and Sports Center to ensure compliance with the Project's noise mitigation requirements (including Project Design Features H-5).
 - III. Additional Review if Substantial Conformance not Approved. The plans for the Entertainment and Sports Center shall be in substantial conformance, as required by Condition 43, with the plans marked Exhibit A. In the event a substantial conformance approval is not issued, a subsequent discretionary review shall be required, such as though a modification to a Project Permit Compliance pursuant to the requirements of LAMC Section 11.5.7-D. Any modification request shall include submittal of all materials necessary to support the modification request.
- h. **Use of Entertainment and Sports Center for Community Events.** The Applicant shall provide local community-based non-profit organizations with use of the

Entertainment and Sports Center, at cost, subject to availability, for up to 20 events per year. Such events may include graduation ceremonies, concerts, and large meetings. The Entertainment and Sports Center operator may require such users to submit an application for use of the facilities and sign a use agreement providing for commercially reasonable terms of use, including insurance and indemnification. Such agreement shall provide that commercial rents shall not be charged for the community events but reasonable reimbursement of operational costs, including cleaning and maintenance, parking, security and insurance, may be required of organizations holding community events at the Entertainment and Sports Center. Prior to the issuance of the certificate of occupancy for the Entertainment and Sports Center, the Applicant shall submit to the Department of City Planning written confirmation of the process for local community-based non-profit organizations to request use of the Entertainment and Sports Center for community events, with a copy to the Council office.

- i. **Cultural Space within the Entertainment and Sports Center.** The Entertainment and Sports Center shall include approximately 2,500 square feet of Cultural Space that will be dedicated to the arts, cultural, and educational programming opportunities. The Applicant will partner with non-profit cultural and arts organizations to develop programming for the space. The Applicant may require such partners to sign a use agreement providing for commercially reasonable terms of use, including insurance and indemnification. Such agreement shall provide that commercial rents shall not be charged for the use of the Cultural Space but reasonable reimbursement of operational costs, including cleaning and maintenance, parking, security and insurance, may be required of partners programming the Cultural Space. Prior to issuance of the certification of occupancy for the Entertainment and Sports Center, the Applicant shall submit to the Department of City Planning information regarding the proposed programming within the Cultural Space for the initial six months or more of the Entertainment Center operations, with a copy of the Council Office.
- j. Residential Protection Parking Program – ESC Spillover Parking and Preferential Parking District (PPD). The following outlines the Applicant's obligations in connection with a residential parking permit program. The program will be studied and if needed and approved by community members in adjacent neighborhoods, consistent with City requirements, will be supported by the Applicant as described below. The Council District 3 office may request analysis for such a PPD and the Applicant will support such efforts as described below consistent with the City's procedures for considering establishment of a Preferential Parking District.
 - i. Following issuance of a building permit for the ESC and no later than six months following the first event at the ESC, if residents of any neighborhoods with on-street parking within a one-half mile walking distance of the ESC have established a record of complaints or filed a petition requesting further investigation, the Council office will consult with the Los Angeles Department of Transportation and determine whether to request the Applicant to conduct a parking utilization survey in such neighborhoods. The parking utilization survey will be performed on a selected event date and will consist of a parking count in the affected areas neighborhood(s) prior to and during the scheduled event. The results of the parking utilization survey will be provided to the City and the affected neighborhood(s). For Five years following the first event at the ESC, each year thereafter, where requested by the Council office, studies will be conducted

annually to use as a basis for continued implementation or modification.

II. In the event that parking spillover is established by the survey consistent with the City's PPD requirements, the procedures for such a system will be discussed with the neighborhood to determine if sufficient residents support establishment of such a program.

III. If the program is established by the City, the cost of implementing and maintaining the PPD system would be paid by the Applicant for an initial period of no less than two years for each area where the program is implemented.

- k. A schedule of programming for the ESC shall be provided to the Development Services Center six (6) months prior to the issuance of a Temporary Certificate of occupancy for the ESC. A schedule of performances shall be posted online via social media platforms and a copy shall be provided to the Woodland Hills Homeowner's Organization, Woodland Hills-Warner Center Neighborhood Council, Canoga Park Neighborhood Council, and Council Office 3.
- l. The ESC approved herein shall operate in compliance with all conditions of approval, and shall be allowed to operate through the life of the Plan. Notwithstanding, the Director may initiate additional Project Permit Compliance review any time to modify conditions or impose new conditions to respond to nuisance activities, including without limitation imposing a new condition that shortens the duration of the right to operate the previously approved Entertainment Use.
- m. Revocation. If any of the conditions of a Project Permit Compliance approval for the Entertainment Sports Center have not been complied with, the Director may give notice to the property owner, operator, lessee, or any successor, of the real property affected to appear at a time and place set by the Director and show cause for why the use permitted by this Subsection 6.9 should not be modified, discontinued, or revoked. These proceedings shall be carried out in accordance with LAMC Section 12.24-Z.

56. Multiple Phased Project. Pursuant to WC2035 Section 5.3.3.2, the conditionally approved Multiple-Phase Project shall comply with the following:

- a. Pursuant to Section 5.3.3.2, the Project has been approved for seven (7) geographic phases as follows:
 - i. Northeast A: 320 residential units (of which 23 will be Work-Live, five percent shall be Very Low Income Housing Units, and five percent shall be Workforce Housing Units), consisting of 350,000 square feet of residential units, and approximately 34,000 square feet of non-residential "work" portion of work-live units, and 7,000 square feet of ground floor retail proposed to be completed in 2021.
 - ii. Northeast B: 326 residential units (of which 20 will be Work-Live, five percent shall be Very Low Income Housing Units, and five percent shall be Workforce Housing Units), consisting of 340,000 square feet of residential uses and approximately 30,000 square feet of non-residential "work" portion of work-live units and 14,000 square feet of ground level retail proposed to be completed in 2021. This phase shall provide approximately 32,200 square feet of the Promenade Square as

conditioned in this approval.

- iii. Northwest B: 417 residential units (of which five percent shall be Very Low-Income Housing Units and five percent shall be Workforce Housing Units) and approximately 85,000 square feet of ground floor retail proposed to be completed in 2024.
- iv. Northwest A-North: 35,050 square feet of retail and 66,710 square feet of office proposed to be completed in 2024.

This phase may be combined with Northwest A-South as described below, the combined totals of which would include 114,000 square feet of office, 62,000 square feet of retail and 272 hotel rooms (approximately 209,000 square feet).

- v. Northwest A-South: 26,950 square feet of retail, 47,290 square feet of office and 272 hotel rooms (approximately 209,000 square feet), proposed to be completed in 2024.
 - vi. Southwest: 181,550 square foot, enclosed music/sports venue, 7,500-seat Entertainment and Sports Center or 181,550 square foot partial-roof 10,000-seat Entertainment and Sports Center, approximately 145,500 square feet of office, and 59,000 square feet of retail proposed to be completed in 2027.
 - vii. Southeast: 369 residential units, a 300-room hotel (approximately 260,000 square feet), 472,000 square feet of office, and 53,000 square feet of retail proposed to be completed in 2033. This phase shall provide approximately 27,741 square feet of the Promenade Square to complete the total required PAOS of 59,941 square feet, as conditioned in this approval.
- b. Pursuant to WC2035 Section 5.3.3.2.1, Multiple-Phased Projects shall not require Project Permit Compliance for future building permit applications for the subsequent phases of development, provided that each subsequent phase of development shall be reviewed by the Director for substantial conformance with the terms and conditions of the Multiple-Phase Project approval.
 - i. Commercial Uses. No temporary certificate of occupancy shall be issued for a residential building which also contains commercial square footage, unless the commercial component has received a temporary certificate of occupancy prior to, or concurrently with, the residential building component.
 - ii. Promenade Square. Prior to the issuance of a temporary certificate of occupancy for any portion of the Northeast-B phase, a minimum of 32,200 square feet of Promenade Square, as shown in Exhibit A (MP-21), shall be completed and available for public use, including amenities, restrooms, and security measures in place. Documentation in the form of a use of land permit and photographs shall be submitted to the Department of City Planning for verification purposes.

Prior to the issuance of any building permits for the Southeast phase, the remaining portion of Promenade Square, 27,741 square feet as shown in Exhibit A (MP-21), shall be completed and available for public use, including amenities, restrooms, and security measures in place. Documentation in the form of a use

of land permit, and photographs shall be submitted to the Department of City Planning for verification purposes.

- c. Pursuant to WC2035 Section 5.3.3.2.2, any changes to any phase of development which are not substantially compliant with approved plans, including changes to elevations, site plan, orientation, number of units or square footage of commercial development and other design features, shall require a modification to a Project Permit Compliance pursuant to the requirements of LAMC Section 11.5.7-D. Any modification request shall include submittal of all materials necessary to support the modification request including, but not limited to, supplemental application materials, phasing documentation and DOT review specified in Sections 5.3.3.1.1 through 5.3.3.1.3 of the WC2035.
- d. Pursuant to WC2035 Section 5.3.3.2.3, prior to the issuance of any building permit for the first phase of an approved or conditionally approved Multiple-Phase Project, the owner(s) of the lot(s) on which the entire Multiple-Phase Project is located shall execute an agreement obligating the owner(s) of the land or any successor(s) in ownership to comply with the requirements and/or conditions of this approval or conditioned approval.
- e. Pursuant to WC2035 Section 5.3.3.1.3. The owner(s) of the land or any successors in ownership of the lot(s) on which the entire Multiple-Phase Project is located, shall execute and record a covenant and agreement obligating the owners of the land or any successor(s) in ownership to comply with the requirements and/or conditions of this conditioned approval. The covenant and agreement shall be in a form satisfactory to the Department of City Planning and shall be recorded against all lots subject to the Multiple-Phase Project.
- f. Additional Authority. In order to accommodate the phased nature of this Project, the following uses shall be permitted:
 - i. Temporary surface parking may be permitted as part of this Multiple-Phase Project.
 - ii. Parking in excess of the maximum allowable number of parking spaces specified in Section 6.2.3 of the WC2035 Plan may be permitted for one or more phases, provided that the total number of parking spaces does not exceed the total number approved for all phases of the Multiple-Phase Project.

57. Master Plan Project. Pursuant to WC2035 Section 5.3.3.3.

Pursuant to WC2035 Section. 6.2.5.3.1(d) as a Master Planned Project with four (4) public street frontages, located on a Project site that is 217,000 square feet (i.e. 5 acres), this Project shall provide a minimum of two (2) New Streets (Promenade Boulevard and Warner Drive North) with as a continuous connection among at least three (3) public streets, as shown on Exhibit A (MP-15).

58. Incentivized Uses and Bonuses. Pursuant to WC2035 Section 6.2.1.

The following Incentivized Uses are approved as conditioned below:

- a. Pursuant to WC2035 Section. 6.2.1.1.1, a grocery store with a minimum of 7,500 square feet within the Northwest (A or B) phase. Any proposed uses must be approved by the Director as part of the substantial conformance review for each phase of the Project.
- b. Pursuant to WC2035 Section 6.2.1.1.3, a minimum of five (5) or more Local-Serving Retail businesses, all of which are located on the first floor and comply with the regulations set for in the WC2035 Plan. Businesses that qualify as “local serving” as defined in Section 4 of the WC2035 Plan, shall not exceed 5,000 square feet of floor area. Any proposed uses must be approved by the Director as part of the substantial conformance review for each phase of the Project.
- c. The Project may qualify for the incentive of LEED Gold or equivalent standards, pursuant to Section. 6.2.1.1.6 of the WC2035 Plan, by submitting documentation satisfactory to the Director verifying the Project has achieved LEED Gold or equivalent as part of the substantial conformance review of each phase of the Project.
- d. Pursuant to Section 6.2.1.3, Incentivized Uses associated with the Project must be provided on the same lot(s) as the Project. The owner(s) of the lot or lots where the Incentivized Use(s) are located shall record a Covenant and Agreement, which shall be required to run with the land for the life of the Project.

Pursuant to the WC2035 Plan, the following development bonuses are conditionally approved:

- e. Pursuant to WC2035 Section. 6.2.1.2.2., the Project is approved for a Mobility Fee Reduction Bonus to be applied at the time of building permit application based on the proposed incentivized use(s) and size, pursuant to LADOT’s review in accordance with LADOT’s March 29, 2018 assessment letter.
 - f. Should the applicant, or its successor, request a different Development Bonus at a later time, such bonus shall be reviewed and approved by the Director as part of the substantial conformance review of each phase of the Project. As part of the review, the Director may require additional environmental review pursuant to CEQA to ensure any additional development bonus will not result in any new impacts or exacerbate previously identified significant and unavoidable impacts e.g. additional FAR bonus. Any changes to the incentivized uses, shall require the owner(s) of the lot or lots where the Incentivized Use(s) are located to record an updated Covenant and Agreement, which shall be required to run with the land for the life of the Project. The Covenant and Agreement shall be submitted to the Development Services Center prior to recordation.
- 59. Park Fees and Land Dedication.** In addition to WC2035 PAOS requirements, the applicant shall satisfy LAMC Section 12.33 Park Fees and Land Dedication requirements as applicable. **(RAP)**
- 60. Parking.** Pursuant to WC2035 Section 6.2.3.2.1, the Project shall provide a minimum of one (1) parking space per unit and a maximum of two (2) parking spaces per unit for residential units (1,432 spaces); a minimum of two (2) parking spaces per 1,000 square feet of commercial floor area up to a maximum of four (4) spaces (560 spaces); and a minimum of one (1) parking per 1,000 square feet of office floor area (732 spaces); a

minimum of 241 spaces for hotel uses per LAMC 12.21.A.4(b); and 1,500 spaces for the Entertainment and Sports Center, or 2,000 spaces for a partial roof Entertainment and Sports Center, pursuant to LAMC 12.21.A 4(e), as shown on Exhibit A (MP-16 and MP-17). Notwithstanding the minimum of 4,965 parking spaces identified above, the Project shall provide 5,655 parking spaces on-site.

Off-site parking for the partial-roof Entertainment and Sports Center with 10,000-seat maximum, is approved as conditioned below:

- a. **Off-Site Parking.** Off-site parking is authorized as part of the Event Management Plan (EMP) for a partially enclosed Entertainment and Sports Event Center with a maximum seating capacity of 10,000 seats. In accordance with LADOT's Updated Transportation and Parking Analysis dated March 6, 2020, the EMP shall identify the number of on-site shared use parking spaces available for the Entertainment and Sports Center as well as the number of off-site parking spaces with a minimum of 159 parking spaces during weekday and 360 parking spaces during weekend of the peak month of December, that would be required to meet the demand. In addition, the EMP will identify the number of on-site shared use parking spaces available to the Entertainment and Sports Center and identify the number of off-site parking spaces that would be required to meet demand, depending on the time of year and number of event attendees. The EMP will require that sufficient parking be provided through a combination of on-site shared parking and available off-site parking to meet event demand. The Applicant shall provide evidence of the required off-site parking agreements to the Los Angeles Department of Transportation and Department of City Planning, prior to the issuance of a final certificate of occupancy.
61. **Unbundled Parking.** Pursuant to WC2035 Section 6.2.3.3(c), all parking spaces above the minimum requirement can be made available to meet off-street parking requirements of any Project within the same District or adjacent District within the Plan, with a required covenant to the satisfaction of the Director.
 62. **Bicycle Parking.** The Project shall provide bicycle parking spaces consistent with LAMC requirements.
 63. **Design Guidelines.** Pursuant to WC2035 Section 6.2.6 and Appendix F, **Urban Design Guidelines**, and recommendations of the **City Planning Urban Design Studio**, the following shall apply:
 - a. **Site and Landscape Design.** Per WC2035 Appendix F, Section 1.F, design on-site open spaces to collect stormwater where feasible, to be shown on Exhibit A. Prior to Planning clearance, revised landscape plan(s) shall be submitted illustrating incorporation of stormwater collection strategies to show compliance with this condition.

- b. **Lighting and Security.** Pursuant to WC2035 Section 6.2.6.2.3 and Appendix F, Sections 6.B.33, through 6.B.36, all exterior lighting shall be integrated into the building's design and shall be shielded to reduce glare in accordance with the Project Lighting Concept Plan (see Appendix C of the Lighting Technical Report of Appendix C of the Draft Supplemental EIR) Prior to Planning clearance, plans shall be submitted illustrating lighting concepts for subsections (i, ii, iii and iv) below as follows:
- i. Per WC2035 Appendix F, Section 6.B.33, architectural lighting should relate to the pedestrian and accentuate major architectural features, the street wall and public space of the sidewalk.
 - ii. Per WC2035 Appendix F, Section 6.B.34, landscape lighting shall be of a character and scale that relates to the pedestrian and highlights special landscape features.
 - iii. Per WC2035 Appendix F, Section 6.B.35, exterior lighting should be shielded to reduce glare and eliminated light being cast into the night sky.
 - iv. Per WC2035 Appendix F, Section 6.B.36, security lighting should be integrated into the architectural and landscape lighting system and should not be distinguishable from it.
- c. **Antennas and Satellites Dishes.** Per WC2035 Appendix F, Section 6.B.43, antennas and satellite dishes should be screened. Cable and satellite services should be provided through a single source that serves individual units throughout the entire complex through wired connections that are contained within building walls.
- d. **Landscape (General).** Pursuant to WC2035 Section 6.2.6.2.6 and Appendix F, Section 8.B.5, all planted areas within a Project shall be serviced by automatic irrigation systems and shall conform to the City's water conservation requirements. Landscape and irrigation plans prepared by a licensed landscape architect and shall be submitted to the Development Services Center for review and approval prior to the issuance of any building permit for a Project and shall be in compliance with the City of Los Angeles Landscape Guidelines and the Project's landscape plans. Prior to the issuance of any final certificate of occupancy, open space areas of the Project site shall have landscaping installed, including an automatic irrigation system, to be shown on Exhibit A (MP-27 through MP-29). In addition:
- i. Per WC2035 Appendix F, Section 7.5, a minimum of 50 percent of the total required trees on-site shall be canopy trees that shade open spaces, sidewalks and buildings.
 - ii. Per WC2035 Appendix F, Section 8.A.1, treat 100 percent of the 85th percentile storm and provide detention capacity to retain a rainfall intensity of 0.5 inches/hour or other Code requirement if the latter is more restrictive, to the satisfaction of the Bureau of Sanitation. On-site infiltration is the preferred method of treatment.
 - iii. Per WC2035 Appendix F, Section 8.B.2, the project is encouraged to select and install plants identified as California Friendly by the Metropolitan Water District's Be Water Wise program (www.bewaterwise.com) for at least 50

percent of the plant materials used.

- iv. Per WC2035 Appendix F, Section 8.B.5, install a high-efficiency "smart" irrigation system, which includes a weather-based controller, and, where feasible, in-line drip and bubblers, rather than overhead spray. Where overhead spray is used, heads should have low-precipitation nozzles to reduce run-off.
 - v. Per WC2035 Appendix F, Section 8.B.6, all projects are encouraged to use permeable paving for at least 75 percent of all hardscape areas.
- 64. Street Trees.** Pursuant to WC2035 Section 6.2.6.2.8 and Appendix F, Section 3, Guideline A.7, new street trees, as necessary, shall be of the species indicated in Figure 9 in the adopted Plan. Prior to the issuance of a permit for the Project, satisfactory arrangements shall be made with the Urban Forestry Division of the Bureau of Street Services for the construction of tree wells and planting of street trees along Topanga Canyon Boulevard, Erwin Street, Owensmouth Avenue, and Oxnard Street, as necessary, to meet WC2035 standards. Note: if existing, healthy street trees are to be removed, per WC2035 Appendix F, Section 7, Guideline 6, they shall be relocated in the following locations in order of preference: nearby streets, public open space, or other private project sites. All trees should be planted within the boundaries of the Plan, if feasible. **(BSS/DCP)**
- 65. On-Site Trees.** The Project proposes to remove 292 trees, as shown on Exhibit A (MP-26). Pursuant to Appendix B (Mitigation Monitoring Program), Mitigation Measure BIO-2, as replacement for the loss of any on-site trees, replace trees greater than 10 centimeters (4 inches) in diameter at breast height (4.5 feet above surrounding grade) with native or non-native (non-invasive) trees of appropriate local climate tolerance at a 2:1 ratio, for a minimum total of 584 trees. Prior to the issuance of a permit for the Project, satisfactory arrangements shall be made with the Urban Forestry Division of the Bureau of Street Services for the construction of tree wells and planting of street trees. Note: A Tree Report dated October 9, 2016, is included in Appendix C of the Promenade 2035 Supplemental DEIR.
- 66. LEED Silver.** Pursuant to WC2035 Section 6.2.10.1, the Project shall be designed to meet the equivalent green standards of LEED (Leadership in Energy and Environmental Design) at the Silver Level, in addition to the City's Green Building Ordinance No. 182,849 and any other applicable regulations relating to sustainability standards. (Note: the project is subject to the most current version of LEED at the time of the Planning clearance on the building permit). **(B&S/DCP)**
- 67. Solar Reflectance Index (SRI).** Pursuant to WC2035 Section 6.2.10.2, the Project shall provide an SRI equal to or greater than 78 on at least 75 percent of the roof area, which meets the SRI requirement specified in Option 1 combined with green/vegetated roofing surfaces, that in combination meet the criteria of Option 3 of Appendix G of the WC2035 Plan. **(B&S).**
- a. **Solar Power Generators.** Where power poles are available, electricity from power poles and/or solar powered generators rather than temporary diesel or gasoline generators shall be used during construction.

- b. **Solar Energy: Photovoltaic Panels.** Notwithstanding Project Design Feature D-6, the Applicant will add an additional 210 kilowatts of photovoltaic panels, such that at completion, the Project will have 710 kilowatts of photovoltaic panels on the Project Site for a total of at least 1 million kWh of solar-generated power. Some installation of photovoltaic panels will be included with construction of each phase of the Project (MP-19.2).
68. **Green Building Ordinance.** Per WC2035 Appendix F, Section 1, the Project shall comply with the City's Green Building Ordinance No. 182,849. **(B&S/DCP)**
69. **Street Lighting.** Satisfactory arrangements shall be made with the Bureau of Street Lighting to guarantee the installation of street lighting facilities as conditioned in VTT-74587, 74588 and 74589. **(BSL)**
70. **Site Access and Internal Circulation.** Prior to the issuance of any building permit for the Project, a site plan shall be submitted to the Department of Transportation's (DOT) Valley Development Review Section (6262 Van Nuys Boulevard, Suite 320, Van Nuys, California) for review and approval of driveways, loading/unloading areas, parking, and internal circulation. **(DOT)**
71. **Mobility Fee and Existing Use Credit.** Pursuant to Section 7 and Appendix D of WC2035, the final determination to pay a Mobility Fee will be calculated using the Appendix D Mobility Fee Table in effect at building permit issuance. In accordance with Section 7.3.2.1, the Project is entitled to an existing use credit limited to \$13,187,159 for the project site, against the Mobility Fee for previous uses that existed on the Project Site. The final Mobility Fee, including these credits, will be calculated by DCP after final square footage totals for the Project uses are determined through the Plan Check process by Building and Safety. Based on the Preliminary Mobility Fee estimate, (DOT assessment letter dated March 29, 2018) it is estimated that the Project will incur a Total Net Mobility Fee of \$7,164,938.
- The project applicant shall record a Covenant and Agreement with the Los Angeles County Recorder's Office, approved by the Development Services Center, which documents the square footage of the building(s) proposed to be removed and the resulting Mobility Fee Existing Use Credits ("Credits") created pursuant to the provisions of the Warner Center 2035 Plan. A copy of the recorded covenant shall be provided to the Department of City Planning for inclusion in the case file. The Covenant and Agreement shall run with the land and bind and benefit all successors and assigns in ownership of the property. In the event that any portion of the project site or project phase or subphase is sold or transferred to any entity, the project applicant shall inform the Department of City Planning and LADOT within 30 days of the transaction and the allocation of the existing use credit for that sub-phase of the project. The applicant shall provide the prospective new property owner with a copy of this covenant prior to the legal acquisition of the Property; evidence of a copy of this covenant has been provided to the prospective owner shall be submitted to the Development Services Center prior to any change in ownership. Upon change of ownership of any portion of the property, the applicant shall record a covenant approved the Development Services Center which updates the City's records as to the allocation of Credits on the property. **(B&S/DOT)**
72. **Transportation Demand Management (TDM) Options.** Consistent with WC2035 Section 7.8, the property owner(s) or applicant shall select one of the two options:

submittal of a TDM Plan to the City or membership in a Transportation Management Organization or similar organization. Included in the case, the applicant submitted a proposed TDM Program, and in accordance with the March 29, 2019 Department of Transportation Assessment Letter, the applicant shall comply with the following.

- a. Submittal of a Final TDM Plan to the City: Prior to the issuance of any Project approval, the Project applicant and/or the property owner(s) (including resident associations) of the lot where the Project is located shall submit to DOT an application for review and approval of a TDM plan. DOT shall review and approve or disprove a TDM plan within 90 days after the date of submittal of a complete application. Any plan not approved or disapproved by the end of this 90-day period shall be deemed approved. A TDM plan shall include the minimum elements outlined in WC2035 Section 7.8.1.1. **(DOT)**
 - b. Transportation Management Organization (TMO): Prior to the issuance of any building, foundation, grading, demolition, change of use or use of land permit for the Project, the Applicant shall join a Transportation Management Organization (TMO) or an equivalent organization. Proof of membership in good standing shall be required at the time of building permit clearance. A member in good standing shall include minimum specifications outlined in WC2035 Section 7.8.1.2, which implement the TMO's overall TDM goals and objectives. **(DOT)**
- 73. Warner Center Cultural Amenities Development Fee.** Pursuant to WC2035 Section 9, if the valuation of a Project's building permit for any land use is \$500,000 or more, the applicant shall be assessed a Warner Center Cultural Amenities Development Fee at the same rate as the Citywide Arts Development Fee. The appropriate fee shall be calculated in effect at building permit issuance through the Plan check process by Building and Safety. The Applicant may pay the fee or provide on-site artwork under the guidance of the Department of Cultural Affairs. **(B&S/DCP)**
- 74. Design Guidelines.** Pursuant to WC2035, **Appendix F, Section 10. Signage**, and the **Warner Center 2035 Plan Sign District** (Ordinance No. 183,147) and LAMC Section 14.4, the Project shall be in substantial conformance with the approved Promenade Master Sign Plan, dated April 5, 2019, and revised February 20, 2020, incorporated herein by reference as Exhibit C, for the approval of:
- One (1) Aerial View Sign on the roof of the Entertainment and Sports Center;
 - Three (3) Integral Digital Displays;
 - Three (3) Scrolling Digital Displays;
 - Digital Displays, consisting of Wall Signs no greater than 300 square feet;
 - Identification Signs greater than 150 square feet in area;
 - Large-Scale Architectural Lighting;
 - Projecting Signs; and
 - Wall Signs 150 square feet in area or greater, or any wall sign located in the Vertical Sign Zone 2.

Prior to the issuance of each sign permit, the following shall be submitted for Specific Plan final sign review:

- a. A site plan identifying location of all sign types and identifying each proposed sign by number, showing its location in relation to structures, walkways and landscaped areas. The Director's approval shall be indicated by stamping the plans for the sign and/or sign structure;
- b. A matrix describing general characteristics of each sign type (type, sign name or number, illumination, dimensions, quantity);
- c. A scaled elevation of each sign type showing overall dimensions, sign copy, typeface, materials, colors and form of illumination;
- d. The above-ground PAOS shall provide identification signage. This identification signage shall not be counted against the Project's signage limitation; and
- e. Proof of Compliance. Copies of permits for all existing signage located on the same property as proposed sign. All existing signs that do not have a valid permit shall be brought into compliance or removed prior to the approval of any additional sign(s) on the same lot, or on multiple lots that are part of an integrated development having the same ownership.
- f. Prohibited Signs. In addition to those signs prohibited by Ordinance No. 183,147, no flat letter signs on stucco walls shall be permitted.

Director's Sign off. LABDS may issue a permit for the following signs with only a Director sign-off on the permit application:

- Architectural Ledge Signs;
- Awning Sign;
- Hanging Signs;
- Information Signs;
- Monument Signs;
- Pedestrian Signs;
- Identification Signs that are 150 square feet in area or less, that are located in Vertical Sign Zones 1 or 2, and that do not break the roof line;
- Wall signs that measure 150 square feet in area or less; and
- Window Sign.

The Director shall sign off on the sign permit application if the sign complies with all the applicable requirements of the LAMC, Ordinance 183,147 and WC2035 Plan. The

Director's approval shall also be indicated by stamping the plans for the sign and/or sign structure.

ENVIRONMENTAL CONDITIONS

- 75. Mitigation Monitoring Program.** The Project shall be in substantial conformance with the mitigation measures in the attached MMP, stamped "Exhibit B" and further included in 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 written justification supported by substantial evidence as to why the mitigation measures, 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 with the adopted mitigation measures or MMP, a modification or deletion shall be treated as a new discretionary action under CEQA Guidelines, Section 15162(c) and will require preparation of an addendum or subsequent CEQA Clearance. Under this process, the modification or deletion of a mitigation measure shall not require a Zone Change unless the Director of Planning also finds that the change to the mitigation measure results in a substantial change to the Project or the non-environmental conditions of approval.

- 76. 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 the 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 included as part of the Applicant's Compliance Report. The Construction Monitor shall be obligated to immediately report to the Enforcement Agency any non-compliance with the mitigation measures and project design features within two business 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.

ADMINISTRATIVE CONDITIONS

- 1. Notations on Plans.** Plans submitted to the Department of Building and Safety for the purpose of processing a building permit application shall include all of the Conditions of Approval herein attached as a cover sheet, and shall include any modifications or notations required herein.

2. **Approval, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, review of approval, plans, etc., as may be required by the subject conditions, shall be provided to the Department of City Planning prior to clearance of any building permits, for placement in the subject file.
3. **MViP-Monitoring Verification and Inspection Program.** Prior to the effectuation of this grant, fees required per L.A.M.C. section 19.01-E,3 for Monitoring of Conditional Use Permits and Inspection and Field Compliance Review of Operations shall be paid to the City.
 - a. Within 24 months from the beginning of operations or issuance of a Certificate of Occupancy, a City inspector will 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 included in the administrative file.
 - b. The owner and operator shall be notified of the deficiency or violation and 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, may result in additional corrective conditions imposed by the Zoning Administrator.
4. 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 including the conditions required herewith has been provided to the prospective owner/operator shall be submitted to the Department of City Planning 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 Department of City Planning within 30-days of the beginning day of his/her new operation of the establishment along with any proposed modifications to the existing floor plan, seating arrangement or number of seats of the new operation.
5. Should there be a change in the ownership and/or the operator of the business, the Zoning Administrator reserves the right to require that the new owner or operator file a Plan Approval application, if it is determined that the new operation is not in substantial conformance with the approved floor plan, or the operation has changed in mode or character from the original approval, or if documented evidence be submitted showing a continued violation(s) of any condition(s) of this grant resulting in a disruption or interference with the peaceful enjoyment of the adjoining and neighboring properties. The application, in association with the appropriate fees, and a 500-foot notification radius, shall be submitted to the Department of City Planning within 30 days of the date of legal acquisition by the new owner or operator. The purpose of the plan approval will be to review the operation of the premise and establish conditions applicable to the use as conducted by the new owner or operator, consistent with the intent of the Conditions of this grant. Upon this review, the Zoning Administrator may modify, add or delete conditions, and if warranted, reserves the right to conduct this public hearing for nuisance abatement/revocation purposes.

6. **Code Compliance.** Use, area, height, and yard regulations of the zone classification of the subject property shall be complied with, except where granted conditions differ herein.
7. **Department of Building and Safety.** The granting of this determination by the Director of Planning does not in any way indicate full compliance with applicable provisions of the Los Angeles Municipal Code Chapter IX (Building Code). Any corrections and/or modifications to plans made subsequent to this determination by a Department of Building and Safety Plan Check Engineer that affect any part of the exterior design or appearance of the project as approved by the Director, and which are deemed necessary by the Department of Building and Safety for Building Code compliance, shall require a referral of the revised plans back to the Department of City Planning for additional review and sign-off prior to the issuance of any permit in connection with those plans.
8. **Covenant and Agreement.** Prior to the issuance of any permits relative to this matter, 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 for approval before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided for attachment to the subject case file.
9. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning.

Flood Hazard

10. The National Flood Insurance Program rate maps, which are a part of the Flood Hazard Management Specific Plan adopted by the City council by Ordinance NO. 172,081, have been reviewed and it has been determined that this project is located outside the Flood Zone.
11. **Indemnification.** INDEMNIFICATION AND REIMBURSEMENT OF LITIGATION COSTS.

Applicant shall do all of the following:

- (i) Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void, or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions, or to claim personal property damage, including from inverse condemnation or any other constitutional claim.
- (ii) Reimburse the City for any and all costs incurred in defense of an action related to or arising out of the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages, and/or settlement costs.

- (iii) Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the Applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than \$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.

IMPORTANT NOTICE

The regulations set forth in the subject Specific Plan are in addition to those set forth in the Los Angeles Municipal Code (LAMC), and do not convey any rights or privileges not otherwise granted under the provisions and procedures contained therein, except as specifically provided herein.

Wherever the Specific Plan contains provisions which require or permit greater or lesser setbacks, street dedications, open space, densities, heights, uses, parking, or other controls on development than would be allowed or required pursuant to the provisions contained in LAMC Chapter 1, the Specific Plan will prevail and supersede the applicable provisions of the Code.

OBSERVANCE OF CONDITIONS - TIME LIMIT - LAPSE OF PRIVILEGES - TIME EXTENSION

All terms and conditions of this Director's Determination shall be complied with before the use may be established. This authorization is further conditional upon the privileges being utilized within **three years** after the effective date of this determination. If such privileges are not utilized or substantial physical construction work has not begun and carried on diligently to completion, the authorization shall become void.

TRANSFERABILITY

This determination runs with the land. In the event the property is sold, leased, rented, or occupied by any person or corporation other than yourself, you must advise them regarding the conditions of this grant.

VIOLATIONS OF THE CONDITIONS, A MISDEMEANOR

Section 11.00 M of the Los Angeles Municipal Code states: "It shall be unlawful to violate any provision or fail to comply with any of the requirements of this Code. Any person violating any of the provisions or failing to comply with any of the mandatory requirements of this Code shall be guilty of a misdemeanor unless that violation or failure is declared in that section to be an infraction. An infraction shall be tried and be punishable as provided in Section 19.6 of the Penal Code and the provisions of this section. Any violation of this Code that is designated as a misdemeanor may be charged by the City Attorney as either a misdemeanor or an infraction. Every violation of this determination is punishable as a misdemeanor unless provision is otherwise made, and shall be punishable by a fine of not more than \$1,000 or by imprisonment in the County Jail for a period of not more than six months, or by both a fine and imprisonment."

ENTITLEMENT FINDINGS

(As amended by the City Planning Commission on May 28, 2020)

The City intends that if these findings fail to cross-reference or incorporate by reference any other part of these findings, any finding required or permitted to be made by the City, with respect to any particular subject matter of the Project, must be deemed made if it appears in any portion of these findings or findings elsewhere in the record.

Master Conditional – Alcohol

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

The Project will enhance the built environment by redeveloping an underutilized lot with a mixed-use development that includes new restaurant, retail, office, hotel, entertainment and residential uses within the Downtown District of the Warner Center community of Los Angeles. The Project is located within an existing regional commercial center and is surrounded by adjacent compatible land uses, including The Village at Westfield Topanga Shopping Center to the north, and commercial uses to the east and west, including office buildings, a hotel and parking structures. Redevelopment will be consistent with the Project's surrounding land uses and enhance the entertainment, employment, housing, and shopping options for residents, workers and visitors, thus benefiting the community, city and region.

The Project will be built with aesthetic features and uses to encourage pedestrian activity, consistent with the goals and vision of the WC2035 Plan, including the addition of new streets and pedestrian pathways to subdivide the existing superblock. The addition of a new approximately 60,000 square-foot publicly accessible open space, Promenade Square, and additional public spaces, gardens and pocket parks will provide attractive areas for residents to relax in, and provide for the opportunity to host events that will enhance the quality of life of the neighborhood, such as open air movie nights, evening concerts, special holiday events, bocce courts and playgrounds, and farmers' markets. The Project will also provide ground floor uses along the Promenade Boulevard that encourage pedestrian activity, such as retail, including restaurants and cafes, and galleries, enhancing the accessibility of the proposed concentration of uses. The Project also proposes to include a grocery store and pharmacy/drug store as well as community-serving retail to provide services for the local community.

The proposed residential buildings would offer alcoholic beverage service in connection with private indoor and outdoor lounge areas, pool areas, dining rooms, and other amenity areas. The proposed restaurant uses will offer additional food and activity options for residents, workers, and visitors who frequent the area. By improving the diversity of dining and entertainment options in the area that also offer a full line of beverages to patrons, the Project will reduce the need for local customers to travel outside of the neighborhood to enjoy these types of uses. The availability of a variety of dining activities and the option of alcoholic beverages is a service patrons desire and expect.

The development of a grocery store is an encouraged incentive under the WC2035 Plan and would be a service that would benefit the community. Sales would be monitored, and alcohol

consumption would not be permitted within the store. As conditioned, alcohol sales for off-site consumption in connection with a proposed grocery store and pharmacy/drug store would be similarly monitored and controlled.

The addition of the two hotels, with ancillary alcohol service, would benefit the community and region by supporting the hospitality needs of the community and the proposed Entertainment and Sports Center. The proposed hotel alcoholic beverage service uses are standard conveniences that are expected in hotels and are common amenities for these types of uses. Having mini-bars in individual guest rooms and room and pool-side service would meet the expectations of guests and should have no adverse impacts, and service would be contained within the hotel areas. As such, these uses would provide a desired convenience to hotel guests. The proposed banquet hall and hotel restaurant/bar service are also standard conveniences that are expected of hotels, and would help to attract visitors and guests to the area. As all proposed hotel uses would be conducted within the two hotels with significant staff and security presence, no negative impacts from the hotel alcohol-serving uses would be expected.

The proposed Entertainment and Sports Center is designed to provide a flexible space to accommodate a variety of events and functions, thereby providing a new destination for entertainment and sporting activities in the San Fernando Valley. Potential events hosted at the venue could include professional, youth and community sporting activities, live music, craft fairs and exhibitions, lectures and speaker series, performing arts and holiday concerts. The Entertainment and Sports Center's operation will include the provision of on-site private security, responsible for ensuring public safety for residents and visitors. The Entertainment and Sports Center is located close to a major transit hub, offering a regionally connected venue for visitors and tourists that would promote the reduction of vehicle miles travelled to attend events. The Entertainment and Sports Center will also enhance the vibrancy of the Warner Center, providing a complementary entertainment use adjacent to the Project's retail, hotel, restaurant, and other offerings, while ensuring a safe and controlled environment for local events and activities. The service of alcoholic beverages is also an expected amenity at entertainment and sports facilities and the establishments selling alcohol will be part of a carefully controlled facility. Entities that sell and serve alcoholic beverages for on-site consumption will also obtain approvals from other jurisdictions, as required, including licenses or permits from the State Department of Alcoholic Beverage Control (ABC).

2. 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 or society.

The proposed alcohol sales will not adversely affect the adjacent properties, the surrounding neighborhood or the public health because the Project proposes to add residential, restaurant, grocery store, pharmacy/drug store, hotel, and entertainment and sports facility uses which are compatible with, and will enhance, the surrounding commercial and residential uses. The Project will redevelop the existing Promenade Shopping Center property, which encompasses approximately 34 acres and contains existing retail, restaurants, movie theater, and surface parking uses. The Shopping Center previously included several restaurant tenants which have been permitted to serve alcohol to patrons, including existing and recent tenants such as Maggiano's, Ruths Chris, The Rack, Ruby's, and PF Chang's. These restaurants have operated without any adverse impacts on the surrounding community. At build-out, the Project would replace and expand upon these uses with new dining, retail and entertainment uses,

and the Project would therefore be well-situated to continue to serve the recreational, entertainment and community service needs anticipated for the Downtown District under the WC2035 Plan.

As discussed above, the Project is compatible with and reinforces adjacent uses, which include The Village at Westfield Topanga Shopping Center to the north and commercial uses to the east. The Project vicinity is highly developed and consistent with the proposed Project in scale and use. High-rise office buildings, hotels and parking structures, including the 16-story Warner Center Marriott building and the 11-25 story Warner Center towers, are located in close proximity to the Project Site. The Project's mix of mid-rise and high-rise buildings, and range of hotel, residential, office, and entertainment uses are compatible with the surrounding area. Furthermore, the Project will enhance accessibility and pedestrian walkability between these uses and outside of the Project Site by incorporating new streets to subdivide the existing superblock, as well as new open space and pedestrian walkways. Residents living within the site and within the single- and multi-family residential neighborhoods in areas farther west, south, east and north of the Project Site would be able to enjoy the Project's new dining, retail and entertainment uses within walking distance, thereby reducing the need to travel long distances by car to access these amenities.

To accommodate visitors and residents, the Project's new streets will encourage mobility by foot, transit, and car, so that users have easy access throughout the Project Site as well as to all of the adjacent business, employment, entertainment, and lodging uses. The Project will also implement a transportation demand management program to ensure optimal traffic flow, and provide adequate parking for the Project, therefore avoiding any adverse traffic or parking impacts. In addition, the proposed development is consistent with current zoning and has been designed with appropriate setbacks, parking, and scale to match the surrounding community.

This Project will therefore enhance the neighborhood, rather than degrade it, by transforming an underutilized lot into productive uses while maintaining a density below what is permitted by the WC2035 Plan. The Project will also complement the uses in adjacent properties and the surrounding neighborhood with new entertainment, dining, and shopping options. The proposed variety of Project uses, including alcohol-serving dining, grocery store, pharmacy/drug store and hotel establishments, and the new Entertainment and Sports Center, will strengthen Warner Center's existing commercial core by providing retail, restaurant, and entertainment uses to the community, as well as the employment opportunities in Warner Center, given the Project's location within the Downtown District, and Warner Center's designation as a regional center. Furthermore, the Project will serve as a central point for shopping and dining, providing desired amenities for residents living within the site as well as other patrons, including the sale of alcoholic beverages, minimizing vehicle trips.

As discussed in No. 1, above, the proposed alcoholic beverage uses are standard conveniences in and expected services at these types of establishments. These uses will meet the expectations of residents and visitors and will not adversely affect the adjacent properties. Furthermore, the Applicant will institute security measures to prevent negative impacts on the surrounding community.

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

As set forth below, the Project complies with the applicable standards under the Zoning Code, General Plan and Community Plan, as well as the development standards in the Downtown District and development standards that apply to all projects in the WC2035 Plan. Additionally, the Project complies with the supplemental standards applicable to Multiple Phase and Master Planned Project and to Entertainment Uses. The Project's Supplemental Environmental Impact Report ("EIR"), which tiers off the WC2035 Plan, identifies mitigation and monitoring measures which have been incorporated into the Project, as well as analyzes alternatives, which would mitigate the negative environmental effects of the Project, to the extent feasible. Therefore, the Project complies with the following objectives and policies:

General Plan

The property is located within the Canoga Park-Winnetka-Woodland Hills-West Hills Community Plan, which serves as the General Plan Land Use Element for the area. The General Plan Framework Element is a strategy for long-term growth that sets a citywide context to guide the subsequent amendments of the City's community plans, zoning ordinances, and other pertinent programs. The Framework defines citywide policies for land use, housing, urban form and neighborhood design, open space and conservation, economic development, transportation, and infrastructure and public services.

The proposed Project will implement a number of key land use, transportation, and urban form goals and policies. For instance, the objectives and policies of the Land Use chapter of the Framework Element seek, in part, to provide a physically balanced distribution of land uses that contributes towards and facilitates the City's long-term fiscal and economic viability.

The property is located within the WC2035 Plan, and is designated for regional commercial uses. All proposed land uses within the Project boundaries are compatible with the designated land use and applicable objectives, policies, and programs stated in the General Plan, including: accommodating a diversity of uses that support the needs of the City's existing and future residents, businesses, and visitors; accommodating new development in accordance with land use and density provisions of the General Plan Framework Long-Range Land Use Diagram, which designates Warner Center as a regional center targeted for high density growth and economic development; encouraging the development of new regional centers that accommodate a broad range of uses; providing job opportunities that are accessible to the region and uses that are compatible with adjacent land uses; providing for the siting and design of new development that enhance the character of commercial and industrial districts. Further, the proposed Project will be compatible with the Framework Element's urban design, open space and transportation goals and objectives. The proposed Project will facilitate several physical enhancements encompassed under the WC2035 Plan to improve walkways, incorporate attractive landscaping, and provide pedestrian-friendly linkages within the project site and to an adjacent transit hub. These enhancements will provide a more attractive pedestrian environment and encourage public transit and non-motorized transportation.

For these reasons, and as more fully explained below, the proposed Project is consistent with the intent and purpose of the General Plan.

Land Use

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

The Project accommodates a diverse range of uses, which includes pedestrian friendly retail uses, including a grocery store and Local Serving Retail, as well as the proposed

Entertainment and Sports Center, which will support the shopping, dining, and entertainment needs of future residents, employees, and visitors. The addition of new residential uses in the Downtown District will also meet the housing needs of current employees as well as draw future residents to Warner Center, in proximity to transit and connected to public streets through new, pedestrian-friendly streets and pathways. The Project also enhances the diversity of existing dining, retail, and entertainment options in the area, which will be accessible to the Project's residents and will be walking distance to a variety of residential areas and commercial businesses adjacent to the Project Site.

Policy 3.1.3 *Identify areas for the establishment of new open space opportunities to serve the needs of existing and future residents. These opportunities may include a citywide linear network of parklands and trails, neighborhood parks, and urban open spaces.*

The Applicant will be providing six acres of ground-level open space, including an approximately 60,000 square-foot centralized PAOS at the Project Site, open-air gathering space, and passive and active recreation areas to serve the needs of existing and future residents. Landscaped open space areas and internal pathways will connect visitors and residents to the PAOS area, where the public can gather and engage a variety of activities in the centralized location within the Downtown District.

Policy 3.1.4 *Accommodate new development in accordance with land use and density provisions of the General Plan Framework Long-Range Land Use Diagram.*

The Project is consistent with the Framework Long-Range Land Use Diagram, which identifies Warner Center as a regional center targeted for high density growth and economic development.

Policy 3.1.7 *Allow for development in accordance with the policies, standards, and programs of specific plans in areas in which they have been adopted.*

Upon approval of the proposed entitlements, for the reasons noted above in the Specific Plan Consistency findings, the Project will be compliant with all provisions of the WC2035 Plan.

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

The Project integrates residential and hotel uses into a regional commercial center, thereby decreasing the need of new residents and hotel visitors and business travelers to travel outside of the region for shopping, dining and entertainment needs. The Project provides approximately 1,432 residential units, comprised of multi-family and Work-Live units, as well as 572 new hotel guest rooms directly adjacent to proposed commercial and office uses. This will allow residents, guests, business travelers and tourists to walk to offices, retail uses located on the ground floor of the Project, and to the Entertainment and Sports Center for cultural and sports events, as well as other entertainment options throughout Warner Center, instead of traveling by car. The Project Site is also proximate to an MTA park-and-ride and the Warner Center Transit Hub, which will encourage Project users to utilize public transit for regional access, and will encourage regional and local visitors to use public transit to access Project amenities.

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

The Project emphasizes pedestrian connections by providing New Streets designed to the WC2035 Plan's design standards, as well as significant new open space areas, including landscaped pedestrian walkways and a landscaped 60,000-square foot PAOS area, as well as substantial amounts of additional open space area, within the central interior portion of the site. These new amenities will encourage walkability throughout the Site and encourage pedestrian connectivity to surrounding uses in Warner Center. The Project integrates a residential and hotel uses into a regional commercial center in close proximity to a regional transit hub, thereby encouraging residents, hotel visitors, and business travelers to walk to nearby shopping, dining and entertainment uses.

Policy 3.2.4 and Policy 3.9.5 *Provide for the siting and design of new development that maintains the prevailing scale and character of the City's stable residential neighborhoods and enhance the character of commercial and industrial districts.*

The Project will allow for the redevelopment of the currently under-utilized Promenade site with a mix of uses that are complementary to, and compatible with, surrounding uses. The Project provides for open space, new retail shops and restaurants, a grocery store, and office and hotel uses, as well as a new Entertainment and Sports Center that will host cultural and sports events. This mix of uses are consistent with the Downtown District in Warner Center and provide for an attractive regional commercial center while preserving the area's residential neighborhoods, consistent with the intent and objectives of the Community and WC2035 Plans.

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.*

The Project consists of approximately 1,432 new residential units adjacent to integrated retail, commercial, and office development thereby concentrating a variety of complementary uses in a downtown regional center. The Project is also located along major boulevards and a regional transit hub, the Warner Center Transit Hub. The Project concentrates these uses into a commercial core through transit-oriented development, while protecting existing residential units and enhancing amenities available to them, e.g. publicly accessible open space. It further provides Local-Serving retail, a grocery store, and other important open space areas and amenities without removing or replacing existing residential units.

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

The Project is located in a downtown center in close proximity to a regional bus transit station, as well as along Topanga Canyon Boulevard, which is one of the City's major boulevards.

Objective 3.7 *Provide for the stability and enhancement of multi-family residential neighborhoods and allow for growth in areas where there is sufficient public infrastructure and services and the residents' quality of life can be maintained or improved.*

The Project includes new multi-family residential units with a variety of on-site residential amenities, including courtyards and rooftop terraces for residents to enjoy, as well as new public open space plaza areas that residents may walk to. The Project Site is located within an area well-served by existing roadway, transit and utility infrastructure.

Objective 3.8 *Reinforce existing and establish new neighborhood districts which accommodate a broad range of uses that serve the needs of adjacent residents, promote neighborhood activity, are compatible with adjacent neighborhoods, and are developed as desirable places to work and visit.*

The Project reinforces the development of the Downtown District of the WC2035 Plan and accommodates a broad range of land uses to serve residents and visitors. The Project is compatible with adjacent neighborhoods, building upon the surrounding area's retail, dining, and entertainment options, and providing local residents access to community-serving uses, including a grocery store, Local-Serving Retail and open spaces, reinforcing Warner Center's status as a desirable area to work in and visit.

Policy 3.8.4 *Enhance pedestrian activity by the design and siting of structures in accordance with Chapter 5 Urban Form and Neighborhood Design policies of this Element and Pedestrian-Oriented District Policies 3.16.1 through 3.16.3.*

The Project provides parking systems that allow for pedestrian accessibility, removing the current surface level parking scheme, and replacing it with new wrapped parking structures, as well as parking areas that are integrated into the proposed residential and commercial mixed-use buildings, which will comply with the WC2035 Plan's design standards. New buildings have been designed with architectural detailing and landscaping intended to encourage pedestrian activity on the adjacent sidewalks. The design of the Project emphasizes ground floor commercial uses with high transparency and pedestrian amenities. The Project's New Streets will provide a continuous pedestrian connection to the surrounding public streets, as well as connections to the new internal open spaces. These enhancements will promote walkability within the Project Site, as well as encourage walking to and from nearby commercial office and retail areas such as the shopping centers located directly north of the site, as well as other surrounding commercial uses.

Policy 3.8.3 *Encourage the owners of existing commercial shopping centers that contain chain grocery and drug stores to include additional uses, such as restaurants, entertainment, childcare facilities, public meeting rooms, recreation, cultural facilities, and public open spaces, which enhance neighborhood activity.*

The Project Site currently contains existing retail and restaurant tenant space within the Promenade Shopping Center, which will be redeveloped to provide a more diverse range of commercial retail uses, including a new grocery store and Local Serving Retail uses. The Project also includes a new Entertainment and Sports Center that will provide cultural and sporting event programming, thereby enhancing neighborhood activity.

Objective 3.9 *Reinforce existing and encourage new community centers, which accommodate a broad range of uses that serve the needs of adjacent residents, promote neighborhood and community activity, are compatible with adjacent neighborhoods, and are developed to be desirable places in which to live, work and visit, both in daytime and nighttime.*

By redeveloping an underutilized lot into a mixed-use shopping center, the Project provides a variety of uses to serve the needs of the surrounding community, and enhances the availability of community amenities by incorporating a grocery store and other Local Serving retail into the Project.

Policy 3.9.8 & 3.10.5 *Support the development of public and private recreation and small parks by incorporating pedestrian-oriented plazas, benches, other streetscape amenities and, where appropriate, landscaped play areas.*

The Project includes new public open space areas that will incorporate passive and active recreation areas, courtyards and seating and other pedestrian amenities to encourage residents and visitors to use these spaces for communal gathering. The Project also incorporates a children's play areas and pet relief areas, to provide additional open space amenities to residents and visitors.

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.*

The Project's proposed concentration of retail, office, restaurant, hotel, and residential land uses, will contribute to the development of a regional center that will serve as a focal point for commerce and activity. The Project encourages development of the Downtown District in the WC2035 Plan, which is intended to serve as the Specific Plan's primary employment and entertainment center. The Project will contain a variety of retail, hospitality, and restaurant employment opportunities, and is adjacent to the Warner Center Transit Hub. The Project will also be designed to improve pedestrian accessibility as an urban center in the Downtown District by subdividing the Project Site into smaller blocks scaled for pedestrians thus providing a variety of ground floor retail and dining options that will 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.*

The Project, which includes a mix of retail, restaurant, and employment opportunities, is located alongside the Warner Center Transit Hub, encouraging transit use among visitors, residents and workers. Consistent with the WC2035 Plan, the Project is designed to increase density and complementary land uses within this Downtown District so that surrounding low-density neighborhoods are preserved.

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 3.1.6.*

This Project increases the density adjacent to the Warner Center Transit Hub by increasing the commercial retail, office hospitality and entertainment uses, within a mixed-use development that provides approximately 1,432 residential units, thereby increasing transit access to employment and housing.

Policy 3.15.4 *Design and site new development to promote pedestrian activity and provide adequate transitions with adjacent residential uses.*

The design of the Project emphasizes ground floor commercial uses with high transparency and pedestrian amenities. The Project will also include open spaces for the public to gather and landscaped pedestrian walkways and significant new open space areas within the central interior portion of the Site. Further, the Project promotes access to the Warner Center Transit Hub, and establishes pedestrian connections to adjacent shopping centers.

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

The Project proposes to redevelop a mega block and subdivide the Project Site into smaller blocks, with pedestrian scaled blocks and ground floor retail and dining with transparent storefronts. The sidewalks will be landscaped to enhance the pedestrian experience, with places to sit and gather, including a central open-air plaza, Promenade Square. The buildings will also be designed at various heights and with differentiated materials in order to increase the visual interest of the architecture.

Housing

The Housing chapter of the Framework seeks to contribute to stable, safe, and livable neighborhoods and improve access to jobs and neighborhood services. The Project is consistent with the following objectives of the Housing chapter of the Framework.

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

The Project will locate approximately 1,432 new residential units in proximity to the Warner Center Transit Hub, with major boulevards separating the higher density developments from lower density residential neighborhoods to the west, thereby providing adequate transitions between the proposed Project and lower-density residential neighborhoods.

Objective 2.1 *Promote safety and health within neighborhoods.*

The Project promotes health within Warner Center by creating pedestrian-friendly design and planning and providing new open spaces that provide opportunities for healthy recreation. The Project is designed to facilitate pedestrian movement throughout the Project, with New Streets that conform with the WC2035 Plan's Street Standards that will facilitate pedestrian street crossings and calm traffic. Further, the Project promotes access to the Warner Center Transit Hub, and establishes pedestrian connections to adjacent shopping centers to the north. The Project will also include open spaces for the public to gather and landscaped pedestrian walkways and significant new open space areas within the central interior portion of the Project Site. The Project includes adequate signage, lighting and other enhancements to promote security, as well as on-site security and monitoring to ensure public safety for residents and visitors and minimize any potential adverse impacts to adjacent neighborhoods.

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

The Project will redevelop an underutilized parcel with a mixed-use development providing new housing, commercial office uses and retail services and amenities in close proximity to transit. The Project's design allows for a variety of unit types and rents to meet

the needs of Warner Center's workforce. In addition, the residential uses in the Northwest and Northeast areas of the Project will set aside five percent of units for Very Low-Income households and five percent of the units for Workforce households. The Project accomplishes the goal of providing a variety of high-density residential uses available to a range of income levels within an area close to transit, while promoting the creation of new jobs in Warner Center, consistent with this policy.

Policy 2.2.5 *Provide sufficient services and amenities to support the planned population while preserving the neighborhood for those currently there.*

The Project includes new multi-family residential units with a variety of on-site residential amenities, including courtyards and rooftop terraces for residents to enjoy, and new public open space areas throughout the Project that residents may walk to. The Project Site is located within an area well-served by existing roadway, transit and utility infrastructure. The Project will incorporate appropriate safety and security measures to ensure that the on-site mix of uses operates in a manner that enhances the surrounding neighborhood for existing residences.

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

The Project will redevelop an underutilized parcel with a mixed-use development that includes new housing with unique and high-quality design appropriate for the scale and character of Downtown District. Residential buildings within the Northeast and Northwest Areas of the Project will incorporate units reserved for both Very Low Income and Workforce housings, providing a mix of housing available to a range of income levels. Buildings have been designed to vary in height individually, as well as vary in height throughout the Project site, and all the residential and hotel buildings will also provide significant variations in height, and pedestrian-oriented ground level uses. The variation in height use of a variety of varied building materials, and architectural design features provide an integrated look throughout the Project Site. The Project's integration of public open spaces within the central area of the Site, including the approximately 60,000-square-foot Promenade Square in addition to smaller interior courtyard and green areas, supports the creation of a cohesive and unique neighborhood, in line with this objective.

Policy 2.4.1 *Promote preservation of neighborhood character in balance with facilitating new development.*

By integrating residential units and related amenities with transit, shopping, grocery facilities, office space and restaurants, the Project will enhance the quality of life for existing and future residents. Warner Center, as well as surrounding neighborhoods, are characterized by a range of housing types, including single-family, mid-size and high-rise apartments and condominiums, and large-scale commercial development. The Project is consistent with these uses, and continues to build upon commercial development within the existing downtown commercial core, while preserving Warner Center's residential neighborhoods. Additionally, the development of diverse new retail stores, open space areas and entertainment uses within the Project Site will provide an important opportunity for continued investment in the Warner Center Regional Center and surrounding area, and for continued development of attractive shopping and entertainment options for the community.

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

The design of the Project's residential buildings incorporates innovative architecture consistent with WC2035 Plan's Urban Design Guidelines, which promotes quality architectural building design.

Policy 2.4.3 *Increase access to open space, parks and green spaces.*

The Applicant will be providing approximately 6 acres of ground level, publicly accessible open space and approximately 5 acres of rooftop, private common open space, which will include common areas and pedestrian connections within the Project Site, thereby enhancing the open space resources of Warner Center.

Urban Form and Neighborhood Design

The Project is consistent with the following goals, objectives, and policies of the Urban Form and Neighborhood Design chapter of the Framework:

Goal 5A *A liveable City for existing and future residents and one that is attractive to future investment. A City of interconnected, diverse neighborhoods that builds on the strengths of those neighborhoods and functions at both the neighborhood and citywide scales.*

By integrating residential units and related amenities with transit, shopping, grocery facilities, office space and restaurants, the Project will enhance the quality of life for existing and future residents. Warner Center, as well as surrounding neighborhoods, are characterized by a range of housing types, including single-family, mid-size and high-rise apartments and condominiums, and large-scale commercial development. The Project is consistent with these uses, and continues to build upon commercial development within the existing downtown commercial core, while preserving Warner Center's residential neighborhoods. Additionally, the development of diverse new retail stores, open space areas and entertainment uses within the Project Site will provide an important opportunity for continued investment in the Warner Center regional center and surrounding area, and for continued development of attractive shopping and entertainment options for the community.

Objective 5.2 *Encourage future development in centers and in nodes along corridors that are served by transit and are already functioning as centers for the surrounding neighborhoods, the community or the region.*

Warner Center is designated as a regional center, and currently contains a range of high-rise buildings, mid-rise and high-rise apartments and condominiums, and large-scale commercial development. The Project proposes to develop in an area already designated as a center of residential and commercial activity in Warner Center in a manner that reinforces the area as the Downtown core of activity for Warner Center. Specifically, the WC2035 Plan encourages a concentration of entertainment and employment uses in the Downtown District, which the Project provides with a range of office, retail, restaurant and entertainment uses. The Project is situated in proximity to the Warner Center Transit Hub, thereby facilitating access to Project Site's various uses via transit.

Policy 5.2.1 *Designate centers and districts where activity is already concentrated and/or where good transit service is, or will be provided.*

The Project is located in Warner Center, which is designated and currently functions as a regional commercial center. Major arterials serving Warner Center, as well as the internal street circulation system, are served by public transit. The Project Site is located within a high-density, commercial center, and is surrounded by office and commercial buildings in a dense

urban landscape. The Project will redevelop an underutilized parcel with a new mixed-use development, including residential, hotel, office, retail and entertainment uses.

Objective 5.8 *Reinforce or encourage the establishment of a strong pedestrian orientation in designated neighborhood districts, community centers, and pedestrian-oriented subareas within regional centers, so that these districts and centers can serve as a focus of activity for the surrounding community and a focus for investment in the community.*

The Project is designed to have a strong pedestrian orientation. The ground floor of the various residential buildings will be devoted to retail and restaurant uses, which will be accessible from the sidewalk and contain transparent storefronts for pedestrians. The Project is designed to facilitate pedestrian movement throughout the Project, with New Streets that conform with the Plan's Street Standards to facilitate pedestrian street crossings and calm traffic. In addition, the Project creates a new mixed-use development with more intense uses located in close proximity to hotel and office uses and nearby regional transit service. The Project will provide a variety of shopping, dining, and entertainment opportunities, reducing the need for residents and employees to drive elsewhere to access these amenities.

Open Space and Conservation

The Open Space and Conservation chapter of the Framework calls for the use of open space to enhance the community and neighborhood character. The policies of this chapter recognize that there are communities where open space and recreation resources are currently in short supply, and therefore suggests that vacated railroad lines, drainage channels, planned transit routes and utility rights-of-way, or pedestrian-oriented streets and small parks, where feasible, might serve as important resources for serving the open space and recreation needs of residents. The Project is consistent with the following objectives of the Open Space and Conservation chapter of the Framework:

Policy 6.4.1 *Encourage and seek to provide for usable open space and recreational facilities that are distributed throughout the City.*

The Project includes new public open space areas that will incorporate passive and active recreation areas, courtyards and seating and other pedestrian amenities to encourage residents and visitors to use these spaces for communal gathering. The Project Site will significantly increase the amount of open space compared to the current underutilized site.

Policy 6.4.8 *Maximize the use of existing public open space resources at the neighborhood scale and seek new opportunities for private development to enhance the open space resources of the neighborhoods.*

The Applicant will be providing approximately six acres of ground level, publicly accessible open space and approximately five acres of rooftop, private common open space, which will include common areas and pedestrian connections within the Project Site, thereby enhancing the open space resources of Warner Center.

Economic Development

The Economic Development chapter of the Framework seeks to provide physical locations necessary to attract continued economic development and investment to targeted districts and centers. The Project is consistent with the following objectives of the Economic Development chapter of the Framework.

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.*

The Project provides for the phased development of office, hotel, retail, and dining uses, as well as a new fully-enclosed, Entertainment and Sports Center with up to 10,000 seats or alternatively, the option of a partial-roof, 7,500 seat Entertainment and Sports Center. This development is expected to further economic growth within Warner Center, a designated regional center, and to meet the shopping, dining, and entertainment needs to residents, workers and visitors of Warner Center. The Project will also be developed in accordance with mitigation measures and project design features included in the Project's Supplemental EIR review process in order to ensure maximum feasible environmental quality.

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

Warner Center is currently designated as a regional center, and the Project will redevelop an existing, underutilized commercial site. The Project Site is also located in close proximity to the Warner Center Transit Hub and is surrounded by a range of compatible uses, including multi-family residential, office, retail shopping, and hotel uses. The Project Site's location is appropriate for the proposed Project, and its development will enhance existing commercial uses while preserving Warner Center's existing residential neighborhoods.

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

The Project will redevelop an underutilized parcel within an existing regional center with a variety of shopping, dining, and entertainment opportunities, open spaces and amenities, residences, hotel guest rooms, office space, and a new grocery store.

These new and enhanced business will improve the urban lifestyle options available to Warner Center residents, as well as support and grow a client base for existing businesses in the area.

Objective 7.9 *Ensure that the available range of housing opportunities is sufficient, in terms of location, concentration, type, size, price/rent range, access to local services and access to transportation, to accommodate future population growth and to enable a reasonable portion of the City's work force to both live and work in the City.*

The Project concentrates residential development in a mixed-use corridor and transit corridor, optimizing access to local transportation and services for residents. The Project will develop up to 1,432 residential units, including up to 54 units reserved for Very Low-Income households and up to 54 units reserved for Workforce households. In addition to these housing programs, the Project will include housing units of various sizes, to accommodate different households, and both mid-rise and high-rise residential buildings.

Transportation

The Project is consistent with the following objectives of the Transportation chapter of the Framework.

Objective 3 *Support development in regional centers, community centers, major economic activity areas and along mixed-use boulevards as designated in the Community Plans.*

The Project is located in Warner Center, which is designated and currently functions as a regional center. Major arterials serving Warner Center are served by public transit. The Project will also include the redevelopment of an underutilized commercial site with a new mixed-use Project, thereby enhancing Warner Center's image as a center for community activity. The Project's development will also enhance existing commercial uses while preserving Warner Center's existing residential neighborhoods.

Objective 4 *Preserve the existing character of lower residential areas and maintain pedestrian-oriented environments where appropriate.*

Consistent with this goal, the Project locates higher density development within an established regional center, thus preserving Warner Center's lower-density residential areas. In addition, the Project will provide significant new open space areas, thereby enhancing the pedestrian-oriented nature of the Project Site and facilitating easier pedestrian access to the development.

Plan for Healthy LA

The Project is consistent with the Plan for a Healthy Los Angeles, the City's recently adopted Health and Wellness Element of the General Plan.

Policy 2.2 *Healthy building design and construction.*

Consistent with this policy, the Project redevelops an underutilized site with a new, mixed-use development providing new housing, commercial office uses and retail services, and entertainment uses, and amenities in close proximity to transit. This promotes a healthy built environment by creating buildings and sites that support conditions for healthy living and working, including enhanced pedestrian-oriented circulation, lighting, and universal accessibility. The Project incorporates many of the suggested best practices for healthy building design including building energy efficiency (the Project will meet or exceed the standards of LEED Silver or equivalent), communal spaces for social interactions, green and open spaces for active and passive activity, rooftop gardens, and supportive amenities for active transportation such as shower facilities and bicycle storage.

Policy 3.8 *Active spaces - Support public, private, and nonprofit partners in the ongoing development of new and innovative active spaces and strategies to increase the number of Angelenos who engage in physical activity across ages and level of abilities.*

The Project includes the Promenade Square, a 60,000-square-foot open space area centrally located within the Project Site. It would serve as a community and pedestrian plaza that could be used in a variety of different ways, including as a passive open space area for recreation, a gathering and lounging space, and to host community events, including outdoor movie nights or farmer's markets. The Project's open space areas include more than 600 trees for shading and landscaping, as well as benches and other seating areas, enhancing the attractiveness of these open space amenities for use by the community.

Policy 5.7 *Land use planning for public health and GHG emission reduction - Promote land use policies that reduce per capita greenhouse gas emissions, result in improved air*

quality and decreased air pollution, especially for children, seniors and others susceptible to respiratory diseases.

The Project would locate housing, jobs, shopping, entertainment uses and open space within close proximity to transit. The Project incorporates pedestrian pathways and New Streets that encourage walking and cycling throughout the Project Site. Implementation of the Project would therefore implement land use that reduce the need for driving to access these various amenities, and as such, promote reductions in pollution and greenhouse gas emissions, consistent with this policy.

Canoga Park–Winnetka–Woodland Hills–West Hills Community Plan

The Project Site is located within the Canoga Park–Winnetka–Woodland Hills–West Hills Community Plan (“Community Plan”). The Community Plan serves as the General Plan Land Use Element for the area. The Community Plan designates the Project Site as “Regional Commercial,” which permits variety of commercial, office, retail and residential uses. The Project is consistent with several of the requirements, goals, and policies of the Community Plan, as follows:

Objective 1-2 *Reduce automobile trips in residential densities near commercial centers and major bus routes where public service facilities, utilities and topography will accommodate this development.*

By serving as a one-stop destination that is walking distance from residential and commercial areas, existing and future residents and visitors can reduce their trips by accommodating all of their shopping, dining, and entertainment needs within the Project Site and the adjacent uses. The spatial distribution of uses on the Project Site is such that residents can easily access a variety of concentrated uses on foot, reducing the need to travel long distances. Furthermore, the Project Site is close to the Metro park-and-ride and Warner Center Transit Hub. The Project incorporates landscaping features into the pedestrian pathways to promote transit ridership and pedestrian activity, which will both facilitate a reduction of vehicle miles travelled and air pollution.

Objective 2-1 *Conserve and strengthen viable commercial development and encourage recycling of obsolete commercial development.*

The Project will maintain the existing AMC movie theater that is currently on-site for the initial phases of development, eventually replacing all of the underutilized Promenade shopping mall with new retail, office, hotel, restaurant, and grocery options for Warner Center, in addition to a new fully-enclosed, Entertainment and Sports Center with up to 10,000 seats, or alternatively, a partial-roof, 7,500-seat Entertainment and Sports center, all of which will improve an existing commercial core while enhancing the quality and availability of public open spaces in the community.

Policy 2-1.1 *Locate new commercial development in areas currently designated for such development.*

The Project Site is designated as Regional Commercial under the Community Plan, which is intended to correspond with medium and high-density commercial and residential development. With the approval of the requested entitlements, the Project’s contemplated uses will be consistent with the land uses permitted for the Downtown District under the WC2035 Plan.

Objective 2-2 *Enhance the appearance of commercial districts*

The Project Site is currently comprised of an underutilized shopping center and surface parking lots on a superblock. The proposed Project will bring continuity and cohesiveness of design to the Project Site, by subdividing the Site into smaller block areas, incorporating New Streets that connect to the existing urban grid, and providing additional pedestrian-level aesthetic features that will enhance the overall appearance of the Downtown District. With the proposed significant open space and landscaping enhancements, the Project will have a “greening” effect on Warner Center, and will create an attractive and architecturally-integrated neighborhood within this Downtown District.

Objective 2.2-1 *Require that any proposed development be designed to enhance and be compatible with adjacent development.*

The Project reinforces the Warner Center Regional Center by contributing new office, hotel, retail, dining, grocery and entertainment uses to the area. The Project is compatible with and reinforces adjacent uses, which includes multiple shopping centers to the north, commercial and multi-family residential uses to the east, and office and commercial uses to the west. The Project vicinity is highly developed and consistent with the Project in scale and use.

Policy 2-2.4 *Improve safety and aesthetics of parking areas in commercial areas.*

The Project’s parking areas will be appropriately screened, lit, and secured to ensure patron safety. The parking areas will also be designed to complement surrounding uses to ensure a unified Project appearance and a pedestrian-oriented environment.

Additional Master Alcohol Conditional Use Findings

4. Explain how the proposed use will not adversely affect the welfare of the pertinent community.

As analyzed above, under No. 1 and No. 2, the proposed on-site alcohol sales will not adversely affect the adjacent properties, the surrounding neighborhood or the public health because the Project proposes to replace and redevelop the existing shopping center and bring new residential units, restaurants, retail, hotel, grocery store, pharmacy/drug store and entertainment and sports facility uses which are compatible with, and will enhance, the proposed and surrounding commercial and residential uses, and the proposed alcohol sales would be an accessory amenity to these uses. The Downtown District serves as Warner Center’s primary employment and entertainment center, and is designated under the WC2035 Plan for high-density and mixed-use development providing a mix of restaurant and specialty retail uses intended to attract office workers during the day and area residents and families in the evenings and on weekends. Accordingly, the proposed concentration of uses, including ancillary alcohol service, is appropriate to this type of regional commercial center. The immediately adjacent areas are comprised primarily of commercial uses, while areas further west, south, east and north of the Project Site include a mix of commercial as well as single- and multi-family residential uses. The Shopping Center, as well as nearby retail centers at The Village and Westfield Topanga, have long served the community’s shopping and dining needs, and the proposed new uses will provide a greater variety of shopping, dining and entertainment options for local residents, as well as for anticipated new Project residents,

workers and visitors, thereby providing multiple services in one location and potentially reducing vehicle trips, consistent with the goals of the WC2035 Plan.

As noted above, restaurants will be comparable to those located at The Village. The operator for the grocery store and pharmacy/drug store are anticipated to be reputable and nationally recognized establishments. Sales would be monitored, and alcohol consumption would not be permitted on-site. Alcohol sales for off-site consumption in connection with a proposed grocery store and pharmacy/grocery store would be similarly monitored and controlled.

The addition of the two hotels, with ancillary alcohol service, would not adversely affect the welfare of the community, as all proposed hotel uses would be conducted within the two hotels with significant staff and security presence. The new hotel uses would benefit Warner Center by supporting the hospitality needs of the proposed Entertainment and Sports Center, as well as provide new tax revenues and new jobs within the Warner Center community. Alcohol sales and consumption within the residential buildings would similarly be contained within the buildings, in connection with private indoor and outdoor lounge areas, pool areas, dining rooms, and other amenity areas.

The proposed Entertainment and Sports Center would provide a new destination within the San Fernando Valley for the community and visitors to enjoy a variety of sporting activities, live music, and other civic exhibitions and events. Establishments selling alcohol will be part of a carefully controlled facility. Entities that sell and serve alcoholic beverages for on-site consumption will also obtain approvals from other jurisdictions, as required, including licenses or permits from the State Department of Alcoholic Beverage Control (ABC). The venue will provide on-site private security force, responsible for ensuring public safety for residents and visitors.

Additionally, the Entertainment and Sports Center will operate with the standards contained in Section 6.2.9 of the WC2035 Plan, which requires that such use not cause a disruption above ambient noise levels along adjacent streets and coordination with the Los Angeles Police Department for security and crowd control plans. As approved, the Entertainment and Sports Center is required to operate in compliance with all conditions of approval imposed by the City in order to be allowed to operate through the life of the WC2035 Plan, and the Director may initiate additional Project Permit Compliance review at any time to modify conditions or impose new conditions to respond to nuisance activities, thereby further ensuring that the Project would avoid adversely impacting the welfare of the community.

5. Explain how the approval of the application will not result in or contribute to an undue concentration of such establishments.

The vast majority of activities on the Project Site will not involve the sale of alcoholic beverages, and the subject request would permit on-site alcohol sales ancillary to a maximum of twelve restaurants, two hotels, four residential buildings, and within the Entertainment and Sports Center, as well as off-site alcohol sales within the proposed grocery store and pharmacy/drug store. The proposed restaurants are anticipated to offer a wide range of cuisines and atmospheres. The sale of alcoholic beverages is of critical importance to operators of these facilities to attract and cater to their clientele. The service of alcoholic beverages within the restaurants will be incidental to their primary operations. The sale of alcohol within the hotel is also a desirable and expected amenity of some guests, and would support the hospitality needs of the Project's various uses, including the Entertainment and Sports Center. The residential buildings would offer alcoholic beverage service in connection with private indoor and outdoor lounge areas, pool areas, dining rooms, and other amenity areas. This service would enhance the services and amenities of the residential buildings and is an amenity desirable to residents. The addition of the new Entertainment and Sports Center

would bring a unique entertainment and sports facility for major and community events to the San Fernando Valley, providing a premier venue unlike any other establishment within the nearby vicinity, and the service of alcohol within the venue is an expected amenity typical of similar stadium facilities.

There are no churches, schools, or hospitals within 1,000 feet of the Project Site, as this area is largely commercial with some residential uses on the perimeter. Within 600 feet, there are 16 single family residences, two multi-family residences, and no condominiums. One park, Warner Ranch Park, is also located within 600 and 1,000 feet. There are currently 23 on-site licenses and 3 off-site licenses within 600 feet of the Project Site, and 2 additional on-site licenses between 600 feet and 1000 feet of the Project Site. Within regional commercial centers such as Warner Center, which includes two regional shopping centers at The Village and Westfield Topanga, this is not an unusually high number of alcohol-serving establishments. The Project's characteristics, as a new, 34-acre mixed-use neighborhood, will result in a development where the diversity and number of restaurants, dining options and alcohol service amenities proposed by the Applicant is typical of and in line with the offerings found within active urban districts. These uses contribute to the viability of the Project, and have been carefully integrated into the overall design of a master planned development which will be subject to conditions regulating the hours of operation, safety and security, and other operational and design features. Accordingly, the addition of establishments serving alcoholic beverages within the Project, as proposed, would not result in or contribute to an undue concentration of such establishments.

It should be noted that of the 819 crimes reported to the LAPD between January 1, 2015 and December 31, 2015 for reporting district 2156 (which includes the Project Site), the vast majority (587) were related to larceny, not alcohol-related crimes. The Applicant will take all necessary security precautions including continuing 24-hour on-site security patrols, and coordinate with LAPD as necessary on implementing a security plan for the Project, to ensure that development within the Project site will not detrimentally affect the immediate neighborhood.

6. Explain how the approval of the application will not detrimentally affect nearby residential zones or uses.

The surrounding areas near the Project site is largely commercial with some residential uses on the perimeter. Within 600 feet, there are 16 single-family residences, two multi-family residences, and no condominiums. The proposed Project will not detrimentally affect these residentially zoned areas because the Project Site is located within an existing regional commercial center, and the Project proposes to replace and redevelop the existing shopping center property with new residential, restaurants, retail, hotel, grocery store, pharmacy/drug store and entertainment and sports facility uses which are compatible with, and will enhance, the proposed and surrounding commercial and residential uses. The proposed alcohol sales would be an accessory amenity to these uses, and an essential component to the successful operation of these uses. The Shopping Center has utilized CUB permits for years without detrimental impacts to nearby residentially zoned properties and other sensitive uses. The Applicant maintains strong community ties and will continue to work with residents and stakeholders to ensure that the proposed establishments will not detrimentally affect sensitive uses. The Project proposes a mixed-use development that would incorporate new residential uses and a park in close proximity to retail, restaurant and entertainment uses, however, the proposed alcohol sales would not have a detrimental effect on these on-site uses. As noted above, the Applicant will take all necessary security precautions including continuing 24-hour on-site security patrols, and coordinate with LAPD as necessary on implementing a security plan for the Project.

Director's Interpretation

Pursuant to Section 10.6.1 and Section 6.2.9, Establishment of Entertainment Uses of the WC2035 Plan (application procedures pursuant to 11.5.7.H [1 through 3] of the LAMC), the applicant has requested an interpretation that a maximum seating of 10,000 seats for fully-enclosed Entertainment and Sports Center or alternatively, a partially-open Entertainment and Sports Center with a maximum 7,500 seats, as a permitted use in the WC2035 Plan.

7. The Director's Interpretation will not be detrimental to the public welfare or injurious to the property or improvements adjacent to or in the immediate vicinity of the subject property (Sec. 10.6.1.a).

The Director's interpretation that a fully-enclosed, Entertainment and Sports Center (ESC) with up to 10,000 seats or alternatively, a 7,500 seat, partially open ESC, is a permitted use in the Downtown District of the WCSP2035 Plan, will not be detrimental to the public welfare or injurious to the property or impacts adjacent to or in the immediate vicinity of the subject property. Pursuant to Section 6.2.9 of the WC2035 Plan, "Entertainment Uses" are encouraged in the WC2035 Plan to activate the nightlife uses in Downtown and Uptown Districts. As such the ESC would be convenient to the community, locally and regionally. The ESC will be located next to transit-oriented development (TOD), which will give visitors the option to visit the ESC without the need to drive, therefore reducing the number of vehicle trips made.

The ESC, as analyzed in the Supplemental EIR and Erratum, has been approved with up to 10,000 seats and an enclosed roof design or with up to 7,500 seats and a partially open roof design. As the Supplemental EIR and Erratum demonstrate, the ESC would not result in any significant noise or lighting impacts to surrounding uses. Additionally, the ESC would serve the larger San Fernando Valley by providing a much-needed, high-quality entertainment facility in the heart of Warner Center. The ESC would allow local residents to attend cultural and sporting events within their community, reducing vehicle miles travelled and associated air quality and greenhouse gas emissions impacts.

The Project would include private security and a detailed security plan for the Entertainment and Sports Center. As discussed in Section IV.J.1, Public Services—Police Protection, of the Project's Draft Supplemental EIR, and Section 3.10 of the Erratum, the Project would have private, on-site security at the Entertainment and Sports Center to reduce reliance on public services. Crowd management and control are addressed through the provision of Project Design Features J-1 through J.1-5. These project design features would provide for private, on-site security for the Entertainment and Sports Center. Specifically, as stated in Project Design Feature J.1-1, security personnel for the Entertainment and Sports Center would patrol the property during hours of operation, as well as before and after events. The security personnel would also coordinate with the proper authorities regarding any unusual disturbances in the area including loitering, trespassing, and/or criminal activity such as vehicle-related crimes. As specifically set forth in Project Design Features J.1-2 and J.1-3, a security plan would be developed and implemented for the Entertainment and Sports Center, which would ensure appropriate public safety and security deployment based upon identified objective standards, including, but not limited to: anticipated crowd size, historical data associated with crowd or fan behavior, event type, etc. In addition, as part of the crowd control plans, pedestrian, vehicular, and bicycle patrols would be utilized during all hours of operation.

Furthermore, a closed-circuit television surveillance system would be installed, along with locks and alarms on entryways to reduce criminal activity onsite.

In consultation with LAPD, and as part of the security plan, a First Responder Communications Plan and an Emergency Procedures Plan would also be prepared pursuant to Project Design Features J.1-2 and J.1-4. These plans would provide planned routes for emergency personnel, staging locations, detailed diagrams of the facility, and identify procedures for employees to follow in the event of a fire, medical emergency, civil disturbance, evacuation, and/or other emergency.

With the implementation of a comprehensive on-site private security plan for the Entertainment and Sports Center, including Project Design Features J.1-1 through J.1-5 of the Draft Supplemental EIR, the Entertainment and Sports Center's impacts on police protection services would be less than significant.

The Project's Draft Supplemental EIR also determined that even with a sold-out, 15,000-seat event at the Entertainment and Sports Center, the Project would not result in significant transportation impacts after implementation of the project design features, including an Event Management Plan, and the WC2035 Plan mitigation measures (the Warner Center Mitigation Program). The Erratum confirmed that at full Project build-out, including a 10,000-seat ESC, the Project would generate less trips generation than assumed under the WC2035 Plan EIR for the Project Site.

The Event Management Plan, included in the Supplemental EIR as Project Design Feature K-6, would implement a comprehensive set of both on-site and off-site measures to address the operation of the Entertainment and Sports Center's seat size. The Event Management Plan would be developed prior to the operation of the ESC and would evolve as a document that is subject to refinement over time in coordination and consultation with LADOT and Caltrans, in order to respond to changes in traffic patterns and mobility/parking technologies that may alter the travel to and attendance of events. The Event Management Plan would also address the on-site shared parking required for the Entertainment and Sports Center, depending on the time of year, day/time of the event, and the number of event attendees. Further, off-site parking to meet parking demand associated with the Project would only be required for sold-out event conditions during the peak month (December) whereby, in accordance with Attachment C of the March 6, 2020 Updated Transportation Analysis issued by LADOT, 159 off-site parking spaces would be required for this period during the weekday and 360 would be required for the weekend.

The Project's Supplemental EIR included a comprehensive analysis of lighting and noise associated with the Entertainment and Sports Center's proposed 15,000 seat size, including with a partial roof, and determined that impacts would be less than significant. Therefore, the approved fully-enclosed Entertainment and Sports Center with a maximum seating of up to 10,000 seats or a partial-roof Entertainment and Sports Center with a maximum seating of 7,500 seats, is anticipated to result less than the less-than-significant impact of the Project.

The ESC is appropriately located in the Downtown District where entertainment uses are encouraged. By developing an attractive and sustainably designed Entertainment and Sports Center within the local Warner Center community, the Project would promote the creation of jobs and encourage other job growth and economic development within the Specific Plan area, consistent with the Plan's intent. Further, the Entertainment and Sports Center is also located within a mix of uses next to transit in the form of the Warner Center Transit Hub located

along Owensmouth Avenue, supporting the creation of an active Transit Oriented Development area. The location of the Entertainment and Sports Center would also promote walkability and the reduction of greenhouse gas emissions in the surrounding region by providing a local entertainment option within the San Fernando Valley.

8. The Director's Interpretation will not result in practical difficulties or unnecessary hardships inconsistent with the overall intent of the WC2035 Plan.

The proposed Entertainment and Sports Center will not result in practical difficulties or unnecessary hardships inconsistent with the overall intent of the WC2035 Plan. The Entertainment and Sports Center will provide greater opportunities for local music, sporting, and community events, reducing the need for local residents and workers to travel long distances to enjoy these types of uses. By locating the Entertainment and Sports Center adjacent to a diversity of food, hotel, and retail options, the Project will serve as a central point for convenient meeting, shopping, entertainment, and dining activities. The Entertainment and Sports Center will be located next to the Warner Center Transit Hub, which will allow visitors to access it without the need to drive, thereby promoting the reduction of vehicle miles travelled during events.

The replacement of the outdated and underutilized Promenade Shopping Center with the Project's new Entertainment and Sports Center and other commercial uses is also anticipated to create new jobs and promote economic development within Warner Center. As detailed in the *Indicators of Demand for the Promenade 2035 Project's Proposed 15,000 Seat Entertainment and Sports Center prepared by HR&A Advisors, Inc. dated February 19, 2019* (See Appendix FSEIR-6 of the Final Supplemental EIR), not only does the Entertainment and Sports Center fill a demand based on the locational gap in the market and the significant spending potential leaking to other locations, it is likely to have numerous other economic spillover benefits to the Warner Center area, fulfilling the intent of the Plan to "...spur job growth and economic development."

The ESC will support the sustained activity of the Downtown District in Warner Center by complementing other land uses within the walkable Project district (residential, commercial, and hospitality) and attracting users for events which will occur outside of hours when single-use commercial or residential districts are typically active. This is in line with the goals of the WC2035 Plan to create "walking or transit access to shopping, jobs and entertainment, and a vibrant, 24-hour neighborhood" and "encourage entertainment and nightlife uses in the Downtown and Uptown District of Warner Center..."¹

The Entertainment and Sports Center will attract users who will spend at retail and restaurant locations and hotels at or near the Project site. Many of the visitors to the Entertainment and Sports Center will contribute to the economic sustainability and growth of restaurants, retail establishments, and hotels. These visitors will support the viability of uses which may otherwise be reluctant to locate and operate in single-use districts which limit their peak hours of operation, as well as benefit existing businesses in the surrounding area. This is consistent with the purpose of the Downtown District to be "Warner Center's primary employment and entertainment center providing a mix of restaurant and specialty retail uses that will attract office workers during the day and area residents and families in the evenings and on weekends" and the goal of the WC2035 Plan to "incentivize and distribute land uses to enable a variety of economic, workplace, residential, recreational, and civic activities."

¹ Warner Center 2035 Specific Plan Ordinance No. 182,766, pp. 4-5 and 4-109.

The Entertainment and Sports Center will serve as an amenity to residents as similar uses do not currently exist in the market. Currently, residents in proximity to the Project in the San Fernando Valley and Ventura County must travel to the Los Angeles Basin to attend sporting events and/or large performances. The ESC will become an asset serving as a new entertainment amenity for residents of Warner Center and the larger Western San Fernando Valley. It will also reduce the distances that these residents must normally travel to attend a large-scale concert or sporting event.

The Project is therefore expected to bring significant benefits to the community. The Downtown District is also specifically identified in the WC2035 Plan as the appropriate location for Entertainment Uses. Therefore, a Director's Interpretation would not result in practical difficulties or unnecessary hardships inconsistent with the overall intent of the WC2035 Plan.

9. The Director will protect the best interests of and assure a development more compatible with the surrounding properties or neighborhood.

The Entertainment and Sports Center will protect the best interests of the surrounding properties by increasing the availability of walkable entertainment, cultural and recreational opportunities in the Project Site, within a short distance of local and regional transit, retail, restaurants, offices and residences. The provision of these types of entertainment uses within a safe and controlled environment would create a desirable amenity in the neighborhood, thereby enhancing the overall attractiveness and walkability of the neighborhood, particularly as compared to the current site conditions. Development of the Entertainment and Sports Center is compatible with the mix of active and commercial uses intended for the Downtown District, and will be subject to a Project Permit Compliance approval, which will govern the phased and orderly development of the Project Site and incorporate components to ensure compatibility with the surrounding neighborhoods, including the provision of on-site parking, internal and external physical improvements, and an Event Management Plan. Additionally, the incorporation of project design features and mitigation measures included in the Project's Supplemental EIR further ensures the compatibility of the Entertainment and Sports Center's physical development and operation with the surrounding properties and neighborhoods.

The location and size of the proposed Entertainment and Sports Center will protect the best interests of and assure a development compatible with the surrounding properties. The Entertainment and Sports Center is located close to the Warner Center Transit Hub, offering a regionally-connected venue for visitors and tourists that will promote the reduction of vehicle miles traveled during events. The height of the Entertainment and Sports Center is compatible with its surroundings. The Entertainment and Sports Center's size and scale is consistent with adjacent buildings, both in and adjacent to the Project, and will reach a maximum height of 85 feet.

The Entertainment and Sports Center is also designed to be compatible with the surrounding pedestrian environment. The building's main pedestrian entrances are proposed along Topanga Canyon Boulevard near Promenade Boulevard, and from the center of the Project Site through an enhanced retail plaza adjacent to the Promenade Square. Both entries are proposed to include transparent walls providing open views into and through the venue. Access to the venue would also be available through the adjacent parking structure, providing seamless entry points for visitors.

PROJECT PERMIT COMPLIANCE FINDINGS

Based on a review of the plans labeled **Exhibit A, dated February 20, 2020**, and attached to the administrative case file, the City Planning Commission makes the following findings in accordance with Section 11.5.7 C.2 of the Los Angeles Municipal Code and the applicable review criteria of the Warner Center 2035 Plan (WC2035 Plan):

1. ***The project substantially complies with the applicable regulations, findings, standards, and provisions of the Specific Plan.***

The site is located within the Downtown District of WC2035 Plan. As set forth, the Project substantially complies with the development standards in the Downtown District as well as the development standards that apply to all projects in the WC2035 Plan.

A. **Downtown District Use and Development Standards**

i. ***WC2035 Section 6.1.2.3.1: Uses***

A range of land uses are permitted in the Downtown District as listed in Appendix A of the WC2035, including, but not limited to, residential uses, including Work-Live and multi-residential; restaurants, bars, cafes, retail stores, supermarkets, and theaters; service industries, including office, gym, health club, hotel and personal services; civic uses, such as performing arts companies, museums, transit-related and accessory uses; and industrial/research and development, including hybrid industrial, sound recording studios, warehousing, storage uses, and entertainment uses, otherwise permitted by Conditional Use including but not limited to live dancing, arcades, live music, performances and the like. The Project includes multi-family residential, retail/restaurant uses, office space, and hotel uses. Entertainment uses are permitted and encouraged in compliance with performance standards pursuant to Sec. 6.2.9 of the WC2035 Plan.

ii. ***WC2035 Section 6.1.2.3.2: Intensity***

A base maximum FAR of 5.0:1 is permitted in the Downtown District; with inclusion of Incentivized Uses, a FAR of up to 6.0:1 is permitted. As discussed in the Project Description, the Project proposes a Floor Area Ratio ("FAR") of 2.3:1 at full buildout, which is within the permitted maximum. Given the very large, approximately 34-acre size of the Project Site, the FAR of 2.3:1 strikes the appropriate balance between desired densities in the Downtown District, while ensuring compatibility with adjacent uses as shown on Exhibit A (MP-14.1 and 19.1).

iii. ***WC2035 Section 6.1.2.3.3: Permitted Development by Floor Area***

Projects within the Specific Plan area are limited to certain minimum percentages of Non-Residential floor area and maximum percentage of Residential floor area, based on total project FAR. At buildout, the Project will provide approximately 3,271,000 square feet of floor area, comprising approximately 1,726,000 square feet of Non-Residential Floor Area (52%) and approximately 1,545,000 square feet of Residential Floor Area (48%), consistent with the permitted ratios for projects within the range of 2.25 to 2.5 FAR, which includes the Project's FAR of 2.3:1. This ratio of Non-Residential to Residential Floor Area will be achieved at buildout, consistent with the

WC2035. Appendix B, Graduated FAR table, Note 6, provides that “[m]ulti-phased projects may reserve floor area for the required non-residential component in a future phase on-site.”

iv. **WC2035 Section 6.1.2.3.4: Ground Floor Limitations**

Consistent with WC2035, Sec. 6.1.2.3.4, all ground floor areas within buildings will be limited to Non-Residential uses. The Project’s ground floors will include the work portions of work-live units, retail, restaurants, and local serving retail. Consistent with Section 6.1.2.3.4(c), some ground levels will also include permitted uses that service residential and hotel facilities, such as lobbies, and may also include leasing offices, community centers, fitness centers, residential business centers, and concierge services. The Project’s non-residential ground floor areas will also comply with the requirement that ground floors of non-residential components have a minimum depth of 25 feet from the front façade and a minimum of 15 feet in floor-to-floor height. Additionally, consistent with this section, a minimum of 75% of the building façades of the Project’s ground floor non-residential development will be devoted to transparent windows and/or doors.

Section 6.1.2.3.4(d) permits parking within the ground floor of a building when at least 80% of the ground floor frontage on any side of an above-grade parking structure, which is adjacent to a public street (except an alley) or adjacent to a public open space/plaza, includes a ground floor non-residential use. No stand-alone parking structures are proposed as part of the Project. The ground level of all parking podiums will be wrapped with non-residential uses, activating these areas for pedestrians and screening parking from view. Non-residential uses will therefore comprise 80% or more of the ground floor frontage for these buildings, consistent with the WC2035. The historic high ground water levels limit the amount of below-grade parking that can be accommodated, however subterranean parking will also be provided.

In addition, Section 6.1.2.3.4(d) requires that at least the first 12 vertical feet of the ground-level of the parking structure building façades provide articulation and modulation through changes in vertical wall plane and/or a change in building material, use of real windows with glazing that is not opaque, integration of building entrances, and buffering of the street edge with landscaping, berms, or landscaped planters. Given that the ground level of all above-grade parking structures will be wrapped by non-residential uses fully integrated into their respective residential and commercial buildings. The Project will comply with these requirements, incorporating articulated façade features which provide transparent windows, integrate building entrances and provide landscaping to buffer the street edge from the building as shown on as shown on Exhibit A (MP-10.1).

v. **WC2035 Section 6.1.2.3.5: Building Height**

All Projects within the Downtown District shall be permitted an unlimited building or structure height, but must comply with the following:

- a. Street Wall: All Projects with frontage along a public street or highway shall be required to have a minimum building height of 35 feet along that public street or highway. The Street Wall’s design should follow the guidelines established

in the Urban Design Guidelines in Appendix F.

The Project will develop buildings ranging from one-story (35 feet) to up to 28-stories (502 feet) in height. Low and mid-rise building heights are proposed along Topanga Canyon Boulevard and Erwin Street, whereas the taller buildings are proposed adjacent to existing high-rise structures across from Oxnard Boulevard as shown in Exhibit A (MP-19.1). All buildings with ground floor retail will provide a break between a building's retail floors and upper floors through articulated building materials. In addition, consistent with Section 4(b) of the Urban Design Guidelines, ground floor levels have been designed with active uses, such as retail, restaurant and café uses will front the public street along all perimeters of the Project. The only exception to this, which is permitted by the WC2035 Plan, will be surface parking area permitted within 70 feet east of the flood control easement on the east side of Topanga Canyon Boulevard, as well as ground level lobbies for the residential and hotel uses.

- b. Any Project over 75 feet in height shall be subject to additional submittal requirements as set forth in the Mitigation Monitoring Program.

Unlimited height is permitted within the Downtown District. Structures that exceed 75 feet have been designed to minimize shade/shadow impacts to surrounding sensitive uses to the extent reasonable and feasible, including through building design that uses transitional building heights. The Project's environmental analysis includes a shade/shadow analysis which assesses whether adjacent sensitive uses could be impacted by the proposed structures, consistent with the Mitigation Measure AES-1 included in the WC2035 Plan EIR's Mitigation Monitoring Program.

- c. Residential Building Heights.

The WC2035 Plan provides that for Projects in the Downtown District containing residential uses, "the floor level of the highest residential dwelling unit must be at least 100 feet above the adjacent grade."

For the residential buildings within the Northeast and Northwest Areas of the Project, the City Planning Commission approves the Project request to provide five percent of Very Low Income Housing units in these buildings in consideration of the requested Waiver of Development Standards off-menu item to allow a reduction in residential building heights from the 100-foot minimum height required by the WC2035 Plan. These residential buildings will still be at least approximately 70 feet in height and will further the WC2035 Plan's goal of creating pedestrian-oriented communities by focusing on ground-level activation and incorporating quality design elements. Consistent with the goal of transitioning height throughout the Project Site, the tallest residential building will be located on the south side, along Oxnard Street, across from existing office tower buildings, with its height varying from 100 feet to 336 feet.

The residential development is consistent with the WC2035 Plan Urban Design Guidelines, on "[b]reaking down large floor plates and varying a building's height through the creation of smaller structures or facades... when designing

large projects that consume half a block or more,” the Project’s residential buildings have been designed both to vary in height individually, as well as vary in height among the different buildings throughout the Project site. (See Urban Design Guidelines, Section 6.) The variation in building heights will also create visually interesting architecture and unique building typologies within each block, while still providing an integrated look throughout the Project site, consistent with the goals of the WC2035 Plan.

The vertical variations in residential building heights have been designed in consideration of the adjacent uses to the north, east and west which are generally characterized by low-rise building heights. The taller buildings are designed in the center of the site and adjacent to similar high-rise structures south of Oxnard Street. This variation allows for transitions consistent with the Urban Design Guidelines’ policy to “make sensible transitions to lower structures...” (Urban Design Guidelines, Section 2).

Visitors to the Project’s residential buildings’ will be able to access residences from the various lobby areas. Residences will share a common parking area. Finally, the residential uses of each building will be located within the same proposed lot. Each residential building will function as one integrated building.

Based on the discussion above, the transition in residential building heights meets the intent of the WC2035 Plan while allowing for the provision of on-site affordable housing. The transition in residential building heights respect adjacent uses while furthering the goal of the Plan to emphasize residential development in the Downtown District due to its adjacency to transit. Given the Project proposes up to 1,432 residential units adjacent to transit, the Project meets the intent of the Plan to develop this key site with the appropriate intensity adjacent to transit while being mindful of adjacent uses².

vi. ***WC2035 Section 6.1.2.3.6: Street Standards***

Street Standards in the Downtown District are established in WC2035 Plan. The Project will comply with the Street Standard Cross Section Figures and accompanying Table 1 of the Plan. The Plan is conditioned by BOE pursuant to VTT-74587, VTT-74588, and VTT-74589 as follows:

- Owensmouth Avenue is considered part of the Downtown District Transit Hub, and is designated a Modified Collector Street. The Project’s frontage along this street will provide a 45-foot half right-of-way with a 10-foot half sidewalk, 8-foot half parkway, and 27-foot half roadway, through dedication of 2 feet.
- Topanga Canyon Boulevard is designated as a Major Highway Class II, requiring a 52-foot half right-of-way and 8-foot half easement, with a 10-foot half sidewalk, 8-foot half parkway, and 42-foot half roadway. The Project will meet these requirements and no dedication is required.

² CPC-2008-3470-SP-GPA-ZC-SUD, Department of City Planning Recommendation Report to the City Planning Commission, dated November 29, 2012, pg. A-26

- Erwin Street is designated a Modified Collector Street, requiring a 40-foot half right-of-way with an 8-foot half sidewalk and 32-foot half roadway. The Project will meet these requirements and no dedication is required.
- Oxnard Street is designated a Major Highway Class II. The Plan requirement from Topanga Canyon Boulevard to 350 feet east of Topanga Canyon Boulevard is 57-foot half right-of-way and a 4-foot half easement, with an 8-foot half sidewalk, 8-foot half parkway, and 45-foot half roadway. The Project will meet this requirement through dedication of 7 feet. The Plan requires frontage starting at 350 feet east of Topanga Canyon Boulevard to provide a 52-foot half right-of-way and a 4-foot half easement, with an 8-foot half sidewalk, 8-foot half parkway, and 40-foot half roadway. The Project will meet this requirement through dedication of 2 feet
- Private streets conform with the Street Standard cross section as shown in Exhibit A (MP-15.1).

As shown in the attached Exhibit A (MP-15.1), the design of the Project's frontages along public streets complies with the required setbacks, sidewalk and parkway, and right of way and roadway standards.

vii. ***WC2035 Sections 6.1.2.3.7 and 6.2.4: Activity Nodes***

Activity Nodes function as a District focal point that will facilitate greater investment in infrastructure and promotion of walkability through streetscape improvements and building design. The Plan prohibits ground floor areas of projects in Activity Nodes from containing habitable floor area devoted to domestic sleeping, dining, kitchen and bath/shower facilities. Activity Nodes encourage greater investment in infrastructure and promotion of walkability through streetscape improvements and building design. The Project is conditioned to encourage pedestrian activity. Consistent with these requirements, the Project will include pedestrian-serving uses within the Project's Activity Nodes, such as coffee shops and other types of retail stores. Exhibit A (MP-22.1).

viii. ***WC2035 Section 6.1.2.3.8 and 6.2.4: Active Street Frontages***

The Project contains two Active Street frontages along the northern boundary on Erwin Street and along the eastern frontage on Owensmouth Avenue. The Plan provides that these Active Street Frontages may contain both non-residential and residential uses, subject to design and floor-to-floor height restrictions, that should focus on connections to the adjacent street, including transparent frontage and pedestrian-serving uses, signage, and other design and landscaping elements at the ground level.

The Project is designed to activate pedestrian activity through the Project Site and along Owensmouth Avenue and Erwin Street leading to the Warner Center Transit Hub. The ground level of the Project Site will contain high-quality retail, including restaurants and cafes, at the intersections of Owensmouth Avenue and Erwin Street, and Owensmouth Avenue and Oxnard Street. The retail ground floor areas will provide human scaled signage and transparent storefront facades, further reinforcing street connections and encouraging pedestrian activity in this area as well as visitors'

utilization of the adjacent Warner Center Transit Hub to access these amenities. These Active Street Frontages along the eastern half of Erwin Street and the northern half of Owensmouth Avenue will also include the work portion of Work-Live units, consistent with Section 6.2.4.2.2, which may include professional offices, galleries, or other entrepreneurial work spaces.

Following the Project's build-out, the Project will include an office building at the Activity Node located at the intersection of Oxnard Street and Owensmouth Avenue, however ground floor uses at this intersection and along both street frontages will consist of a variety of retail establishments. Areas along the Owensmouth Avenue and Oxnard Street frontages will also be landscaped with trees and other foliage to ensure a pedestrian-friendly walking environment for residents and visitors as well as other transit users.

ix. ***WC2035 Section 6.1.2.3.9: Setbacks***

As shown in Exhibit A (MP-10.1) a front setback of between 12 feet and 15 feet is provided along all street frontages from the back of the required sidewalk for the Project. As conditioned, prior to Planning clearance, a landscape plan will be submitted showing a minimum of 30 percent of the required setback area landscaped area in compliance with the WC2035 Plan.

B. Development Standards Applicable to the Entire WC2035 Area

i. ***WC2035 Section 5.3.3.2: Multiple -Phased Project***

Pursuant to WC2035 Plan Section 5.3.3.1, this Project is a Multiple-Phase Project consists of seven (7) geographic phases as analyzed in the Promenade 2035 Supplemental EIR as follows: 1) Northeast-A; 2). Northeast-B; 3) Northwest-B; 4) Northwest A-North; 5) Northwest A-South; 6) Southwest and; 7) Southeast as shown in the Phasing Plan, Exhibit A (MP-25 and MP-26.1). These subphases may overlap as analyzed for those issue areas where such an occurrence would result in greater environmental impacts in order to provide a conservative analysis in the Project's Supplemental EIR. Full build-out is anticipated in 2033. Under the Specific Plan, the Director may approve, disapprove, or conditionally approve the Multiple-Phase Project following review of the Project's materials, reports, and plans, and narratives submitted in connection with the Project's application showing consistency with the Specific Plan, including requirements for a Multiple-Phase Project, and upon LADOT's review of the Project's Phasing Plan.

As required by the WC2035 Plan, the Project's Phasing Plan includes the Project redevelopment in each phase, the proposed building and floor areas, demolition schedule of existing buildings, parking allocation, and proposed physical and mobility improvements for each phase is identified in Exhibit A. Further, as required by the Plan, the Applicant has submitted the Project's Phasing Plan for LADOT review. LADOT has reviewed the proposed multiple-phased project and issued its assessment letter dated March 29, 2018 and included as Appendix M.1 of the Draft Supplement EIR, as well as an updated memorandum addressing Project modifications dated March 6, 2020, and included in Appendix 3 to the Erratum posted in May 2020. Based upon the information provided in the Project's proposed Phasing Plan, the Project is consistent with the Specific Plan's requirements for Multiple-Phase Projects.

Demolition of the existing Westfield Promenade Shopping Center (with the exception of the AMC Theatres, one adjacent store, and the stand-alone building currently occupied by P.F. Chang's) would occur either as the first part of Project construction or as an earlier interim project. However, to be conservative, the analysis included in the Supplemental EIR assumes demolition would occur as part of the Project. The areas of the Promenade Shopping Center that are demolished would be used for temporary construction staging. Upon demolition of the Promenade Shopping Center, the Project is anticipated to proceed with development of the Northeast area of the Project Site, beginning with the northerly building, and then proceed in a counterclockwise order through the Project Site, to the Northwest area, then the Southwest area, then the Southeast area

At buildout, the Project will provide approximately 3,271,000 square feet of floor area, comprising approximately 1,726,000 square feet of Non-Residential Floor Area (52%) and approximately 1,545,000 square feet of Residential Floor Area (48%), consistent with the permitted ratios for projects within the range of 2.25 to 2.5 FAR. The WC2035 does not require that each of the Project's phases maintain this non-residential to residential FAR ratio. Note 6 of Appendix B states that "Multi-phased projects may reserve floor area for the required non-residential component in a future phase on-site."

Northeast-A

The northerly residential building (Northeast-A) would include approximately 320 residential units (of which 23 will be Work-Live) within one building seven-story building (approximately 85 feet in height). This building would include approximately 350,000 square feet of residential uses and approximately 34,000 square feet of the non-residential "work" portion of the work-live units on the ground level. Additionally, approximately 7,000 square feet of ground level, local-serving retail uses are proposed, primarily along Owensmouth Avenue and within the Warner Center Plan's designated Activity Node located at the corner of Erwin Street and Owensmouth Avenue. This building would include a six-level, above-grade parking structure providing approximately 560 parking spaces, which would be entirely screened from view by wrapped, ground-level non-residential uses as required by the Warner Center Plan and residential uses above, with a residential amenity deck on top. This area is proposed to be completed in 2021.

Physical improvements, dedications, and transportation/mobility improvements on-site and to the surrounding streets and intersections that would occur in this phase are shown in the Phasing Plan, Exhibit A (MP-25).

Northeast-B

The southerly residential building in this area (Northeast-B), would include approximately 326 residential units (of which 20 will be Work-Live) within one seven-story building (approximately 85 feet in height). This building would similarly include work-live units on the ground level. The building would include approximately 340,000 square feet of residential uses and approximately 30,000 square feet of the non-residential "work" portion of the work-live units. Additionally, approximately 14,000 square feet of ground level retail uses are proposed.

Similarly, at the center of this residential building would be a six-level, above-grade parking structure providing approximately 580 parking spaces, with a residential amenity deck on the roof of the parking structure.

This phase would also implement a major component of Promenade Square. While AMC Theaters and an adjoining store have an existing lease, which covers a portion of the future Promenade Square and will remain in operation, one acre of Promenade Square would be constructed on the northern side of the AMC Theatres, creating an expansive open space area in the center of the Project Site.

This phase is proposed to be completed in 2021.

Northwest-B

The easterly building in the Northwest area (Northwest-B) is proposed to be constructed next, with potential completion in 2024. This building would include approximately 417 residential units within one seven-story residential building (approximately 90 feet in height), with approximately 85,000 square feet of retail uses at the ground level of this residential building. The retail uses would include a grocery store, likely on the northern end of this building. Northwest-B would also include the above-grade wrapped parking structure and two levels of subterranean parking, which together would provide approximately 1,200 parking spaces.

Additional physical improvements, dedications, and transportation/mobility improvements on-site and to the surrounding streets and intersections that would occur in this phase are shown in the Phasing Plan, Exhibit A (MP-25).

Northwest A-North

This phase proposes 35,050 square feet of retail and 66,710 square feet of office.

Physical improvements, dedications, and transportation/mobility improvements on-site and to the surrounding streets and intersections that would occur in this phase are shown in the Phasing Plan (Exhibit A (MP-26.1)).

This phase may be combined with Northwest A-south as described below. The combined development proposed for these two phases would include approximately 114,000 square feet of office uses within two buildings, with approximately 62,000 square feet of retail uses within the first floors of both office buildings, and 272 hotel rooms (approximately 209,000 square-feet). Northwest A would include two levels of subterranean parking to provide approximately 600 parking spaces. This phase is anticipated to be completed in 2024.

Northwest A-South

This phase proposes 26,950 square feet of retail, 47,290 square feet of office, and 272 hotel rooms (approximately 209,000 square feet), to be located along Topanga Canyon Boulevard. As noted above, this sub-phase may be combined with the Northwest A-North, as described above. The anticipated completion date of this sub-phase is 2024.

Additional physical improvements, dedications, and transportation/mobility improvements on-site and to the surrounding streets and intersections that would occur in this phase are shown in the Phasing Plan, Exhibit A (MP-26.1).

Southwest

As part of this phase, the existing stand-alone building currently occupied by P.F. Chang's and the restaurant next to AMC Theatres would be demolished. This phase is proposed to be completed in 2027.

The Southwest area of the Project Site would include the development of an approximately 181,550 square-foot, Entertainment and Sports Center with up to 10,000 seats, a cultural space, and connections to the adjacent parking garage. The parking garage would include additional retail and office elements, with office uses fronting Oxnard Street. Adjacent to the Entertainment and Sports Center is a retail plaza containing various retail uses, landscaping, and pedestrian connections to Promenade Square and the rest of the Project Site. In total the Southwest Area will include approximately 59,000 square feet of retail and 145,500 square feet of office uses, in addition to a fully-enclosed Entertainment and Sports Center with maximum seating of up to 10,000 seats or a partial-roof Entertainment and Sports Center with maximum seating of 7,500 seats. The parking structure would include approximately 1,605 parking spaces screened by office and retail uses.

Additional physical improvements, dedications, and transportation/mobility improvements on-site and to the surrounding streets and intersections that would occur in this phase are shown in the Phasing Plan, Exhibit A (MP-26.1).

Southeast

The Southeast area would be built after the lease ends for the AMC Theatres, and is expected to be completed in 2033. Upon demolition of the AMC Theatres, the remaining portion of Promenade Square would be constructed, for the full 60,000 square feet of open space, as conditioned.

The Southeast area would include a residential building with approximately 369 residential units, ranging in height from seven floors to 28 floors, with retail uses at the base of the building. It would wrap a six-story parking structure on three sides, which would provide approximately 350 parking spaces. The eastern side of the parking structure would be screened by architectural elements above the ground-level retail, and the top of the parking structure would be hidden beneath, and include an approximately 28,000 square-foot landscaped amenity deck located on top of the parking structure.

This phase would also include an approximately 260,000-square-foot, 300-room hotel, ranging in height from 5 floors to 19 floors, located along Owensmouth Avenue, with ground level retail along the public street. The hotel's first floor would include hotel uses and retail, above which would be a four-story parking structure wrapped on three sides by hotel uses, with approximately 230 parking spaces. A ballroom and an approximately 36,000 square-foot roof deck would be located

above the parking structure. The western side of the parking structure would be screened by architectural elements.

The Project's tallest component would be an office tower approximately 472,000 square feet in size, located at the corner of Owensmouth Avenue and Oxnard Street, reaching 28 stories and 502 feet in height, opposite similarly tall office towers on the south side of Oxnard Street. This corner is also a Warner Center Plan-designated Activity Node, and retail is proposed to line the ground floor of the office building along both Owensmouth Avenue and Oxnard Street. In total, approximately 53,000 square feet of retail is proposed in the Southeast Area.

Two levels of subterranean parking would also be provided in the Southeast area providing approximately 530 parking spaces.

Additional physical improvements, dedications, and transportation/mobility improvements on-site and to the surrounding streets and intersections that would occur in this phase are shown in the Phasing Plan, Exhibit A (MP-26.1).

Pursuant to Section 5.3.3.2.3 of the WC2035 Plan, the Project has been conditioned to execute a covenant and agreement for a Multiple-Phase Project to ensure that any subsequent property owners or successors comply with the Multiple Phase Project as conditioned herein.

In addition, pursuant to WC2035 Plan Section 5.3.3.2.4, the Director also may permit "temporary surface parking as part of the Multiple-Phase Project." The Project will maintain existing surface lots located in the Northeast, Northwest, and Southern areas until the redevelopment of each of those areas in phases. The Project's only proposed surface parking is located along Topanga Canyon Boulevard where a small amount of surface parking is permitted under the WC2035 Plan. The WC2035 Plan's Urban Design Guidelines provide that "surface parking may not be located between buildings and a public-right-of way," with the exception of the area located "within 70 feet east of the flood control easement" on the east side of Topanga Canyon Boulevard. (See WC2035 Plan, Urban Design Guidelines, Section 4.B.) This surface parking lot area will include street trees and other landscaping consistent with the Plan's Supplemental Guidelines (See WC2035 Plan Section 6.2.6.2.7). Therefore, the Project's proposed surface parking areas conform with the WC2035 Plan.

ii. ***WC2035 Section. 5.3.3.3: Master Planned Project***

Pursuant to WC2035 Plan, Section 5.3.3.3, the Applicant seeks a Project Permit Compliance approval for a Master Planned Project. The Project is a Master Planned Project because it is located on a Project Site that is over 217,800 square feet (approximately 34-acres). As required by Section 5.3.3.3.2, the Project is consistent with WC2035 Plan Sections 6.2.2 (PAOS requirements), 6.2.3 (Parking requirements), 6.2.4 (Activity Node and Active Frontages requirements), 6.2.5 (New Streets and PAP requirements), and 6.2.6 (Urban Design Guidelines and Supplemental Urban Design Standards) for the reasons noted in the Project Permit Compliance findings for each respective section as hereby fully incorporated herein by.

Pursuant to WC2035 Plan Section 6.2.5.3.1(e), Master Planned Projects with four public street frontages are required to have a minimum of two New Streets providing

a continuous connection among at least three public streets. The Project meets this requirement to break up the large Warner Center super blocks. Promenade Boulevard, an east-west New Street, traverses the center of the Project Site connecting Topanga Canyon Boulevard and Owensmouth Avenue. A north-south street called Warner Drive North bisects the northern half of the Project Site at Erwin Street. The New Streets will be a maximum of 36 feet in width as required, not including additional turn lanes at driveways required to satisfy circulation and safety requirements.

Additional private streets are proposed within the Project Site, which will further break up the blocks. Warner Drive South is proposed at the mid-block of Oxnard Street, and is a north-south street that connects to Promenade Boulevard. Circle Drive is also proposed to connect between Oxnard Street and Owensmouth Avenue. Mews Lane is an east-west street connecting between Owensmouth Avenue and the west side of the Project. Finally, West Lane is a north-side street on the west side of Erwin Street, connecting between Erwin Street and Promenade Boulevard. Each of these private streets may be closed to vehicular traffic at times, to allow the streets to be used entirely by pedestrians. For instance, during events at the Entertainment Center, Warner Drive South (new street) may be closed to allow pedestrians to easily walk between Promenade Square and the Entertainment and Sports Center.

iii. ***WC2035 Section. 6.2.1.1: Incentivized Uses and Bonuses***

Pursuant to Section 6.2.1.1, the Project proposes Incentivized Uses as encouraged in the WC2035 Plan. The Director conditionally approves the proposed following incentive uses that must be accessible to the general public during regular business hours, operates for at least 40 hours per week and if use an approved use is discontinued, it must be replaced with another incentivized use of similar scale and scope:

- “A grocery store that has at least 7,500 square feet of floor area and is located within a mixed-use building or structure.” (Section 6.2.1.1.1) The Project proposes a grocery store that will be at least 7,500 square feet, and likely around 35,000 square feet, within the Northwest area on the ground level, with residential uses above, which meets the requirements of the WC2035 Plan.
- “Five (5) or more Local-Serving Retail businesses, all of which are located on the first floor and comply with all of the regulations set forth in [the WC2035 Plan]. Businesses that qualify as ‘local-serving’ shall not exceed 5,000 square feet of floor area.” (Section 6.2.1.1.3) Section 4 of the Plan defines “Local Serving Retail” as “retail sale of goods or services needed by local residents on a regular basis,” that includes a variety of goods and services, such as among others, apparel, art galleries, athletic/sporting goods, bakeries, bars, and cafes and other similar retail items as determined by the Director.
- The approximately 280,000 square feet of retail proposed at the Project will primarily be oriented towards smaller, local-serving retail establishments catering to the every-day needs of on-site residents. This type of retail will be community and service-oriented, like cafes, tailors, salons, and other small-scale shops. These smaller stores will be located within the ground level of the Project's buildings throughout the Project Site. The Project will meet the

requirements of the WC2035 Plan by providing these types of pedestrian-serving retail uses on both Activity Nodes at the Project, and along the Active Street Frontages of Erwin Street and Owensmouth Avenue.

While the Project is currently proposed to meet the standards of LEED Silver or equivalent, the Project may exceed this and meet LEED Gold or equivalent. This incentivized use is approved contingent on the property owner, or its successor, providing documentation acceptable to the Director of Planning verifying that such standards have been met. Should the documentation provide that LEED Gold or equivalent is achieved, this Incentivized Use will be verified and the Project will be confirmed as eligible for the development bonus toward a maximum reduction in the Mobility Fee, as determined by the Department of Transportation. It should be noted that as part of the application submittal, the Applicant has requested flexibility to request a different development bonus at a later time. Any change to the development bonus requested, i.e., other than a reduction in the Mobility Fee will require additional review by the Director of Planning during the required review of each geographic phase of the Project. As part of the review, the Director may require additional environmental review pursuant to CEQA to ensure any additional development bonus will not result in any new impacts or exacerbate previously identified significant and unavoidable impacts of the Project, e.g. additional FAR development bonus.

iv. ***WC2035 Section 6.2.2: Publicly Accessible Open Space (PAOS)***

The Project is required to provide PAOS that has a minimum square footage equal to 15 percent of the net site area, and which satisfies a set of required standards. In addition, Section 6.2.2.3.2., credits 50% of the PAOS requirement to Projects which include the creation of New Streets, and Section 6.2.2.4.4 further allows required setbacks along a public way to be counted as PAOS. Based on approximately 1,439,222 square foot net lot area of the project site after dedications, 215,883 square feet of PAOS would be required for the project site. The Project incorporates two New Streets (Promenade Boulevard and Warner Center Drive North) connecting between three public street frontages. As such, 50% of the PAOS would be credited to the site, for a remaining requirement of 107,941 square feet. In addition, the perimeter setback of 48,000 square feet may also be credited as PAOS. The Project remaining PAOS of 59,941 square feet of PAOS will be provided in as a central open space Promenade Square. The Project's PAOS, as conditioned herein and as shown in Exhibit A (MP-21.1), is in substantial compliance with the standards in WC205, Section 6.2.2.2 as follows:

- a. The PAOS is contiguous and internally integrated into the overall design of the Project and is accessible from the Project's New Streets (Promenade Boulevard and Warner Center North).
- b. The PAOS will be accessible to the public from 6:00 am to 10:00 pm and a sign will be posted, as conditioned herein. It shall remain ungated.
- c. A minimum of 90 percent of the PAOS is required to be open to the sky as shown in Exhibits A (MP-21.1).
- d. A minimum of 50 percent of the PAOS is comprised of landscaping including trees and shrubs as shown in Exhibit A (MP-21.1).

- e. The PAOS will include at least one (1) seat per 500 square feet of PAOS for an area of approximately 59,941 square feet as shown in Exhibit A (MP-21).
- f. The PAOS includes a focal point of at least 500 square feet in the form of a gathering space as shown in Exhibit A (MP-21.1).
- g. As conditioned, in addition to the PAOS requirement, the Project will satisfy the LAMC Section 12.33 Park Fees and Land Dedication requirement as applicable.

v. **WC2035 Section 6.2.3: Parking**

The Project is a mixed use, master planned development project with a combination of residential and non-residential uses. All parking spaces will be in compliance with applicable parking provisions set forth in the WC2035 Section 6.2.3 and LAMC Section 12.21 A.4. The Project proposes 5,655 on-site parking spaces, in conjunction with a request for shared parking. Off-site parking is only required to meet parking demand associated with sold-out event conditions at the Entertainment and Sports Center during the peak month (December) and will be secured through off-site parking agreements to accommodate 159 weekday and 360 weekend off-site parking during the peak month. Therefore, as approved, and in accordance with Exhibit A (MP-16.1 and MP-17.1) the following parking is to be provided consistent with the WC2035 Plan:

- a. **Residential.** Pursuant to WC2035 Section 6.2.3.2.1, for the Residential uses, the Project is required to provide a minimum of one (1) parking space per unit and a maximum of two (2) parking spaces per unit. Thus, the Project is required to provide a minimum of 1,432 parking spaces at build-out. As shown on Exhibits A (MP-16.1 through MP-18.1), 1,432 parking spaces will be provided.
- b. **Retail.** Pursuant to WC2035 Section 6.2.3.2.1(a), for commercial (retail) uses, the Project is required to provide a minimum of two (2) parking spaces per 1,000 square feet of floor area up to a maximum of four (4) parking spaces per 1,000 square feet of floor area. The Project is proposing 280,000 square feet of retail and a total of 488 parking spaces (MP-9.1).
- c. **Office.** Pursuant to WC2035 Section 6.2.3.2.1(b), for office uses, the Project is required to provide a minimum of one (1) parking space per 1,000 square feet of Floor Area up to maximum of four (4) parking spaces per 1,000 square feet of Floor Area. The Project is proposing 731,500 square feet of office space and 731 parking spaces, which meets the requirement.
- d. **Hotel.** Section 6.2.3.2.2 (h) provides for any non-residential uses not listed, the LAMC shall govern. According LAMC Section 12.21.A.4 (b), one parking space is required for each individual guest room for the first 30 rooms; one additional spaces for each two guest rooms or suites of rooms in excess of 30 rooms but not exceeding 60; and one additional parking space for each three guest rooms or suites of rooms in excess of 60. The Project is proposing 241 parking spaces for 572 hotel guest rooms, which meets this requirement.

- e. **Entertainment and Sports Center.** Pursuant to LAMC Section 12.21.A 4 (e), one parking space is required for every five fixed seats. Thus, the maximum number of parking spaces required for a 10,000-seat Entertainment and Sports Center would be 2,000 parking spaces, alternatively, the maximum parking spaces required for a 7,500 seat-Entertainment and Sports Center would be 1,500 parking spaces.
- f. **Bicycle Parking.** As shown in Exhibit A (NE-1.1, NW-1.1, SW-1.1 and SE-1.1), the Project is in compliance pursuant to LAMC Section 12.21 A. 16. The Project will provide 1,591 residential parking spaces (145 short-term spaces and 1,446 long-term spaces), 224 bicycle spaces for office uses (75 short-term spaces and 149 long-term spaces), 284 bicycle spaces for retail uses (142 short-term and long-term spaces each), and 100 long-term bicycle spaces for the Entertainment and Sports Center.

vi. ***WC2035 Section 6.2.3.1: Activity Nodes and Active Street Frontages***

The Project is located at two Activity Nodes on Erwin Street and Owensmouth Avenue, and Owensmouth Avenue and Oxnard Street as identified on WC2035 Plan's Map 10 for the Downtown District. Compliance with these sections was addressed in Findings 1.A. vi. and vii. above.

vii. ***WC2035 Section 6.2.3.5: Shared Parking Agreement***

In accordance with Section 6.2.3.5 of the WC2035 Plan, the Director of Planning may permit shared parking agreements as part of a Project Permit Compliance application and determination pursuant to the requirements and procedures of LAMC Section 12.24-X.20, whereby two or more uses may share their off-street parking if it is determined that a lower total number of parking spaces than would otherwise be required will provide adequate parking for these uses. The applicant has requested approval for shared parking for additional on-site for the ESC whereby only office and retail parking would be shared utilizing the base parking demand rate of a concert venue/live entertainment. The hotel and residential parking minimum required parking would not be shared.

Proposed On-site Shared Parking

The Project is a mixed-use development with a combination of residential and nonresidential uses. The Project will comply with the parking requirements of WC2035 Plan Section 6.2.3.2.3 for the Project's proposed uses. The Project's residential and hotel uses are not proposed for shared use with the Entertainment and Sports Center. Parking for the Project is proposed to be located throughout the Project site, in both subterranean and above-grade wrapped parking structures, all under the management and control of one parking operator.

Retail

A minimum of two parking spaces per 1,000 square feet of floor area is required for non-office commercial uses according to WC2035 Plan Section 6.2.3.2.2(a). Consistent with this requirement, the Project proposes 560 parking spaces for 280,000 square feet of retail space (ratio of 2 spaces per 1,000 square feet).

Office

For office uses, WC2035 Plan Section 6.2.3.2.2(b) permits a minimum of one parking space per 1,000 square feet for office floor area. Consistent with this requirement, the Project proposes 732 parking spaces for 731,500 square feet of office uses (ratio of 1 space per 1,000 square feet).

Residential

For residential uses, a minimum of one parking space per unit is required and a maximum of two parking spaces per unit may be provided. The Project proposes 1,432 parking spaces for 1,432 units at buildout, which provides 1 parking space per unit, meeting the WC2035 Plan's requirements.

Hotel

WC2035 Plan Section 6.2.3.2.2(h) provides that for "any Non-Residential use not listed above, the parking requirements of the LAMC shall govern." Accordingly, the Project proposes to provide parking for the hotel uses consistent with LAMC Section 12.21.A.4.(b), which requires one parking space for each individual guest room or suite of rooms for the first 30; one additional parking space for each two guest rooms or suites of rooms in excess of 30 but not exceeding 60; and one additional parking space for each three guest rooms or suites of rooms in excess of 60. This would result in a parking requirement of 241 parking spaces for 572 hotel guest rooms, which would be provided.

Entertainment and Sports Center

The Project will provide 2,000 parking spaces to meet the code requirements for an Entertainment and Sports Center with up to 10,000 seats. While the on-site parking meets all code requirements, shared parking is requested to allow for the use of retail and office parking spaces by attendees at events at the Entertainment and Sports Center.

While all code-required parking code can be accommodated on-site, the Project's parking demand analysis indicates that off-site parking would be required to meet parking demand during peak month (December) sold-out events. During the peak month of December, approximately 159 off-site parking spaces would be required during weekday sold-out events and approximately 360 off-site parking spaces would be required during sold-out weekend events. While not required to meet code requirements for parking this demand can be managed at adjacent properties which include extensive parking. Several sites were identified as possible off-site parking locations, including the Anthem Blue Cross surface parking lot located east of the project site across Owensmouth Avenue.

The approved 5,655 on-site parking spaces would not result in excess parking as parking may be unbundled and could provide parking for other uses within the Downtown District. Additionally, providing sufficient parking during peak demand periods, will assuage the community's concerns regarding the impacts of parking on residential streets in proximity of the Project Site. Further, providing all code-required on-site parking will provide opportunities for visitors attending community events such as Valley Cultural Foundation's Concerts on the Green at Warner Center Park located just south of the Project Site. Thus, the approved parking achieves the intent of the WC2035 Plan as stated in the Recommendation Report to the City Planning Commission, "The Plan proposes parking rates designed to be fair and flexible in the allocation of parking while preventing any excesses which could upset the delicate balance between too much parking and too little." Providing 5,655 on-site parking spaces achieves this delicate balance. These findings supplement the required findings listed below.

FINDINGS (Pursuant to Section 12.24.X.20.(a) (1) through (4))

- a. **The maximum distance between each participating building or use and the nearest point of the shared parking facility shall be 750 feet.**

The Project's parking facilities will be located within the Project Site and easily accessible. Parking dedicated to retail and office uses can be used for Entertainment and Sports Center event parking demand as those events will occur outside of the peak hours of use for the office parking facilities. Per the requirements of the WC2035 Plan, residential and hotel parking will not be subject to shared parking.

A limited amount of off-site parking would be required to meet parking demand for the Entertainment and Sports Center during peak month sold-out events. During the peak month of December, 159 off-site parking spaces would be required during weekday events and 360 off-site parking spaces would be required during weekend events. While not required to meet code requirements for parking, this demand can be readily managed as adjacent properties include extensive parking.

- b. **The applicant and parties operating the shared parking facility shall submit written evidence in a form satisfactory to the Development Services Center, which describes the nature of the uses, hours of operation, parking requirements, and the allocation of parking spaces, and which demonstrates that the required parking for each use will be available taking into account their hours operation.**

On-site shared parking facilities within the Project Site will be under the management and control of one parking operator. As conditioned in this approval, the Applicant will submit to the Planning Department a Shared Parking Agreement with final documentation relating the use, hours of operation, parking requirements and allocation of parking for each use demonstrating the availability of parking for each use.

As set forth under Project Design Feature K-6, the Project would include the development of an Event Management Plan (EMP). The EMP would address

the on-site shared use and off-site parking required for the Entertainment and Sports Center, depending on the time of year, day/time of the event, and the number of event attendees. The EMP would require that sufficient parking be provided through a combination of on-site shared parking and available off-site parking to meet event demand. The Applicant would be required to provide annual evidence to LADOT of agreements that identify/secure the location and quantity of available off-site parking for review and approval.

c. **Reserved or otherwise restricted spaces shall not be shared.**

Reserved or restricted spaces will not be utilized for the Entertainment and Sports Center.

d. **Additional documents, covenants, deed restrictions or other agreements shall be executed and recorded as may be deemed necessary by the Zoning Administrator, in order to assure the continued maintenance and operation of the shared spaces, under the terms and conditions set for in the original shared parking agreement.**

The Project has been conditioned to submit a covenant and agreement to ensure parking will be operated under the terms set forth in the Shared Parking Agreement.

viii. ***WC2035 Section 6.2.6: Urban Design Guidelines and Supplemental Urban Design Standards***

Pursuant to WC2035 Section 6.2.6 and Appendix F, Urban Design Guidelines, and recommendations of the City Planning Urban Design Studio, the following shall apply:

Supplemental Urban Design Standards

1. *WC2035 6.2.6.2.1. Parking in Required Setbacks:* Surface parking shall not be located anywhere in the front setback area. No parking is proposed within the minimum front setback area as shown in Exhibit A (MP-10.1), with the exception of the on-grade surface parking/drop off area (valet parking) located along Topanga Canyon Boulevard which complies with the WC2035 Plan setback requirements.
2. *WC2035 6.2.6.2.2. Architecture:* The proposed Project employs several different materials and architectural elements to help differentiate the ground floor from the upper floors to create visual interest. The building materials include smooth stucco, metal, aluminum and vinyl windows, spandrel glass, glass and metal railing, brick veneer, concrete, cement board cladding, masonry, wood and metal cladding, plaster, architectural steel, prefinished aluminum, metal panels, pattern glass, glass fin, translucent glass, metal louvers, metal roofing metal mullion, metal screens, stone, . The lobbies are designed with a storefront window and street-level entrances as shown in Exhibits A (MP NE-10.1 through NE-13.1, NW-15.1 through NW-22, SW-9.1, SW-10.1, SE-16 through SE-20).
3. *WC2035 6.2.6.2.3 and Appendix F, Sections 6.B.33, through 6.B.36 Lighting and*

Security: Lighting will be integrated into the building's design and designed to ensure that a safe and secure environment is provided for all users of the Project. On the exterior of the Project, lighting will be appropriately shielded to reduce glare and will be contained within the subject property. Lighting is proposed at the Project entry points, pedestrian walkways, and all outdoor common open space, and would include building-mounted and pole-mounted lighting. All lighting, including lighting for the common open space courtyard areas and balconies, would similarly be focused downward or inward, as appropriate, and shielded to reduce glare and prevent light spillover on adjacent properties as referenced Project Lighting Concept Plan (See Appendix C of the Lighting Technical Report, Appendix C of the Draft Supplemental EIR). As conditioned, plans will be revised to illustrate lighting concepts as follows:

- a. Per WC2035 Appendix F, Section 6.B.33, architectural lighting should relate to the pedestrian and accentuate major architectural features, the street wall and public space of the sidewalk.
 - b. Per WC2035 Appendix F, Section 6.B.34, landscape lighting shall be of a character and scale that relates to the pedestrian and highlights special landscape features.
 - c. Per WC2035 Appendix F, Section 6.B.35, exterior lighting should be shielded to reduce glare and eliminate light being cast into the night sky.
 - d. Per WC2035 Appendix F, Section 6.B.36, security lighting should be integrated into the architectural and landscape lighting system and should not be distinguishable from it.
4. *WC2035 6.2.6.2.5 Articulation of Building Facades:* Building façades will contain horizontal and vertical variation in the building design supported by changes of material and detailing. The façades will specifically contain variations in depth, with the different depth making up 15% of the total façade. The variation in depth will continue to heights of 35 feet, and each change of depth will be at least five feet long horizontally. The Project buildings have been designed with compatible architectural designs and includes ornamentation techniques along the façade.
5. *WC2035 6.2.6.2.6 General Landscape Requirements for All Projects and Appendix F, Sections 8.B.2, 8.B.5 and 8.B.6 Landscape:* As conditioned and herein set forth in Exhibit A (MP-27.1, MP-28.1, MP-29, NE-15, NE-16, NW-24, NW-25, SW-12.1, SE-23 and SE-24), the Project is required to be serviced by automatic irrigation systems and conform to the City's water conservation requirement, with plans prepared by a licensed landscape architect. In addition, a high-efficient "smart" irrigation system, which includes a weather-based controller and, where feasible, in-line drip and bubblers, rather than overhead spray should be installed. Further, projects are encouraged to select and install plants identified as California Friendly for at least 50 percent of the plant materials used, and should use permeable paving for a least 75 percent of all hardscape areas. Prior to the issuance of the Project's first building permit, a final landscape and irrigation plan will be prepared for the Director's review and approval in compliance with the City's water conservation requirements.

6. *WC2035 6.2.6.2.7. Landscaping Requirements for Parking Facilities:* In order to minimize its appearance, parking for the Project is provided in parking structures that are either underground or wrapped with residential, retail, hotel or office uses along all public street frontages. With the exception of the small on-grade surface parking valet area along Topanga Canyon Boulevard, no new surface parking lots and no increase in the existing surface parking lots are proposed. The proposed surface lot area along Topanga Canyon Boulevard will provide one canopy tree for every four new surface lot parking spaces.

For buildings containing parking facilities, at a minimum, the Project will include a landscaped setback of 5 feet on all perimeters of parking structure above or below grade within the interior of the lot. No headlights or noise impacts will be generated from parking structures to off-site uses, as all parking will be either underground, or in above-grade structures wrapped by other uses or architectural screens.

7. *WC2035 6.2.6.2.8 Street Trees:* Prior to the issuance of a permit for the Project, satisfactory arrangements shall be made with the Urban Forestry Division of the Bureau of Street Services for the construction of tree wells and planting of street trees, if necessary and not already installed, along Topanga Canyon Boulevard, Erwin Street, Owensmouth Avenue, and Oxnard Street. As shown in the Project's conceptual landscape plan, new street trees will comprise those species included in Appendix F of the plan.
8. *On-Site Trees.* The Project proposes to remove 292 trees, as shown on Exhibit A (MP-29). Per Appendix B, Mitigation Measure BIO-2, the Project will replace any loss of on-site trees by replacement by new trees greater than 10 centimeters (4 inches) in diameter at breast height (4.5 feet above surrounding grade) with native or non-native (non-invasive) trees of appropriate local climate tolerance at a 2:1 ratio in order to show compliance with this mitigation measure, for a minimum of 584 trees. Prior to the issuance of a permit for the Project, satisfactory arrangements shall be made with the Urban Forestry Division of the Bureau of Street Services for the construction of tree wells and planting of street trees. Note: A Tree Report dated October 9, 2016, is included in Appendix C of the Promenade 2035 Draft Supplemental EIR.
9. *Per WC2035 Appendix F, Section 1.F,* as detailed in the checklist and application materials submitted in the case file, the Project will include measures to capture and reuse rainwater for irrigation and landscaping; reduce energy usage through a variety of measures including solar passive design, daylight harvesting, natural ventilation, and building orientation; cover the top floors of the parking structures with open space, vegetation or amenities; and cover building roofs with either vegetation or cool roof systems to help reduce energy use. Projects are required to comply with the City's Green Building Ordinance.
10. *Per WC2035 Appendix F, Section 6.B.43,* as conditioned, antennas and satellite dishes will be screened. Cable and satellite services will be provided through a single source that serves individual units throughout the entire complex through wired connections that are contained within building walls.
11. *Per WC2035 Appendix F, Section 7.5,* a minimum of 50 percent of the total required trees on-site shall be canopy trees that shade open spaces, sidewalks

and buildings.

12. *Per WC2035 Appendix F, Section 8.A.1, on site, treat 100 percent of the 85th percentile storm and provide detention capacity to retain a rainfall intensity of 0.5 inches/hour or other Code requirement if the latter is more restrictive, to the satisfaction of the Bureau of Sanitation. On-site infiltration is the preferred method of treatment.*

ix. ***WC2035 Section 6.2.6.3 Los Angeles City Urban Design Studio (UDS) Review***

Pursuant to WC2035 Section 6.2.6.3, the project was presented to the Los Angeles City Planning Urban Design Studio (UDS). The Project Planning Division of the Los Angeles City Planning Department received formal comments from the UDS on October 24, 2018. The suggestions made by UDS have been incorporated into the Conditions regarding all applicable Urban Design Standards in WC2035 Section 6.2.6 and the Urban Design Guidelines in Appendix F of WC2035 Plan.

x. ***WC2035 Section 6.2.9 Establishments of Entertainment Use***

The Project includes approval for a simplified Project Permit Compliance for an “Entertainment Use” in conjunction with a Director’s Interpretation for the use of an Entertainment and Sports Center and the number of seats.

Approval of an entertainment use requires the project to meet all the performance standards enumerated in Section. 6.2.9, as follows:

- a. **Adult Entertainment, including but not limited to strip clubs, cabarets, and “hostess type activities shall not be permitted through the Project Permit Compliance Process established in Sec. 5.3.3. These uses may be permitted through the established process in the LAMC.**

The Project does not propose adult entertainment uses, including but not limited to strip clubs, cabarets, and “hostess” type activities. In accordance with Sec. 3.15 of the WC2035 Plan, the Plan does not supersede provisions in the LAMC requiring a separate conditional use for adult entertainment, strip clubs, cabarets and hostess type activities. Any future requests for conditional uses associated with adult entertainment will require separate discretionary actions in accordance with LAMC procedures and requirement.

- b. **Noise levels of any Entertainment Use shall not cause disruption above the ambient urban noise levels along the adjacent public streets.**

The Project’s Supplemental EIR included a comprehensive and thorough noise analysis which determined that noise impacts from the Entertainment and Sports Center would be less than significant at all off-site noise sensitive receptor locations. Project Design Feature H-5 in Section IV.H, Noise, of the Draft Supplemental EIR, also imposes a maximum noise level for all amplified sound systems within the Entertainment and Sports Center, which would be monitored and enforced through the Mitigation Monitoring Program. Project Design Feature H-5 requires that if the roof of the Entertainment and Sports Center is a partial roof, the temporary/touring amplified sound system would

be designed, using a line-array speaker system, so as not to exceed a maximum noise level of 95 dBA (Leq-1hr) at a distance of 130 feet from the amplified sound systems (main array and delay speakers). Erratum confirmed that these measures are sufficient to address noise impacts associated with operation of either a 10,000-seat, fully enclosed or 7,500-seat partial roof Entertainment and Sports Center.

- c. **Security and Crowd Control. The Director may consult the Police Department to evaluate the operation of an Entertainment use to determine if policing is required. If additional security is required by the Police Department, the applicant shall be responsible for the expense of such additional security and a public safety plan.**

The Entertainment and Sports Center is part of a carefully controlled mixed use environment with a private security force responsible for ensuring the public safety for residents and visitors. The Project would include private security and a detailed security plan for the Entertainment and Sports Center. As discussed in Section IV.J.1, Public Services—Police Protection, of the Project's Draft Supplemental EIR, the Project would have private, on-site security at the Entertainment and Sports Center to reduce reliance on public services. Crowd management and control are addressed through the provision of Project Design Features J-1 through J.1-5, as provided in Section IV.J.1, Public Services—Police Protection, of the Draft Supplemental EIR and Section 3.10 of the Erratum. These project design features would provide for private, on-site security for the Entertainment and Sports Center. Specifically, as stated in Project Design Feature J.1-1, security personnel for the Entertainment and Sports Center would patrol the property during hours of operation, as well as before and after events; the security personnel would also coordinate with the proper authorities regarding any unusual disturbances in the area including loitering, trespassing, and/or criminal activity such as vehicle-related crimes. As specifically set forth in Project Design Features J.1-2 and J.1-3, a security plan would be developed and implemented for the Entertainment and Sports Center in coordination with LAPD and LAFD, which would ensure appropriate public safety and security deployment based upon identified objective standards, including, but not limited to: anticipated crowd size, historical data associated with crowd or fan behavior, event type, etc. In addition, as part of the crowd control plans, pedestrian, vehicular, and bicycle patrols would be utilized during all hours of operation. Furthermore, a closed-circuit television surveillance system would be installed, along with locks and alarms on entryways to reduce any possible criminal activity onsite.

In consultation with LAPD, and as part of the security plan, a First Responder Communications Plan and an Emergency Procedures Plan would also be prepared pursuant to Project Design Features J.1-2 and J.1-4. These plans would provide planned routes for emergency personnel, staging locations, detailed diagrams of the facility, and identify procedures for employees to follow in the event of a fire, medical emergency, civil disturbance, evacuation, and/or other emergency.

With the implementation of a comprehensive on-site private security plan for the Entertainment and Sports Center, including Project Design Features J.1-1 through J.1-5, the Entertainment and Sports Center's impacts on police protection services would be less than significant.

xi. ***WC2035 Section 6.2.10: Sustainability and Appendix G***

The Project is designed to meet the equivalent green standards for Leadership in Energy and Environmental Design (LEED™) at the Silver Certification Level and comply with the Green Building Ordinance. The Project will comply with the Solar Reflectance Index requirement in WC2035 Plan Appendix G through the selection of Option 3. Excluding areas reserved for photovoltaic panels, mechanical equipment, and appurtenances, the buildings will include both cool/reflective and green/vegetated roofing surfaces such that the weighted average of the total roof area will mitigate heat island effect.

xii. ***WC2035 Section 7: Mobility***

Please refer to the LADOT Assessment Letter dated March 29, 2018 (Draft SEIR, Appendix M.1) for the Project and the memorandum from LADOT dated March 6, 2020 (Erratum, Appendix 3) for more details on the Preliminary Mobility Fee estimation. LADOT's Assessment Letter for the Project includes a preliminary calculation of the Project's required Mobility Fees, with the WC2035 Plan's allowable credit for uses that were active at the Promenade site in accordance with LADOT's policies and procedures. Further, the Project has been conditioned to ensure double counting of mobility credits does not occur should any portion of the project site be transferred or sold to another property owner or entity. Approval of a Development Bonus for Incentivized Uses is also requested as part of this Project Permit and may be used to reduce the Project's Mobility Fees.

The final Mobility Fee, including these credits, will be calculated by DCP after final square footage totals for the Project uses are determined through the Plan Check process by Building and Safety. Pursuant to Section 7.8.1.2, a Traffic Demand Management Program has been prepared for the Project and reviewed by the LADOT.

xiii. ***WC2035 Section 9: Cultural Amenities***

As conditioned, the proposed Project will comply with applicable requirements under WC2035 Plan Section 9. The Project is subject to the Warner Center Cultural Amenities Development Fee (at the same rate as the Citywide Arts Development Fee) for the applicable proposed uses. This is based on the expected building permit valuation of \$500,000 or more for the commercial/office uses. The Project will either pay the fee or provide cultural amenities in equal value to the fee estimate, excluding the floor area for the Project's Incentivized Uses that are exempt from the payment of this fee under WC2035 Plan Section 9.3(a).

xiv. ***WC2035 Appendix F: Urban Design Guidelines***

Section 2: Blocks

The WC2035 Plan's Urban Design Guidelines ("Guidelines") recommend breaking up the mass of buildings to create a pedestrian-scaled feel along the street, organizing buildings around public open spaces, providing public pedestrian access between buildings, and locating parking as to not overwhelm the neighborhood. Locating open space within smaller blocks with a central feature with commercial and residential uses facing onto it is also recommended.

Consistent with these Guidelines, buildings have been designed to vary in height individually, as well as vary in height throughout the Project Site, transitioning from one story retail and three to four story creative office along the corner of Topanga Canyon and Erwin Street, to 28-story residential and 28-story office buildings in the southern half of the Project Site. The variation in height creates distinctive architectural massing and unique building typologies within each block. The Project's integration of public open spaces within the central area of the Site, including the approximately 60,000 square-foot Promenade Square, in addition to smaller interior courtyard and green areas, supports the creation of a cohesive neighborhood, in line with this guideline.

The Project proposes two major New Streets (Promenade Boulevard and Warner Center North), in addition to four private streets (West Lane, Mews Lane, and Circle Drive) as illustrated in Exhibit A (MP-10.1). These new streets will subdivide the site from the existing superblocks into four smaller, more pedestrian manageable blocks with the Promenade Square as a focal point of the Project Site. The residential buildings to the north and the hotel and residential buildings to the south will face the Promenade Square. In addition, two public gardens will also be provided in the Northeast Areas of the Project Site. The proposed open spaces are proposed as neighborhood-defining features such as a park, plaza and pathways for active and passive recreation.

Section 3: Streets

Setbacks

In accordance with the Guidelines, the proposed Project would have a minimum front setback area of approximately between 12 feet and 15 feet on the perimeter of the Project Site along Erwin Street, Owensmouth Avenue, Oxnard Street and Topanga Canyon Boulevard as shown on Exhibit A (MP-10.1 and MP-20.1).

Setbacks adjacent to retail and restaurant uses along ground floor levels of buildings will be primarily comprised of hardscape and may be used for outdoor dining. Along Work-Live space or professional office space, at least 50% of the setback will consist of landscaping. Adjacent to permitted Ground-Floor residential areas, like lobbies, recreation rooms, libraries, or other active uses, the setback will be primarily landscaped, incorporating elements which may include walkways, porches, raised planters and other solid walls up to 3 feet above sidewalk elevation, and transparent fences up to a height of 4 feet above sidewalk elevation. All portions of setback areas that are landscaped are designed to treat and infiltrate storm water.

The Project's surface parking areas will conform with the requirements of the Plan, including with the Guidelines. The Project does not propose surface parking in areas other than the small drop-off area in Northwest-A, and this new surface lot area will be

located “within 70 feet east of the flood control easement” on the east side of Topanga Canyon Boulevard, as permitted under the Guidelines. This surface lot area will include street trees and other landscaping consistent with the Plan’s Supplemental Guidelines pursuant to WC2035 Plan Section 6.2.6.2.7.

Section 4: Street Wall and Ground Floor

The Project complies with the Street Wall and Ground Floor Guidelines. All projects with frontage along a public street or highway shall be required to have a minimum building height of 35 feet along that public street or highway. The proposed Project complies with the Street Wall and Ground Floor Guidelines. As described above, the Project’s Residential buildings will comply with the minimum Street Wall height requirements within the Downtown District, with all Street Walls designed to reach heights above the minimum required of 35 feet. Building facades have been designed to provide a break between a building’s retail floors and upper floors.

Section 5: Parking and Access

The Project will provide sufficient parking spaces and bicycle parking spaces to meet WC2035 Plan and LAMC requirements. The minimum parking requirement for the project is 4,965 parking spaces. However, the Project will provide 5,655 on-site parking spaces.

At full build-out, internal Project Site circulation will be provided by new private streets, with the primary streets dividing the block into four quadrants. North-south access will be provided by Warner Drive North and Warner Drive South between Erwin Street and Oxnard Street. Promenade Boulevard will provide a continuous east-west access between Topanga Canyon Boulevard and Owensmouth Avenue. Internal streets will terminate at signalized intersections within the public street network including Warner Drive North (private) and Erwin Street, Topanga Canyon Boulevard and Promenade Boulevard (private)/Calvert Street, Owensmouth Avenue and Promenade Boulevard (private) via an existing signal, and Warner Drive South (private) and Oxnard Street via an existing signal.

Secondary internal streets will provide direct access into portions of the Project terminating at stop-controlled, limited-movement intersections, i.e., right-turn in and out access to the public street network at West Lane (private) and Erwin Street, Owensmouth Avenue and Mews lane (private), Owensmouth Avenue and Circle Drive North (private) and Circle Drive south (private) and Oxnard Street.

The Project also provides nine minor driveways along the periphery of the Project Site.

Section 6: Architecture

The Project will include well-designed and innovative buildings based on the fundamentals of good architecture and a cohesiveness that is supported by all aspects of the Project. The Project provides for architecture that is integrated around a network of publicly accessible open space and common private courtyards, as well as the following elements:

Massing

The Project's street wall frontage is designed with a variety of massing types that creates variation along the street edge. The variation in height creates distinctive architectural massing and unique building typologies within each block, while the overall architectural style provides an integrated look throughout the Project Site.

Windows and Doors

In accordance with the WC2035 Plan, the Project incorporates windows and doors in places that easily identify building entrances providing direct access to pedestrians, accentuate the buildings' architectural style and facilitate greater visual interest as tools to break up the plane of the building facade. The buildings are proposed to include windows and doors appropriately scaled for their respective uses. Additionally, the Project incorporates Project Design Feature A-7 in the which requires "Glass used in building facades shall be anti-reflective or treated with an anti-reflective coating in order to minimize glare (e.g. minimize the use of glass with mirror coatings)." Further Mitigation Measure AES-12 further prohibits the use of highly reflective building materials such as mirror glass in exterior facades and provides for examples of non-reflective building materials such as cement, plaster, concrete, metal and non-mirror glass.

Articulation of Building Facades

The Project is designed with various architectural details, including facade variation, and materials. The façade will specially contain variations in depth, with the different depth making up 15% of the total façade. The variation in depth will continue to heights of 35 feet, and each change of depth will be at least five feet long horizontally.

Lighting and Security

The Project's exterior lighting will be integrated into the design of each building and will be shielded to reduce glare. The lighting program will be designed to ensure a safe, secure environment for residents, office building employees, and guests and visitors. Site lighting for points of entry into the Project, pedestrian walkways, and outdoor common open space would include building-mounted and pole-mounted lighting and would be focused downward and shielded to reduce glare. As conditioned, prior to Planning Clearance, the Project will submit detailed plans illustrating lighting concepts to show compliance.

Minimizing Impacts on Neighbors

The Project has been designed to screen the various mechanical equipment, antennas, and satellite dishes from public view and to minimize impacts on neighbors.

Section 7: On-Site Open Space

The Project is required to provide Publicly Accessible Open Space (PAOS) that has a minimum square-footage equal to 15 percent of the net site area, and which satisfies a set of required standards. In addition, Section 6.2.2.3.2., credits 50% of the PAOS

requirement to Projects which include the creation of New Streets, and Section 6.2.2.4.4 further allows required setbacks along a public way to be counted as PAOS. Based on the approximately 1,439,222 square foot net lot area of the project site after dedications, 215,883 square feet of PAOS would be required for the project site. The Project incorporates two New Streets (Promenade Boulevard and Warner Center Drive North) connecting between three public street frontages. As such 50% of the PAOS would be credited to the site, for a remaining requirement of 107,941 square feet. In addition, the perimeter setback of 48,000 square feet may also be credited as PAOS. The Project's remaining PAOS of 59,941 square feet of PAOS will be provided as a central open space, i.e., Promenade Square.

In addition, the proposed Project will incorporate private and common open spaces into the architectural design of the buildings and utilize these spaces to break up the massing and add visual interest to the interior and exterior of the buildings.

Section 8: Landscape and Stormwater Treatment

The Project will be designed to comply with the Stormwater Management Guidelines as required by the City's Low Impact Ordinance (LID) and employ best management practices to reduce stormwater runoff and increase on-site treatment and infiltration of stormwater. The Project landscaping will incorporate drought-tolerant and indigenous plants, consistent with this section.

Section 9: Streetscape Improvements

The Project will provide street tree planting, sidewalks, parkways and walkways as specified in Section 3 of the Guidelines and Figures 1-12 in the WC2035 Plan. The Applicant will work with the Bureau of Engineering to install and maintain the streetscape improvements in the public right-of-way and on private streets, including street lights and street furniture.

All Street improvements will be designed in conjunction with the Urban Forestry Division of the Bureau of Street Services to meet WC2035 standards, which may require the removal of the existing parkway or street trees. If street trees are to be removed, per WC2035 Appendix F, Section 7, Guideline 6, they shall be relocated in the following locations in order of preference: nearby streets, public open space, and private projects. All trees should be planted within the boundaries of the Plan, if feasible.

Section 10: Signage

A Master Sign Plan (Exhibit C) is requested as part of the Project's entitlements, for signage pursuant to the Appendix F, Section 10 of the WC2035 Plan, the Warner Center 2035 Sign District Ordinance³ and the LAMC. A Master Sign Plan has been prepared that identifies sign types that can be viewed from the street, sidewalk or public right-of-way. The plan will ensure a cohesive, integrated approach to the variety of signs required for building identification and wayfinding signage. The signage at the Project Site is integrated with the design of the Project's architecture and

³ Ordinance No. 183147 approved by the Los Angeles City Council on July 7, 2014 and effective on August 20, 2014.

landscaping

- a. **All proposed signage complies with the applicable regulations found in this ordinance.**

The Project is located within the Downtown Sub-district of the Sign District. The Project will include wayfinding, identity and commercial signs for retail, restaurants, and hotel uses, as well as signage for the Entertainment and Sports Center, in compliance with all the applicable regulations in the Sign District, the LAMC, the WC2035 Plan, and will be visually integrated with the proposed development on the Project Site and will employ a consistent design theme. With the approval of the signs as proposed under the Master Sign Program, Project signage would be visually compatible with development on the Project Site and on neighboring sites, and would be designed to minimize potential visual distractions to pedestrian and vehicular activity.

- i. **General Requirements (Sign District Sec. 6.A)**
Signs proposed under the Master Sign Program meet the permitting, plan, design, construction, materials, and other requirements of the LAMC, which are not otherwise specified to the contrary in the Sign District.

- ii. **Prohibited Signs (Sign District Sec. 6.B)**

The Master Sign Program does not include any prohibited signs under Section 6.B of the Sign District, and proposes only signs stipulated as permitted in the Downtown Sub-district. Further, in accordance with Appendix F, Section 10. Signage, the Project has been conditioned to prohibit flat letter signs on stucco walls.

- iii. **Permitted Sign Area and Locations (Sign District 6.D-6.F)**

Section 6.F of the Sign District permits a maximum combined sign area for signs in the Downtown District of 3 feet for each linear foot of street frontage. In addition, the Combined Sign Area of all signs in Vertical Sign Zone 2 along a street frontage will not exceed 30 percent of the building wall area in Vertical Sign Zone 2. The Master Sign Plan is consistent with these regulations, and shows compliance with these regulations for each Project street frontage.

- iv. **Refresh Rate and Illumination (Sign District Sec. 6.G-6.I)**

All of the Project's signs will comply with the illumination and signage standards of the Sign District.

- v. **Sign Hours of Operation (Sign District 6.J)**

Digital Signs in Vertical Zones 1 and 2 will operate 7:00 a.m. to 2:00 a.m. The Sign District does not restrict hours of operation for signs and lighting located in Vertical Sign Zones 3 and 4.

- vi. Design Materials, Fire Safety and Hazard Review (Sign District Sec. 6.K, 6.M, and 6.N)

Sign structures will be designed as an integral part of the sites on which they are located and will reflect the architecture and construction, in line with the same architectural design and construction of the Project's buildings and structures. The materials, construction, application, location and installation of all signs will conform with the Los Angeles Building Code and the Los Angeles Fire Code. Signs and support structures will be made of non-combustible materials or plastics. Signs will also be subject to Caltrans approval, as applicable.

- vii. Existing Sign, Alterations, Repairs or Rehabilitations, and other regulations (Sign District Sec. 6.O; 6.P; 6.Q)

All currently existing signs will be removed upon full buildout of the Project. The Project will comply with maintenance and operation criteria as specified in Section 6.Q.

- viii. Removal of Existing Non-Conforming Signs (Sign District Sec. 6.R)

The Project Site does not contain any existing non-conforming signs which would require removal prior to the issuance of a building permit for new Digital Sign or new Integral Digital Display Sign.

- ix. Standards for Specific Types of Signs (Sign District Sec. 7)

Consistent with Section 7.A of the Sign District, the Applicant proposes one Aerial View Sign on the roof of the proposed Entertainment and Sports Center in Vertical Sign Zone 4, which would not be viewable from any public right-of way and would not be illuminated.

With regard to the proposed Digital Displays, these would be located in Vertical Zones 1 and 2 and measure 300 square feet in area or less. No Digital Displays are proposed on Topanga Canyon Boulevard. Digital Displays will comply with the Sign District's spacing restrictions of no more than one Digital Display for each 1,200 linear feet of street frontage. As noted above, Digital Displays will comply with applicable refresh rates and illumination standards as noted in the Master Sign Plan.

The Integral Digital Displays are limited to Vertical Zone 2 as required, and are permitted to be larger than 300 square feet, but will be no larger than 3,200 square feet. The Integral Digital Display Signs would incorporate larger scale elements of diffuse imagery, and may include monochromatic or dichromatic color designs, abstract pixilation, and internally illuminated tinted transparent or translucent material. These signs would not cover the exterior of windows, doors, vents or other openings that serve occupants of a building unless these signs meet the performance standards set forth under Section 7.H.

Consistent with Section 7.P, the three proposed Scrolling Digital Displays would be located in Vertical Sign Zone 2. These signs would not cover the exterior of windows, doors, vents or other openings that serve occupants of buildings. The uppermost portion of each proposed Scrolling Digital Display is located a maximum of 50 feet above the natural or finished grade as measured vertically. Each Scrolling Digital Display Sign measures less than 10 feet in vertical dimension and 300 square feet in total sign area, and would observe Scrolling Animated Refresh, which requires a constant, smooth, rolling motion across, up or down the display area.

Consistent with Section 7.I, Large-Scale Architectural Lighting is proposed only to highlight or accentuate vertical, horizontal or other elements of any Project structures. Such signs would not cover the exterior of windows, doors, vents or other openings that serve occupants of a building, and would only be located in Vertical Sign Zones 2, 3 and 4.

The Project will comply with the standards for all other specific sign types, as specified in the Master Sign Program (Exhibit C).

- b. **Pursuant to the California Environmental Quality Act, the Project incorporates mitigation measures when necessary, or alternatives identified in the environmental review, which would mitigate the negative environmental effects of the project to the extent physically feasible.**

A Supplemental environmental impact report (“EIR”) has been prepared for the Project to examine the environmental impacts resulting from the Project, including aesthetic impacts as a result of proposed signs. As specified in the Project’s Supplemental EIR, the Project would have no significant impacts with respect to lighting and signage, and the Project incorporates relevant mitigation and monitoring measures to mitigate potential negative environmental effects to the extent physically feasible.

- c. **The following findings, which related to the architectural design of the sign structure or layout and not its content, shall be used solely to condition an approval and shall not be used to deny a project.**

- i. All existing and proposed signs are appropriately scaled to architectural character of all the buildings and structure on the lot.

As discussed above, proposed signs conform with the sign area and design specifications of applicable sign type regulations, ensuring that all signs are appropriately scaled to the architectural character of the buildings and structures within the Project Site. For the Project’s ground floor retail uses, signs are appropriately smaller-scaled intended for viewing by pedestrians, while larger-scale signs are located in higher Vertical Sign Districts.

- ii. All existing and proposed signs result in a complementary enhancement to the architecture on the lot.

All signs have been integrated with the design of the Project's architecture and landscaping, and the Master Sign Plan implements a program of sign elements related in design approach to convey a clear hierarchy of information, consistent with the Urban Design Guidelines of the WC 2035 Plan. As indicated in the Master Sign Plan, consistency in signage will be maintained through a uniform utilization of materials, design, texture, color and type of illumination that have been designed to remain complementary with surrounding the Project aesthetics. Signage within the Project Site will be designed to conform with the specified construction requirements of the Master Sign Plan, which provides standards for finishing, color and durability. This will ensure that the Project's signs enhance the architectural design of the Project.

- iii. All existing and proposed signs result in a visually uncluttered appearance.

The location and quantity of all signage within the Project would be governed by the approved Master Sign Program, which conforms with the specifications of the Sign District, the LAMC and the Urban Design Guidelines of the WC2035 Plan in all respects, including with regard to sign placement within Vertical Height Zones, distance between signs, location in relation to uses, and illumination. The Master Sign Program incorporates consideration of signage in relation to Project structures, walkways and landscaped areas. These standards further ensure that proposed signs enhance the design of the Project and will not result in a visually cluttered appearance.

Section 11: Cultural Amenities

The Project is conditioned to pay the Warner Center Cultural Amenities Development Fee based on the building permit valuation at the time of building permit issuance as explained in Condition No. 73, in accordance with Section 9 of the WC2035 Plan.

2. ***The project incorporates mitigation measures, monitoring measures when necessary, or alternatives identified in the environmental review which would mitigate the negative environmental effects of the project, to the extent physically feasible.***

In compliance with the requirements of the California Environmental Quality Act (CEQA), the City certified a programmatic environmental impact report (EIR) to evaluate the potential impacts of approving the Warner Center 2035 Plan in 2013. On October 23, 2013, the City Council of the City of Los Angeles certified the Final Program Environmental Impact Report. The City Council found that the Certified EIR was completed in compliance with CEQA and State and City CEQA Guidelines and adopted pursuant thereto, and adopted findings, a Mitigation Monitoring Program, and a Statement of Overriding Considerations for environmental impact areas of Aesthetics, Air Quality, Noise (construction/operational), and Transportation (cumulative).

The Warner Center 2035 EIR anticipated development in the Warner Center 2035 Specific Plan area, including the Project Site. As the Warner Center 2035 EIR evaluated impacts on

a programmatic level, a Supplemental EIR has been prepared for the Promenade 2035 Project (ENV-2016-3909-EIR) to assess potential environmental impacts related to this specific Project within the Plan area. A Mitigation Monitoring Program (MMP), herein incorporated as Exhibit B, was prepared to identify project design features proposed by the applicant and mitigation measures to avoid or substantially lessen any significant impacts. The MMP is designed to monitor implementation of those project design features and mitigation measures.

Notwithstanding project design features and mitigation measures identified in the MMP, as evaluated in the Supplemental EIR, implementation of the Project would result in significant impacts that cannot be mitigated, including impacts associated with: (1) Project and cumulative operational regional air quality emissions; (2) Project and cumulative operational regional air quality emissions; (3) historical resources; (4) on-site construction noise impacts on on-site receptors; (5) cumulative on- and off-site construction noise impacts to off-site receptors; (6) Project and cumulative noise impacts from off-site construction vibration related to the significance threshold for human annoyance; (7) Project and cumulative traffic; (8) Project and cumulative intersection impacts for operation of Phases 1-3 (interim) conditions in the event that the Warner Center Plan improvements are not implemented by operation of Phases 1-3; and (9) Project and cumulative traffic impacts to neighborhood street segments during operation. As such, a Statement of Overriding Consideration is adopted for the above-referenced environmental impact areas that result in significant and unavoidable impacts.

Although California State Bill 743 (SB 743) provides that aesthetics and parking impacts of residential, mixed-use residential or employment centers on an infill site within a transit priority area shall not be considered significant impacts on the environment, parking was analyzed for informational purposes in the Supplemental EIR.

FINDINGS OF FACT (CEQA)

(As amended by the City Planning Commission on May 28, 2020)

These findings do not repeat the full discussions of environmental impacts contained in the Supplemental EIR prepared for this Project, which includes the Draft Supplemental EIR, the Final EIR, and Erratum. The City certifies, adopts and incorporates the analysis, explanation, findings, responses to comments, and conclusions of the Supplemental EIR. The City adopts the reasoning of the EIR, City staff reports, and presentations regarding the Project.

Warner Center 2035 Plan EIR:

Pursuant to the California Environmental Quality Act, Public Resources Code Sections 21000 et seq. ("CEQA") and the State CEQA Guidelines, Title 14, California Code of Regulations, Sections 15000 et seq. ("CEQA Guidelines"), on April 23, 2013, the City Council of the City of Los Angeles certified the Final Program Warner Center 2035 Plan (WC2035 Plan) Environmental Impact Report (ENV-2008-3471-EIR; SCH No. 1990011055) ("Certified EIR") for the General Plan Amendment to the Canoga Park-Winnetka-Woodland Hills-West Hills Community Plan and related Transportation Element amendments to allow for the implementation of the WC 2035 Plan covering approximately 924 acres, bounded by Vanowen Street to the north, the Ventura Freeway to the south, De Soto Avenue to the east, and Topanga Canyon Boulevard to the west. The City Council found that the Certified EIR was completed in compliance with CEQA and State and City CEQA Guidelines adopted pursuant thereto, and adopted findings, a Mitigation Monitoring Program, and a Statement of Overriding Considerations for environmental impact areas of Aesthetics, Air Quality, Noise (construction/ operational, and Transportation (cumulative)).

On October 23, 2013, the City Council recertified the Certified EIR and readopted findings in compliance with CEQA in connection with the adoption of ordinances to repeal the 1993 Warner Center Specific Plan and to establish the WC2035 and related zone and height district changes. As stated on page 1-8 of the Certified EIR, the EIR is intended to function as a project-specific EIR for those projects that are consistent with the WC2035 Plan.

I. INTRODUCTION - DESCRIPTION OF PROPOSED PROJECT

The Promenade 2035 Project proposes the redevelopment of the existing Westfield Promenade Shopping Center (Project Site) located within the Downtown District of the Warner Center 2035 Specific Plan (Warner Center Plan¹) area of the City of Los Angeles (City) with a new multiple phase, mixed-use, master planned development consisting of residential, retail/restaurant, office, hotel, and entertainment uses (Project). The Project Site encompasses the approximately 34-acre site of the Shopping Center that is bounded by Erwin Street to the north, Owensmouth Avenue to the east, Oxnard Street to the south, and Topanga Canyon Boulevard to the west.

At buildout, the Project would remove 641,164 square feet of existing floor area and construct 3,271,050 square feet of new floor area, resulting in a net increase of 2,629,886 square feet of new floor area within the Project Site. With the modifications addressed in the Erratum and presented to the City Planning Commission on May 28, 2020, the Project would specifically include up to 1,432 multi-family residential units, approximately 280,000 square feet of retail/restaurant uses, approximately 731,500 square feet of office space (including both large floor-plate creative office as well as more traditional high-rise office), up to 572 hotel rooms within two hotels (272 rooms and 300 rooms, respectively), and a fully-enclosed Entertainment and Sports Center

¹ The Warner Center Plan EIR referred to the Warner Center Plan as WCRCCSP. This is reflected in the mitigation measures throughout the Supplemental EIR.

approximately 181,550 square-feet and up to 10,000 seats in size, or alternatively, a partial roof Entertainment and Sports Center with a maximum of 7,500 seats. The proposed uses would be provided in several buildings throughout the Project Site that would range in height from one-story retail and three- to four-story creative office at the corner of Topanga Canyon Boulevard and Erwin Street, to a 28-story office tower at the opposite corner of Owensmouth Avenue and Oxnard Street.

The Project is anticipated to be constructed in multiple phases (seven “subphases” or “phases”) with buildout of the Project completed in 2033. The Project’s phasing plan is intended to describe the geographic area covered by each phase of the Project, with the order of buildout of these geographic phases subject to change. In addition, the phases of the Project have the potential to overlap. For the purpose of providing a conservative analysis of potential construction impacts for the Supplemental EIR, construction assumptions were developed for the maximum potential overlap of construction phases (the “Overlapping Construction Plan”). The Overlapping Construction Plan assumes that the Northeast, Northwest, and Southwest areas of the Project Site would be constructed as close in time as feasible, to provide a peak scenario of potential construction impacts. Throughout the Project’s Draft Supplemental EIR, the overlapping of phases are analyzed for those issue areas where such an occurrence would result in greater environmental impacts in order to provide a conservative analysis.

To provide for development of the Project, demolition of the existing Shopping Center (with the exception of AMC Theatres, the former location of the Rack, and the stand-alone building currently occupied by P.F. Chang’s) would occur either as the first part of Project construction or at an earlier point in time. However, to be conservative, the analysis included in the Draft Supplemental EIR would assume demolition would occur as part of the Project. If demolition occurs earlier, then the Macy’s building would remain until demolition of the building is approved with the Project’s requested Project Permit. The areas of the Shopping Center that are demolished would be used for temporary construction staging.

For each environmental impact area, the Supplemental EIR analyzed the potential use and design of the Entertainment and Sports Center that would generate the greatest potential environmental impacts, to provide full information and disclosure to the public and decision-makers. The Erratum to the Supplemental EIR evaluated the proposed modifications to the Project to reduce the building footprint and capacity of the Entertainment and Sports Center and reallocate that floor area to retail and office uses. Therefore, the impacts disclosed in the Draft Supplemental EIR and Erratum are conservative and may overstate the environmental impacts ultimately generated by the Project. For instance, while the final size of the Entertainment and Sports Center was approved to be up to a capacity of 10,000 seats, the Supplemental EIR analyzed a sold-out, 15,000-seat event condition for every applicable impact area under the Project. The Project includes the option for constructing the Entertainment and Sports Center with an enclosed roof with 10,000 seats or a partial roof with 7,500 seats, and the Supplemental EIR and Erratum analyzed the impacts associated with the partial roof option wherever that would result in greater impacts than the closed roof option. Finally, as the Entertainment and Sports Center may be used primarily as a concert or sporting venue, to be conservative, the use which results in the greater environmental impact was assumed for each impact area, i.e. a concert venue for the analysis of noise would generate a greater impact.

The Project includes two levels of subterranean parking in the Northwest Area, which would be constructed when that area is developed and two levels of subterranean parking in the Southwest Area, which would be constructed when that area is developed. It is estimated that approximately 1,430,000 cubic yards of export and 344,000 cubic yards of import may be hauled from the Project Site over the Project’s entire buildout; less export may be needed if multiple phases are constructed at the same time and the soil can be kept on site. In addition, with the reduction in subterranean parking in the Southeast Area addressed in the Erratum, excavation, grading, and soil export would be reduced. The haul route to and from the Project Site is anticipated to be primarily

traveling south on Topanga Canyon Boulevard to the Ventura Freeway (US-101) or north on Topanga Canyon Boulevard (SR-27) to the Ronald Reagan Freeway (SR-118), if traveling south on Topanga Canyon Boulevard is infeasible.

For the cumulative impact analysis in the Supplemental EIR, a list of proposed development projects in the vicinity of the Project Site that could affect conditions in the Project area (e.g., by adding traffic volumes to study area intersections and/or generating population increases) was prepared based on information obtained primarily from the LADOT and the Department of City Planning. A total of 29 potential related development projects were identified within the vicinity of the Project Site for inclusion in the cumulative impact analysis for this EIR. To provide a conservative forecast, the future baseline forecast assumes that all of the related projects are fully built out by 2033. Cumulative study areas are defined based on an analysis of the geographical scope relevant to each particular environmental issue. Therefore, the cumulative study area for each individual environmental impact issue varied in the Supplemental EIR. The specific boundaries and the projected growth within those boundaries for the cumulative study area of each environmental issue are identified in the applicable environmental issue section in Section IV, Environmental Impact Analysis, of the Draft Supplemental EIR.

The Project Site is located within the Warner Center Plan, the purpose of which is to create a vital mixed-use, transit-oriented district for the Warner Center Plan area and surrounding communities. In furtherance of the Warner Center Plan, the underlying purpose of the Project is to redevelop the Project Site consistent with the Warner Center Plan goals of providing a high-density integrated, mixed-use and transit- and pedestrian-oriented development with residential, retail/restaurant, office, hotel, and entertainment uses. The Project's specific objectives are provided below:

- Focus housing and employment growth within a High Quality Transit Area consistent with a key element in SCAG's 2016–2040 Regional Transportation Plan/Sustainability Communities Strategy (See page 4 and page 76 of SCAG's 2016–2040 Regional Transportation Plan/Sustainability Communities Strategy²);
- Consistent with the policies set forth in the City's General Plan Housing Element, provide multi-family housing units to support the much-needed demand for housing and locate such housing in close proximity to transit stations, along transit corridors, and within high activity areas (See Objective 4.2 of the City's General Plan Framework Housing Chapter³);
- In accordance with the objectives in the General Plan Framework Land Use Chapter, accommodate a diversity of uses that support the needs of the City's existing and future residents, businesses, and visitors, and encourage the development of new Regional Centers that accommodate a broad range of uses and provide job opportunities (See Objective 3.1 and Objective 3.10 of the General Plan Framework Land Use Chapter⁴);

2 2016–2040 Regional Transportation Plan/Sustainability Communities Strategy, <http://scagrtpscs.net/Documents/2016/final/f2016RTPSCS.pdf>.

3 City of Los Angeles, General Plan Framework, Housing Chapter, <http://cityplanning.lacity.org/cwd/framwk/chapters/04/04.htm>.

4 City of Los Angeles, General Plan Framework, Land Use Chapter, <http://cityplanning.lacity.org/cwd/framwk/chapters/03/031.htm>.

- Promote sustainable buildings, which minimize adverse effects on the environment and minimize the use of non-renewable resources, consistent with the City's General Plan Housing Element (See Objective 2.3 of the City's General Plan Housing Element⁵);
- Consistent with the Canoga Park–Winnetka–Woodland Hills–West Hills Community Plan, recycle obsolete commercial development and enhance the appearance of commercial districts (See Objective 2-1 and Objective 2-2 of the Canoga Park–Winnetka–Woodland Hills–West Hills Community Plan⁶);
- Provide a built form that implements the guiding principles of the Warner Center Plan to synergize development, which include: encouragement of infill development and redevelopment of existing properties; reinforcement of a pattern of Districts with centers or nodes of greater residential density and commercial/industrial activity connected by public transit; creation of a framework of transit, pedestrian and bicycle systems that provide alternatives to automobile use; establishment of connectivity networks that include New Streets and pedestrian adapted pathways within and between established Districts; and creation of a network of publicly-accessible open spaces to encourage public gathering and pedestrian activity (See Plan Purpose on page 6 of the Warner Center Plan);
- Encourage entertainment and nightlife uses in the Downtown District of Warner Center, including the provision of an entertainment center with sufficient seating to accommodate community demand, while also preserving a healthy and safe environment for residents and businesses in furtherance of Section 6.2.9.1 of the Warner Center Plan;
- Consistent with the Project Site's location within the Downtown District of the Warner Center Plan provide for an Entertainment and Sports Center that serves as a flexible space and community-oriented entertainment destination for families and residents, which provides sufficient seating to accommodate a wide range of different entertainment and sporting events and is consistent with the Entertainment Use standards set forth in Section 6.2.9.4 of the Warner Center Plan;
- Develop an economically vital commercial sector offering a diversity of goods and services to meet the needs of the Canoga Park–Winnetka–Woodland Hills–West Hills Community Plan (See Goal 2 of the Canoga Park–Winnetka–Woodland Hills–West Hills Community Plan);
- Consistent with the Urban Form Chapter of the City of Los Angeles General Plan Framework Element, establish a strong pedestrian orientation within Regional Centers so that such centers can serve as a focus of activity for the surrounding community (See Objective 5.8 of the City of Los Angeles General Plan Framework Element Urban Form and Neighborhood Design Chapter⁷); and
- Consistent with SCAG's goals, create an environmentally sensitive development by incorporating sustainable and green building design and construction strategies (See

5 City of Los Angeles, *General Plan Framework, Housing Element*, <https://planning.lacity.org/HousingInitiatives/HousingElement/Text/Ch6.pdf>.

6 *Canoga Park–Winnetka–Woodland Hills–West Hills Community Plan*, <https://planning.lacity.org/complan/pdf/cpkcptxt.pdf>.

7 City of Los Angeles, *General Plan Framework, Urban Form and Neighborhood Design Chapter*, <http://cityplanning.lacity.org/cwd/framwk/chapters/05/05.htm>.

Principal 4 of SCAG's 2016–2040 Regional Transportation Plan/Sustainability Communities Strategy and Policies LU-6.2, OSC-11, and EN-10 of SCAG's Regional Comprehensive Plan⁸).

The City of Los Angeles has the principal responsibility for approving the Project as the lead agency. Approvals required for development of the Project include, but are not limited to, the following:

- Certification of a Supplemental EIR to the Warner Center Plan EIR;
- Project Permit Compliance for Multiple Phase Project, Master Planned Project, Entertainment Use, Signage, Shared Parking and Off-Site Parking for the Entertainment and Sports Center during events, and Incentivized uses⁹;
- Director's Interpretation for requested up to 10,000-seat, size of fully-enclosed Entertainment and Sports Center, or alternatively a 7,500-seat, partial-roof Entertainment and Sports Center;
- Master Alcohol Conditional Use Permit for on-site and off-site alcohol sales;
- A Waiver of Development Standards (Off-Menu) Affordable Housing Incentive pursuant to providing Low Income Household Units in the Northeast and Northwest Areas (5% of 1,063 units proposed) to allow a reduction in residential building height minimum requirements;
- Three Vesting Tentative Tract Maps, including haul route and removal/relocation of protected trees and street trees; and
- Parcel Map Exemption to permit lot line adjustments of existing lot lines.

In addition to the specific actions listed above, other discretionary and ministerial permits and approvals may be or will be required, including, but not limited to, temporary street closure permits, grading permits, excavation permits, foundation permits, building permits, and Caltrans approval.

II. ENVIRONMENTAL REVIEW PROCESS

The Project's Supplemental Environmental Impact Report (EIR) tiers off of the programmatic EIR certified by the City to evaluate the potential environmental impacts of the Warner Center Plan. The Warner Center Plan EIR (ENV-2008-3471) evaluated the anticipated development within the Warner Center Plan area, including the anticipated development on the Project Site.¹⁰ However, because the Warner Center Plan EIR evaluated the Warner Center Plan's impacts on a programmatic level, the Warner Center Plan EIR did not examine certain construction and operational impacts that are specific to the Project.

⁸ SCAG, *Regional Comprehensive Plan*, www.scag.ca.gov/NewsAndMedia/Pages/RegionalComprehensivePlan.aspx.

⁹ *Incentive uses include: (1) a grocery store that has at least 7,500 square feet of floor area and is located within a mixed-use building or structure; and (2) five or more Local-Service Retail business, all of which are located on the first floor.*

¹⁰ *A copy of the certified programmatic EIR for the Warner Center Plan can be found at www.planning.lacity.org/EIR/WarnerCntrRegionalCore/FEIR/WarnerCenter_FEIR.pdf.*

Based on the Warner Center Plan EIR's analysis and pursuant to the conditions set forth in CEQA Guidelines sections 15162 and 15163, the City has prepared a Supplemental EIR to evaluate the potential environmental impacts related to this specific Project within the Plan area. For each substantive impact area, the Supplemental EIR describes and relies on the analysis in the Warner Center Plan EIR to the extent that analysis evaluates the Project's potential environmental impacts. Next, for each substantive impact area where the Warner Center Plan EIR did not address the Project's specific impacts, the Supplemental EIR provides in-depth supplemental analysis of the Project-specific construction and operational impacts. The Supplemental EIR relies on and incorporates the applicable and feasible mitigation measures from the Warner Center Plan EIR, and also lists the Warner Center Plan EIR mitigation measures that do not apply to the specific Project.¹¹ The Supplemental EIR further provides project-specific mitigation measures that would also be implemented as part of the Project. To ensure the City thoroughly evaluated the Project's specific impacts, the Supplemental EIR provides in-depth supplemental analysis of the Project-specific impacts and the feasible mitigation measures that will mitigate those impacts.

The Project was reviewed by the City of Los Angeles (serving as Lead Agency) in accordance with the requirements of the California Environmental Quality Act ("CEQA") (Pub Resources Code Section 21000 et seq.; 14 Cal. Code Regs. Section 15000 et seq.). An Initial Study was prepared for the Project and a Notice of Preparation (NOP) was distributed for public comment to the State Clearinghouse, Governor's Office of Planning and Research, responsible agencies, and other interested parties on November 9, 2016 for a 34-day review period to December 12, 2016. A public scoping meeting was held on November 29, 2016. The NOP letters and comments received during the comment period are included in the Draft Supplemental EIR.

The Draft Supplemental EIR analyzed in detail the potential effects of the proposed Project in accordance with CEQA Guidelines Section 15126.6 (d). It also analyzed the effects of a reasonable range of five alternatives, including potential effects of a "No project" alternative, as well as 10,000-seat and 7,500-seat Entertainment and Sports Center options. The Draft Supplemental EIR was published on April 26, 2018. The public comment period was extended beyond the initial 45-day period and closed on July 26, 2018, for a total of 92 days of circulation for public comment. Copies of the written comments received are provided in the Final Supplemental EIR. Pursuant to Section 15088 of the CEQA Guidelines, the City, as Lead Agency, reviewed all comments received during the review period for the Draft Supplemental EIR and responded to each comment in the Final Supplemental EIR. The Final Supplemental EIR is intended to serve as an informational document for public agency decision-makers and the general public regarding the objectives and components of the proposed project. The Final Supplemental EIR addresses the environmental effects associated with implementation of the proposed Project, identifies feasible mitigation measures and alternatives that may be adopted to reduce or eliminate these impacts, and includes written responses to all comments received on the Draft Supplemental EIR during the public review period. An Erratum to the Supplemental EIR was prepared and issued in May 2020 to analyze modifications intended to address community concerns, mainly the reduction in size and capacity of the Entertainment and Sports Center. The Project described and analyzed in these CEQA Findings incorporates Project refinements described and detailed in the Final Supplemental EIR and Erratum. No recirculation of the Draft Supplemental EIR was required as a result of these Project refinements. As described in Volume [I], Section [III], Revisions, Clarifications, and Corrections to the Draft Supplemental EIR, of the Final Supplemental EIR, the Erratum, and these CEQA Findings, the Project modifications do not result in any new significant environmental impacts or a substantial increase in any of the severity of significant impacts identified in the Draft Supplemental EIR. The Final Supplemental EIR and Erratum are intended to serve as an informational document for public agency decision-makers and the general public regarding objectives and components of the Project.

¹¹ *The mitigation measures incorporated by the Draft Supplemental EIR were taken from the Warner Center Plan EIR Mitigation Monitoring Program (MMP), dated June 2012, www.planning.lacity.org/EIR/WarnerCntrRegionalCore/FEIR/WarnerCenter_FEIR.pdf.*

The Supplemental EIR addresses the environmental effects associated with implementation of the Project, identifies feasible mitigation measures and alternatives that may be adopted to reduce or eliminate these impacts, and includes written responses to all comments received in the Draft Supplemental EIR during the public review period.

The California Natural Resources Agency adopted revisions to the CEQA Guidelines that became effective on December 28, 2018, subsequent to publication of the Draft Supplemental EIR. These revisions resulted in an updated Guidelines' Appendix G—Environmental Checklist Form (Appendix G). The revisions to Appendix G were adopted largely to reduce redundancy, provide additional clarity and to align Appendix G with California appellate court and Supreme Court decisions and changes to the Public Resources Code. The revised Guidelines, including the revised Appendix G Environmental Checklist, apply prospectively and only to steps in the CEQA process not yet undertaken by the effective date of the revisions. (CEQA Guidelines Section 15007(b).) The revised Guidelines do not apply to CEQA documents that were sent out for public review (i.e., released for public review and comment) before the effective date of the revised Guidelines. (CEQA Guidelines Section 15007(c).) The Draft Supplemental EIR was published for public comment on April 26, 2018, with a public comment period extended by 45 days until July 26, 2018. Therefore, the revisions to Appendix G do not apply to the Draft Supplemental EIR for the Project. However, further discussion of the revised Appendix G Environmental Checklist as it relates to the analysis provided in the Draft Supplemental EIR is provided in the Final Supplemental EIR, Appendix FSEIR-7.

The City published the Final Supplemental EIR on April 5, 2019. Responses were sent to all public agencies that made comments on the Draft Supplemental EIR at least 10 days prior to certification of the Final Supplemental EIR pursuant to CEQA Guidelines Section 15088(b). In addition, all individuals that commented on the Draft Supplemental EIR also received an electronic copy of the Final EIR. The Final Supplemental EIR was also made available for review on the City's website and hard copies of the Final Supplemental EIR were made available at four libraries and the City of Los Angeles Department of Planning. Notices regarding availability of the Final Supplemental EIR were sent to those within a 500-foot radius of the project site as well as individuals who commented on the Draft Supplemental EIR, attended the NOP scoping meeting and informational meeting, provided comments during the NOP comment period, and those individuals/organizations who previously requested to be on the "Interested Parties" list. The Erratum was prepared after initial certification of the Final EIR and analyzed the Project modifications responding to community concerns and the initial decision of the Zoning Administrator. Notices regarding the City Planning hearing (City Planning Commission) to consider the Project and the posting of the Erratum were sent to those within a 500-foot radius of the project site as well as Interested Parties. The Draft Supplemental EIR, Final Supplemental EIR, and Erratum for the Project are hereby incorporated by reference in full.

A duly noticed public hearing on the project (which included reference to the alternatives analyzed in the Project's Supplemental EIR) was held jointly by the Zoning Administrator and Deputy Advisory Agency on April 30, 2019. The determination of the Zoning Administrator certifying the Supplemental EIR and issuing a determination on the Director's Interpretation, Project Permit Compliance, and Master Alcohol Conditional Use Permit was issued on July 17, 2019 and the Advisory Agency's determination related to the three Vesting Tentative Tract Maps were subsequently appealed. Those appeals were heard by the City Planning Commission on May 28, 2020 and partially granted and partially denied in connection with the City Planning Commission's approval of the Project with the modifications proposed in response to the appeals. These findings represent the independent judgment of the City Planning Commission.

The documents and other materials that constitute the record of proceedings on which the City of Los Angeles' CEQA findings are based are located at the Department of City Planning, Major

Projects Unit, 6262 Van Nuys Boulevard, Room 351, Los Angeles, California 91401. This information is provided in compliance with CEQA Section 21081.6(a)(2).

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

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

- A. The first possible finding is that “[c]hanges or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.” (CEQA Guidelines Section 15091(a)(1)); and
- B. The second possible finding is that “[s]uch changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.” (CEQA Guidelines Section 15091(a)(2)); and
- C. The third possible finding is that “[s]pecific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible, the mitigation measures or Project alternatives identified in the final EIR.” (CEQA Guidelines, Section 15091(a)(3)).

The findings reported in the following pages incorporate the facts and discussions of the environmental impacts that are found to be significant in the Final Supplemental EIR for the Project as fully set forth therein. Section 15091 of the CEQA Guidelines requires findings to address environmental impacts that an EIR identifies as “significant.” For each of the significant impacts associated with the Project, either before or after mitigation, the following information is provided:

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

IV. ENVIRONMENTAL IMPACTS FOUND NOT TO BE SIGNIFICANT WITHIN INITIAL STUDY

Impacts of the Project were determined to have no impact or be less than significant in the Supplemental EIR.

A. Aesthetic Resources (Proximity to a Scenic Highway)

The nearest City-designated scenic parkway is along Mulholland Drive, approximately 1.91 miles south of the Project Site. As a note, subsequent to the publishing of the Initial Study prepared for the Project in November 2016, Topanga Canyon Boulevard was designated as a State Scenic Highway June 2017. The closest portion of the State-designated scenic highway to the Project Site is located two miles south of the Project Site at Mulholland Drive and Topanga Canyon Boulevard. Given the locations of the nearest designated scenic highways to the Project Site and the boundaries of the Project Site, the Project would not damage scenic resources, including trees, rock outcroppings, and historic buildings within an eligible or designated scenic highway. Therefore, the Project, would have no impacts to scenic resources within a scenic highway.

B. Agricultural and Forestry Resources

The Project Site is fully developed within a highly urbanized area, and is not mapped as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. In addition, no forest lands, agricultural or other related activities currently occur on the site or within the project vicinity. The Project would not conflict with any existing zoning for agricultural use or forest lands. Nor would the Project result in the loss of forest land or conversion of existing Farmland. Therefore, no impacts to agricultural resources would occur.

C. Air Quality (Odors)

No objectionable odors are anticipated as a result of either construction or operation of the Project. Specifically, construction of the Project would involve the use of conventional building materials typical of construction projects of similar type and size. In addition, operation of the Project would not involve uses that would generate substantial odors and on-site trash receptacles would be contained, located, and maintained in a manner that promotes odor control, and would not result in substantially adverse odor impacts. Thus, no significant odor impacts would occur.

D. Biological Resources

Species likely to occur on-site are limited to small terrestrial and avian species typically found in developed settings. Therefore, the Project would not have a substantial adverse effect, either directly or through habitat modification, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service. There are no riparian or other sensitive natural communities, or federally protected wetlands as defined by Section 404 of the Clean Water Act on the Project Site or in the surrounding area. Furthermore, there are no native resident, migratory fish, or wildlife species or established native resident or migratory wildlife corridors on-site or within the project vicinity, nor would the Project impede any use of native wildlife nursery sites. In addition, no Habitat Conservation Plan, Natural Community Conservation Plan, or other approved habitat conservation plans apply to the Project Site. Thus, impacts associated with these topics would be less than significant.

The existing on-site trees that would be removed during construction of the Project could potentially provide nesting sites for migratory birds. However, the Project would comply with the Migratory Bird Treaty Act as set forth in the Warner Center Plan EIR as Warner Center Plan Mitigation Measure BIO-1. Therefore, with compliance with the Migratory Bird Treaty Act as set forth

in Warner Center Plan Mitigation Measure BIO-1, the impact to migratory species would be less than significant, and no additional mitigation measures are required.

E. Cultural Resources (Archaeological and Paleontological Resources)

The Project Site is located within a highly urbanized area and has been subject to grading and development in the past. Thus, surficial archaeological and paleontological resources that may have existed at one time have likely been previously disturbed. Records searches have also not indicated the presence of these resources within the Project Site. In addition, the Project would continue to implement Warner Center Plan Mitigation Measures CUL-3, CUL-4 and CUL-6 included in the Warner Center Plan EIR to further ensure that potential impacts on any previously undiscovered archaeological and paleontological resources is addressed. Project impacts on archaeological and paleontological resources would be less than significant with the Warner Center Plan Mitigation Measures.

F. Geology and Soils

The Project would not expose people or structures to adverse effects involving the rupture of a known earthquake fault, strong seismic ground shaking, liquefaction, subsidence, expansive soils, lateral spreading or landslides. The Project would not result in substantial soil erosion or be located on a geologic unit that would become unstable as a result of the Project. The Project Site is not located on expansive soil and the Project Site is served by existing sewage infrastructure. The Project would also continue to implement Warner Center Plan Mitigation Measures GEO-1 through GEO-13. Therefore, no significant impacts to geology and soils would occur.

G. Hazards and Hazardous Materials (Proximity to Schools, Airports, and Wildlands)

The Project Site is not located within 0.25 mile of an existing or proposed school. Therefore, the Project would not create a significant hazard to nearby schools. Additionally, the Project Site is not located within 2 miles of an airport or a private airstrip or within an airport planning area, and would not result in a safety hazard for people residing or working in the area. There are also no wildlands located in the vicinity of the Project Site and Project Site is not located within a City-designated Very High Fire Hazard Severity Zone. Therefore, the Project would not subject people or structures to a significant risk of loss, injury, or death as a result of exposure and no significant impacts would occur.

H. Hydrology (Flooding, Tsunami, Mudflow)

The Project Site is not located within a 100-year flood plain as mapped by the Federal Emergency Management Agency or by the City of Los Angeles. In addition, the Project Site is not located within a potential inundation area. Therefore, the Project would not expose people or structures to a significant risk of loss, injury or death involving flooding. The Project Site is not close to the ocean or mapped as being located within an area potentially affected by a tsunami. The Project Site is also not positioned downslope from an area of potential mudflow. Therefore, no seiche, tsunami, or mudflow events would be expected to impact the Project Site. No impacts associated with flooding, or inundation by seiche, tsunami, or mudflow would occur.

I. Land Use (Habitat Conservation Plan)

No Habitat Conservation Plan, Natural Community Conservation Plan, or other approved habitat conservation plan applies to the Project Site. Therefore, the Project would not conflict with the provisions of an adopted habitat conservation or natural community conservation plan. No impacts would occur.

J. Mineral Resources

The Project would result in the loss of a known mineral resource that would be of value to the region or the residents of the state. In addition, the Project would not result in the loss of availability of a mineral resource site delineated in a general plan, specific plan, or other land use plan. Therefore, no impacts to mineral resources would occur.

K. Noise (Proximity to Airports)

The Project Site is not located within 2 miles of an airport or within an area subject to an airport land use plan. The Project Site is also not located within the vicinity of a private airstrip. Therefore, the Project would not expose people working in the project area to excessive noise levels from airports and no impacts would occur.

L. Population and Housing (Housing Displacement)

No housing currently exists on the Project Site. Therefore, although the Project would create new housing, it would not displace any existing housing or cause the displacement of any persons. Thus, no impacts associated with displacing a substantial number of existing housing or persons would occur.

M. Transportation/Circulation (Airport Traffic Hazards)

The Project Site is not located within the vicinity of any private or public airport or planning boundary of any airport land use plan. In addition, the Project would be required to comply with applicable Federal Aviation Administration (FAA) requirements regarding rooftop lighting for high-rise structures and would complete Form 7460-1 (Notice of Proposed Construction or Alteration). With compliance with these regulations, and given the distance between the Project Site and the nearest airport, impacts to air traffic patterns would be less than significant.

V. ENVIRONMENTAL IMPACTS FOUND TO BE LESS THAN SIGNIFICANT PRIOR TO MITIGATION

A. Air Quality - CO "Hot Spots" Analysis

The Project's daily trip estimates, which are based on the peak hour conditions of the intersections, do not exceed the threshold where a CO hot spot analysis is required. 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. The Project would result in a reduction of daily trips estimates as analyzed in the Supplemental EIR due to the reduction in Entertainment and Sports Event seating to 10,000 seats. Therefore, the Project would not exceed the threshold where a CO hot spot analysis is required, would not trigger the need for a detailed CO hotspots model and would not cause any new or exacerbate any existing CO hotspots. As such the Project's contribution to cumulative impacts would not be cumulatively considerable, and cumulative impacts would be less than significant.

B. Land Use – Construction, Operation and Cumulative**1. Land Use Consistency****a. Los Angeles General Plan and Canoga Park-Winnetka-Woodland Hills-West Hills Community Plan**

The Project would support and would be generally consistent with the applicable objectives and policies in the Framework Element including the Land Use, Housing, Open Space and Conservation, Economic Development, Transportation, and Infrastructure and Public Services Chapters; the Conservation, Housing, and Health and Wellness Elements of the General Plan; the Mobility Plan; and the Canoga Park-Winnetka-Woodland Hills-West Hills Community Plan. The Project would contribute to the needs of the City's existing and future residents, businesses, and visitors. The Project would also be located in an area well-served by public transportation options with opportunities for walking and biking that would promote an improved quality of life. The Project would support the City's objective to establish a balance of land uses through the development of a mixed-use project within one integrated site and in an area well-served by public transit. Therefore, impacts related to land use consistency with respect to the City's General Plan and Community Plan would be less than significant.

b. Warner Center Plan and Warner Center 2035 Plan Sign District

The Project would be consistent with the applicable policies in the Warner Center Plan. The proposed residential, retail, restaurant, hotel, office and entertainment uses would be consistent with those uses listed in Appendix A of the Warner Center Plan. Entertainment Uses are encouraged in the Downtown District and permitted with a discretionary "simplified" Project Permit Compliance approval from the Director of City Planning per Section 6.2.9 of the Warner Center Plan, which is being requested by the applicant. A Director's Interpretation is also being requested to approve the entertainment use for the Entertainment and Sports Center. The Project proposes a FAR of 2.3:1 at full buildout, which would be less than the maximum FAR permitted within the Downtown District of the Warner Center Plan. At buildout, the Project would provide 3,271,050 square feet of floor area, comprising 1,726,050 square feet of Non-Residential Floor Area (52 percent) and 1,545,000 square feet of Residential Floor Area (48 percent), consistent with the permitted FAR for projects within the range of 2.25 to 2.5 FAR. Height, landscaping, street, and other design requirements of the Warner Center Plan would be complied with. Overall, with the requested approvals, the Project would be consistent with the Warner Center Plan. The proposed signage would be designed to comply with all signage requirements of the Warner Center Sign District with the approval of the Master Sign Program pursuant to the Project Permit Compliance Review. Therefore, impacts related to land use consistency with respect to the Warner Center Plan and Warner Center 2035 Plan Sign District would be less than significant.

c. Los Angeles Municipal Code

The Project Site is zoned WC, indicating the Project Site is located in the Warner Center Plan area and is subject to the development standards of the Warner Center Plan. As stated above, the Project is consistent with the Warner Center Plan. The Project also seeks approval of a Master Alcohol Conditional Use Permit to allow the on-site and off-site sale of alcoholic beverages. In addition, approval of three Vesting Tentative Tract Maps, including haul route and removal/relocation of protected trees and street trees and a Parcel Map Exemption to permit lot line adjustments of existing lot lines is requested as part of the entitlement package. In summary, with implementation of the requested discretionary actions, land use impacts related to LAMC consistency would be less than significant.

d. Consistency with Regional Plans

Consistent with the 2016–2040 RTP/SCS, the Compass Growth Vision Report, and Southern California Association of Governments (SCAG)'s Regional Comprehensive Plan (RCP), the Project would maximize mobility and accessibility, support a sustainable and safe transportation system, and improve the environment by constructing an infill development within a designated High Quality Transit Area (HQTAs). Furthermore, the Project is designed and would be constructed to incorporate environmentally sustainable design features required by the Los Angeles Green Building Code. Therefore, impacts related to land use consistency with respect to regional plans would be less than significant.

2. Land Use Compatibility

Warner Center is a designated Regional Center and located within a developed community characterized by a mix of retail (including shopping center and commercial strip development), office, hotel, restaurant, entertainment, and residential uses within low- to high-rise settings. The Project would not substantially or adversely change the existing relationship between on- and off-site land uses and properties, or have the long-term effect of adversely altering a neighborhood or community through ongoing disruption, division, or isolation. Project impacts related to land use compatibility would be less than significant.

3. Cumulative Impacts

The Project would be compatible with the various developments planned throughout the surrounding vicinity and, in particular, with the uses proposed as part of Related Project No. 15, Related Project No. 27, and Related Projects No. 28, as described in the Draft Supplemental EIR, Section III, Environmental Setting. The balance of the related projects would not cause cumulative land use impacts due to their similar characteristics (i.e., mixed-use residential and commercial projects) and because of their distance from the Project Site buffered by existing intervening development. Such related projects are not expected to fundamentally alter the existing land use relationships in the community, but rather would concentrate development on particular sites. Furthermore, as with the Project, the related projects would be required to comply with relevant land use policies and regulations. As such, the combined land use compatibility impacts associated with the Project's incremental effect and the effects of other related projects would be less than significant.

C. Population, Housing, and Employment – Construction, Operations, and Cumulative

Construction workers are not likely to relocate their households as a consequence of the construction job opportunities presented by the Project. In addition, no housing units are proposed for demolition. Thus, there would not be any significant population and housing impacts due to construction. The Project would support the regional pool of construction workers and generally do not generate new employment within the region. Overall, since construction employment related to the Project would be temporary and would not exceed expected growth, construction-related population, housing and employment impacts would be less than significant.

Based on SCAG's 2016–2040 RTP/SCS, the population of 3,714 persons generated by the Project would represent approximately 0.16 percent of the projected growth in the SCAG region between 2016 and 2033 (i.e., the Project's baseline and buildout years), and 0.8 percent of the projected growth in the City of Los Angeles during the same period. Therefore, Project impacts related to population growth would be less than significant. The Project would not cause housing growth to exceed projected/planned levels for the Project's buildout year and impacts relating to housing growth would be less than significant. Operation of the Project would result in a net increase

of approximately 3,571 on-site jobs during operation, which would represent approximately 0.25 percent of employment growth forecasted for the SCAG Region between 2016 and 2033 and approximately 1.24 percent of the employment growth forecasted for the City of Los Angeles between 2016 and 2033 based on SCAG's 2016–2040 RTP/SCS. Therefore, impacts related to employment consistency with SCAG's forecast for the SCAG region and the City of Los Angeles would be less than significant, and no mitigation measures are required. Thus, employment growth anticipated for the Project would be consistent with the anticipated growth of the Warner Center Plan, as analyzed in the Warner Center EIR. Therefore, the Project would result in less-than-significant impacts.

Regarding cumulative impacts, the Project and related projects cumulative impacts on population, housing, and employment would be well within the contemplated population and dwelling unit growth proposed in the Warner Center Plan. Therefore, the cumulative population growth, household growth, and employment growth would not represent a considerable percentage of the estimated population, housing, and employment growth in the City of Los Angeles and, as such, cumulative population, housing, and employment growth impacts would be less than significant.

D. Appendix F—Energy Conservation – Construction, Operation, and Cumulative

a. Electricity

Electricity for construction would be supplied to the Project Site by existing electrical services within the Project Site and would not affect other services. All required infrastructure improvements will comply with applicable LADWP requirements. Based on the above, construction-related impacts to electricity supply and infrastructure would be less than significant. With compliance with applicable 2016 CALGreen requirements, operation of the Project would result in a projected net increase in the on-site demand for electricity totaling approximately 19,181 MWh/year, which would represent approximately 0.1 percent of LADWP's projected sales in 2033 based on LADWP's 2016 Power Integrated Resource Plan. LADWP has confirmed that the Project's electricity demand can be served by the facilities in the Project area. Furthermore, with incorporation of numerous project design features that would serve to reduce the demand for electricity, the Project would not result in the wasteful or inefficient use of electricity and would be consistent with adopted energy plans and standards related to electricity. Therefore, impacts associated with the wasteful or inefficient use of electricity, electrical infrastructure, and consistency with plans and standards would be less than significant. Regarding cumulative impacts, Project-related annual electricity consumption would represent approximately 0.1 percent of LADWP's projected sales in 2033 (the Project's full build out year). The Project would be consistent with growth expectations for LADWP's service area. 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. Related projects would also comply with regulations and incorporate features to reduce the demand for electricity. As such, cumulative impacts would be less than significant.

b. Natural Gas

Construction activities, including the construction of new buildings and facilities, typically do not involve the consumption of natural gas. Prior to ground disturbance, Project contractors would notify and coordinate with Southern California Gas (SoCalGas) to identify the locations and depth of all existing gas lines and avoid disruption of gas service to other properties. Therefore, construction-related impacts to natural gas supply and infrastructure would be less than significant. The Project would account for approximately 0.004 percent of the 2033 (the Project's full buildout year) forecasted consumption in SoCalGas' service area. SoCalGas has confirmed that the Project's natural gas demand can be served by the facilities in the Project area. Furthermore, with incorporation of numerous project design features that serve to reduce the demand for natural gas,

the Project would not result in the wasteful or inefficient use of natural gas and would be consistent with adopted energy plans and standards related to natural gas. Therefore, impacts associated with the wasteful or inefficient use of natural gas, natural gas infrastructure and consistency with plans and standards would be less than significant. As discussed above, the Project would account for approximately 0.004 percent of the 2033 (the Project's full buildout year) forecasted consumption in SoCalGas' planning area. Furthermore, future development projects would be expected to incorporate energy conservation features and comply with regulatory requirements related to natural gas. As such, the Project's contribution to cumulative impacts would not be cumulatively considerable and, thus, would result in a less-than-significant cumulative impact related to natural gas.

c. Transportation Energy

Project construction would consume energy in the form of petroleum-based fuels. Waste reduction programs and project design features would provide for recycling of construction debris, which would reduce the number of trips to landfills and the energy used to process solid waste. Therefore, petroleum-based fuel use during Project construction would not be wasteful, inefficient, or unnecessary, and impacts would be less than significant. During operation, Project-related traffic would result in the consumption of petroleum-based fuels related to vehicular travel to and from the Project Site. The Project's estimated net petroleum-based fuel usage would be a 67-percent reduction in petroleum-based fuel usage in comparison to a standard project as estimated by CalEEMod. 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. The Project would also be consistent with regional planning strategies that address energy conservation. Therefore, impacts associated with regulatory consistency would be less than significant. Buildout of the Project, related projects, and additional forecasted growth would cumulatively increase the demand for transportation-related fuel in the state and region. Since the Project is consistent with the 2016–2040 RTP/SCS, its contribution to cumulative transportation energy use is not cumulatively considerable, and therefore, would result in a less-than-significant cumulative impact. Therefore, Project impacts on energy resources, including petroleum-based fuels, associated with the short-term construction and operations would be less than significant and less than the less-than-significant impacts of the Project.

VI. ENVIRONMENTAL IMPACTS FOUND TO BE LESS THAN SIGNIFICANT PRIOR TO MITIGATION, WHERE MITIGATION IS NONETHELESS PROVIDED

A. Aesthetics, Views, Light/Glare, and Shading

The Project proposes a multiple phase, mixed-use, master planned development which is entirely within 0.5 mile of a major transit stop (i.e., the adjacent Warner Center Transit Hub along Owensmouth Avenue), and meets Public Resources Code Section 21099's definition of an infill site as a lot located within an urban area that has been previously developed. Therefore, the Project Site is located in a Transit Priority Area pursuant to Senate Bill (SB) 743 and as defined by Zoning Information File 2452 (ZI 2452).¹² As such, pursuant to SB 743 and ZI 2452, the Project's aesthetic impacts shall not be considered a significant impact on the environment. Nevertheless, the Supplemental EIR provides a discussion of aesthetics as summarized below.

¹² A phone conversation with Claire Bowin, Senior City Planner, Policy Division, on July 20, 2017 confirmed that the Project Site qualifies as a site located in a Transit Priority Area.

1. Aesthetics

a. Construction

During construction activities for the Project, the visual appearance of the Project Site would be altered due to the removal of the existing on-site buildings, surface parking areas, trees and landscaping. To provide a conservative analysis, the Macy's building that is currently located on the Project Site is considered a visual resource. Accordingly, the removal of the Macy's building is assumed to result in the loss of a unique visual resource.

The removal of the existing on-site and street trees would temporarily reduce the visual character of the Project Site and surrounding streets during construction. However, all these trees would either be relocated or replaced, and by buildout, at least 600 trees would be provided within the Project Site, an increase of more than 300 trees over existing conditions. Given that the Project would improve the streetscape in the Project Site and surrounding area, and all on-site and street trees would be replaced and added to, the removal of on-site and street trees during construction would not substantially and adversely alter or degrade the existing visual character of the Project Site.

Other construction activities, including site preparation, grading, and excavation; the staging of construction equipment and materials; and the construction of the building foundations and proposed structures, would also temporarily alter the visual character and quality of the Project Site and adjacent roadways. However, the appearance of the Project Site during construction would be typical of construction sites in urban areas. Temporary construction fencing would be installed along the periphery of the Project Site to screen much of the construction activity from view at the street level and pedestrian walkways and construction fencing accessible to the public would be monitored for graffiti removal throughout the construction period.

Based on the above, with the exception of removal of the Macy's building, construction activities associated with the Project would not substantially and adversely alter or degrade the existing visual character of the Project Site, nor introduce elements that substantially detract from the visual character of the Project Site or surrounding area on a permanent basis.

b. Operation

As discussed above, the existing Macy's building was considered to be an historical resource. Therefore, the Macy's building is conservatively considered a visual resource for the purposes of this analysis. Accordingly, the removal of the Macy's building would result in the loss of a unique visual resource.

With regard to the visual character of the surrounding uses, the proposed uses would be compatible with the existing retail/restaurant uses of the Village at Westfield Topanga and the additional retail, restaurant, and office uses along Erwin Street. The Project would also be compatible with other high-rise office uses across the Project Site, along Oxnard Street and Owensmouth Avenue. The height of the various mixed-use buildings would be compatible with the existing character of the area by locating the proposed buildings adjacent to existing buildings of similar scale. Further, the proposed heights of the various mixed-use buildings would not create a substantial contrast in the context of the varied low-, mid-, and high-rise developments that characterize the Warner Center area. The Project would also incorporate variations in building planes to reduce the effect of massing and provide a pedestrian scale within and adjacent to surrounding public streets. The visual character and quality of the existing Project Site would be improved by replacing existing asphalt paved surface parking areas with new buildings integrated by a variety of landscaped areas. Above-grade parking would be screened and wrapped with uses such that parking areas would not be visible. Street frontages would meet all the requirements of the

Warner Center Plan, both with regard to the types of new trees planted and the pedestrian connections, including parkways and sidewalks.

The Project would incorporate signage consistent with the signage regulations of the LAMC, the Warner Center Plan, and the Warner Center Plan 2035 Sign District (Ordinance No. 183147). Signage would be visually integrated with the proposed development on the Project Site and would further add visual interest and texture to building façades. The Project would comply with the applicable design regulations, including the location of signs, size of signs, sign illumination, and types of signage pursuant to the Master Sign Plan.

In summary, the Project's height, design, massing, and scale would be compatible with the existing uses that set the aesthetic character of the vicinity. Notwithstanding, the Project would result in the removal of the Macy's building, an historical resource, which is conservatively considered an aesthetic resource for purposes of this analysis. However, given SB 743 expressly provides that aesthetic impacts do not include impacts on historical or cultural resources, this impact would not be considered significant.

2. Views

The Project would remove the Macy's building, which is considered an historical resource and a visual resource. Therefore, its removal is conservatively considered the loss of a recognized view. With regard to focal north-facing views, the Project would partially obstruct focal north-facing views of portions of the Santa Susana Mountains along Topanga Canyon Boulevard and along Owensmouth Avenue. However, the obstruction of the view would be limited and the majority of the view would remain. East-facing views of the Guy Martin Oldsmobile and Livingston Pontiac building (identified in Survey LA as an excellent example of Mid-Century Modernism), located across the Project Site at 6133 North Topanga Canyon Boulevard, are available from Erwin Street. However, the Project would be located east of the building and would not obstruct views of the Guy Martin Oldsmobile and Livingston Pontiac building. With regard to focal south-facing views, most of the views of the majority of the office campus would remain. The Project would not block south-facing views of other visual resources in the area. West-facing views of the Santa Susana Mountains would be predominately maintained. Based on this analysis, the Project would eliminate existing views of the Macy's building; an historical resource. No other valued views would be eliminated or obstructed by the Project. As noted above, SB 743 provides that aesthetic impacts do not include impacts on historical or cultural resources. As such, this impact would not be considered significant.

3. Light/Glare

a. Construction

Construction activities would occur in accordance with the hours of LAMC Section 41.40. Construction lighting would be shielded and/or aimed so that no direct beam illumination would fall outside of the Project Site boundary. Therefore, 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. Daytime glare could potentially occur during construction activities. However, any glare-related impacts would be transitory and short-term, and large, flat surfaces that are generally required to generate substantial glare are typically not an element of the construction activities that will occur for the Project. Based on the above analysis, light and glare associated with construction of the Project would not substantially alter the character of off-site areas surrounding the Project Site or adversely impact day or nighttime views in the area. As such, this impact would be less than significant.

b. Operation

The Project would include lighting from within the interior of Project buildings, as well as lighting at the building exterior elevations, exterior plazas, and roof decks. In addition, since the Entertainment and Sports Center may include a partial roof or closed roof, both options were analyzed in the Lighting Report. The Supplemental EIR also analyzed lighting from the proposed signage. To provide a conservative analysis, the Supplemental EIR assumed the simultaneous use of all Project-related building and site lighting and assumed all signs would be operating at the maximum luminance level permitted by the Warner Center Sign District.

The illuminance from the Project at the residential receptor sites would be substantially lower than the LAMC thresholds and impacts from Project building and site lighting would, therefore, be less than significant. Illuminated signage would comply with the requirements of the Warner Center 2035 Plan Sign District (Ordinance No. 183147) and generate a maximum of 0.3 foot-candles at the vertical planes at the property lines of the closest sensitive residential receptors. Thus, Project-related illuminance associated with illuminated signage would be well below the 3.0-foot-candle significance threshold and would, therefore, be less than significant.

Glare from the Project building and site lighting, as well as signage, are considered low and would not introduce a new source of glare. Thus, potential impacts associated with glare/contrast related to Project lighting and signage would be less than significant.

Based on the discussion above, lighting and glare associated the Project's operation would not substantially alter the character of off-site areas surrounding the Project Site. Impacts from Project-related sources of artificial light and glare during operation would be less than significant.

4. Shading

The off-site areas shaded by the Project during the winter solstice, the spring equinox, the summer solstice, and the fall equinox would not include potentially routinely useable outdoor spaces associated with shadow sensitive uses. Additionally, the reduction in height of the residential buildings in the Northwest and Northeast Areas and the Entertainment and Sports Center in the Southwest Area would further reduce shadows. Therefore, shading impacts would be less than significant.

5. Cumulative Impacts

The Warner Center Plan EIR included an analysis of potential impacts associated with aesthetics, views, light and glare, and shading. The Warner Center Plan EIR concluded that potential cumulative impacts to aesthetics would be potentially significant as a result of proposed signage. Cumulative impacts associated with views, light and glare, and shading were determined to be less than significant. The Supplemental EIR for the Project provided supplemental cumulative analysis.

With respect to visual quality and character, the nearby related projects represent infill development and would be similar to or smaller in scale than the Project and generally representative of the existing urban environment and character in the area. None of the related projects in the area include the removal of potentially historic mid-20th century department stores such as the Macy's building proposed for removal within the Project Site. As such, cumulative impacts would be less than significant.

Given the location of related projects to the Project Site and the identified potential historical resources in the vicinity of the Project Site, no significant cumulative impacts to views of visual resources would occur. Thus, cumulative impacts would be less than significant.

The Project, as well as nearby related projects, would include typical land uses for the Project area, and would not significantly alter the existing lighting environment currently experienced in the area. Furthermore, the Project and related projects would be required to adhere to applicable City requirements regarding lighting and signage. Therefore, the Project's contribution to light and glare impacts would not be cumulatively considerable, and cumulative light and glare impacts from development of the Project and the related projects would be less than significant.

Given the location, distance, and pattern of shadows, related projects would not shade the same uses as the Project. Therefore, the Project would not combine with related projects to result in shading impacts to shadow-sensitive uses. Therefore, cumulative impacts would be less than significant. Similar to the Project.

a. Project Design Features

The following project design features are proposed to be implemented as part of the Project:

Project Design Feature A-1: The Project shall replace all protected trees at a ratio of 4:1.

Project Design Feature A-2: Temporary construction fencing shall be placed along the periphery of the Project Site to screen construction activity from view at the street level.

Project Design Feature A-3: 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: On-site utility connections that may be required to serve the Project shall be installed underground, where feasible.

Project Design Feature A-5: Mechanical, electrical, and roof top equipment (including Heating, Ventilation, and Air Conditioning systems), as well as building appurtenances, shall be integrated into the Project's architectural design or screened from view from public rights-of-way.

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: Glass used in building façades shall be anti-reflective or treated with an anti-reflective coating in order to minimize glare (e.g., minimize the use of glass with mirror coatings). Consistent with applicable energy and building code requirements, including Section 140.3 of the California Energy Code as may be amended, glass with coatings required to meet the Energy Code requirements shall be permitted.

b. Mitigation Measures

Project-level and cumulative impacts would be less than significant. Nonetheless, the following mitigation measures set forth in the Warner Center Plan EIR listed below would be implemented as part of the Project to ensure that impacts remain less than significant.

Warner Center Plan Mitigation Measure AES-1: All open areas not used for buildings, driveways, parking areas, recreational facilities or walkways shall be attractively landscaped and maintained in accordance with a landscape plan, including an automatic irrigation plan, prepared by a licensed landscape architect to the satisfaction of the decisionmaker.

Warner Center Plan Mitigation Measure AES-2: Every building, structure, or portion thereof, shall be maintained in a safe and sanitary condition and good repair, and free from graffiti, debris, rubbish, garbage, trash, overgrown vegetation or other similar material, pursuant to LAMC Section 91.8104.

Warner Center Plan Mitigation Measure AES-3: The exterior of all buildings and fences shall be free from graffiti when such graffiti is visible from a public street or alley, pursuant to LAMC Section 91.8104.15.

Warner Center Plan Mitigation Measure AES-4: Multiple temporary signs in the store windows and along the building walls are not permitted.

Warner Center Plan Mitigation Measure AES-6: A building permit for a new Digital Display sign shall not be issued until any prohibited signs, on such parcel, have been removed.

Warner Center Plan Mitigation Measure AES-7: All signs in the WCRCCSP area shall meet the following criteria:

- a) The building and ground area around signs shall be properly maintained at all times. All unused mounting structures, hardware and wall perforations from any previous sign shall be removed and building surfaces shall be restored to their original condition.
- b) All signage copy shall be properly maintained and kept free from damaged sign material and other unsightly conditions, including graffiti.
- c) Any sign structure shall be at all times kept in good repair and maintained in a safe and sound condition and in conformance with all applicable codes.
- d) Razor wire, barbed wire, concertina wire or other barriers preventing unauthorized access to any sign, if any, shall be hidden from public view.
- e) The signage copy must be repaired or replaced immediately upon tearing, ripping, or peeling or when marred or damaged by graffiti.
- f) No access platform, ladder, or other service appurtenance, visible from the sidewalk, street or public right-of-way, shall be installed or attached to any sign structure.
- g) Existing signs that are no longer serving the current tenants, including support structures, shall be removed and the building facades originally

covered by the signs shall be repaired/resurfaced with materials and colors that are compatible with the facades.

Warner Center Plan Mitigation Measure AES-8: The material, construction, mounting, and adhesive methods of all proposed signage shall be subject to the approval of the Fire Department and the Department of Building and Safety.

Warner Center Plan Mitigation Measure AES-9: All lighting related to construction activities shall be shielded or directed to restrict any direct illumination onto property located outside of the construction area boundaries that is improved with light-sensitive uses.

Warner Center Plan Mitigation Measure AES-10: Exterior lighting shall incorporate fixtures and light sources that focus light onto project sites to minimize light trespass.

Warner Center Plan Mitigation Measure AES-11: Lighting of individual projects shall comply with LAMC Section 93.0117. As such, lighting shall not cause more than 2 foot-candles of lighting intensity or direct glare from the light source at any residential property.

Warner Center Plan Mitigation Measure AES-12: All buildings, parking structures, and signage within Warner Center shall be prohibited from using highly reflective building materials such as mirrored glass in exterior façades. Examples of commonly used non-reflective building materials include cement, plaster, concrete, metal, and non-mirrored glass, and would likely include additional materials as technology advances in the future.

Warner Center Plan Mitigation Measure AES-13: Buildings shall not include large areas of reflective surfaces that could reflect light from signage into surrounding areas. No high brightness special effects lighting with brightness levels that shall exceed the lighting levels of permitted signage would be allowed. Buildings, signage or thematic elements shall not incorporate reflective building materials or provide a source of auto headlight-related glare in proximity to glare sensitive uses.

Warner Center Plan Mitigation Measure AES-14: Outdoor lighting shall be designed and installed with shielding, so that the light source cannot be seen from adjacent residential uses.

Warner Center Plan Mitigation Measure AES-15: The exteriors of buildings shall be constructed of materials such as high performance tinted non-reflective glass and/or pre-cast concrete or fabricated wall surfaces.

Warner Center Plan Mitigation Measure AES-16: Prior to issuance of a building permit for signage displays, a lighting design expert shall develop plans and specifications for the proposed lighting displays, to identify maximum luminance levels for the displays. The City and lighting expert shall review and monitor the installation and testing of the displays, in order to insure compliance with all City lighting regulations and these mitigation measures.

Warner Center Plan Mitigation Measure AES-17: Each applicant (and successor) and/or its lighting design expert shall implement the following protocol to determine compliance with all City lighting regulations and these mitigation measures no later than 6 months after certificate of occupancy:

- a) A representative testing site shall be established on or next to those light sensitive receptors that have the greatest exposure to signage lighting on each facades of a development.
- b) A light meter mounted to a tripod at eye level, facing project buildings, should be calibrated and measurements should be taken to determine ambient light levels with the sign on.
- c) An opaque object (a board) should be used to block out the view of the sign from the light meter, at a distance of at least 4 feet away from the tripod and blocking the light meter's view of the building. A reading should be taken to determine the ambient light levels with the sign off.
- d) The difference between the two would be the amount of light the sign casts onto the sensitive receptor.
- e) An alternate acceptable method to measure light levels would be to use the same tripod and same light meter, but to turn on and off the signage. This method takes more coordination, but is more accurate.

Warner Center Plan Mitigation Measure AES-18: All displays shall have a wattage draw not to exceed 12 watts/sq. ft. to meet Title 24 2008 requirements.

Warner Center Plan Mitigation Measure AES-19: All displays shall be fully dimmable, and shall be controlled by a programmable timer so that luminance levels may be adjusted according to the time of day. Displays shall also include an automatic light level meter, with the intensity of the illumination not to exceed 0.3 foot-candle above ambient light levels, in addition to the other illumination restrictions of these mitigations.

Warner Center Plan Mitigation Measure AES-20: All displays shall have a maximum total lumen output of no more than 20 lumens per square foot.

Warner Center Plan Mitigation Measure AES-22: Digital displays shall include an automatic light sensor/meter to ensure that illumination levels do not exceed 0.3 foot-candle above ambient light levels.

Warner Center Plan Mitigation Measure AES-23: During daytime hours all digital displays will have a brightness less than 3,500 candelas/m².

Warner Center Plan Mitigation Measure AES-24: All digital displays shall transition smoothly at a consistent rate of speed from the permitted daytime brightness to the permitted nighttime brightness levels, beginning at 45 minutes prior to sunset and concluding the transition to nighttime brightness 45 minutes after sunset. Where applicable, they shall also transition smoothly at a consistent rate of speed from the permitted

nighttime brightness to the permitted daytime brightness levels, beginning 45 minutes prior to sunrise and concluding the transition to daytime brightness 45 minutes after sunrise.

Warner Center Plan Mitigation Measure AES-25: All light emitting diodes used within any digital display shall have a horizontal beam spread of maximum 165 degrees wide and 65 degrees vertically. All light emitting diodes shall be generally oriented downwards to the street, rather than up towards the sky.

Warner Center Plan Mitigation Measure AES-27: Each applicant (or successors as appropriate) shall submit a conceptual signage and lighting design plan to the Department of City Planning to establish lighting standards and guidelines.

In addition, the following Warner Center Plan EIR and Project-specific mitigation measures would ensure that trees proposed for removal would be replaced in accordance with applicable requirements.

Warner Center Plan Mitigation Measure BIO-2: For development in the Specific Plan area the City shall require replacement of loss of any protected trees-in accordance with the Los Angeles Protected Tree Ordinance: Replace all on-site trees to ensure continuation of the urban forest. Replace all nonnative trees greater than 10 centimeters (4 inches) in diameter at breast height (4.5 feet above surrounding grade) with native or non-native (non-invasive) trees of appropriate local climate tolerance at a 2:1 ratio. For native species, source materials should be from seeds or cuttings gathered within coastal southern California to ensure local provenance.

Mitigation Measure A-1: Street trees to be removed that are under the jurisdiction of the City of Los Angeles shall be replaced to the satisfaction of the City of Los Angeles Department of Public Works, Bureau of Street Services, Urban Forestry Division through measures that may include one or more of the following:

- 2:1 replacement of removed street trees;
- 1:1 replacement of removed street trees with new trees on-site that are of comparable size to the removed street trees;
- replacement at an off-site location in the vicinity or at the Bureau of Street Services' nursery; and/or
- payment of an in-lieu fee.
- Street trees shall be planted with species/cultivars listed in Figures 1-12 of the Warner Center Plan.

Mitigation Measure A-2: Street trees to be removed under the jurisdiction of Caltrans shall be replaced to the satisfaction of Caltrans.

In accordance with SB 743, Project-level and cumulative impacts with regard to aesthetics, views, light and glare, and shading would be less than significant.

B. Greenhouse Gas Emissions – Construction, Operation and Cumulative

The Project would generate an incremental contribution to and cumulative increase in sources of GHGs. However, even a very large individual project would not generate enough GHG emissions on its own to significantly influence global climate change. Thus, potential GHG impacts are addressed generally as a cumulative impact for environmental review purposes. When taking into consideration implementation of project design features D-1 through D-6 identified below, including 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 in 2033 would equal 1,513 MTCO₂e per year during construction and 9,175 MTCO₂e per year during operation of the Project, with a combined total of 10,688 MTCO₂e per year. In addition, when comparing the Project GHG emissions with the calculated efficiency target for 2033, the Project would emit fewer metric tons per year CO₂e per service population than the calculated efficiency target for 2033, further demonstrating the Project's consistency with AB 32's 2020 target and SB 32's 2030 target and establishing consistency with the CARB's *Climate Change Scoping Plan* and other applicable plans and policies adopted to reduce GHG emissions in accordance with AB 32 and SB 32.

The Warner Center Specific Plan EIR concluded that implementation of the specific plan would lead to significant and unavoidable impacts related to greenhouse gases. The Project's Draft Supplemental EIR, Final Supplemental EIR and Erratum provided supplemental project-specific analysis, which demonstrates that the Project, with implementation of project design features D-1 through D-6, would not result in significant impacts to greenhouse gas emissions. The Project represents a reduction of approximately one million square feet of development and approximately 21% fewer morning peak vehicular trips and 31% fewer afternoon peak vehicular trips with a sold-out event, and 30% fewer morning peak vehicular trips and 53% fewer afternoon peak vehicular trips without an event, compared to the Warner Center Plan EIR's weekday results for the traffic analysis zone (TAZ 9) within which the Project is located.

As summarized in Table IV.D-7 of the Draft Supplemental EIR, the Project would be consistent with the applicable greenhouse gas reduction policies and strategies in the *Climate Change Scoping Plan*, particularly the plan's emphasis on the identification of emission reduction opportunities that promote economic growth while achieving greater energy efficiency and accelerating the transition to a low-carbon economy. As summarized in Table IV.D-8 of the Draft Supplemental EIR, the Project would also be consistent with the applicable greenhouse gas reduction policies and strategies in CARB's 2017 *Scoping Plan Update*.

In addition, the Project would be consistent with the 2016–2040 Regional Transportation Plan/Sustainable Communities Strategy (2016–2040 RTP/SCS) to reduce regional GHG emission from the land use and transportation sectors by 2020 and 2035. The Project is the type of land use development that is encouraged by the RTP/SCS to reduce vehicle miles traveled (VMT) and expand multi-modal transportation options. The Project results in a VMT reduction of approximately 67 percent in comparison to a standard project and a 69-percent reduction in GHG emissions from mobile sources, and would be consistent with the reduction in transportation emissions per capita provided in the 2016-2040 RTP/SCS. The 2016-2040 RTP/SCS would result in an estimated 8-percent decrease in per capita GHG emissions by 2020, 18-percent decrease in per capita GHG emissions by 2035, and 21-percent decrease in per capita GHG emissions by 2040. By meeting and exceeding the SB 375 targets for 2020 and 2035, as well as achieving an approximately 21-percent decrease in per capita GHG emissions by 2040, the 2016-2040 RTP/SCS is expected to fulfill and exceed its portion of SB 375 compliance with respect to meeting the state's GHG emission reduction goals. The Project would be consistent with the applicable 2016-2040 RTP/SCS strategies

to reduce vehicle trips and vehicle miles traveled, increase the use of alternative fuels, and improve energy efficiency.

As summarized in Table IV.D-10 of the Draft Supplemental EIR, the Project will also comply with the *Green LA, An Action Plan to Lead the Nation in Fighting Global Warming* (LA Green Plan), which emphasizes improving energy conservation and energy efficiency, increasing renewable energy generation, and changing transportation and land use patterns to reduce auto dependence. In addition, the Project's consistency with applicable GHG reduction plans and policies and the Project's greenhouse gas reduction measures are consistent with and will not impede efforts to achieve the State's 2030 and 2050 greenhouse gas reduction goals. Therefore, the Project would not conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing emissions of GHGs, and Project-specific impacts with regard to climate change would be less than significant.

1. Project Design Features

The following project design features are proposed to be implemented as part of the Project:

Project Design Feature D-1: The design of the new buildings shall incorporate features of the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED®) program to be capable of meeting the standards of LEED Silver or equivalent green building standards. Specific sustainability features that are integrated into the Project design to enable the Project to achieve LEED® Silver certification will include the following:

- a. Exceeding Title 24, Part 6, California Energy Code baseline standard requirements by 25 percent for energy efficiency, based on the 2016 Building Energy Efficiency Standards requirements.
- b. Use of Energy Star-labeled products and appliances.
- c. Use of light-emitting diode (LED) lighting or other energy-efficient lighting technologies, such as occupancy sensors or daylight harvesting and dimming controls, where appropriate, to reduce electricity use.

Project Design Feature D-2: The Project shall limit the installation of natural gas fireplaces to 150 natural gas fireplaces, which would be included in the villa surrounding the outdoor amenity decks, penthouse units located at the top floor of the residential buildings, and outdoor amenities.

Project Design Feature D-3: Upon buildout of the Project, the Project shall install a minimum of 10 percent of the total domestic hot water heaters as solar or non-fossil fuel burning units.

Project Design Feature D-4: Upon buildout of the Project, at least 40 percent of the total code-required parking spaces provided for all types of parking facilities shall 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. Only

raceways and related components are required to be installed at the time of construction. When the application of the 40 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 D-5: Upon buildout of the Project, at least 15 percent of the total code-required parking spaces shall be equipped with EV charging stations and/or outlets for plugin. Plans shall indicate the proposed type and location(s) of charging stations. Plan design for charging stations shall be based on Level 2 or greater EVSE at its maximum operating capacity. When the application of the 15-percent results in a fractional space, round up to the next whole number.

Project Design Feature D-6: Upon buildout of the Project, the Project shall provide a minimum of 500 kilowatts of photovoltaic panels on the Project Site, except where rooftop amenities preclude installation of photovoltaic panels.

Implementation of the above project design features result in the following reductions in GHG emissions in comparison to the Project without implementation of project design features: (1) Project Design Feature D-2 results in an 82 percent reduction in area source emissions; (2) Project Design Features D-1, D-3, and D-6 result in a 21 percent reduction in energy source emissions; and (3) Project Design Feature D-5 results in a 21 percent reduction in mobile source emissions. In addition, a TDM Program would be developed and would include strategies to promote non-auto travel and reduce the use of single-occupant vehicle trips, pursuant to Project Design Feature K-7. Furthermore, various water conservation measures would be implemented under Project Design Feature M.1-1, which would reduce water consumption.

2. Mitigation Measures

As discussed above, the Project would result in less-than-significant impacts related to GHG emissions and no project-level mitigation measures would be necessary. Nonetheless, the mitigation measures set forth in the Warner Center Plan EIR, and listed below, would be implemented as part of the Project to ensure the Project's GHG impacts remain less than significant:

Warner Center Plan Mitigation Measure AQ-21: As streetlights are replaced, energy-efficient lighting shall be used.

Warner Center Plan Mitigation Measure AQ-22: All landscaping shall be drought tolerant to reduce water consumption and provide passive solar benefits.

C. Hazards and Hazardous Materials (Hazardous Materials, Emergency Response) – Construction, Operation and Cumulative

During demolition, on-site grading, and building construction, hazardous materials such as fuel and oils associated with construction equipment, as well as coatings, paints, adhesives, and caustic or acidic cleaners would be used, handled, and stored on the Project Site. The Project would be in compliance with all applicable federal, state, and local requirements concerning the use, storage, and management of hazardous materials. Therefore, impacts related to the use, storage, and management of hazardous materials during construction would be less than significant, and no Project-specific mitigation measures are required. Impacts related to the removal of asbestos, lead-

based paint (LBP), and polychlorinated biphenyls (PCBs) during demolition would be less than significant with compliance with applicable regulations, and no mitigation measures are required.

With respect to transport of hazardous materials, the Project would be required to adhere to the requirements of Warner Center Plan Mitigation Measure HAZ-3, which prohibits the transport of hazardous materials along Topanga Canyon Boulevard, along Burbank Boulevard, or within 0.25 mile of a school. Warner Center Plan EIR Mitigation Measure HAZ-5, requires any construction site storing hazardous materials to comply with applicable regulations regarding storage, transport and disposal of hazardous materials and wastes, also would be implemented as part of the Project.

Construction activities would occur in accordance with regulatory requirements, including specific California Occupational Safety and Health Administration (OSHA) requirements regarding worker safety and use of hazardous materials. Similarly, ground disturbance associated with site clearance, excavation, and grading activities during construction would be required to comply with relevant and applicable federal, state, and local regulations and requirements. With compliance with relevant regulations and requirements, Project construction activities would not expose people to a substantial risk resulting from the release or explosion of a hazardous material, or from exposure to a health hazard, in excess of regulatory standards. Therefore, impacts associated with hazardous waste management during construction and the potential to encounter contamination in the subsurface during construction at the Project Site would be less than significant, and no Project-specific mitigation measures are required.

According to the Safety Element of the City of Los Angeles General Plan, the Project Site is located along a designated disaster route along Topanga Canyon Boulevard and is 1.36 miles from the disaster route on Sherman Way.¹³ The Project could require temporary lane closures along Topanga Canyon Boulevard during construction. However, as required under Mitigation Measure K-1, a Construction Management Plan would be implemented during construction that would include traffic controls to direct traffic, limitations on hauling routes, and restrictions on construction parking to ensure adequate and safe access remains available within and near the Project Site during construction activities. In addition, consistent with Warner Center Plan Mitigation Measure HAZ-4, access routes to and from the Project Site would be coordinated with the LAFD and LADOT prior to construction. With adherence to regulatory measures, implementation of the Construction Management Plan, and compliance with Warner Center Plan Mitigation Measure HAZ-4, construction of the Project would not be anticipated to interfere with existing emergency response capacity to the Project area over existing conditions, and impacts during construction would be less than significant.

Operation of the Project, including building and ground maintenance, would use potentially hazardous materials typical of those used in residential, retail/restaurant, office, hotel and entertainment uses. As with construction, all hazardous materials on the Project Site would be acquired, handled, used, stored, and disposed of in accordance with all applicable federal, state and local requirements. Therefore, with implementation of appropriate hazardous materials management protocols at the Project Site and continued compliance with all applicable local, state, and federal laws and regulations relating to environmental protection and the management of hazardous materials, impacts associated with the use, storage, and management of hazardous materials during operation of the Project would be less than significant. In addition, to ensure that such impacts would be less than significant, Warner Center Plan Mitigation Measure HAZ-5 would be implemented.

VOCs were detected above screening levels in groundwater at one location in the southern perimeter. The groundwater data was evaluated using Project Site specific geotechnical information and standard modeling tools, and the estimated potential for such contaminants to migrate into

¹³ Los Angeles General Plan Safety Element, November 1996, Exhibit H, Critical Facilities and Lifeline Systems, p. 61.

indoor air at the Project Site are below risk-based thresholds for both commercial and potential future residential scenarios. Therefore, impacts would be less than significant, and no mitigation measures are required.

Expanded operations on the Project Site could require the installation and operation of new aboveground storage tanks to fuel the operation of new emergency generators. Their use would be subject to the applicable regulations related to the storage of hazardous substances in underground and aboveground storage tanks. Thus, impacts associated with underground and aboveground storage tanks would be less than significant, and no mitigation measures are required.

With respect to emergency access, as part of the Project, emergency response provisions would be implemented as part of a Security Plan that will be adopted pursuant to Project Design Feature J.1-2, which would address both daily activities within the Project Site as well as special events. Traffic generated by the Project at buildout would not result in significant impacts with implementation of project-specific Project Design Features and the Warner Center Mitigation Program.¹⁴ In addition, pursuant to Project Design Feature K-1, the Project will be adding an additional lane on Topanga Canyon Boulevard, adjacent to the Project Site, to further improve the flow of vehicles (including emergency vehicles) into the Project Site. Furthermore, 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. In light of these factors, the increase in traffic generated by the Project would not significantly impact emergency vehicle response times to the Project Site and surrounding area. As such, impacts associated with emergency response and emergency evacuation plans would be less than significant, and no mitigation measures are required.

With respect to cumulative impacts, the Warner Center Plan EIR concluded that during construction, individual projects could result in significant short-term impacts with respect to the transport of hazardous materials and may interfere with emergency evacuation plans. With implementation of mitigation measures, the Warner Center Plan EIR concluded impacts would be reduced to a less than significant level. With regard to operation, the Warner Center Plan EIR concluded that impacts during operation would be less than significant. The Project's Supplemental EIR provided supplemental Project-specific analysis.

Each of the related projects would be required to comply with all applicable laws and regulations related to hazardous materials, including without limitation those associated with the use, storage, and/or disposal of hazardous materials and hazardous waste, storage tanks, asbestos-containing materials, LBP, PCBs, and emergency response. Additionally, the Project and any related project within the Warner Center Plan area would be required to implement any applicable mitigation measures included in the Warner Center Plan EIR. 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.

1. Project Design Features

No specific project design features beyond those set forth in Section II, Project Description, of the Draft Supplemental EIR are proposed with regard to hazards and hazardous materials. Compliance with Project Design Feature J.1-2 (related to Police Services) and K-1 (related to transportation and traffic) will help ensure Project impacts related to hazards and hazardous materials remain less than significant.

¹⁴ The Warner Center Mitigation Program is the transportation mitigation program implemented by the Warner Center EIR that includes nearly 100 physical and operational improvements at arterial and intersection locations to mitigate the significant transportation impacts resulting from the buildout of the Warner Center Plan.

2. Mitigation Measures

With compliance with relevant regulations, standards, and requirements, impacts with regard to hazards and hazardous materials were determined to be less than significant. Nonetheless, the mitigation measures set forth in the Warner Center Plan would be implemented as part of the Project to ensure that such impacts would be less than significant:

Warner Center Plan Mitigation Measure HAZ-3: The City shall require that each project applicant and/or contractor ensure that no hazardous materials are transported along Topanga Canyon Boulevard or Burbank Boulevard or within one-quarter mile of a school.

Warner Center Plan Mitigation Measure HAZ-4: The City shall require that each applicant and/or contractor coordinate in advance of construction with the City of Los Angeles Department of Transportation and Fire Department to ensure that road closures (temporary or permanent) are identified and that alternate access and evacuation routes are determined in the event of an emergency and/or natural disaster.

Warner Center Plan Mitigation Measure HAZ-5: The City shall ensure that any construction site and/or permanent facility storing hazardous materials comply with applicable regulations regarding storage, transport and disposal of hazardous materials and wastes.

D. Hydrology, Surface Water Quality, and Groundwater

1. Surface Water Hydrology – Construction, Operation, Cumulative

Construction activities for the Project would include excavation to construction two levels of subterranean parking under both the Northwest and Southeast Areas, building structures, and hardscape and landscape around the structures. As the Project Site is greater than 1 acre, the Project would be required to obtain coverage under the National Pollutant Discharge Elimination System (NPDES) Construction General Permit. In accordance with the requirements of this permit, the Project would implement a Stormwater Pollution Prevention Plans (SWPPP) that specifies Best Management Practices (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. The NPDES and SWPPP measures are designed to contain and treat, as necessary, stormwater or construction watering on the Project Site to avoid runoff from impacting off-site drainage facilities or receiving waters. Construction activities are temporary, and flow directions and runoff volumes during construction would be controlled. In addition, the Project would be required to comply with all applicable City grading permit regulations that require necessary measures, plans, and inspections to reduce sedimentation and erosion. As such, construction-related impacts to surface water hydrology would be less than significant.

The Project Site is approximately 92 percent impervious, including buildings and pavements for pedestrian and vehicular circulation. The remaining 8 percent of the Project Site is pervious, consisting of landscaped areas and lawns. With implementation of the Project, the amount of impervious area would decrease as compared to current conditions. The boundaries of the drainage areas would be subdivided and slightly redirected compared to existing conditions. Development of the Project would result in a decrease in runoff to lines A and C, while there would be an increase in stormwater runoff to line B, the 36-inch line along Erwin Street. Under developed conditions, flows would increase but would leave an excess capacity. Therefore, the increased flow

will have a less-than-significant impact to Line B. In addition, as part of the Standard Urban Stormwater Mitigation Plans (SUSMP) for the Project to manage post-construction stormwater runoff, the Project would include the installation of catch basins, planter drains, and building roof drain downspouts throughout the Project Site to collect roof and site runoff and direct stormwater away from structures through a series of underground storm drain pipes. This on-site stormwater conveyance system would serve to prevent on-site flooding and nuisance water on the Project Site. Furthermore, with implementation of proposed Low Impact Development (LID) BMPs, the volume of water leaving the Project Site would be further reduced compared to existing conditions. Therefore, operation of the Project would result in a less-than-significant impact on surface water hydrology.

With respect to cumulative impacts, the Warner Center Plan EIR evaluated impacts associated with hydrology for projects within the Warner Center Plan Area. The Warner Center Plan EIR concluded that the cumulative development would be subject to State NPDES as well as local requirements within the City regarding hydrology for both construction and operation. Therefore, cumulative impacts to hydrology would be less than significant. The Project's Supplemental EIR provided supplemental project-specific analysis.

The geographic context for the cumulative impact analysis on surface water hydrology is the Los Angeles River Watershed. The Project in conjunction with the cumulative growth in the Los Angeles River Watershed (inclusive of the related projects), would cumulatively increase stormwater runoff flows potentially resulting in cumulative impacts to surface water hydrology. However, in accordance with City requirements, related projects and other future development projects would be required to implement BMPs, such that post-development peak stormwater runoff discharge rates would not exceed the estimated pre-development rates. Furthermore, the City of Los Angeles Department of Public Works would review each future development project on a case-by-case basis to ensure sufficient local and regional drainage capacity is available to accommodate stormwater runoff. Therefore, cumulative impacts on surface water hydrology would be less than significant.

2. Surface Water Quality – Construction, Operation, Cumulative

Construction activities, such as earth moving, maintenance/operation of construction equipment, potential dewatering, and handling/storage/disposal of materials could contribute to pollutant loading in stormwater runoff. However, in accordance with the requirements of the NPDES permit, the Project would prepare and implement a site-specific SWPPP adhering to the California Stormwater Quality Association (CASQA) BMP Handbook. The SWPPP would specify BMPs to be used during construction. BMPs would include, but not be limited to, erosion control, sediment control, non-stormwater management, and materials management. 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, which require necessary measures, plans (including a wet weather erosion control plan if construction occurs during the rainy season), and inspection to reduce sedimentation and erosion. Therefore, temporary construction-related impacts on surface water quality would be less than significant.

The Project would be required to implement SUSMP and LID requirements throughout the operational life of the Project. As part of these requirements, the Project would prepare a SUSMP, which would outline the stormwater treatment measures or post-construction BMPs required to control pollutants of concern. In addition, the Project would incorporate LID requirements as set forth by the LID Manual. The Project Site currently does not have structural BMPs for the treatment of stormwater runoff from the existing impervious surfaces. Therefore, implementation of BMP systems proposed as part of the Project would result in a substantial improvement in surface water quality runoff from the site. With implementation of BMPs, operational impacts on surface water quality would be less than significant.

With respect to cumulative impacts, the Warner Center Plan EIR evaluated impacts associated with water quality for projects within the Warner Center Plan Area. The Warner Center Plan EIR concluded that the cumulative development would be subject to State NPDES as well as local requirements within the City regarding water quality for both construction and operation. Each project would be evaluated individually to determine appropriate BMPs and treatment measures to avoid impacts to water quality. Therefore, cumulative impacts to water quality would be less than significant. The Project's Supplemental EIR provided supplemental project-specific analysis.

The geographic context for the cumulative impact analysis on surface water quality is the Los Angeles River Watershed. As with the Project, cumulative growth in the Los Angeles River Watershed (including related projects) through 2035 would be subject to NPDES requirements regarding water quality for both construction and operation. In addition, it is anticipated that the related projects and other future development projects would also be subject to SWPPP, SUSMP, and LID requirements and implementation of measures to comply with total maximum daily loads. Furthermore, increases in regional controls associated with other elements of the municipal separate storm sewer systems (MS4) permit would improve regional water quality over time. Additionally, with implementation of the Project, new BMPs for the treatment of stormwater runoff would be installed, thus improving the surface water quality runoff from the Project Site compared to existing conditions. Therefore, with compliance with all applicable laws, rules and regulations, cumulative impacts to surface water quality would be less than significant.

3. Groundwater Hydrology – Construction, Operation, Cumulative

No water supply wells are located at the Project Site or within 1 mile of the Project Site that could be impacted by construction. The maximum anticipated dewatering inflows during construction are not anticipated to draw water across any substantial distance and, therefore, would not adversely impact the rate or direction of flow of groundwater supply. In addition, due to the distance from the Project Site to the nearest water supply wells and the temporary nature of construction dewatering, the construction dewatering is not anticipated to change potable water levels sufficiently to reduce the ability of water utilities to use the groundwater basin for public water supplies or to reduce yields of adjacent well fields. Therefore, as Project construction would not adversely impact the rate or direction of flow of groundwater and no water supply wells would be affected, the Project would not result in a significant impact on groundwater hydrology during construction.

There is minimal groundwater recharge potential on the Project Site in the existing condition. The Project will develop hardscape and structures that cover less than 90 percent of the Project Site with impervious surfaces. Also, the pervious surfaces (such as landscaping) on the Project Site will drain into a controlled and managed drainage system that discharges into the storm drain system and not into the ground. Any changes to groundwater recharge would be negligible. Therefore, the Project's potential operational impact on groundwater recharge would be less than significant. Permanent dewatering operations are not expected and the groundwater level is expected to return to the existing level at the Project site after construction is complete. Therefore, the Project's potential impact during operation on groundwater level would be less than significant. Based on the above, operation of the Project would result in a less-than-significant impact on groundwater hydrology, including groundwater levels.

Cumulative groundwater hydrology impacts could result from the overall utilization of groundwater basins located in proximity to the Project Site and the related projects. While short-term, periodic dewatering has the potential to have a minimal effect on groundwater hydrology locally at the Project Site, dewatering operations at such a temporary, localized level would not have the potential to affect regional groundwater hydrology. The same would be true of related projects in the vicinity. Should excavation for other related projects extend beneath the groundwater level,

temporary groundwater dewatering systems will be designed and implemented in accordance with SWRCB permit requirements. These dewatering operations would be limited to temporary and local impact to the groundwater level. Development of the related projects could result in changes in impervious surface area within their respective project sites. As the related projects are located in an urbanized area, any reduction in groundwater recharge due to the overall net change in impervious area within the related project sites would be minimal in the context of the regional groundwater basin. Based on the above, cumulative impacts to groundwater hydrology would be less than significant.

4. Groundwater Quality – Construction, Operation, Cumulative

During on-site grading and building construction, hazardous materials, such as fuels, paints, solvents, and concrete additives, could be used and would, therefore, require proper management and, in some cases, disposal. 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 of the Project to release contaminants into groundwater that could affect the rate or change direction of movement of existing contaminants, expand the area or increase the level of groundwater contamination, or cause a violation of regulatory water quality standards at an existing production well. Accordingly, Project-related impacts on groundwater quality would be less than significant, and no mitigation measures are required.

Operational activities which could affect groundwater quality include spills of hazardous materials such as cleaning supplies and pesticides and leaking aboveground or underground storage tanks. The Project may utilize aboveground and/or underground storage tanks, which contain diesel, associated with emergency generators. All tanks will be installed and maintained in compliance with all existing regulations. Thus, operation of aboveground and underground storage tanks on the Project Site will result in a less-than-significant impact on groundwater quality. In addition, while the development of expanded facilities could increase the use of existing on-site hazardous materials, compliance with all applicable existing regulations at the Project Site would prevent the Project from affecting or expanding any potential areas of contamination, increasing the level of contamination, or causing regulatory water quality standards at an existing production well to be violated. Based on the above, operation of the Project would result in a less-than-significant impact on groundwater quality.

As with the Project, the related projects would be unlikely to cause or increase groundwater contamination because compliance with existing statutes and regulations would prevent the related projects from affecting or expanding any potential areas affected by contamination, or increasing the level of contamination, or causing regulatory water quality standards at an existing production well to be violated. Therefore, cumulative impacts to groundwater quality would be less than significant.

5. Project Design Features

No specific project design features beyond those set forth in Section II, Project Description, of the Draft Supplemental EIR are proposed with regard to hydrology, surface water quality, and groundwater.

6. Mitigation Measures

Impacts to surface water and groundwater hydrology and quality during construction and operation of the Project would be less than significant. Nonetheless, the mitigation measures set forth in the Warner Center Plan EIR, and listed below, would be implemented as part of the Project to ensure impacts remain less than significant:

Warner Center Plan Mitigation Measure HYDRO-1: For development in the WCRCCSP area the City shall require compliance with the Low Impact

Development (LID) Ordinance. Construction contractors of individual projects shall be required to control erosion and runoff as necessary through the use of site appropriate grading practices. Specifically, the construction contractor shall plan for and implement Best Management Practice (BMP) during construction to the satisfaction of the Department of Public Works, Bureau of Engineering, Stormwater Management Division City of Los Angeles, and/or other designated responsible agencies/departments. (LID measures also require review and approval of the Watermaster.)

Warner Center Plan Mitigation Measure HYDRO-2: For development in the WCRCCSP area the City shall require structural design of individual projects to be modified when possible to avoid the need for a permanent dewatering system. When a permanent dewatering system is necessary, one or more of the following measures as per the Department of Building and Safety shall be followed:

- Pumping water to a beneficial use on site (landscaping, decorative fountains or lakes, toilet flushing, cooling towers); or
- Returning water to the groundwater basin by an injection well.

Warner Center Plan Mitigation Measure HYDRO-3: For development in the WCRCCSP area the City shall require sufficient area to be available so that runoff can be collected in roadside vegetated swales as appropriate and directed to existing curb and gutter or storm drains. In other areas, runoff shall be collected in gutters and directed to the storm drain systems. Swale design shall be coordinated with on-site hazardous materials issues as necessary.

Warner Center Plan Mitigation Measure HYDRO-4: For development in the WCRCCSP area the City shall require compliance with applicable NPDES permit requirements, including preparation and implementation of a Stormwater Pollution Prevention Plan (SWPPP) and Standard Urban Stormwater Mitigation Plan (SUSMP) in accordance with the Los Angeles Municipal Storm Water permit. The SUSMP shall identify post development peak runoff, conserve natural areas, minimize storm water pollutants, protect slopes and channels, and post construction Best Management Practices (BMPs) and other items as required by the permit. (SUSMP measures require review and approval of the Watermaster.)

Warner Center Plan Mitigation Measure HYDRO-5: For development in the Specific Plan area the City shall require runoff from parking lots to be treated, as required by SUSMP regulations, prior to discharging into existing storm drain systems.

Warner Center Plan Mitigation Measure HYDRO-6: The City shall require as conditions on project approval within the WCRCCSP area that all wastes from construction in the WCRCCSP area shall be disposed of properly. Appropriately labeled recycling bins shall be used to recycle construction materials including: solvents, water-based paints, vehicle fluids, broken asphalt and concrete; wood, and vegetation. Non-recyclable

materials/wastes shall be taken to an appropriate landfill. Toxic wastes shall be discarded at a licensed regulated disposal site.

Warner Center Plan Mitigation Measure HYDRO-7: The City shall require as conditions on project approval within the WCRCCSP area that leaks, drips, and spills shall be cleaned up immediately to prevent contaminated soil on paved surfaces that can be washed away into the storm drains.

Warner Center Plan Mitigation Measure HYDRO-8: The City shall prohibit, as a condition on project approval within the WCRCCSP area, material spills from being hosed down at the pavement. Dry cleanup methods shall be required wherever possible.

Warner Center Plan Mitigation Measure HYDRO-9: The City shall require as conditions on project approval within the WCRCCSP area that dumpsters be covered and maintained. Uncovered dumpsters shall be required to be placed under a roof or covered with tarps or plastic sheeting.

Warner Center Plan Mitigation Measure HYDRO-10: The City shall require as conditions on project approval within the WCRCCSP area that where truck traffic is frequent, gravel approaches and dirt tracking devices shall be used to reduce soil compaction and limit the tracking of sediment into streets.

Warner Center Plan Mitigation Measure HYDRO-11: The City shall require as conditions on project approval within the WCRCCSP area that all vehicle/equipment maintenance, repair, and washing shall be conducted away from storm drains. All major repairs shall be required to be conducted at an appropriate location. Drip pans or drop cloths shall be required to catch drips and spills.

Warner Center Plan Mitigation Measure HYDRO-12: Short-term water quality impacts may result from the construction of the proposed project. Project construction shall comply with the General Construction Activity Stormwater Permit (General Permit) and the City's Development Construction Program pursuant to the NPDES Permit (Permit No. CA00401). Implementation of the General Permit and NPDES Permit programs will mitigate potential impacts to a level of insignificance.

Warner Center Plan Mitigation Measure HYDRO-13: Ordinance No. 172176 and Ordinance No. 173494 specify Stormwater and Urban Runoff Pollution Control, which requires the application of Best Management Practices (BMPs). Chapter IX, Division 70 of the Los Angeles Municipal Code addresses grading, excavations, and fills. Applicants must meet the requirements of the Standard Urban Stormwater Mitigation Plan (SUSMP) approved by Los Angeles Regional Water Quality Control Board, including the following (a copy of the SUSMP can be downloaded at www.swrcb.ca.gov/rwqcb4/).

- The project applicant shall implement stormwater BMPs to treat and infiltrate the runoff from a storm event producing 0.75 inch of rainfall in a 24-hour period. The design of structural BMPs shall be in accordance with the Development Best Management Practices Handbook Part B Planning Activities. A signed certificate from a California licensed civil engineer or licensed architect that the proposed BMPs meet this numerical threshold standard is required.
- Post development peak stormwater runoff discharge rates shall not exceed the estimated predevelopment rate for developments where the increase peak stormwater discharge rate will result in increased potential for downstream erosion.
- Clearing and grading of native vegetation at the project site shall be limited to the minimum needed to build lots, allow access, and provide fire protection.
- Trees and other vegetation at each site shall be maximized by planning additional vegetation, clustering tree areas, and promoting the use of native and/or drought tolerant plants.
- Natural vegetation shall be promoted by using parking lot islands and other landscaped areas.
- Any identified riparian areas shall be preserved.
- Appropriate erosion control and drainage devices, such as interceptor terraces, berms, vee-channels, and inlet and outlet structures, as specified by Section 91.7013 of the Building Code will be incorporated.
- Outlets of culverts, conduits or channels from erosion by discharge velocities shall be protected by installing a rock outlet protection. Rock outlet protection is physical devise composed of rock, grouted riprap, or concrete rubble placed at the outlet of a pipe. Sediment traps shall be installed below the pipe-outlet. Inspect, repair, and maintain the outlet protection after each significant rain.
- Any connection to the sanitary sewer will have authorization from the Bureau of Sanitation.
- Impervious surface area will be reduced by using permeable pavement materials where appropriate. These include pervious concrete/asphalt; unit pavers, i.e., turf block; and granular materials, i.e., crushed aggregates, cobbles.
- Roof runoff systems will be installed where site is suitable for installation.
- Messages that prohibit the dumping of improper materials into the storm drain system adjacent to storm drain inlets shall be painted.
- All storm drain inlets and catch basins within the project area shall be stenciled with prohibitive language (such as NO DUMPING—DRAINS TO OCEAN) and/or graphical icons to discourage illegal dumping.
- Signs and prohibitive language and/or graphical icons, which prohibit illegal dumping, must be posted at public access points along channels and creeks within the project area.
- Legibility of stencils and signs must be maintained.

- Materials with the potential to contaminate stormwater must be: (1) placed in an enclosure such as, but not limited to, a cabinet, shed, or similar stormwater conveyance system; or (2) protected by secondary containment structures such as berms, dikes, or curbs.
- The storage area will be paved and sufficiently impervious to contain leaks and spills.
- The storage area shall have a roof or awning to minimize collection of stormwater within the secondary containment area.
- An efficient irrigation system shall be designed to minimize runoff including: drip irrigation for shrubs to limit excessive spray; shutoff devices to prevent irrigation after significant precipitation; and flow reducers.
- Cleaning of oily vents and equipment will be performed within designated covered area, sloped for wash water collection, and with a pretreatment facility for wash water before discharging to properly connected sanitary sewer with a CPI type oil/water separator. The separator unit must be: designed to handle the quantity of flows; removed for cleaning on a regular basis to remove any solids; and the oil absorbent pads must be replaced regularly according to manufacturer's specifications.
- Trash dumpsters will be stored both under cover and with drains routed to the sanitary sewer or use non-leaking and water tight dumpsters with lids. Containers will be washed in an area with properly connected sanitary sewer.
- Wastes, including paper, glass, aluminum, oil and grease will be reduced and recycled. Liquid storage tanks (drums and dumpsters) will be stored in designated paved areas with impervious surfaces in order to contain leaks and spills. A secondary containment system such as berms, curbs, or dikes shall be installed. Drip pans or absorbent materials whenever grease containers are emptied will be used.
- The owner(s) of the property will prepare and execute a covenant and agreement (Planning Department General form CP-6770) satisfactory to the Planning Department binding the owners to post construction maintenance on the structural BMPs in accordance with the Standard Urban Stormwater Mitigation Plan and or per manufacturer's instructions.

E. Noise

1. Construction

a. Off-Site Noise

Four noise receptor locations (R1 to R4)¹⁵ were selected to represent noise-sensitive uses in the vicinity of the Project Site, as shown in Figure IV.H-1 and described in Table IV.H-6 in the Draft Supplemental EIR. To provide a conservative analysis, the noise impacts associated with the off-site construction-related traffic (construction trucks and worker vehicles) was analyzed pursuant to the

¹⁵ Noise receptors R1 to R4 are located offsite at the following distances from the Project Site: R1, 170 ft northeast (multi-family residential use); R2, 145 ft south (Marriott Hotel); R3, 245 ft southwest (single family residential use); R4, 380 ft west (multi-family residential use).

Overlapping Construction Plan, assuming both With No Import and With Import scenarios. Under the No Import scenario, there would be no soil import for site re-compaction, which would reduce the overall haul truck trips. Project-related construction traffic is estimated to be below the 5 dBA significance threshold at all off-site receptors for both scenarios. In addition, the estimated construction-related traffic at the Canoga Park High School would be below the Los Angeles Unified School District (LAUSD) 3 dBA significance threshold, if the construction haul trucks are required to travel north along Topanga Canyon Boulevard to the SR-118 due to the unavailability of the haul route south to the US-101. Therefore, noise impacts associated with the Project's off-site construction traffic would be less than significant.

b. Vibration (On-Site Impacts to Building Damage and Human Annoyance; Off-Site Impacts to Building Damage)

As the Project would generate ground-borne construction vibration during building demolition and site excavation/grading activities when heavy construction equipment, such as large bulldozers, drill rigs, and loaded trucks, would be used. The estimated vibration velocity levels from all construction equipment would be below the building damage significance threshold of 0.3 PPV for the two-story commercial building structures to the north and west, and 0.5 PPV for the multi-story office/hotel building structures to the south and east. The Guy Martin Oldsmobile and Livingston Pontiac building located at 6133 Topanga Canyon Boulevard was identified as a potential historic structure and would be exposed to maximum ground-borne vibration level of 0.005 PPV, which would be below the 0.3 PPV significance threshold applicable to the commercial building, and well below even the most stringent 0.12 PPV significance threshold. Additionally, the estimated ground-borne vibration levels from construction equipment would be below the significance thresholds for human annoyance at all off-site residential and hotel receptor locations. Therefore, vibration impacts from on-site construction associated with potential building damage and human annoyance would be less than significant. However, the Project would result in significant and unavoidable impacts for off-site construction vibration (with respect to human annoyance).

There are existing buildings along the Project's anticipated haul route(s) that are situated approximately 25 feet from the truck path and would be exposed to ground-borne vibration levels of approximately 0.016 PPV, which would be below the most stringent building damage threshold of 0.12 PPV for buildings extremely susceptible to vibration. Therefore, vibration impacts for building damage from off-site construction activities (i.e., construction trucks traveling on public roadways) would be less than significant.

2. Operation

a. On-Site Noise

The Project would include various outdoor spaces, including Promenade Square. Noise sources associated with the outdoor spaces would include noise from people gathering and conversing and outdoor sound systems. As part of the Project and 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 92 dBA L_{eq} . The estimated noise levels from the outdoor areas would range from 44.1 dBA (L_{eq}) at receptor location R1 to 55.4 dBA (L_{eq}) at receptor location R4. When added to the ambient noise levels, the Project would increase the ambient noise levels by 0.1 dBA at receptor location R1 to 4.8 dBA (L_{eq}) at receptor location R4. The estimated noise levels from the outdoor spaces would be below the significance threshold of 5 dBA (L_{eq}) above ambient noise levels at all off-site sensitive receptors. As such, noise impacts from the use of the outdoor uses would be less than significant.

The Project includes a fully-enclosed and up to 10,000-seat Entertainment and Sports Center, or a partial-roof 7,500-seat Entertainment and Sports Center, to be located within the

Southwest area of the Project Site. The noise analysis was conservative, as it assumed: a partial roof rather than a closed roof; a concert event, which generates greater noise than a sporting event; a sold-out event; speakers on the north side of the venue facing south (towards the nearest residential receptors); crowd cheering noise; and to represent a conservative scenario for the voice level of concert goers, the upper range noise levels for a male and female shouting. Additionally, the actual measured sound spectrum from outdoor concert events was used for the Entertainment and Sports Center noise analysis. Finally, the noise analysis was based on the nighttime ambient noise levels, which represent the worst-case condition, as the nighttime ambient noise levels are lower and therefore lead to a higher noise impact. The estimated noise levels from the Entertainment and Sports Center range from 53.0 dBA (L_{eq}) at receptor location R4 to 56.0 dBA (L_{eq}) at the closest receptor location R2. The estimated noise levels from the Entertainment and Sports Center would be below the significance threshold at all off-site receptor locations. Therefore, noise impacts from the Entertainment and Sports Center would be less than significant.

Potential noise impacts from mechanical equipment, parking facilities, and loading docks/trash compactors were also analyzed individually, and determined to be less than significant. In addition, composite noise level increases from all of these uses together with noise from outdoor spaces, the Entertainment and Sports Center, and off-site mobile sources were evaluated. The Project would result in an increase in composite noise levels ranging from 0.6 dBA at receptor location R1 to 4.5 dBA at receptor location R4. The composite noise levels from Project operation at all off-site sensitive receptor locations would be below the 3 dBA significance threshold (applicable to receptor location R1, which falls within the normally unacceptable land use) and the 5 dBA significance threshold (applicable to receptor locations R2, R3 and R4, which fall within the conditionally acceptable land use). Therefore, composite noise level impacts due to Project operations would be less than significant.

b. Off-Site Noise

The Draft Supplemental EIR identified a significant and unavoidable off-site operational noise impact during evenings after sold-out events of 15,000 seats, generated by cars leaving the Project Site in the evenings. This significant impact would be generated adjacent to the Project Site on Oxnard Street, along a street segment where a hotel is located, but no residential uses. Supplemental analysis was conducted in the Final Supplemental EIR and late-night operational measures (for events with more than 10,000 attendees) were added to the Event Management Plan as part of Project Design Feature K-6. With implementation of these additional measures, impacts related to off-site noise during operations would be reduced to less than significant levels. In addition, there would not be any new significant noise impacts from the redistributed traffic volumes associated with the updated Project Design Feature K-6. As the significant impact resulted from events with more than 10,000 attendees, the Erratum further confirmed that the specific measure addressing late-night off-site noise impacts was no longer required, and off-site noise impacts associated with the Project would be less than significant.

c. Vibration

The primary source of vibration related to operation of the Project would include vehicle circulation within the proposed subterranean parking garage and off-site vehicular trips. However, vehicular-induced vibration is unlikely to be perceptible by people. The Project would also include typical commercial-grade stationary mechanical and electrical equipment, such as air-handling units and emergency generators (mounted at grade or roof level), that would include appropriate vibration-attenuation mounts to reduce the vibration transmission. The Project includes a fully-enclosed 10,000-seat Entertainment and Sports Center or alternatively, a 7,500-seat partial-roof Entertainment and Sports Center. Crowd activities would generate ground vibration within the Entertainment and Sports Center. However, the vibration levels generated by the music and crowds would be dissipated efficiently by the building construction elements. Therefore, music and crowd-

induced ground vibration would be limited to the interior of the Entertainment and Sports Center. Therefore, operation of the Project, with fully enclosed 10,000 seats or the partial-roof 7,500 seat Entertainment and Sports Center, 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.

d. Land Use Compatibility

Based on the measured ambient noise levels, the exterior noise levels at the Project Site were within the City of Los Angeles Guidelines for Noise Compatible Land Use, within levels considered “conditionally acceptable” for residential, hotel, office, and sports arena development (between 60 and 70 dBA CNEL). In addition, the estimated traffic noise levels along the Project western boundary (along Topanga Canyon Boulevard), would be between 70 and 75 dBA CNEL, which would be considered “normally unacceptable” for the proposed hotel use. However, in accordance with regulatory requirements, the Project would include necessary noise insulation features, such as insulated glass windows and doors, to achieve an interior noise environment that does not exceed 45 dBA CNEL for residential and hotel uses and 50 dBA Leq for non-residential uses. Therefore, noise impacts associated with land use compatibility would be less than significant.

3. Cumulative Impacts (Vibration – Building Damage and Operational Noise)

The potential for cumulative noise impacts to occur is specific to the distance between each related project and their stationary noise sources, as well as the cumulative traffic that these projects would add to the surrounding roadway network. Due to the rapid attenuation characteristics of ground-borne vibration and given the distance of the nearest related project to the Project Site, there is no potential for cumulative construction vibration impacts with respect to building damage and human annoyance associated with ground-borne vibration from on-site sources. The vibration levels generated from off-site construction trucks associated with the Project and other related projects along the anticipated haul route(s) would be below the most stringent building damage threshold of 0.12 PPV for buildings extremely susceptible to vibration and cumulative vibration impacts with respect to building damage from off-site construction would be less than significant.

Due to provisions in the LAMC that limit stationary source noise from items such as roof-top mechanical equipment, noise levels would be less than significant at the property line for each related project. General noise sources, such as public gatherings in large outdoor spaces would be limited to the vicinity of each of the project sites and comply with LAMC Section 116.01. Further, due to distance and intervening building structures, noise associated with the outdoor spaces would not have a significant contribution to the cumulative noise impact. Cumulative traffic volumes under future plus project conditions, assuming a sold-out event, would result in noise increases that are less than the significance threshold. As such, cumulative traffic volumes, assuming a sold-out event, would result in less than significant impacts to noise and less than the less-than-significant impacts of the Project.

4. Project Design Features

The following project design features are proposed to be implemented as part of the Project:

Project Design Feature H-1: Project construction would not include the use of driven (impact) pile systems.

Project Design Feature H-2: All outdoor mounted mechanical equipment would be enclosed or screened from off-site noise-sensitive receptors. The

equipment screen would be impermeable and break the line-of-sight from the equipment to the off-site noise-sensitive receptors.

Project Design Feature H-3: Trash collection areas would be enclosed or screened from off-site noise-sensitive receptors.

Project Design Feature H-4: Within outdoor areas, other than the Entertainment and Sports Center, outdoor amplified sound systems (e.g., speaker and stereo systems, amplification systems, or other sound-producing devices) would be designed so as not to exceed the maximum noise level of: (i) 80 dBA (L_{eq-1hr}) at a distance of 25 feet from the amplified sound systems at the courtyards/roof decks; (ii) 90 dBA (L_{eq-1hr}) at a distance of 25 feet at the hotel roof pool decks; and (iii) 92 dBA (L_{eq-1hr}) at a distance of 50 feet for the amplified sound systems at the Promenade Square.

Project Design Feature H-5: If the roof of the Entertainment and Sports Center is a partial roof, the temporary/touring amplified sound system would be designed, using a line-array speaker system, so as not to exceed a maximum noise level of 95 dBA (L_{eq-1hr}) at a distance of 130 feet from the amplified sound systems (main array and delay speakers).

Project Design Feature K-6: Operational Event Management Plan: An Event Management Plan (EMP) will be implemented as part of operation of the ESC. The EMP is intended to be an evolving document subject to modification over time in coordination and consultation with LADOT and Caltrans, in order to respond to changes in traffic patterns and mobility/parking technologies that may alter the travel to and attendance of events at the ESC.

On-site measures are proposed to include: providing access along all four street frontages of the Project Site; the addition of a northbound lane on the Topanga Canyon Boulevard across the site frontage (resulting in a total of four northbound lanes); inbound and outbound access to the ESC parking garage on Topanga Canyon Boulevard between Oxnard Street and Promenade Boulevard; multiple above ground and subterranean parking facilities across the Project Site that will be managed by a single parking operator; and centrally located pick-up/drop-off and bus zones. Also included as part of the on-site measures will be a guest communications system that will provide the location of the purchased parking space to visitors with the advance purchase of an event ticket; identification of preferred traffic routes to the assigned parking facility prior to the event, at the time of ticket purchase and on the parking ticket; traffic announcements and updates made in the ESC and to guest cell phones at the end of the event; and coordination of traffic information and ridesharing services.

Off-site measures are proposed to include: identification of specific routing to distribute event traffic away from already congested locations along with the use/installation of changeable message signs at select freeway and arterial locations to communicate to visitors the preferred routing to the Project Site; coordinated traffic control adjacent to the Project Site; coordination with the LADOT Traffic Action Team, which oversees and/or

implements special event traffic operations in the City; coordination with the citywide Traffic Management Center to facilitate the real-time monitoring of event traffic conditions along with real-time adjustments to traffic control equipment, including allowing adjustments to signal timing and synchronization; deployment of traffic control officers, by the ESC operator, to selected locations for the purposes of directing traffic; and facilitation of the utilization and integration of transit services during ESC events, including by coordinating with Metro to optimize transit service and frequency to the ESC during events.

The EMP will also identify off-site parking needed to accommodate parking demand based on time of year, day/time of the event, and number of attendees. The Applicant will be required to provide DOT annually evidence of agreements that identify/secure the location and quantity of available off-site parking, prior to the issuance of a temporary or permanent certificate of occupancy for the ESC.

During the Holiday period between Thanksgiving and New Year's, for weekday or weekend events with 7,500 or more attendees, the EMP will be supplemented with additional measures to account for higher background traffic volumes. The Holiday EMP measures include: additional intersection operation adjustments and an expanded deployment of traffic control officers.

These and other measures would be implemented in accordance with a tiered operational plan that is based on attendance. In particular, the off-site traffic management and traffic control officer components of the EMP would be scaled commensurate to the event attendance/projected traffic levels as set forth in the Traffic Study. As indicated therein, the EMP off-site measures are proposed to be applied at the following attendance levels:

- <7,500 attendees: All on-site measures; no off-site measures required;
- 7,500-9,500 attendees: All on-site measures; selected off-site measures comprised of Traffic Management (changeable message signs), Coordinated Traffic Control (LADOT Traffic Management Center), and off-site parking; and,
- >9,500-10,000 attendees: All on-site measures; all off-site measures, including those required above for 7,500 to 9,500 attendees, deployment of traffic control officers, transit service coordination; and additional late-night measures for events ending after 10 P.M.

During holidays (day after Thanksgiving through January 2 of the following year), the above measures would also be implemented for each of the attendance levels, plus for sold-out, additional traffic control officers would be located at all intersections operating at LOS D or worse (with Project traffic) within the Study Area.

F. Public Services

1. Police Protection – Construction, Operations, and Cumulative

Under *City of Hayward v. Trustees of California State University (2015) 242 Cal.App.4th 833*, significant impacts related to police services under CEQA consist of impacts that will result in changes in any of the physical conditions within the area of a project, and the potential impacts in and of themselves on public safety services are not an environmental impact that CEQA requires a project applicant to mitigate. The protection of the public safety is the first responsibility of local government where local officials have an obligation to give priority to the provision of adequate public safety services. Thus, the need for additional police protection services is not an environmental impact that CEQA requires a project proponent to mitigate. Where a project causes a need for additional police protection services resulting in a need to construct new facilities or additions to existing facilities, and the construction results in a potential impact to the environment, then the impact would need to be assessed.

Project construction would not generate a permanent population on the Project Site that could increase the police service population of the Topanga Area and Topanga Community Police Station. In addition, the demand for police protection services during construction of the Project would be offset by the removal of the existing uses, which currently generate a daytime population that requires police protection services. However, construction sites can be sources of nuisances and hazards and invite theft and vandalism. Although less than significant before mitigation, the Project would nonetheless implement Warner Center Plan Mitigation Measures PS-12 through PS-14, which would further reduce construction impacts. Most, if not all, of the construction worker and haul truck trips would occur outside the typical weekday commuter morning and afternoon peak periods, thereby reducing the potential for traffic-related impacts to Los Angeles Police Department (LAPD) police protection services and response times. In addition, a Construction Management Plan would be implemented during Project construction pursuant to Mitigation Measure K-1 to further ensure that adequate and safe access is available within and near the Project Site during construction activities. Impacts on police protection services during Project construction would be less than significant, nonetheless mitigation has been incorporated to further reduce construction impacts.

The Project Site is served by the Topanga Community Police Station. With Project operations resulting in an estimated net police service population of 17,312 persons, the existing police service population of the Topanga Area would increase from 196,840 persons to 214,152 persons. With the increase in the police service population of the Topanga Area and Topanga Community Police Station, the officer-to-resident ratio for the Topanga Area would decrease slightly but the Project would not cause a significant change to the officer-per-resident ratio for the Topanga Area. The Project would implement Project Design Features J.1-1 through J.1-9, which would provide for private, on-site security for the Entertainment and Sports Center, and security for the overall Project Site, and include the development of an Emergency Response Plan. While not required to reduce impacts to less than significant levels, the Project would also implement Warner Center Plan Mitigation Measures PS-16 through PS-19, which would include numerous operational design features to enhance safety within and immediately surrounding the Project Site. The Project's impacts on police protection services would therefore be less than significant.

With regard to emergency vehicle response times, upon buildout of the Project and with implementation of the Warner Center Mitigation Program and Project-specific project design features, traffic generated by the Project would not result in significant impacts. In addition, the 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. Furthermore, pursuant to Project Design Feature K-1, the Project is adding an additional lane on Topanga Canyon Boulevard, adjacent to the Project Site, to further improve the flow of vehicles

(including emergency vehicles) into the Project Site. Accordingly, Project operation, including traffic generated by the Project, would not cause a substantial increase in emergency response times due to traffic congestion. Therefore, the Project's impact on emergency response times would be less than significant.

Based on the above, impacts on police protection services during Project operation would be less than significant.

With regard to cumulative impacts, the Warner Center Plan EIR evaluated police protection impacts of construction and operation for projects within the Warner Center Plan area. The Warner Center Plan EIR concluded that development levels throughout the City are anticipated to increase, thereby placing additional demands on LAPD. However, individual projects would be required to comply with mitigation measures, including recommendations from LAPD. In addition, police protection facilities and personnel are anticipated to increase as development and population increase in the City. Therefore, the Warner Center EIR concluded cumulative impacts would be less than significant.

With regard to cumulative construction impacts, 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. Similar to the Project, each related project would also be subject to the City's routine construction permitting process, which includes a review by the LAPD to ensure that sufficient security measures are implemented to reduce potential impacts to police protection services. Therefore, the Project together with related projects would result in a less than significant cumulative impact, and the Project's contribution to cumulative impacts on either police protection services or emergency response during construction would not be cumulatively considerable.

When combined with the projected police service population of 53,542 persons generated by the related projects, the total cumulative police service population is approximately 70,854 persons. The police service population generated by the Project and related projects would increase the total police service population of the Topanga Area from 196,840 persons to 267,694 persons, which would decrease the officer-to-resident ratio for the Topanga Area. Assuming the same crimes per capita rate currently observed in the Topanga Area of 0.0006 crime per capita, the Project and related projects could generate an additional 42 crimes per year. However, the Project would implement Project Design Features J.1-1 through J.1-8 and Warner Center Plan Mitigation Measures PS-16, PS-17, and PS-19 to reduce reliance on LAPD services, and thus is not anticipated to generate a demand for additional police protection services that could exceed the LAPD's capacity to serve the Project Site. Furthermore, 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. Each related project would be subject to the City's routine construction permitting process, which includes a review by the LAPD to ensure that sufficient security measures are implemented to reduce potential impacts to police protection services. In accordance with the police protection-related goals, objectives, and policies set forth in the Framework Element, the LAPD would also continue to monitor population growth and land development throughout the City for the purpose of evaluating existing and future police protection needs, as specified by Objective 9.13 and Policy 9.13.1, and provide adequate police services, facilities, equipment, and personnel are available to meet such needs, as required by Objective 9.14. With regard to response times, it is anticipated that similar to the Project, related projects would implement project design features and mitigation measures to reduce intersection impacts and traffic congestion. Therefore, the Project together with related projects would result in a less than significant cumulative impact on emergency response times, and the Project's contribution would not be cumulatively considerable.

Based on the above, operation of the Project together with related projects would result in a less-than-significant cumulative impact to police protection services, and the Project's contribution would not be cumulatively considerable.

a. Project Design Features

The following project design features are proposed to be implemented as part of the Project:

For Entertainment and Sports Center:

Project Design Feature J.1-1: Security personnel shall be on duty at the Entertainment and Sports Center during all hours of operation and before and after events, with the exact time period to be determined with LAPD in a Security Plan based on the size and type of event. During such time, the security personnel shall patrol the property to identify and minimize unusual disturbances, and coordinate with the proper authorities any loitering, trespassing or any other criminal activities in the general vicinity of the property.

Project Design Feature J.1-2: A Security Plan shall be developed and implemented by the Applicant in consultation with the LAPD and LAFD outlining the security services and features to be provided in conjunction with the proposed Entertainment and Sports Center. The Security Plan shall ensure appropriate public safety and security deployment by the Applicant based upon identified, objective standards, including, but not limited to: anticipated crowd size, historical data associated with crowd or fan behavior, event type, etc. The Security Plan shall be sufficiently flexible to be responsive to the type and size of events at the Entertainment and Sports Center. The Security Plan may include but is not limited to identification of the following:

- A private on-site security force, with the number of security officers identified based on event size;
- Pedestrian, vehicular, and/or bicycle patrols during operational hours;
- Security procedures for initial response, investigation, detainment of crime suspects, LAPD notification, crowd and traffic control, and general public assistance;
- Planned routes for emergency service personnel and vehicles to access the Entertainment and Sports Center;
- Secure staging locations, within the Project Site, for first responders;
- A First Responder Communications Plan, prepared in consultation with LAPD and LAFD;
- Provision to LAPD and LAFD of detailed diagrams of the Entertainment and Sports Center, including access routes, floor plans, and any information that would facilitate police response;
- Closed-circuit television surveillance system, for both inside and outside the Entertainment and Sports Center, which recordings shall remain available for review by LAPD for at least 30 days; and

- Installation of locks and alarms on entryways where appropriate.

Project Design Feature J.1-3: The Security Plan shall be updated from time to time based on information that may be learned during operation of the Entertainment and Sports Center.

Project Design Feature J.1-4: An Emergency Procedures Plan shall be established and implemented by the Applicant in conjunction with the proposed Entertainment and Sports Center. The Emergency Procedures Plan shall outline employee guidelines and procedures in the event of fire, medical emergency, civil disturbance, injuries to multiple individuals, evacuation, and other types of emergencies. The Plan shall be subject to review by the LAPD and LAFD. This Emergency Procedures Plan shall also include an Emergency Medical Response Plan developed by the Applicant in consultation with the LAFD, outlining the first aid and medical services and the safety features to be provided by the Applicant during events. The plan shall be subject to review by the LAFD.

Project Design Feature J.1-5: A phone number to a responsible representative of the Applicant shall be conspicuously posted on the premises for the purposes of reporting an emergency or a complaint about the method of operation of the Entertainment and Sports Center. A complaint log shall be maintained and be made available to the City upon request.

For Overall Project Site:

Project Design Feature J.1-6: In order to maintain high levels of safety for employees, patrons, residents and visitors during Project operation, on-site security consisting of personnel and equipment would be provided for the entire Project Site, including for the Project's open space areas, such as Promenade Square. On-site security presence would be implemented based on the anticipated day-to-day levels of activity and would be increased during peak shopping days. During each shift, security personnel would be assigned to foot patrol, bike patrol and golf cart/vehicle patrol, in order to cover the common areas of the site. Duties of the security personnel would include, but not be limited to, the following:

- Assisting with patron access and monitoring entrances and exits,
- Managing and monitoring fire/life/safety systems,
- Patrolling the perimeter of the property,
- Controlling and monitoring activities in the parking facilities; and
- Controlling and monitoring activities in spaces open to the public.

Project Design Feature J.1-7: Security Programs and Equipment: An enhanced security program would be implemented for the entire Project Site, including for the Project's open space areas, such as Promenade Square. Security system features to be installed on-site as part of this enhanced

security program include industry standard security lighting at recommended locations including parking structures, pathway options, and curbside queuing areas. Closed-circuit television (CCTV) would be installed at locations consistent with industry standards. These locations would include all exit points, play areas, family rest areas, food courts, loading docks, and parking areas/structures. CCTV access would be available to the local police station via secure internet with future consideration of wireless secure transmission. Additionally, license plate recognition (LPR) cameras would be located strategically throughout the property.

Project Design Feature J.1-8: Crime Prevention Design: The Project Applicant shall consult with the LAPD regarding crime prevention features appropriate to the design of the Project. Such features would include, but not be limited, to:

- Landscaping to be planted in a manner that does not provide obvious cover for persons tampering with doors or windows of commercial facilities, or for persons lying in wait for pedestrians or parking garage users,
- Lighting of parking structures, elevators, and lobbies to reduce areas of concealment,
- Lighting of building entries, pedestrian walkways, and public open spaces to provide pedestrian orientation and to clearly identify a secure route between parking areas and points of entry into buildings,
- Design of public spaces to be easily patrolled and accessed by safety personnel,
- Parking facilities easily patrolled and accessed by safety personnel,
- Implementing public safety measures in parking facilities; and
- Graffiti deterrent measures, where possible.

Project Design Feature J.1-9: An Emergency Procedures Plan shall be established and implemented by the Applicant for the Project's other buildings. The Emergency Procedures Plan shall outline employee guidelines and procedures in the event of fire, medical emergency, civil disturbance, injuries to multiple individuals, evacuation, and other types of emergencies. The Plan shall be reviewed and approved by the LAPD and LAFD. This Emergency Procedures Plan shall also include an Emergency Medical Response Plan developed by the Applicant in consultation with the LAFD, outlining the first aid and medical services and the safety features to be provided by the Applicant. The Plan shall be subject to review by the LAFD.

b. Mitigation Measures

Project-level and cumulative impacts to police protection services during construction and operation of the Project would be less than significant. Nonetheless, the mitigation measures set forth in the Warner Center Plan EIR listed below would be implemented as part of the Project:

Warner Center Plan Mitigation Measure PS-12: The City shall require that during construction of individual projects, each project applicant shall implement security measures including security fencing, lighting, locked entry, and security patrol on the site.

Warner Center Plan Mitigation Measure PS-13: The City shall require that during the construction phase of each project, each applicant shall provide adequate through access and emergency access to adjacent uses as necessary.

Warner Center Plan Mitigation Measure PS-14: The City shall require that each applicant consult with the Police Department and comply with recommended security features for each construction site, including security fencing, locked entrances, lighting, and the use of a seven-day, 24-hour security patrol.

Warner Center Plan Mitigation Measure PS-16: The City shall require that applicants consult with the LAPD Crime Prevention Unit regarding crime prevention features appropriate for the design of the project and subsequently, shall submit plot plans for review and comment. The plans shall incorporate design guidelines relative to security and semi-public and private spaces which may include but not be limited to access control to buildings, secured parking facilities, wall/fences with key systems, well-illuminated public and semi-public and private spaces, which may include access control to buildings, secured parking facilities, walls/fences with key systems, well-illuminated public space designed with a minimum of dead space to eliminate areas of concealment, location of toilet facilities or building entrances in high-foot traffic areas, and provisions of security guard patrol if needed. These measures shall be approved by the LAPD prior to the issuance of building permits.

Warner Center Plan Mitigation Measure PS-17: The City shall require that upon completion of each project, each applicant shall provide the local Commanding Officer with access routes and other information that might facilitate police response, as requested by the LAPD.

Warner Center Plan Mitigation Measure PS-19: The City shall require that each project incorporate design guidelines relative to security, semi-public and private spaces, which may include, but not be limited to, access control to buildings, secured parking facilities, walls/fences with key systems, well illuminated public and semi-public space designed with a minimum of dead space to eliminate areas of concealment, location of toilet facilities or building entrances in high-foot traffic areas and provision of security guard patrol throughout the project site if needed.

2. Fire Protection – Construction, Operations, and Cumulative

Under *City of Hayward v. Trustees of California State University (2015) 242 Cal.App.4th 833*, significant impacts related to fire protection services under CEQA consist of impacts that will result in changes in any of the physical conditions within the area of a project, and the potential impacts in and of themselves on public safety services are not an environmental impact that CEQA requires a project applicant to mitigate. The protection of the public safety is the first responsibility of local government where local officials have an obligation to give priority to the provision of adequate public safety services. Thus, the need for additional fire protection services is not an environmental impact that CEQA requires a project proponent to mitigate. Where a project causes a need for additional fire protection services resulting in a need to construct new facilities or additions to existing facilities, and the construction results in a potential impact to the environment, then the impact would need to be assessed.

Project-related construction would occur in compliance with all applicable federal, state, and local requirements concerning the handling, disposal, use, storage, and management of hazardous materials. Thus, compliance with regulatory requirements would effectively reduce the potential for construction activities to expose people to the risk of fire or explosion related to hazardous materials and non-hazardous combustible materials. Most, if not all, of the construction worker and haul truck trips would occur outside the typical weekday commuter morning and afternoon peak periods, thereby reducing the potential for traffic-related impacts to LAFD services. In addition, a Construction Management Plan would be implemented during Project construction pursuant to Mitigation Measure K-1 to further ensure that adequate and safe access is available within and near the Project Site during construction activities. Impacts on fire protection services during Project construction would be less than significant, nonetheless mitigation has been incorporated to further reduce construction impacts.

The Project Site is currently and would continue to be served by Fire Station No. 84, which is the “first-in” station for the Project Site, located approximately one mile southeast of the Project Site. Fire Stations No. 105 and No. 72, located approximately 1.3 miles northwest and 1.5 miles northeast of the Project Site, respectively, would continue to be available to serve the Project Site in the event of an emergency.

Operation of the Project would result in an increase of approximately 3,714 residents and 3,571 net new employees. Compliance with applicable regulatory requirements, including LAFD’s fire/life safety plan review and LAFD’s fire/life safety inspection for new construction projects, would ensure that adequate fire prevention features would be provided that would reduce the demand on LAFD facilities and equipment during Project operation. In addition, in accordance with the fire protection-related goals, objectives, and policies set forth in the Framework Element, the Safety Element, and the Canoga Park–Winnetka–Woodland Hills–West Hills Community Plan, the City along with LAFD would continue to monitor the demand for existing and projected fire facilities and coordinate the development of new fire facilities to be phased with growth. Therefore, given LAFD’s fire/life safety plan review, LAFD’s fire/life safety inspection, and LAFD’s continued evaluation of existing fire facilities, operational impacts with regard to LAFD facilities and equipment would be less than significant.

The Project Site driveways and internal circulation would be designed to incorporate all applicable City Building Code and Fire Code requirements regarding site access, including providing adequate emergency vehicle access. As such, 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.

With regard to response times, Project-related traffic would have the potential to increase emergency vehicle response times to the Project Site and surrounding properties due to travel time

delays caused by traffic. However, the area surrounding the Project Site includes an established street system, which provides regional, sub-regional, and local access and circulation within the Project's traffic study area. Upon buildout of the Project and with implementation of the Warner Center Mitigation Program and Project-Specific project design features, traffic generated by the Project would not result in significant impacts. 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. Additionally, pursuant to Project Design Feature K-1, the Project is adding an additional lane on Topanga Canyon Boulevard, adjacent to the Project Site, to further improve the flow of vehicles (including emergency vehicles) into the Project Site. In light of these factors, the increase in traffic generated by the Project would not significantly impact emergency vehicle response times to the Project Site and surrounding area. Overall, impacts with regard to response distance, emergency access, and response times would be less than significant.

Domestic and fire water service to the Project Site would continue to be supplied by the Los Angeles Department of Water and Power (LADWP). Fire flow to the Project would be required to meet City fire flow requirements. Therefore, the Project would comply with flow standards specified in Section 57.507.3.1 of the LAMC. Impacts with regard to fire flow would be less than significant.

A number of the identified related projects and ambient growth projections fall within the service areas of Fire Station No. 84, No. 105, and No. 72. 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 and could have a cumulative impact on fire services. However, each related project would be required to comply with regulatory requirements related to fire protection and emergency medical services and would be subject to the City's standard construction permitting process.

Overall, based on the above, the Project's contribution to cumulative impacts to fire protection and emergency medical services would not be cumulatively considerable. Additionally, cumulative impacts on fire protection and emergency medical services would be less than significant. Additionally, implementation of Warner Center Plan Mitigation Measures PS-1 through PS-10 would further reduce impacts to fire protection and emergency medical services.

a. Project Design Features

Section IV.J.1, Public Services—Police Protection, includes Project Design Features J.1-2, J.1-4, and J.1-9 which would reduce impacts for both police protection and fire protection.

b. Mitigation Measures

Project-level and cumulative impacts with regard to fire protection and emergency medical services would be less than significant. Nonetheless, the mitigation measures set forth in the Warner Center Plan EIR, and listed below, would be implemented as part of the Project:

Warner Center Plan Mitigation Measure PS-2: The City shall require that applicants of the individual projects developed as part of the WCRCCSP shall submit for review and approval all future project plans to the LAFD to ensure that all new structures would comply with current fire codes and LAFD requirements.

Warner Center Plan Mitigation Measure PS-3: Project building plans shall include the submittal of a plot plan for approval by the Los Angeles Fire Department either prior to the recordation of the final map or the approval of a building permit.

Warner Center Plan Mitigation Measure PS-4: The City shall require that all applicants within the WCRCCSP area consult with the Fire Department and incorporate fire prevention and suppression features appropriate to the design of each project.

Warner Center Plan Mitigation Measure PS-5: The City shall require that plans and specifications shall be submitted to the Fire Department and requirements for necessary permits satisfied prior to commencement of any portion of any project.

Warner Center Plan Mitigation Measure PS-6: The City shall require fire hydrants to be installed as appropriate that shall be fully operational and accepted by the Fire Department prior to any building construction above grade.

Warner Center Plan Mitigation Measure PS-7: The City shall require plot plans indicating access driveways and roads and turning areas be reviewed and approved by the Fire Department, prior to the issuance of a building permit.

Warner Center Plan Mitigation Measure PS-8: The City shall require that during the construction phase of each project, emergency access shall remain clear and unobstructed.

Warner Center Plan Mitigation Measure PS-9: The City shall require that each project comply with all applicable State and local codes and ordinances, and the guidelines found in the Fire Protection and Fire Prevention Plan, as well as the Safety Plan, both of which are elements of the General Plan of the City of Los Angeles.

Warner Center Plan Mitigation Measure PS-10: The City shall require that all access roads, including fire lanes, shall be maintained in an unobstructed manner, removal of obstructions shall be at the owner's expense. The entrance to all required fire lanes or required private driveways shall be posted with a sign no less than three-square feet in area in accordance with Section 57.09.05 of the Los Angeles Municipal Code.

Pursuant to Mitigation Measure K-1, the Project Applicant would implement a Construction Management Plan that would include provisions to ensure that adequate and safe access remains available within and near the Project Site during construction activities.

3. Schools – Construction, Operations, and Cumulative

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, 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 increase in demand for schools in the vicinity of the Project Site. Impacts on school facilities during Project construction would be less than significant.

The Project's operations would directly generate students from the population growth due to the 1,432 new multi-family residential units as well as Project employees. Pursuant to SB 50, the

Project Applicant would be required to pay development fees for schools to 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, with payment of the applicable school fees per SB 50, impacts on schools would be less than significant, and mitigation measures would not be required.

Based on the rates provided in the 2016 LAUSD Developer Fee Justification Study, the Project, in combination with the 26 applicable related projects, would have the potential to generate a cumulative total of 4,346 new school-aged students. The Project, future development, including the related projects, would be required to pay development fees for schools to LAUSD prior to the issuance of building permits pursuant to SB 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, with payment of these fees, the Project in conjunction with related projects, would have a less than significant cumulative impact.

Consistent with the Warner Center Plan EIR, Project-level and cumulative impacts related to schools would be less than significant prior to mitigation with payment of fees, however a mitigation measure would be implemented as part of the Project to ensure that Project impacts on schools are less than significant, as the Project would result in a substantial incremental contribution to the cumulative demand for school services.

a. Mitigation Measures

Project-level and cumulative impacts with regard to schools would be less than significant with the payment of development fees to LAUSD prior to the issuance of building permits. Nonetheless, as set forth in the Warner Center Plan EIR, the following mitigation measure would be implemented as part of the Project:

Warner Center Plan Mitigation Measure PS-20: For projects developed under the WCRCCSP, the city shall ensure that prior to issuance of a building permit, the project developer shall pay to the LAUSD the prevailing State Department of Education Development Fee to the extent allowed by State Law. School fees exacted from residential and commercial uses would help fund necessary school service and facilities improvements to accommodate anticipated population and school enrollment within the LAUSD service area, and would allow for the LAUSD to allocate these funds as they deem necessary.

4. Parks and Recreation – Construction, Operations, and Cumulative

The use of public parks and recreational facilities by construction workers would be expected to be limited, as construction workers are highly transient in their work locations and are more likely to utilize parks and recreational facilities near their places of residence. Thus, impacts on parks and recreational facilities during Project construction would be less than significant, and mitigation measures would not be required.

The Project's residential units would introduce an estimated 3,714 new residents. The population increase associated with the Project would generate additional demand for parks and recreational facilities in the Project vicinity. The Project would provide a total of approximately 5.6 acres of publicly accessible, ground-level open space, in addition to 6 acres of private open space on the Project's rooftops. The Project's proposed 475,000 square feet of open space would exceed both the 154,325 square feet of residential open space requirements of the Los Angeles Municipal Code and the 107,941 square feet of publicly accessible open space requirements in the Warner

Center Plan. Due to the amount, variety, and availability of the proposed open space and recreational amenities, the Project would not substantially increase the demand for off-site public parks and recreational facilities, and impacts would be less than significant.

With respect to cumulative impacts, the Warner Center Plan EIR concluded that with implementation of Warner Center Plan Mitigation Measure PS-21, the Warner Center Plan's cumulative impacts related to parks would be less than significant. Future development projects would 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, and the Warner Center Plan, as applicable. Compliance with those requirements would mitigate potential any park and recreational facility impacts associated with the construction and operation of these related projects. As such, cumulative impacts to parks and recreational facilities would be less than significant. Consistent with the Warner Center Plan EIR, Project-level and cumulative impacts related to parks and recreational facilities would be less than significant.

a. Mitigation Measures

Project-level and cumulative impacts with regard to parks and recreational facilities would be less than significant with compliance with applicable regulatory requirements. Nonetheless, as set forth in the Warner Center Plan EIR, the following mitigation measure would be implemented as part of the Project:

Warner Center Plan Mitigation Measure PS-21: The City shall require that project applicants comply with the open space regulations of the Warner Center Specific Plan.

5. Libraries – Construction, Operation, and Cumulative

Project-related construction workers would not result in a notable increase in the resident population within the service area of the Woodland Hills Branch Library or a corresponding demand for library services in the vicinity of the Project Site. Additionally, any increase in usage of the libraries serving the Project Site by construction workers is anticipated to be negligible. As such, impacts to library facilities during construction of the Project would be less than significant, and no mitigation measures are required.

The Project Site is located within the service area of the Woodland Hills Branch Library. Project operations would generate approximately 3,714 residents on the Project Site as well as approximately 5,053 new employees (1,482 existing plus 3,571 new), which would increase the Project Site's demand for library services. The Woodland Hills Branch Library would not reach the population of 90,000, when the Los Angeles Public Library (LAPL) recommends provision of an additional branch library. Although outside the two-mile service radius, the LAPL identified the Canoga Park Branch Library and the Platt Branch Library as facilities that could also provide library services to the Project Site and alleviate the demand placed on the Woodland Hills Branch Library from Project residents. Furthermore, as provided in Project Design Feature J.5-1, each of the residential buildings would include an 800-square-foot library room available for use by residents. As such, the Project would not conflict with or impede implementation of the objective and policy related to libraries in the Canoga Park–Winnetka–Woodland Hills–West Hills Community Plan. Based on the above, impacts on library facilities during operation of the Project would be less than significant, and no mitigation measures are required.

The Warner Center Plan EIR recommended that the City collect impact fees from individual projects to offset the burden from the plan's implementation on existing libraries, as set forth in

Warner Center Plan Mitigation Measure PS-22. Implementation of the 21 residential related projects and the Project would add a total of 26,017 residents to the Woodland Hills Regional Branch Library's future 2033 service population of 75,148 residents, for a future service population of 101,165 residents. Assuming that residents from all 21 applicable related projects would utilize the Woodland Hills Branch Library, the future service population would warrant the addition of a new branch library pursuant to the library sizing standards recommended in the 2007 Branch Facilities Plan. However, this estimate is conservative considering that all three libraries in the Project vicinity would provide library services to the 26,017 service population generated by the Project and the related projects, and not all the new residents would utilize the three libraries equally. In addition, this estimate is likely overstated as it does not consider that much of the growth associated with the Project and related projects is already accounted for in the service population projections. In addition, as stated in the Warner Center Plan EIR, with the shift in technology from books to computers and the availability of computer-based resources reduces the demand for physical library space.

Impacts on library facilities during operation of the Project would be less than significant and, based on the above, the Project's contribution to cumulative impacts on libraries would not be cumulatively considerable.

a. Project Design Features

The following project design feature is proposed to be implemented as part of the Project:

Project Design Feature J.5-1: The Project shall incorporate a library room of approximately 800 square feet in each residential building for use by Project residents. The library room will include computers, free internet access, periodicals, books for loan, seating areas and tables.

b. Mitigation Measures

Project and cumulative impacts to library services would be less than significant. Nonetheless, the mitigation measure set forth in the Warner Center Plan EIR, and listed below, would be implemented as part of the Project:

Warner Center Plan Mitigation Measure PS-22: The City shall require that individual projects developed within the WCRCCSP area offset the burden on the existing libraries through one of the following: (1) payment of a fee based on an established nexus between the new development, demand and the need for additional personnel and facilities; (2) provision of on-site facilities commensurate with the demand generated; or (3) some combination of the foregoing. If any fees are collected, they should be spent within the WCRCCSP area.

G. Traffic and Access

1. Construction Impacts - On-Street Parking Impacts

Parking is not allowed adjacent to the Project Site; therefore, construction fences would not result in any temporary loss of on-street parking spaces. Therefore, impacts to on-street parking during the construction of the Project would be less than significant.

2. Operational and Cumulative Impacts

a. Regional Transportation System

On days without an event at the Entertainment and Sports Center, the Project is estimated to generate approximately 30 percent to 53 percent fewer trips than analyzed by the Warner Center Plan, and on sold out event days, approximately 21 percent to 31 percent fewer trips are estimated to be generated during the peak hours. In addition, with regard to LOS, the Project is not anticipated to result in significantly impacted intersections in the Study Area during 5:00 P.M. to 6:00 P.M. peak hour, which is analyzed by the CMP, assuming the full implementation of the Warner Center Mitigation Program and project-specific Project Design Features. The Project is consistent with the Warner Center Plan EIR analysis and conclusions. Thus, similar to the Warner Center Plan, impacts to the CMP arterial monitoring stations analyzed in the Warner Center Plan, including the CMP monitored intersections closest to the Project Site (i.e., Topanga Canyon Boulevard and Victory Boulevard and Topanga Canyon Boulevard and Ventura Boulevard), would be less than significant under the Project.

The Project Site is served by numerous bus lines, including the new Warner Center circulator. Overall, the total transit capacity along the routes of those lines can accommodate the Project's transit trips. Therefore, the Project impact to the regional transit system is anticipated to be less than significant.

The Project (and other related projects) will cumulatively add transit ridership, Metro's Long Range Transportation Plan (LRTP) outlines new projects, programs and initiatives that would improve public transit systems. The LRTP includes rail line construction, transit and highway projects and additional services to accommodate cumulative demand in the region. These improvements will be funded through Measure M (Los Angeles County Traffic Improvement Plan), which was approved by voters in November 2016. With the LRTP projects and the establishment of a funding mechanism, cumulative impacts on public transit are anticipated to be less than significant under the Project.

b. Access and Circulation

The Project is proposed to provide four primary signalized driveways, as well as nine minor driveways along the Project Site's periphery. All new driveways would be designed according to LAMC and LADOT standards, and thus would not increase hazards due to design features. They would not conflict with adopted City policies or plans for alternative transportation as they would not conflict with any bus turnouts or bicycle facilities. Based on the *L.A. CEQA Thresholds Guide*, a project would have a significant impact on project access if the intersection(s) nearest the primary site access is/are projected to operate at LOS E or F during the A.M. or P.M. peak hours under Future with Project conditions. None of the intersections nearest the primary site access or signalized Project driveways are projected to operate at LOS E or F during the A.M. or P.M. peak hours under Future with Project conditions. Therefore, based on the above, Project impacts with regard to access and circulation would be less than significant.

In addition to this analysis, although not required by the LADOT *Transportation Impact Study Guidelines* and generally not analyzed in other City of Los Angeles EIRs, an evaluation of access conditions during the holiday time period (i.e., between Thanksgiving and New Year's Day) was also prepared for informational purposes only. The intersections nearest the primary site access (i.e. on the boundaries of the Project Site) are projected to operate at LOS C or better, with one intersection (Intersection No. 24, Topanga Canyon Boulevard & Oxnard Street) projected to operate at LOS D during the 5:00 P.M.–6:00 P.M. period on a weekday and during the 1:00 P.M.–2:00 P.M. period on a Saturday. These represent acceptable operating conditions. As described in Project Design Feature K-6, the Event Management Plan will include additional measures for the holidays to ensure that acceptable access is maintained during holiday periods.

Although this analysis is not required by CEQA, the Traffic Study also included an analysis of projected operating conditions and queue lengths at the Project's four primary signalized driveways

with implementation of the Project. Project driveways are projected to accommodate Project traffic and operate at an acceptable LOS without excessive congestion during all phases of the Project, under both no event and sold-out event conditions. During sold-out event conditions, measures to address queuing into the site would be included in the implementation of an EMP to facilitate on- and off-site circulation, as set forth in Project Design Feature K-6.

With regard to cumulative access and safety impacts, the Project occupies the entire block and is not directly adjacent to other sites. Therefore, the Project's impacts associated with access and safety would not be cumulatively considerable and cumulative impacts to access and circulation would be less than significant.

c. Bicycle, Pedestrian, and Vehicular Safety

The Project's new pedestrian access locations would be required to conform to City standards and would be designed to provide adequate sight distance, sidewalks, and/or pedestrian movement controls that would meet the City's requirements to protect pedestrian safety. In addition, the proposed minor driveways would be designed to limit potential impediments to visibility and incorporate pedestrian warning systems, if and to the extent necessary. The Project would also replace and enhance existing sidewalks and provide a direct and safe path of travel with minimal obstructions to pedestrian movement within and adjacent to the Project Site. The Project would not disrupt bicycle flow along Topanga Canyon Boulevard, Owensmouth Avenue, and Oxnard Street, and bicycle parking spaces and amenities would be provided within the Project Site in accordance with LAMC requirements. Based on the above, the Project would not substantially increase hazards to bicyclists, pedestrians, or vehicles. As such, impacts related to bicycle, pedestrian, and vehicular safety would be less than significant.

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. The Project is not anticipated to result in significant impacts related to these items. Thus, Project impacts with regard to bicycle, pedestrian, and vehicular safety would not be cumulatively considerable, and cumulative impacts would be less than significant.

d. Parking

In accordance with SB 743, impacts associated with parking are not considered significant impacts. However, an analysis of parking is provided below for informational purposes.

Based on the parking requirements for residential, hotel, retail, and office uses set forth in the Warner Center Plan and the LAMC, the Project would be required to provide a total of 2,965 non-event parking spaces. The Project would provide a total of 5,655 parking spaces. The Entertainment and Sports Center would require parking spaces under the LAMC (1 space per 5 seats). Therefore, the remaining 2,690 parking spaces provided on the Project Site (5,655 total spaces—2,965 non-ESC required spaces) would be utilized to fulfill the required parking spaces for the Entertainment and Sports Center and provide additional parking to support the residential, hotel, retail, and office uses. The required parking provided for the residential and hotel uses would not be shared, in accordance with the Warner Center Plan. However, additional parking provided over the amount required for the residential and hotel uses could be shared with the Entertainment and Sports Center when needed. The Project's parking demand analysis indicates that off-site parking would be required to meet parking demand during peak month sold-out events. During the peak month of December, 159 off-site parking spaces would be required during weekday events and 360 off-site parking

spaces would be required during weekend events. While not required to meet code requirements for parking, this demand can be readily managed as adjacent properties include extensive parking.¹⁶

As set forth under Project Design Feature K-6, the Project would include the development of an Event Management Plan (EMP). The EMP would address the on-site shared use and off-site parking required for the Entertainment and Sports Center, depending on the time of year, day/time of the event, and the number of event attendees. The EMP would require that sufficient parking be provided through a combination of on-site shared parking and available off-site parking to meet event demand. The Applicant would be required to provide annual evidence to LADOT of agreements that identify/secure the location and quantity of available off-site parking for review and approval. Based on the above, and pursuant to SB 743 and ZI 2452, the Project's parking impacts, shall not be considered significant impacts on the environment pursuant to Public Resources Code Section 21099. Therefore, impacts related to parking would be less than significant. The Project would comply with the applicable bicycle parking requirements of the LAMC, and bicycle parking impacts would be less than significant.

Related projects would have been, or would be subject to, City review to ensure that adequate parking be provided for each of the related projects. Furthermore, pursuant to SB 743 and ZI 2452, the Project's parking impacts shall not be considered significant impacts on the environment pursuant to Public Resources Code Section 21099. Therefore, Project impacts with regard to parking would not be cumulatively considerable, and cumulative impacts would be less than significant.

e. Caltrans Facilities Analysis

Analysis of Caltrans facilities was prepared in accordance with the Caltrans TIS Guide. However, Caltrans does not identify specific incremental criteria by which to measure the significance of impacts to freeway mainline segments or intersections, and, therefore, it is not possible to identify whether a specific facility would be significantly impacted under Caltrans criteria. Nevertheless, under full buildout, the Project's traffic results in 21 of the 26 arterial/ramp terminal intersections projected to operate at LOS D or better during all analyzed periods. The five remaining intersections are projected to operate at LOS E or F during the noted peak period; four of the five intersections currently operate at LOS E or F under Existing Conditions. Eleven freeway segments are projected to operate at LOS E or F in at least one direction of travel during at least one of the analyzed peak periods with the addition of Full Project traffic; seven of the 11 currently operate at LOS E or F under Existing Conditions. With respect to off-ramp queuing, two of the five off-ramps selected for analysis are projected to be able to adequately accommodate queuing with the addition of Project traffic.

To identify the Project's contribution towards the cumulative effects of traffic growth on the state transportation network (freeway mainline and off-ramps), a proportionate share calculation was prepared based on Appendix B of the Caltrans TIS Guidelines. The proportionate share was prepared for each anticipated phase of the Project and will be utilized to identify the Project's financial contribution towards the future implementation of a transportation improvement project to be selected by Caltrans. The Applicant would contribute a proportionate share toward improvements that Caltrans identifies for the freeway mainline and off-ramps identified above to mitigate cumulative impacts to the state transportation network.

¹⁶ It should be noted that the Erratum dated May 2020 inadvertently identified the weekday off-site required parking spaces as 360 parking spaces and the weekend off-site required parking spaces as 159 parking spaces. Nevertheless, the March 6, 2020 Assessment Letter issued by LADOT, correctly identified the respective off-site parking required for the weekday as 159 off-parking spaces and 360 weekend off-site required parking spaces. This letter was included as Exhibit C in staff report to the City Planning Commission for review and consideration at the May 28, 2020 City Planning Commission meeting.

The Project is consistent with the Warner Center Plan and policies to reduce VMT consistent with SB 743 by being location-efficient as an urban infill project in a Downtown District with a mix of uses adjacent to multiple transit lines; providing bicycle parking and bicycle amenities consistent with City requirements; encouraging walkability through site design; providing the minimum number of parking spaces permitted; and being consistent with the growth patterns identified in the Warner Center Plan and the SCAG RTP/SCS.

Project-level and cumulative impacts to CMP monitored intersections, freeway mainline monitoring station, and transit would be less than significant. Project traffic are anticipated to add to cumulative impacts on Caltrans facilities, these cumulative impacts are typically beyond the feasibility of any individual project to implement improvements to Caltrans freeway facilities. Additionally, Caltrans does not identify specific incremental criteria by which to measure the significance of impacts to freeway mainline segments or intersections, and, therefore, it is not possible to identify whether a specific facility would be significantly impacted under Caltrans criteria.

However, as approved by Caltrans, the Traffic Study identified the Project's proportionate share of the future traffic growth on the Caltrans freeway facilities and identified proportionate share costs towards eventual improvements to Caltrans' system. Each of the related projects would be required to undergo an analysis to determine the proportionate share owed as the project's percentage of the total projected traffic growth on a freeway mainline segment over the next 15 years until year 2035, the horizon year of Caltrans' long-range planning projections.

H. Utilities and Service Systems

1. Water Supply and Infrastructure – Construction, Operations, and Cumulative

a. Water Supply

The short-term and intermittent water use during construction of the Project would be less than the net new water consumption of the Project at buildout. The Project's temporary and intermittent demand for water during construction could be met by the City's available supplies during each year of Project construction. As such, construction-related impacts to water supply would be less than significant.

The Project would implement Project Design Feature M.1-1, which includes implementation of additional water conservation measures beyond those required by the LAMC, as amended by Ordinance No. 184248. With the removal of the existing uses and prior accounting for water conservation measures, the Project would result in an average daily water demand of approximately 727,254 gpd. The 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, in addition to the existing and planned future water demands within LADWP's service area, through the year 2040. Therefore, the estimated water demand for the Project would not exceed the available supplies projected by LADWP and the Project's operation-related impacts on water supply would be less than significant.

There are 29 related projects located in the Project Site vicinity. Based on water demand projections through 2040 in LADWP's 2015 Urban Water Management Plan (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., 2033, the project buildout year) based on demographic growth projections in SCAG's 2012–2035 RTP/SCS. The Promenade 2035 WSA also concluded that LADWP will be able to meet proposed water demand of the Project together with the existing and planned future water demands of the City. 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. Based on the related projects list and

projections provided in adopted plans, Project impacts to water supply would not be cumulatively considerable, and cumulative impacts would be less than significant.

b. Water Infrastructure

The existing off-site LADWP water infrastructure system would be adequate to provide for the water flow necessary to serve the Project during construction. 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. A Construction Management Plan would be implemented to ensure that adequate and safe access remains available within and near the Project Site during construction activities. Therefore, construction-related impacts to water infrastructure would be less than significant.

For operations, water service to the Project Site would continue to be supplied by LADWP for domestic and fire protection uses. While domestic water demand is typically the main contributor to operational water consumption, fire flow demands have a much greater instantaneous impact on infrastructure, and therefore, are the primary means for analyzing infrastructure capacity. The approved Information of Fire Flow Availability Request (IFFAR) and Service Advisory Requests (SARs) confirm that sufficient off-site infrastructure capacity is also available to serve the private water demands of the Project. Accordingly, the Project would not require or result in the construction of new off-site water facilities or expansion of existing off-site facilities. Therefore, the Project's operational impacts on water infrastructure would be less than significant.

Development of the Project and future new development in the vicinity of the Project Site would cumulatively increase demands on the existing water infrastructure system. However, 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 flow 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.

c. Project Design Features

The following project design feature is proposed to be implemented as part of the Project:

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

- High-efficiency toilets with flush volume of 1.04 gallons of water per flush.
- Kitchen faucets with flow rate of 1.25 gallons per minute.
- Showerheads with flow rate of 0.75 gallons per minute.
- Lavatory faucets with flow rate 0.35 gallon per minute for residential and hotel units.
- Pre-rinse spray valves (kitchen faucet) with flow rate of 1.28 gallons per minute.
- Residential clothes washers, front-loading (> 2.5 cu-ft)—Integrated Water Factor 3.0.
- Residential dishwashers, 3.0 gallons/cycle.

- Cooling tower conductivity controllers or cooling tower pH conductivity controllers.
- Pool/spa solar water heating.
- Pool/spa recirculating filtration equipment.
- Pool splash troughs around the perimeter that drain back into the pool.
- Install a meter on the pool make-up line so water use can be monitored and leaks can be identified and repaired.
- Reuse pool backwash water for irrigation.
- Leak detection system for swimming pool and spa.
- Drip/subsurface irrigation (micro irrigation).
- Micro-spray.
- Proper hydro-zoning (group plants with similar water requirements together).
- Landscape contouring to minimize precipitation runoff.
- Drought-tolerant plants—100 percent of total ornamental landscaping.
- Rainwater harvesting systems.
- Wood chips and mulch (3 inches) around the base of trees and shrubs.
- No public water features.

d. Mitigation Measures

Project-level and cumulative impacts with regard to water supply and infrastructure would be less than significant with compliance with regulatory measures and implementation of project design features. Nonetheless, the relevant mitigation measures set forth in the Warner Center Plan EIR, would be implemented as part of the Project:

Warner Center Plan Mitigation Measure U-2: Water supply and conveyance demand/pressure clearance from LADWP will be required at the time that a water connection permit application is submitted.

Warner Center Plan Mitigation Measure U-3: The City shall require each applicant to coordinate with the City of Los Angeles Fire Department and Building Safety Department in order to ensure that existing and/or planned fire hydrants are capable of meeting fire flow demand/pressure requirements. The issuance of building permits will be dependent upon submission, review, approval, and testing of fire flow demand and pressure requirements, as established by the City of Los Angeles Fire Department and Building Safety Department prior to occupancy.

Warner Center Plan Mitigation Measure U-4: The City shall require that each applicant implement water conservation measures in new development that shall include but not be limited to the following:

- High-efficiency urinals (0.125 gallon per flush or less, includes waterless);
- Restroom faucet flow rate of 1.5 gallons per minute or less;
- Public restroom faucet flow rate of 0.5 gallon per minute or less and self-closing;
- Limit of one showerhead per shower stall;
- Domestic water heating system located in close proximity to point(s) of use, as feasible; use of tankless and on-demand water heaters as feasible;
- Cooling towers must be operated at a minimum of 5.5 cycles of concentration;
- Install on-site water recycling as feasible;
- Use of recycled water (if available) for appropriate end uses (irrigation, cooling towers, sanitary);
- Single pass cooling shall be prohibited (e.g. any vacuum pumps or ice machines); and,
- Irrigation shall include:
 - Weather-based irrigation controller with rain shutoff
 - Flow sensor and master valve shutoff (for large landscaped areas)
 - Matched precipitation (flow) rates for sprinkler heads
 - Minimum irrigation system distribution uniformity of 75 percent

Warner Center Plan Mitigation Measure U-5: The City shall require that prior to the issuance of a building permit, each applicant shall consult with LADWP to identify feasible and reasonable measures to reduce water consumption, including, but not limited to, systems to use reclaimed water for landscaping (should reclaimed water become available in Warner Center), drip irrigation, re-circulating hot water systems, water conserving landscape techniques (such as mulching, installation of drip irrigation systems, landscape design to group plants of similar water demand, soil moisture sensors, automatic irrigation systems, clustered landscaped areas to maximize the efficiency of the irrigation system), water conserving kitchen and bathroom fixtures and appliances, thermostatically controlled mixing valves for baths and showers, and insulated hot water lines, as per City adopted UBC requirements.

Warner Center Plan Mitigation Measure U-6: The City shall require that each project incorporate Phase I of the City of Los Angeles Emergency Water Conservation Plan including prohibiting hose watering of driveways and associated walkways; requiring decorative fountains to use recycled water, and repairing water leaks in a timely manner.

Warner Center Plan Mitigation Measure U-7: The City shall require that each project comply with any additional mandatory water use restrictions imposed as a result of drought conditions.

Warner Center Plan Mitigation Measure U-8: The City shall require automatic sprinkler systems to be installed to irrigate landscaping during morning hours or during the evening to reduce water losses from evaporation. Sprinklers shall be reset to water less often in cooler months and during the rainfall season, so that water is not wasted in excessive landscape irrigation.

Warner Center Plan Mitigation Measure U-9: Prior to issuance of building permits, applicants shall pay any appropriate fees imposed by the Building and Safety Department. A percentage of building permit fees is contributed to the fire hydrant fund, which provides for Citywide fire protection improvements.

Warner Center Plan Mitigation Measure U-10: Development within Warner Center must remain within Citywide water budgets established by LADWP. As required by LADWP projects may be required to provide for new water supply through a combination of water conservation (on and potentially off-site) and recycled water, such that the net increase in water demand (not including demand for recycled water) from Warner Center does not exceed the calculated demand anticipated for the City and/or Warner Center as appropriate and as documented in the City's most recent Urban Water Management Plan.

Warner Center Plan Mitigation Measure U-11: Any pumping and discharge or disposal of groundwater is considered to be a consumptive use. The City requires that any pumping of groundwater be reported to the Watermaster and LADWP shall be compensated for any loss of groundwater. In addition, reasonable efforts shall be used by project applicants to beneficially use any extracted groundwater (for example cooling or irrigation).

2. Wastewater – Construction, Operation, and Cumulative

Construction activities for the Project would result in a temporary increase in wastewater generation as a result of construction workers on-site. However, such use would be temporary and nominal when compared with the Project Site wastewater generation under baseline conditions. In addition, construction workers would typically utilize portable restrooms, which would not contribute to wastewater flows from the Project Site to the City's wastewater system. The Project would require construction of new on-site infrastructure to serve new buildings, and the potential upgrade and/or relocation of existing infrastructure. Construction impacts associated with wastewater infrastructure would primarily be confined to on-site wastewater distribution, and minor off-site work associated with connections to the public main. As set forth in Mitigation Measure K-1, a Construction Management Plan would be implemented to reduce any temporary pedestrian and traffic impacts. Therefore, Project impacts on wastewater associated with construction activities would be less than significant.

Project operations would generate a net increase in the average daily wastewater flow from the Project Site of approximately 424,307 gpd. Wastewater generated by the Project would be conveyed via the existing wastewater conveyance systems for treatment at the Hyperion Treatment Plant. The Project-generated wastewater would be accommodated by the existing capacity of the Hyperion Treatment Plant, and impacts would be less than significant.

Sewer service for the Project would be provided utilizing new or existing on-site sewer connections to the existing sewer lines adjacent to the Project Site. The Project's net increase of 424,307 gpd would be below the approved discharge of up to 526,950 gpd for the sewer lines along Topanga Canyon Boulevard, Owensmouth Avenue and Erwin Street, based on the Sewer Capacity Availability Request (included in the Utility Report, provided in Appendix P, of the Draft Supplemental EIR) obtained from LA Sanitation to evaluate the capability of the existing wastewater system to serve the Project's estimated wastewater flow. The Project would also comply with LAMC Section 64.14 to obtain final approval of sewer capacity and connection permit for the Project during the Project's permitting process. In addition, Project-related sanitary sewer connections and on-site infrastructure would be designed and constructed in accordance with applicable LA Sanitation and California Plumbing Code standards. Therefore, impacts related to wastewater generation and infrastructure capacity would be less than significant.

Development of the Project, in conjunction with the related projects, would result in an increase in the demand for sanitary sewer service in LA Sanitation's Hyperion Service Area. The Hyperion Service Area is expected to have adequate capacity to accommodate the cumulative wastewater flow to accommodate the Project and related projects. Therefore, Project-related 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 Site vicinity would be required to coordinate with LA Sanitation via a sewer capacity availability request to determine adequate sewer capacity. In addition, new development projects would also be subject to LAMC Sections 64.11 and 64.12, which require approval of a sewer permit prior to connection to the sewer system. Furthermore, similar to the Project, each related project would be required to comply with applicable water conservation programs, including the City of Los Angeles Green Building Code, which would reduce wastewater generation. Therefore, Project impacts on the City's wastewater infrastructure would not be cumulatively considerable, and cumulative impacts would be less than significant.

a. Project Design Features

The Project would include water conservation features, which would also result in a reduction in wastewater. Such conservation features are included in Project Design Feature M.1-1.

b. Mitigation Measures

Project-level and cumulative impacts with regard to wastewater would be less than significant with compliance with regulatory measures and implementation of project design features. Nonetheless, the mitigation measure set forth in the Warner Center Plan EIR, and listed below, would be implemented as part of the Project:

Warner Center Plan Mitigation Measure U-1: The City shall require that the project applicant for each project within the WCRCCSP be required to coordinate with the Department of Public Works, Bureau of Sanitation in order to ensure that existing and/or planned sewer conveyance and treatment facilities are capable of meeting wastewater flow capacity requirements. In coordination with the Bureau of Engineering, each Applicant/Contractor shall be required to identify specific on- and off-site improvements needed to ensure that impacts related to wastewater conveyance capacity are addressed prior to issuance of plans. Sewer capacity clearance from the Department of Public Works will be required at the time that a sewer connection permit application is submitted.

3. Solid Waste – Construction, Operation, and Cumulative

Construction of the Project would involve demolition and building construction activities. Since construction and demolition waste would be hauled by a private construction contractor permitted by the City, the Project would not result in the need for an additional solid waste collection route. Pursuant to the requirements of SB 1374 and City Ordinance No. 181519, the Project would implement a construction waste management plan to recycle and/or salvage a minimum of 75 percent of non-hazardous demolition and construction debris. The total amount of construction and demolition waste generated by the Project would represent a fraction of the remaining capacity at the unclassified landfill serving Los Angeles County—the Azusa Land Reclamation Landfill. 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.

Based on the age of several of the building structures on-site, asbestos or asbestos-containing materials (ACMs), lead-based paint (LBP), and polychlorinated biphenyls (PCBs) may be present. In the event that these 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. In addition, although not expected, it is possible that contaminated soils may be uncovered during construction. Any such materials would be removed in accordance with applicable regulations and taken to a licensed hazardous waste disposal facility. Compliance with regulatory requirements would reduce the potential for a Project impact associated with disposal of construction-related hazardous waste to a less-than-significant level.

When accounting for the removal of the existing uses, operation of the Project would result in a net increase of approximately 6,449 tons of solid waste generated on the Project Site annually, or approximately 17.66 tons per day. Assuming a diversion rate of 62 percent, the net increase in solid waste disposal associated with the Project would be approximately 2,451 tons per year. The Project would be subject to the City's upcoming Zero Waste LA franchising system, which is expected to result in a reduction of landfill disposal Citywide with a goal of reaching a Citywide recycling rate of 90 percent by the year 2025. The Project's net increase of 2,451 tons of annual solid waste disposal would represent approximately 0.03 percent of the estimated remaining Class III landfill capacity available to the City of Los Angeles. Thus, based on the amount of solid waste to be generated by the Project, the waste reduction measures that would be implemented, and the existing capacity of Los Angeles County landfills, potential impacts associated with solid waste disposal would be less than significant.

Since construction and demolition waste would be hauled by a private construction contractor permitted by the City, the Project and each of the related projects would not result in the need for an additional solid waste collection route. Therefore, cumulative impacts on solid waste collection routes would be less than significant. Given the requirements of the Citywide Construction and Demolition Debris Recycling Ordinance (Ordinance No. 181519), which requires all mixed construction and demolition waste generated within City limits be taken to a City certified construction and demolition waste processor, it is anticipated that future cumulative development would also implement similar measures to divert construction and demolition waste from landfills. Furthermore, the unclassified landfill that serves the City of Los Angeles does not face capacity issues. Therefore, cumulative impacts on the unclassified landfill, Azusa Land Reclamation, would be less than significant. 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, Framework Element, RENEW LA Plan, and LA Green Plan. Therefore, construction of the Project, and each of the related projects would not result in cumulatively significant impacts.

Operation of the Project, in conjunction with forecasted growth in the County through 2033 (inclusive of the related projects), would generate municipal solid waste and result in a cumulative increase in the demand for waste disposal capacity at Class III landfills. Furthermore, the Project would be within the anticipated development and the associated solid waste generation estimated in the Warner Center Plan EIR. Therefore, consistent with the determination in the Warner Center Plan EIR, the Project's contribution to the County's estimated cumulative waste stream would not be cumulatively considerable. The County will continue to address landfill capacity through the preparation of Countywide Integrated Waste Management Plan annual reports to address potential future shortfalls in landfill capacity. Thus, cumulative impacts with regard to solid waste would be less than significant.

a. Project Design Features

The following project design feature is proposed to be implemented as part of the Project:

Project Design Feature M.3-1: The Project shall comply with the sustainability intent of the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED®) program to meet the standards of LEED Silver or equivalent green building standards. In so doing, the Project shall:

- Use at least 10 percent recycled material, at least 10 percent regional materials use (sourced within 500 miles), and certified wood in new construction; and
- Use recycled content for concrete, fly ash within concrete, and structural steel with recycled content.

b. Mitigation Measures

Impacts from solid waste generation during construction and operation of the Project would be less than significant. Nonetheless, the mitigation measure set forth in the Warner Center Plan EIR, and listed below, would be implemented as part of the Project:

Warner Center Plan Mitigation Measure U-12: The City shall require that each project recycle and/or salvage at least 75 percent of non-hazardous construction and demolition debris, and that each applicant prepare a construction waste management plan that, at a minimum, identifies the materials to be diverted from disposal and whether the materials will be sorted on-site or comingled. Excavated soil and land-clearing debris do not contribute to the amount of recycled/salvaged debris. Calculations can be done by weight or volume, but must be consistent throughout. Projects in Warner Center will be required to comply with the City's standard requirement that, all proposed residential developments of four or more units or where the addition of floor areas is 25 percent or more, and all other development projects where the addition of floor area is 30 percent or more, are required to set aside a recycling area or room for on-site recycling activities.

VII. IMPACTS FOUND TO BE LESS THAN SIGNIFICANT WITH MITIGATION

A. Air Quality (Construction and Cumulative)

1. Toxic Air Contaminants and Localized Impacts from On-Site Construction Activities (Construction and Cumulative)

a. Description of Environmental Effects

The greatest potential for TAC emissions during construction would be from diesel particulate emissions associated with heavy equipment operations during grading and excavation activities. Warner Center Plan Mitigation Measure AQ-1 requires the use of off-road diesel-powered construction equipment greater than 50 hp to meet the Tier 4 emission standards, where available. Relative to previous emissions standards, Tier 4 compliant engines reduce emissions over 95 percent for most construction equipment. Construction impacts associated with TAC emissions would be less than significant with incorporation of mitigation measures. As such, the Project's contribution to cumulative toxic emission impacts during construction would not be cumulatively considerable and thus is less than significant.

Maximum localized construction emissions for off-site sensitive receptors would not exceed the SCAQMD-recommended localized screening threshold for CO. However, maximum construction emissions would exceed the SCAQMD-recommended localized screening threshold for NO_x in Years 2019–2021 and PM₁₀ and PM_{2.5} in Years 2019–2021 and 2031 primarily as a result of grading and hauling activities. With incorporation of Warner Center Plan Mitigation Measure AQ-1, maximum localized construction emissions for sensitive receptors would not exceed any of the SCAQMD-recommended localized screening thresholds. Impacts would also be less than significant after mitigation under the following two scenarios, which were analyzed in the Draft Supplemental EIR: in the event that soil on the Project Site is not suitable for recompaction or the Project is unable to stockpile and reuse the soil on site, and additional export and import is required (in which case the duration and not the intensity of export/import would increase); and in the event of concurrent construction of the Southeast area (Year 2031) and operation of the Northeast, Northwest, and Southwest areas. Therefore, localized construction emissions resulting from the Project, would result in a less-than-significant short-term impact with incorporation of mitigation.

The greatest potential for TAC emissions during construction would be from diesel particulate emissions associated with heavy equipment operations during grading and excavation activities. Warner Center Plan Mitigation Measure AQ-1 requires the use of off-road diesel-powered construction equipment greater than 50 hp to meet the Tier 4 emission standards, where available. Relative to previous emissions standards, Tier 4 compliant engines reduce emissions over 95 percent for most construction equipment. Construction impacts associated with TAC emissions would be less than significant. As such, potential Project-level TAC impacts would be less than significant with mitigation.

With incorporation of Warner Center Plan Mitigation Measure AQ-1, maximum localized construction emissions for off-site sensitive receptors would not exceed any of the SCAQMD-recommended localized screening thresholds. As such, the Project's contribution to cumulative localized NO_x, PM₁₀, and PM_{2.5} emission impacts and TAC impacts during construction would not be cumulatively considerable and thus would have a less-than-significant cumulative impact.

b. Mitigation Measures

The Project would be required to comply with the following mitigation measures:

Warner Center Plan Mitigation Measure AQ-1: The City shall require that all projects use soil binders on soils exposed for extended periods of time (more than two weeks) to reduce fugitive dust and the speed on unpaved haul roads within the Project Site shall be limited to 15 miles per hour. In addition, the City shall require that projects be required to include the following measures as applicable and feasible:

- i) Provide temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow.
- ii) Provide dedicated turn lanes for movement of construction trucks and equipment on-and off-site.
- iii) Reroute construction trucks away from congested streets or sensitive receptor areas.
- iv) Appoint a construction relations officer to act as a community liaison concerning on-site construction activity, including resolution of issues related to PM₁₀ generation.
- v) Improve traffic flow by signal synchronization, and ensure that all vehicles and equipment will be properly tuned and maintained according to manufacturers' specifications.
- vi) Use coatings and solvents with a VOC content lower than that required under AQMD Rule 1113.
- vii) Construct or build with materials that do not require painting.
- viii) Require the use of pre-painted construction materials.
- ix) Require the use of 2010 and newer diesel haul trucks (e.g., material delivery trucks and soil import/export).
- x) During project construction, all internal combustion engines/ construction, equipment operating on the project site shall meet the following:
 - Post-January 1, 2015: All off-road diesel-powered construction equipment greater than 50 hp shall meet or exceed the Tier 4 emission standards. In addition, all construction equipment shall be outfitted with BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.
 - A copy of each unit's certified tier specification, BACT documentation, and CARB or SCAQMD operating permit shall be

provided at the time of mobilization of each applicable unit of equipment.

- Encourage construction contractors to apply for AQMD “SOON” funds. Incentives could be provided for those construction contractors who apply for AQMD “SOON” funds. The “SOON” program provides funds to accelerate clean up of off-road diesel vehicles, such as heavy-duty construction equipment. More information on this program can be found at the following website: www.aqmd.gov/tao/Implementation/SOONProgram.htm.
- xi) Other measures as applicable on a project by project basis and as may be recommended by SCAQMD on their web site or elsewhere: www.aqmd.gov/ceqa/handbook/mitigation/MM_intro.html.

Warner Center Plan Mitigation Measure AQ-2: The City shall require that ground cover be reestablished on construction sites through seeding and watering on completion of construction (or if sites are to remain undeveloped for more than a year).

Warner Center Plan Mitigation Measure AQ-3: The City shall require that trucks leaving construction sites be washed to reduce track-out dirt and dust.

Warner Center Plan Mitigation Measure AQ-4: The City shall require that developers provide rideshare and transit incentives to construction personnel.

Warner Center Plan Mitigation Measure AQ-5: The City shall require that developers configure construction parking to minimize interference with traffic lanes.

Warner Center Plan Mitigation Measure AQ-6: The City shall require that developers and City Departments minimize the obstruction of through-traffic in the vicinity of construction sites.

Warner Center Plan Mitigation Measure AQ-7: The City shall require that developers and City Departments use flag people during construction to guide traffic properly.

Warner Center Plan Mitigation Measure AQ-8: The City shall require that construction activities that could affect roadways be scheduled for off-peak periods.

Warner Center Plan Mitigation Measure AQ-9: The City shall require that developers (as well as City construction personnel associated with construction of roadway and other infrastructure) ensure that construction vehicles avoid, to the extent feasible, travel on streets immediately adjacent to Canoga Park High School, Woodland Hills Academy Middle School and Hart Elementary School throughout the construction phase of each project to reduce potentially significant project-specific and

cumulative construction-related air quality impacts. The City shall ensure that haul routes are designed to comply with this measure.

c. Findings

Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the Supplemental EIR.

d. Rationale for Findings

Construction activities would result in temporary TAC emissions and localized construction emissions for sensitive receptors. With the implementation of mitigation measures including the use of off-road diesel-powered construction equipment that meets or exceeds the Tier 4 emission standards, these Project and cumulative impacts would be reduced to less than significant.

e. Reference

For a complete discussion of impacts on air quality, please see Section IV.B of the Draft Supplemental EIR and Section 3.2 of the Erratum.

B. Cultural Resources (Archeological Resources and Cumulative Archeological and Historic Resources)

1. Description of Environmental Effects

a. Archeological Resources (Buried Human Remains)

The results of the records search indicate there are no archaeological sites or isolates, which are artifacts not associated with an archaeological site, located within a 0.5-mile radius of the Project Site or within the Project Site. While this does not preclude the potential for human remains to be identified during construction activities associated with the proposed Project, it is unlikely because substantial disturbance of the ground surface has previously occurred on-site. The Project would require excavation, previously proposed to a depth of 75 feet below ground surface. As noted in the Erratum, the Project modifications would involve a reduction in subterranean parking in the Southeast Area and therefore reduce excavation. Several mitigation measures contained in the Warner Center Plan would be implemented to ensure that if cultural resources are discovered during construction activities, construction work would be halted until appropriate site-specific treatment measures are implemented. With implementation of these mitigation measures, any potential impacts related to archeological resources (buried human remains) would be reduced to a less-than-significant level.

2. Cumulative Impacts (Archeological Resources and Cumulative Historic Resources)

The Warner Center Specific Plan EIR states that construction activities associated with the Warner Center Plan could contribute to the progressive loss of cultural resources and the Warner Center Plan could result in adverse cumulative impacts to cultural resources. However, mitigation measures have been identified that would reduce or avoid potential Project-related impacts. Similar measures would be expected of other projects in the surrounding area. Consequently, the incremental effects of the Project, with mitigation, would not contribute to an adverse cumulative impact. The Supplemental EIR for the Project provided supplemental Project-specific analysis.

With regard to potential cumulative impacts related to archaeological resources (buried human remains) the Project and the related projects are located within an urbanized area that has

been disturbed and developed over time. Mitigation measures would ensure that the Project's potential impacts to human remains would be reduced to less-than-significant levels. Therefore, cumulative impacts to archaeological resources (buried human remains) would be less than significant after mitigation and would not be cumulatively considerable.

With no related projects in the general area impacting potentially historic mid-20th century department stores, the demolition of the Macy's building at the Promenade as part of the Project, would not result in cumulative impacts. Furthermore, there are no known related projects in the vicinity that are proposing to demolish potentially historic New Formalist buildings. Therefore, the impacts of the proposed Project would not be cumulatively considerable, and cumulative impacts would be less than significant. Further, the Project would be required to comply with the following mitigation measures:

a. Mitigation Measures

Warner Center Plan Mitigation Measure CUL-3: For discretionary projects in the Specific Plan area the City shall require that archaeological monitoring, by a qualified archaeologist, of grading of subsurface materials not previously disturbed shall be undertaken. If buried cultural resources are discovered during ground-disturbing activities, work will stop in that area and within 100 feet of the find until a qualified archaeologist can assess the significance of the find and, if necessary, develop appropriate treatment measures. If during cultural resources monitoring the qualified archaeologist determines that the sediments being excavated are previously disturbed or unlikely to contain significant cultural materials, the qualified archaeologist can specify that monitoring be reduced or eliminated will verify that work is halted until appropriate site-specific treatment measures are implemented.

Warner Center Plan Mitigation Measure CUL-5: For discretionary projects in the Specific Plan area the City shall require that if human remains of Native American origin are discovered during ground-disturbing activities, it is necessary to comply with state laws relating to the disposition of Native American burials that fall within the jurisdiction of the California Native American Heritage Commission (Public Resources Code Section 5097). According to California Health and Safety Code, six or more human burials at one location constitute a cemetery (Section 8100), and disturbance of Native American cemeteries is a felony (Section 7052). Section 7050.5 requires that excavation be stopped in the vicinity of discovered human remains until the coroner can determine whether the remains are those of a Native American. If the remains are determined to be Native American, the coroner must contact the California Native American Heritage Commission to determine the most likely living descendant(s). The most likely living descendant shall determine the most appropriate means of treating the human remains and any associated grave artifacts, and shall oversee disposition of the human remains and associated artifacts by the project archaeologists.

b. Findings

Changes or alterations have been required in, or incorporated into the Project which avoid or substantially lessen the significant environmental effect as identified in the Supplemental EIR.

c. Rationale for Findings

The mitigation measures noted above would ensure that impacts associated with archeological resources and cumulative historic resources would be reduced to less than significant levels. Warner Center Plan Mitigation Measure CUL-3 would ensure proper monitoring during construction to ensure that any potential archeological resources are identified. Warner Center Plan Mitigation Measure CUL-5 requires appropriate consultations, pursuant to state law, should human remains be discovered during construction. With mitigation, the cumulative impacts to archeological resources would remain less than significant. With no related projects in the general area impacting potentially historic mid-20th century department stores, the demolition of the Macy's building at the Promenade as part of the Project, would not result in cumulative impacts. Therefore, the cumulative impacts to historic resources would not be cumulatively considerable, and cumulative impacts would be less than significant.

d. Reference

For a complete discussion of impacts on cultural resources, please see Section IV.C of the Draft Supplemental EIR and Section 3.3 of the Erratum.

C. Traffic and Access (Stopped Here)

1. Description of Environmental Effects

a. Construction Impacts

(i) Access and Safety Impacts

Construction activities are expected to be primarily contained within the Project Site boundaries. However, construction fences may encroach into the public right-of-way (e.g., sidewalk and roadway) adjacent to the Project Site. Additionally, while lane closures for on-site construction are not anticipated, some lane closures may be required for off-site street improvements or other infrastructure improvements. This work would be temporary in nature (e.g., during daytime hours over the course of one or a few days) and would be coordinated under review and approval with the appropriate City agencies, as needed. Temporary traffic controls would be provided to direct traffic around any closures as required in the Construction Management Plan, as set forth in Mitigation Measure K-1.

The Project-site adjacent public rights-of-way would be upgraded with improved sidewalks, landscaping, and street trees during the various Project phases. These upgrades would require temporary rerouting of pedestrian traffic. While these temporary measures would not result in a significant construction traffic impact, the Construction Management Plan would also include measures to ensure pedestrian safety along the affected sidewalks and temporary walkways as set forth in Mitigation Measure K-1.

Construction activities associated with the Project, could also potentially temporarily impact the provision of services by the Los Angeles Fire Department and the Los Angeles Police Department in the vicinity of the Project Site as a result of construction impacts to the surrounding roadways. Specifically, access to the Project Site and nearby properties could be temporarily impacted by Project-related construction activities, such as the construction of utility line connections. Construction activities also would generate traffic associated with the movement of construction equipment, the hauling of soil and construction materials to and from the Project Site, and construction worker traffic. However, most of the construction worker trips would occur outside the weekday peak traffic periods. The temporary and short-term construction activities would have a less-than-significant impact on emergency response times. In addition, the Project would implement Mitigation Measure K-1, which requires that a Construction Management Plan be submitted to

LADOT prior to the start of construction to ensure that adequate and safe access remains available within and near the Project Site during construction activities. Therefore, emergency response time impacts during construction of the Project, would be less than significant.

(ii) Bus/Transit Impacts

While not anticipated, temporary displacement of bus stops adjacent to the Project Site may occur. Coordination with public transit agencies to provide advance notification of bus stop relocations and durations would be required as part of the Construction Management Plan pursuant to Mitigation Measure K-1. With implementation of Mitigation Measure K-1, temporary impacts to bus and/or transit service would be less than significant.

b. Operational Impacts—Intersection Levels of Service

Analysis of Project traffic impacts tiers off of the Warner Center Plan EIR's analysis. The Warner Center Plan EIR and the Project's Supplemental EIR use the same underlying assumptions related to future development, trip generation, area wide traffic growth, traffic volumes, and trip distribution patterns. The Project's Supplemental EIR updated the Warner Center Plan EIR's analysis to use the Project-specific program for the Site to determine the Project's specific traffic impacts. The Traffic Study and Updated Transportation Analysis analyzed trips generated by the Project on both days with sold-out events at the Entertainment and Sports Center and on days without events. Additionally, while a standard traffic study analyzes impacts during two time periods, the A.M. and P.M. peak periods, the Project's Traffic Study and Updated Transportation Analysis analyzed six time periods to provide a comprehensive analysis of the Entertainment Center's potential impacts: three weekday evening times (pre-event time periods of 5:00 P.M.–6:00 P.M. and 6:00 P.M.–7:00 P.M., and post-event time period of 10:00 P.M.–11:00 P.M.); Saturday midday (12:00 P.M.–1:00 P.M. and 1:00 P.M.–2:00 P.M.) and Saturday evening (10:00 P.M.–11:00 P.M.). The Study Area analyzed 49 intersections with the greatest potential to experience significant traffic impacts due to the Project. This Study Area was developed in consultation with both LADOT and Caltrans, and tiers off of the Warner Center Plan EIR, which analyzed 152 intersections. Intersections at the periphery of the Project's Study Area were determined to have less than significant impacts as a result of the addition of Project traffic, with implementation of the Warner Center Mitigation Program and Project specific project design features. Therefore, the intersections beyond the Study Area would not experience significant impacts, given that Project traffic dissipates farther from the Project Site.

Assuming full buildout of the Project, as well as a sold-out event at the Entertainment and Sports Center, the Project would generate 21 percent and 31 percent fewer trips (during the A.M. and P.M. peak hours respectively) than assumed under the Warner Center Plan EIR for the Project Site. During non-event days, the Project would generate 30 percent and 53 percent fewer trips (during the A.M. and P.M. peak hours respectively) than analyzed under the Warner Center Plan EIR. Therefore, the Project, even with a sold-out event at the Entertainment and Sports Center, is anticipated to generate fewer trips than projected by Warner Center Plan EIR for the Project Site.

Under Existing with Project conditions, the addition of the Non-ESC Uses to existing conditions results in a total of eight intersections with significant impacts, prior to mitigation, under weekday conditions. The addition of the Project with sold-out events results in 12 intersections with significant impacts, prior to mitigation, of which eight overlap with the Non-ESC Use impacts. Each of the significantly impacted intersections has a planned physical improvement as part of the Warner Center Mitigation Program. Therefore, the impact associated with the addition of the Full Project

traffic to each analyzed intersection is anticipated to be less than significant with full implementation of all Warner Center Plan improvements.¹⁷

Under Future with Project conditions, under all six time periods analyzed (discussed above), impacts at all 49 intersections were determined to be less than significant with implementation of the Project specific project design features, including the Event Management Plan (EMP) pursuant to Project Design Feature K-6, and the Warner Center Mitigation Program. This analysis assumed full buildout of the Warner Center Plan land uses plus the full Project, including a sold-out event at the ESC. With the implementation of project design features and the Warner Center Mitigation Program, impacts to the analyzed intersections would result in a less than significant impact.

2. Project Design Features

LADOT requires the Applicant to construct those Warner Center Plan mitigation measures located directly adjacent to the Project Site as well as dedicate right-of-way required by the Warner Center Plan. Since the Applicant is required to implement these Warner Center Plan measures with Project construction, these are assumed to be project design features for the purposes of this analysis. The Project Site-adjacent right-of-way dedications which will be implemented by the Applicant, by Project phase, include:

Right-of-way dedication required by Warner Center Plan:

- Intersection No. 24, Topanga Canyon Boulevard & Oxnard Street: Dedication of right-of-way required along Oxnard Street to facilitate the future construction of Warner Center Plan mitigation. Implementation of this improvement would occur with construction of the Southwest Area (anticipated Phase 3).
- Owensmouth Avenue frontage: A combination of required and voluntary right-of-way dedication between Erwin Street and Oxnard Street to facilitate the future construction of Warner Center Plan mitigation. Implementation of this improvement would occur with construction of the Northeast Area (anticipated Phase 1) north of Promenade Boulevard and Southeast Area (anticipated Phase 4) south of Promenade Boulevard.

The following roadway improvements and right-of-way dedications are additional project design features that will facilitate access to the Project site and are not required by the Warner Center Plan:

Project Design Feature K-1: Topanga Canyon Boulevard frontage: An auxiliary lane/fourth through lane is proposed along northbound Topanga Canyon Boulevard. This will result in an additional northbound lane, along the Project frontage, between Oxnard Street and Erwin Street. Implementation of this project design feature would occur with construction of the Northwest Area (anticipated Phase 2), north of Promenade Boulevard and Southwest Area (anticipated Phase 3), south of Promenade Boulevard.

Project Design Feature K-2: Intersection No. 20, Topanga Canyon Boulevard & Calvert Street/Promenade Boulevard: A new traffic signal shall be installed at this intersection. Implementation of this improvement would occur with

¹⁷ Notwithstanding impacts identified for this Project, the Warner Center Plan EIR adopted overriding considerations should the transportation improvements identified in Appendix E of the Warner Center Plan not be implemented by the horizon year of the Plan, 2035.

construction of the Northwest Area (anticipated Phase 2). This intersection will be reconfigured to facilitate all vehicular movement for all approaches in conjunction with the required signalization. The east leg of this intersection effectively serves as a driveway into the Project Site. Implementation of this project design feature would occur with construction of the Northwest Area (anticipated Phase 2).

Project Design Feature K-3: Intersection No. 16, Warner Drive North & Erwin Street: This is a new intersection located approximately mid-block on Erwin Street. A voluntary dedication of right-of-way will be utilized to incorporate the construction of a dedicated eastbound right-turn lane into the Project Site; additionally, signalized control will be introduced along with a westbound left-turn lane. Implementation of this project design feature would occur with the Northwest Area (anticipated Phase 2).

Project Design Feature K-4: Intersection No. 21, Owensmouth Avenue & Promenade Boulevard: This existing intersection will be improved to facilitate access into/out of the Project Site and incorporates the required right-of-way dedication along Owensmouth Avenue. Implementation of this project design feature would occur with the Northeast Area (anticipated Phase 1).

Project Design Feature K-5: Intersection No. 25, Warner Drive South & Oxnard Street: This existing intersection will be improved to facilitate access into/out of the Project site. Implementation of this project design feature would occur with the Southeast Area (anticipated Phase 4).

Project Design Feature K-6: [Described above in CEQA Findings, Section IV.E Noise]

Project Design Feature K-7: 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, which shall be reviewed and approved by LADOT. 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, although the elements of the TDM Program may vary by Project phase and not all of these elements shall be required for each phase.

Project Design Feature K-8: Intersection No. 17, Owensmouth Avenue & Erwin Street: The Project shall install a dedicated eastbound right-turn lane in combination with the dedication of right-of-way to facilitate the future construction of an additional eastbound left-turn lane. Implementation of this improvement would occur with construction of the Northeast Area (anticipated Phase 1).

3. Mitigation Measures

The following Project specific mitigation measure will be implemented for the Project to reduce construction impacts:

Mitigation Measure K-1: Construction Management Plan—Prior to the start of construction for each Project phase, the Applicant shall prepare a Construction Management Plan and submit it to the City for review and approval. The Construction Management Plan shall include such measures as, but not be limited to the following:

- Minimum 72-hour advance notification to adjacent property owners and occupants, as well as, nearby schools, of upcoming construction activities affecting the public right-of-way (i.e. temporary lane closures and detours, short-term parking restrictions, etc.), including durations and daily hours of construction;
- Prohibition of construction worker parking on adjacent residential streets, and identification of construction employee parking locations and protocols;
- Temporary traffic control during all construction activities adjacent to public rights-of-way to improve traffic flow on public roadways (e.g., flag men)
- Prohibition of construction-related vehicle parking on surrounding public streets;
- Safety precautions for pedestrian and bicyclists through such measures as alternate routing and protection barriers as appropriate, including along all identified Los Angeles Unified School District (LAUSD) pedestrian routes to nearby schools;
- Scheduling of construction-related deliveries, haul trips, etc., so as to occur outside the commuter peak hours to the extent feasible, and so as to not impede school drop-off and pick-up activities and students using LAUSD's identified pedestrian routes to nearby schools;
- Coordination with public transit agencies to provide advanced notifications of any anticipated stop relocations and durations;
- Provision of advanced notification of any temporary on-street parking removals and duration of removals;
- Establish construction hours that are in compliance with Sections 41.40 and 62.61 of the Los Angeles Municipal Code (LAMC);
- Establish a construction phone number which shall be posted on the site, and appoint a construction liaison to respond to concerns or inquiries regarding Project construction;
- Maintain unimpeded emergency access to the Project site and nearby properties;
- Establish truck access and staging areas, and identify haul route approved with the Project;
- Provide construction site security.

Mitigation Measure K-2: Warner Center Plan Mobility Fee. The Project shall be required by LADOT to mitigate impacts by phase through: (1) the physical roadway and streetscape mitigation measure improvements as outlined in Appendix E [of the Warner Center Plan]; (2) payment of the Mobility Fees in-lieu of

any physical improvements; or (3) the combination of both the mitigation measures outlined in Appendix E and the payment of the Mobility Fee.

4. Findings

Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the Supplemental EIR.

5. Rationale for Findings

Construction impacts would be reduced to less than significant impacts with incorporation of Mitigation Measure K-1. Operationally, under all six time periods analyzed, impacts at all 49 intersections were determined to be less than significant with implementation of the Project specific project design features, including the Event Management Plan (EMP) pursuant to Project Design Feature K-6, and the Warner Center Mitigation Program. Implementation of these measures would reduce intersection level of service impacts to less-than-significant levels.

6. Reference

For a complete discussion of impacts on traffic, access, and parking, please see Section IV.K of the Draft Supplemental EIR and Section 3.11 of the Erratum.

D. Tribal Cultural Resources – Construction, Operations, and Cumulative

1. Description of Environmental Effects

The Sacred Land Files (SLF), South Central Coastal Information Center (SCCIC), and Native American Heritage Commission (NAHC) records searches conducted for the Project did not identify any recorded tribal cultural resources on the Project Site. However, NAHC records did indicate that the area is sensitive for cultural resources. In compliance with the requirements of AB 52, the City provided formal tribal notification of the Project on November 14, 2016. The Gabrieleño Band of Mission Indians-Kizh Nation was the only tribe that responded to project notification conducted by the City of Los Angeles Department of City Planning, and consultation was initiated by the City. As part of those discussions, no specific geographically-defined resources were identified within, or in the immediate vicinity of, the Project area. Nonetheless, the Project would implement Mitigation Measure L-1 whereby the Applicant will be required to have an archaeologist and tribal representative monitor activities with the potential to encounter significant Native American cultural resources. Additionally, the Project would implement Warner Center Mitigation Measures CUL-3 and CUL-5, as provided in Section IV.C, Cultural Resources, that require monitoring, and halting of construction work should cultural resources be discovered. Therefore, with mitigation, Project impacts would be less than significant.

In the event that tribal cultural resources are uncovered, each related project would be required to comply with applicable regulatory requirements in the event of inadvertent discovery. In addition, all related projects and other future development within the Warner Center Plan area would be required to comply with the consultation requirements of AB 52 to determine and mitigate any potential impacts to tribal cultural resources. Furthermore, future projects would be required to implement Warner Center Plan Mitigation Measures CUL-3 and CUL-5 that require monitoring, and halting of construction work should cultural resources be discovered. Therefore, Project and cumulative impacts to tribal cultural resources would be less than significant after mitigation and would not be cumulatively considerable.

2. Mitigation Measures

The Project would be required to comply with the following mitigation measure:

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

The qualified archaeological and tribal monitors shall observe all ground disturbance activities on the Project Site at all times the ground disturbance activities are taking place. If ground disturbance activities are simultaneously occurring at multiple locations on the Project Site, an archaeological and tribal monitor shall be assigned to each location where the ground disturbance activities are occurring. The on-site monitoring shall end when the ground disturbing activities are completed, or when the archaeological monitor and tribal monitor both indicate that the site has a low potential for impacting cultural resources.

Prior to the commencement of any ground disturbance activities, the archaeological monitor in consultation with the tribal monitor, shall provide Worker Environmental Awareness Program (WEAP) training to construction crews involved in ground disturbance activities that provides information on regulatory requirements for the protection of tribal cultural resources. As part of the WEAP training, construction crews shall be briefed on proper procedures to follow should a crew member discover tribal cultural resources during ground disturbance activities. In addition, workers will be shown examples of the types of resources that would require notification of the archaeological and tribal monitor. The Applicant shall maintain on the Project Site, for City inspection, documentation establishing the training was completed for all members of the construction crew involved in ground disturbance activities.

In the event that any subsurface objects or artifacts that may be tribal cultural resources are encountered during the course of any ground disturbance activities, all such activities shall temporarily cease within the area of discovery, the radius of which shall be determined by the qualified archaeologist, in consultation with a qualified tribal monitor, until the potential tribal cultural resources are properly assessed and addressed pursuant to the process set forth below:

1. Upon a discovery of a potential tribal cultural resource, the Applicant, or its successor, shall immediately stop all ground disturbance activities and contact the following: (1) all California Native American tribes that have

informed the City they are traditionally and culturally affiliated with the geographic area of the proposed project; and (2) OHR.

2. If OHR determines, pursuant to Public Resources Code Section 21074 (a)(2), that the object or artifact appears to be a tribal cultural resource in its discretion and supported by substantial evidence, the City shall provide any affected tribe a reasonable period of time, not less than 14 days, to conduct a site visit and make recommendations to the Applicant, or its successor, and the City regarding the monitoring of future ground disturbance activities, as well as the treatment and disposition of any discovered tribal cultural resources.
3. The Applicant, or its successor, shall implement the tribe's recommendations if a qualified archaeologist, retained by the City and paid for by the Applicant, or its successor, in consultation with the tribal monitor, reasonably concludes that the tribe's recommendations are reasonable and feasible.
4. In addition to any recommendations from the applicable tribe(s), a qualified archaeologist shall develop a list of actions that shall be taken to avoid or minimize impacts to the identified tribal cultural resources substantially consistent with best practices identified by the Native American Heritage Commission and in compliance with any applicable federal, state or local law, rule or regulation.
5. If the Applicant, or its successor, does not accept a particular recommendation determined to be reasonable and feasible by the qualified archaeologist or qualified tribal monitor, the Applicant, or its successor, may request mediation by a mediator agreed to by the Applicant, or its successor, and the City. The mediator must have the requisite professional qualifications and experience to mediate such a dispute. The City shall make the determination as to whether the mediator is at least minimally qualified to mediate the dispute. After making a reasonable effort to mediate this particular dispute, the City may (1) require the recommendation be implemented as originally proposed by the archaeologist or tribal monitor; (2) require the recommendation, as modified by the City, be implemented as it is at least as equally effective to mitigate a potentially significant impact; (3) require a substitute recommendation be implemented that is at least as equally effective to mitigate a potentially significant impact to a tribal cultural resource; or (4) not require the recommendation be implemented because it is not necessary to mitigate any significant impacts to tribal cultural resources. The Applicant, or its successor, shall pay all costs and fees associated with the mediation.
6. The Applicant, or its successor, may recommence ground disturbance activities outside of a specified radius of the discovery site, so long as this radius has been reviewed by both the qualified archaeologist and qualified tribal monitor and determined to be reasonable and appropriate.

7. The Applicant, or its successor, may recommence ground disturbance activities inside of the specified radius of the discovery site only after it has complied with all of the recommendations developed and approved pursuant to the process set forth in paragraphs 2 through 5 above.
8. Copies of any subsequent prehistoric archaeological study, tribal cultural resources study or report, detailing the nature of any significant tribal cultural resources, remedial actions taken, and disposition of any significant tribal cultural resources shall be submitted to the South Central Coastal Information Center (SCCIC) at California State University, Fullerton and to the Native American Heritage Commission for inclusion in its Sacred Lands File.
9. Notwithstanding paragraph 8 above, any information that the Department of City Planning, in consultation with the City Attorney's office, determines to be confidential in nature, shall be excluded from submission to the SCCIC or provided to the public under the applicable provisions of the California Public Records Act, California Public Resources Code, section 6254(r), and handled in compliance with the City's AB 52 Confidentiality Protocols.

3. Findings

Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the Supplemental EIR.

4. Rationale for Findings

Mitigation Measure L-1 includes detailed procedures for addressing any potential tribal cultural resources that may be uncovered as a result of Project construction. In addition to notification and monitoring, the measure requires that additional analysis must be completed if potential resources are identified. Implementation of Mitigation Measure L-1, together with Warner Center Plan Mitigation Measures CUL-3 and CUL-5, would reduce tribal cultural resource impacts to less-than-significant levels.

5. Reference

For a complete discussion of impacts on tribal cultural resources, please see Section I.V.C of the Draft Supplemental EIR and Section 3.12 of the Erratum.

VIII. SIGNIFICANT AND UNAVOIDABLE IMPACTS

A. Air Quality (Regional Construction Impacts, Regional Operational Impacts, Cumulative Impacts)

1. Description of Environmental Effects

a. Regional Construction Impacts

Construction-related daily maximum unmitigated construction emissions would exceed the SCAQMD daily significance threshold for nitrogen oxides (NO_x) during certain construction years, primarily as a result of grading and hauling activities overlapping with building construction activities.

However, with incorporation of Warner Center Plan Mitigation Measure AQ-1, maximum regional NO_x emissions would be substantially reduced. Nevertheless, regional NO_x emissions would

remain significant and unavoidable under the conservative Overlapping Construction Plan scenario. In the event that soil on the Project Site is not suitable for recompaction or the Project is unable to stockpile and reuse the soil on site, then additional export and import would be required and the duration and not the intensity of export/import could increase. Regional NO_x emissions with the additional export/import would remain significant and unavoidable for Years 2019 through 2021.

Regional emissions of VOC and NO_x during concurrent operations and construction without mitigation, would exceed the SCAQMD regional construction thresholds. Concurrent emissions from the Project during operation of Northeast, Northwest, and Southwest areas and construction of the Southeast area (Year 2031) would exceed SCAQMD's construction regional VOC and NO_x significance thresholds. Therefore, the emissions of non-attainment pollutants and precursors generated by concurrent construction and operational activities would result in a significant and unavoidable impact. Implementation of the mitigation measures described below would serve to reduce construction emissions for all pollutants, but impacts would remain significant and unavoidable.

b. Regional Operation Impacts

Emissions resulting from operation of the Project at its projected buildout year of 2033 are not expected to exceed the SCAQMD's daily regional operational thresholds for CO, SO_x, PM₁₀, and PM_{2.5}. However, the Project is expected to exceed the SCAQMD's daily regional operational thresholds for VOC and NO_x. The VOC regional operational impact is primarily related to the use of consumer products (e.g., residential use of household cleaners and solvents that release VOC emissions). The NO_x regional operational impact is from vehicular trips to and from the Project site. Thus, the Project would result in a significant and unavoidable regional operational air quality impact.

Incorporation of Greenhouse Gas project design features and relevant features applicable to the Project would decrease VOC, NO_x, CO, PM₁₀, PM_{2.5}, and SO_x emissions. However, regional operational emissions associated with Project buildout analysis year and Interim Year would still exceed the SCAQMD daily emission threshold for regional VOC and NO_x. Thus, the Project would result in a significant and unavoidable Project-level operational air quality impact.

2. Cumulative Impacts

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. Project construction-related daily maximum regional construction emissions (i.e., combined on-site and off-site emissions) with mitigation would exceed the SCAQMD daily thresholds and consequently have a significant cumulative impact due to construction-related regional NO_x emissions. In the event that soil on the Project Site is not suitable for recompaction or the Project is unable to stockpile and reuse the soil on site, then additional export and import would be required and the duration, but not the intensity of export/import, could increase. With Warner Center Plan Mitigation Measure AQ-1, the Project would still have a cumulative impact due to construction-related regional NO_x emissions.

Per SCAQMD, if operation of 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 increase of these criteria pollutants. Operational emissions from the Project would exceed SCAQMD's regional VOC and NO_x significance thresholds at Project buildout. Therefore, the emissions of non-attainment pollutants and precursors generated by Project operation would be cumulatively considerable.

a. Mitigation Measures

The Project would be required to comply with the following mitigation measures:

Warner Center Plan Mitigation Measure AQ-1: The City shall require that all projects use soil binders on soils exposed for extended periods of time (more than two weeks) to reduce fugitive dust and the speed on unpaved haul roads within the Project Site shall be limited to 15 miles per hour. In addition, the City shall require that projects be required to include the following measures as applicable and feasible:

- i) Provide temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow.
- ii) Provide dedicated turn lanes for movement of construction trucks and equipment on-and off-site.
- iii) Reroute construction trucks away from congested streets or sensitive receptor areas.
- iv) Appoint a construction relations officer to act as a community liaison concerning on-site construction activity, including resolution of issues related to PM₁₀ generation.
- v) Improve traffic flow by signal synchronization, and ensure that all vehicles and equipment will be properly tuned and maintained according to manufacturers' specifications.
- vi) Use coatings and solvents with a VOC content lower than that required under AQMD Rule 1113.
- vii) Construct or build with materials that do not require painting.
- viii) Require the use of pre-painted construction materials.
- ix) Require the use of 2010 and newer diesel haul trucks (e.g., material delivery trucks and soil import/export).
- x) During project construction, all internal combustion engines/ construction, equipment operating on the project site shall meet the following:
 - Post-January 1, 2015: All off-road diesel-powered construction equipment greater than 50 hp shall meet or exceed the Tier 4 emission standards. In addition, all construction equipment shall be outfitted with BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3

diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.

- A copy of each unit's certified tier specification, BACT documentation, and CARB or SCAQMD operating permit shall be provided at the time of mobilization of each applicable unit of equipment.
 - Encourage construction contractors to apply for AQMD "SOON" funds. Incentives could be provided for those construction contractors who apply for AQMD "SOON" funds. The "SOON" program provides funds to accelerate clean up of off-road diesel vehicles, such as heavy-duty construction equipment. More information on this program can be found at the following website: www.aqmd.gov/tao/Implementation/SOONProgram.htm.
- xi) Other measures as applicable on a project by project basis and as may be recommended by SCAQMD on their web site or elsewhere: www.aqmd.gov/ceqa/handbook/mitigation/MM_intro.html.

Warner Center Plan Mitigation Measure AQ-4: The City shall require that developers provide rideshare and transit incentives to construction personnel.

Warner Center Plan Mitigation Measure AQ-5: The City shall require that developers configure construction parking to minimize interference with traffic lanes.

Warner Center Plan Mitigation Measure AQ-6: The City shall require that developers and City Departments minimize the obstruction of through-traffic in the vicinity of construction sites.

Warner Center Plan Mitigation Measure AQ-7: The City shall require that developers and City Departments use flag people during construction to guide traffic properly.

Warner Center Plan Mitigation Measure AQ-8: The City shall require that construction activities that could affect roadways be scheduled for off-peak periods.

Warner Center Plan Mitigation Measure AQ-9: The City shall require that developers (as well as City construction personnel associated with construction of roadway and other infrastructure) ensure that construction vehicles avoid, to the extent feasible, travel on streets immediately adjacent to Canoga Park High School, Woodland Hills Academy Middle School and Hart Elementary School throughout the construction phase of each project to reduce potentially significant project-specific and cumulative construction-related air quality impacts. The City shall ensure that haul routes are designed to comply with this measure.

b. Findings

Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the Supplemental EIR. However, although such measures may reduce and possibly eliminate certain impacts, Project may be considered to result in a significant and unavoidable impacts on the environment under CEQA. Specific economic, legal, social, technological, or other considerations make infeasible additional mitigation measures or project alternatives identified in the Supplemental EIR.

c. Rationale for Findings

Implementation of proposed mitigation measures and project design features would reduce regional construction and operational air quality impacts. However, even with the proposed mitigation measures, air quality impacts related to regional construction impacts, regional operation impacts, and cumulative impacts associated with the Project, would remain significant and unavoidable.

d. Reference

For a complete discussion of impacts on Air Quality, please see Section IV.B of the Draft Supplemental EIR and Section 3.2 of the Erratum.

B. Cultural Resources (Historic Resources)

1. Description of Environmental Effects

a. Historical Resources

Construction of the Project would require the demolition of all of the on-site structures, including the Macy's building, which is located in the northwest area of the Project Site. The Macy's building at the Promenade was surveyed by SurveyLA, where it was determined that the Macy's building appears to be eligible for the California Register and as a Los Angeles Historic Cultural Monument (HCM) as an example of New Formalism architecture. While the *6100 N. Topanga Boulevard Historic Resource Technical Report* (Historical Resource Assessment), prepared by Page & Turnbull (December 2016), included as Appendix E of the Supplemental EIR, did not find the Macy's building to be an excellent or typical example of New Formalism, in deference to SurveyLA's findings, it concurred with the findings that the Macy's building appears to be eligible for listing in the California Register and as a Los Angeles Historic-Cultural Monuments (HCM) as an example of the New Formalism style with regional variations. Therefore, the Macy's building is considered an historical resource for the purposes of the Supplemental EIR. Consequently, the demolition of the Macy's building would result in a significant direct impact to an historical resource. There are no other potential historical resources on the Project Site.

The Project would construct new buildings on the site that would alter the setting of the area, thereby potentially resulting in indirect impacts to historical resources in the vicinity of the Project. SurveyLA identified two potential historical resources in the general vicinity: (1) Guy Martin Oldsmobile and Livingston Pontiac Building; and (2) Allison Plaza Historic District. The Project buildings that would be located across Topanga Canyon Boulevard from the Guy Martin Oldsmobile and Livingston Pontiac Building (in the northeast area of the Project Site) include one-story retail uses and an 18-story hotel along Topanga Canyon Boulevard. With the Project's one-story retail uses located directly across from the Guy Martin Oldsmobile and Livingston Pontiac building, the proposed new construction would be compatible in scale and massing with the potential historical resource. While the Project's 18-story hotel and the residential building would be nearby, they are sufficiently far from Guy Martin Oldsmobile and Livingston Pontiac building as not to materially impair or affect its integrity of setting. Overall, the Project would not alter the surroundings of the

Guy Martin Oldsmobile and Livingston Pontiac Building or the Allison Plaza Historic District to an extent that it would reduce the integrity or significant of these resources. Thus, the Project would result in less than significant indirect impacts to the two historical resources.

2. Mitigation Measures

The Project would be required to comply with the following mitigation measures:

Mitigation Measure C-1: Recordation. Prior to issuance of a demolition permit for the Macy's Building, the Macy's building shall be documented to the standards of the Historic American Building Survey (HABS) program. The documentation shall include:

- Written description and narrative report following the most recent HABS Guideline for Historical Reports, Outline Format;
- High resolution black and white and color digital photographs following the most recent HABS Photography Guidelines. Views shall include the setting, important site features, all exterior façades, the Macy's building's façades within the mall, detail views of significant exterior architectural features, and interior views of significant spaces and features;
- A site plan showing the Macy's building location in relationship to the shopping mall, setting and surrounding streets; a photo key using the site plan shall be included, as well. This will be submitted in hard copy and digital format;
- Duplicates of historic photographs and drawings, if available; and
- High resolution digital copies of all historic photographs and drawings identified as part of the historic resources assessment of the property as well as others, as available.

A qualified professional who meets the requirements of the *Secretary of the Interior's Professional Qualifications Standards* for history, architectural history, or historic architecture, as well as a HABS qualified photographer, shall prepare the documentation. Upon completion, copies of the documentation materials shall be sent to City of Los Angeles Department of City Planning Office of Historic Resources. Materials shall be posted in digital format on HistoricPlacesLA, the City's Historic Resources Inventory and Management System. In addition, copies of the documentation materials shall be offered and sent if requested to appropriate archives and repositories, including the Southern California Information Center at Cal State University, Fullerton; Los Angeles Public Library Central Library and/or local branch as appropriate; the University of Southern California Library, Special Collections; California State University, Northridge; the Museum of the San Fernando Valley; and local preservation organizations and historical societies.

3. Findings

Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the Supplemental EIR. However, although such measures may reduce and possibly eliminate certain impacts, the proposed project may be considered to result in a significant and unavoidable impacts on the environment

under CEQA. Specific economic, legal, social, technological, or other considerations make infeasible additional mitigation measures or project alternatives identified in the Supplemental EIR.

4. Rationale for Findings

As analyzed above, impacts to historical resources would be significant due to the demolition of the Macy's building, which appears eligible for listing on the California Register of Historical Resources and designation as a City of Los Angeles Historic-Cultural Monument. While implementation of Mitigation Measure C-1 would record and document the building's design, Project impacts to historical resources, would remain significant and unavoidable.

5. Reference

For a complete discussion of impacts on cultural resources, please see Section IV.C of the Draft Supplemental EIR and Section 3.3 of the Erratum.

C. Noise

1. Description of Environmental Effects

a. Construction

(i) On-Site Noise (On-Site Receptors)

It is estimated that the noise level associated with construction activities at the Northeast–A area would exceed the significance threshold at receptor location R1. The construction-related noise due to construction activities at the Northeast–B area would be below the significance threshold at all off-site receptor locations. Noise levels associated with construction activities at the Northwest–A and –B areas would exceed the significance thresholds at receptor locations R2 and R4. In addition, construction activities at the Southwest area would exceed the significance threshold at receptor locations R2, R3, and R4. Construction noise from the Southeast development area would be below the significance threshold at receptor locations R1, R3, and R4, but would exceed the significance threshold at receptor location R2.

The potential impacts from the Overlapping Construction Plan (for overlapping construction activities within the Northeast, Northwest and Southwest areas) were also analyzed under both the No Import and With Import scenarios. Overlapping Construction Plan With No Import scenario would exceed the significance threshold at R1 through R4 by 0.4 dBA at off-site sensitive receptor location R1 up to 13.8 dBA at receptor location R2. The Overlapping Construction Plan with Import scenario would exceed the significance threshold by 1.8 dBA at receptor location R1 up to 12.1 dBA at R2.

Implementation of Warner Center Plan Mitigation Measure NOI-5 would reduce the Project's on-site construction noise levels to a less-than-significant level at all off-site noise sensitive receptor locations.

While CEQA does not generally require the analysis of Project impacts to future on-site Project receptors, an analysis of potential construction-related impacts to future on-site residents is provided for informational purposes. The 5 dBA significance threshold would be exceeded, and construction noise impacts at the on-site noise-sensitive uses would be significant. Implementation of Warner Center Plan Mitigation Measure NOI-5 would reduce construction-related noise at these uses by 15-dBA, however, the Project's construction noise impacts to on-site receptors would remain significant and unavoidable.

(ii) Off-Site Vibration (Human Annoyance)

Per FTA guidance, the threshold of significance for human annoyance is 72 VdB for sensitive uses, including residential uses. The temporary vibration levels could reach approximately 72 VdB periodically as trucks pass by the residences along Topanga Canyon Boulevard. Therefore, potential vibration impacts with respect to human annoyance that could result from temporary and intermittent vibration from construction trucks traveling along the anticipated haul route(s) could be significant.

2. Cumulative Impacts

a. Construction Noise

Cumulative construction noise impacts at the nearby sensitive uses located in proximity to the Project Site and Related Project Nos. 15 and 27 could occur. Noise associated with cumulative construction activities would be reduced to the degree reasonably and technically feasible through proposed mitigation measures for each individual related project and compliance with locally adopted and enforced noise ordinances. In addition to the cumulative impacts of on-site construction activities, off-site construction haul trucks would have a potential to result in cumulative impacts if the trucks for the related projects and the Project were to utilize the same haul route. It is conservatively assumed that truck traffic related to construction of the Project and the nearby related projects could cumulatively add up to 124 or more hourly truck trips, which would exceed the ambient noise levels by 3 dBA and exceed the significance threshold. Therefore, cumulative noise impacts from off-site construction are potentially significant.

b. Construction Vibration

Potential vibration impacts associated with temporary and intermittent vibration from Project-related construction trucks traveling along the anticipated haul route would be potentially significant with respect to human annoyance. As the related projects would be anticipated to use similar trucks as the Project it is anticipated that construction trucks would generate similar vibration levels along the anticipated haul route (i.e. Topanga Canyon Boulevard). Therefore, to the extent that other related projects use the same haul route as the Project, potential cumulative human annoyance impacts associated with temporary and intermittent vibration from haul trucks traveling along the designated haul routes would be significant.

a. Project Design Features

The Project would implement Project Design Feature H-1, which is included above.

b. Mitigation Measures

The Project would be required to comply with the following mitigation measures:

Warner Center Plan Mitigation Measure NOI-3: The City shall require that all construction activities within the WCRCCSP area shall be restricted to hours between 7:00 A.M. and 9:00 P.M., Monday through Friday, and between 8:00 A.M. and 6:00 P.M. on Saturday. No noise-generating construction activities shall be allowed on Sundays or national holidays.

Warner Center Plan Mitigation Measure NOI-4: The City shall require that noise-generating construction equipment be equipped with the most effective commercially available state-of-the-art noise control devices, i.e., mufflers, lagging, or motor enclosures. All equipment shall be properly maintained

to assure that no additional noise, due to worn or improperly maintained parts, would be generated.

Warner Center Plan Mitigation Measure NOI-5: The City shall require effective temporary noise barriers to be used and relocated, as needed, to block line-of-sight (sound) between the construction equipment and any noise-sensitive receptors within 500 feet of a construction site. Specific locations for the temporary sound barriers shall include the following:

- During construction of the Northeast Area, at the northeastern corner of the Project Site to block the line-of-sight between the construction area and receptor location R1. This temporary sound barrier shall be designed to provide a minimum 5-dBA noise reduction at receptor location R1.
- During construction of the Southwest Area, at the southwestern corner and southern border of the Project Site to block the line-of-sight between the construction area and receptor locations R2, R3 and R4. The temporary sound barrier shall be designed to provide a minimum 15-dBA noise reduction at receptor location R2, 7-dBA noise reduction at receptor location R3, and 12 dBA noise reduction at receptor location R4.
- During construction of the Northwest Area, at the western and southern boundary of the Northwest area to block the line-of-sight between the construction area and receptor locations R2 and R4. The temporary sound barrier shall be designed to provide a minimum 7-dBA and 12-dBA noise reduction at receptor locations R2 and R4, respectively.
- During construction of the Southeast Area, at the southern boundary of the Project Site to block the line-of-sight between the construction area and receptor location R2. This temporary sound barrier shall be designed to provide a minimum 9-dBA noise reduction at receptor location R2.
- During any phase of construction where on-site construction activities would be located adjacent to on-site sensitive receptors. This temporary sound barrier shall be designed to provide a minimum 15-dBA noise reduction at the ground level.

Warner Center Plan Mitigation Measure NOI-6: The City shall require that construction truck deliveries and haul routes, to the extent feasible, shall be directed away from the three LAUSD schools in the vicinity of Warner Center and not access construction sites from De Soto Avenue, along the lot line of Woodland Hills Academy Middle School or from Topanga Canyon Boulevard and Vanowen Street along the lot line of Canoga Park High School, or use Variel north of Warner Center to access project sites in Warner Center.

Warner Center Plan Mitigation Measure NOI-7: The City shall require applicants for projects within Warner Center to notify schools in advance of construction activities. The construction manager's (or representative's) telephone number shall be provided with the notification so that each school may communicate any concerns.

c. Findings

Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the Supplemental EIR. However, although such measures may reduce and possibly eliminate certain impacts, the Project may be considered to result in a significant and unavoidable impacts on the environment under CEQA. Specific economic, legal, social, technological, or other considerations make infeasible additional mitigation measures or project alternatives identified in the Supplemental EIR.

d. Rationale for Findings

Implementation of proposed mitigation measures would reduce construction-related noise and vibration impacts. However, even with the proposed mitigation measures, construction-related noise and vibration associated the Project would remain significant and unavoidable.

e. Reference

For a complete discussion of impacts on Noise, please see Section IV.H of the Draft Supplemental EIR and Section III. Revisions, Clarifications, and Corrections to the Final, and Section 3.8 of the Erratum.

D. Traffic and Access

1. Description of Environmental Effects

a. Project Construction

The Supplemental EIR analyzed the peak potential construction activity for the Project, which would occur during the simultaneous building construction of Phases 1, 2, and 3 (the "Overlapping Construction Plan"). Additionally, operational trips from approximately 120,000 square feet of the existing shopping center use anticipated to remain in operation (AMC Theatres) until construction of Phase 4 is included in this construction analysis. Worker trips to and from the Project Site are anticipated to occur outside of the peak hours (i.e., arrive at the site prior to 7:00 A.M. and depart before 4:00 P.M. or after 6:00 P.M.). However, even if all construction worker trips were conservatively assumed to occur during the morning and afternoon peak periods, this peak construction period would still result in fewer trips than the trips allocated for the Project Site (TAZ 9) under the Warner Center Plan EIR. Therefore, the morning and afternoon peak hour transportation impacts of the Overlapping Construction Plan period are included in and consistent with the traffic impact analysis of the Warner Center Plan EIR.

However, to the extent that Project construction begins prior to the implementation of the Warner Center Mitigation Program, significant transportation impacts may occur during the Overlapping Construction Plan period. The Construction Management Plan, pursuant to Mitigation Measure K-1, is anticipated to limit almost all haul truck activity to outside of the morning and afternoon peak hours and will identify specific actions to reduce the effects of the construction impacts. However, until either the construction activity is completed or the Warner Center Mitigation Program is implemented, which would reduce impacts, construction transportation impacts are considered temporary in nature but significant and unavoidable.

b. Interim Year Construction

An interim year construction scenario ("Interim Year Construction") was also prepared for analysis. The Interim Year Construction assumes the full operation of the Phases 1–3, along with the simultaneous construction of Phase 4. With the addition of non-Event Day traffic of Phases 1–3, one intersection is projected to be significantly impacted by Phases 1–3 in 2027 prior to mitigation.

With the addition of sold-out Event Day traffic to the Phases 1–3 conditions, two intersections are projected to be significantly impacted by Phases 1–3. Each of the three significantly impacted intersections identified have a planned physical improvement as part of the Warner Center Mitigation Program, which would reduce impacts to less-than-significant levels. In the event that the mitigation measures associated with each of the above intersections are implemented by the City prior to operation of Phases 1–3, the above identified intersections would not be significantly impacted. In the event that the associated mitigation measures have not been implemented by the operation of Phases 1–3, then the significantly impacted intersections identified above would remain significantly impacted until implementation of the Warner Center Plan Mitigation Program.

c. Cumulative Construction

It is anticipated that many of the construction workers for the related projects will arrive and depart the individual construction sites during off-peak hours, thereby minimizing construction-related trips during the A.M. and P.M. peak traffic periods. Nonetheless, the potential exists for the construction-related activities and/or haul routes of the Project and the related projects to overlap particularly with respect to related projects that access US-101 near the Project Site. Specifically, there is a potential for these related projects and the Project to use the same haul routes at the same time. In addition, the Project, other nearby related projects could require temporary lane closures during construction. Further, it is anticipated that the related projects would be required to prepare a Construction Management Plan to ensure that potential construction-related impacts are reduced. Implementation of the Warner Center Mitigation Plan would also serve to reduce significant impacts. Nonetheless, to the extent that construction trips of related projects were to occur concurrently with the Project, prior to full implementation of the Warner Center Mitigation Program, cumulative construction traffic impacts could occur.

2. Operational Impacts—Neighborhood Street Segments

The operation of the Northeast Area (anticipated Phase 1) and Northwest Area (anticipated Phase 2) are projected to generate a net reduction of daily trips on a typical weekday and Saturday, as compared to existing conditions. Therefore, the operation of the first two phases are not anticipated to result in impacts to neighborhood street segments. The Southeast Area, or Phase 3, would be the initial phase with potential neighborhood impacts. Five neighborhoods were identified with potential impacts to neighborhood street segments.

Warner Center Plan Section 8 establishes the Neighborhood Protection Program, which includes measures to make the primary arterial routes more attractive and discourage use of local routes by through traffic and to facilitate vehicular and pedestrian egress from adjacent local streets onto the primary arterial streets and highway system. The Mobility Fee collected from the the Project pursuant to Mitigation Measure K-2 will finance the Warner Center Mitigation Program, which includes neighborhood protection components. The Warner Center Plan provides that as funds become available from payment of Mobility Fees, the Director of Planning shall have responsibility for implementation of an approved Neighborhood Protection Plan. The Warner Center Plan also provides for establishing a Neighborhood Protection Committee which may make recommendations to the Director and Council Offices concerning measures to implement the goals and objectives of the Neighborhood Protection Program. Pursuant to Warner Center Plan Mitigation Measure TR-101, the City will implement a Neighborhood Protection Program for the purpose of promptly assessing and mitigating “any unforeseeable neighborhood circulation impacts resulting from a potential increase in overflow or cut-through traffic along study area neighborhood streets caused by the WCRCCSP [Warner Center Plan] development or its mitigation measures.”

Mitigation Measure K-3 would help reduce impacts to neighborhood street segments to less than significant levels. Mitigation Measure K-3 describes the neighborhood traffic management plan process for the Project. Additionally, the Event Management Plan included as Project Design

Feature K-6 will be implemented as part of regular operation of the Entertainment and Sports Center. The EMP is intended to be an evolving document that is subject to modification over time, in consultation with LADOT and Caltrans, and could include additional measures, if needed, to reduce potential impacts to neighborhood street segments.

Mitigation Measure K-3 requires that traffic counts be conducted before and after a Project phase that could result in significant impacts to neighborhood street segments. In the event that significant impacts are identified as part of Mitigation Measure K-3, the Project would prepare a neighborhood traffic management plan developed in cooperation with neighborhood residents and LADOT. However, if this neighborhood traffic management plan is not approved by the affected neighborhood, then any identified significant Project-level neighborhood street segment impacts would remain. Therefore, should significant impacts be identified and a neighborhood traffic management plan not be approved by the community, then significant Project-level and cumulative neighborhood street segment impacts would remain.

a. Project Design Features

No specific project design features are proposed with regard to neighborhood protection.

b. Mitigation Measures

The Project would be required to comply with the following mitigation measures:

Mitigation Measure K-1: Construction Management Plan—Prior to the start of construction for each Project phase, the Applicant shall prepare a Construction Management Plan and submit it to the City for review and approval. The Construction Management Plan shall include such measures as, but not be limited to the following:

- Minimum 72-hour advance notification to adjacent property owners and occupants, as well as, nearby schools, of upcoming construction activities affecting the public right-of-way (i.e. temporary lane closures and detours, short-term parking restrictions, etc.), including durations and daily hours of construction;
- Prohibition of construction worker parking on adjacent residential streets, and identification of construction employee parking locations and protocols;
- Temporary traffic control during all construction activities adjacent to public rights-of-way to improve traffic flow on public roadways (e.g., flag men)
- Prohibition of construction-related vehicle parking on surrounding public streets;
- Safety precautions for pedestrian and bicyclists through such measures as alternate routing and protection barriers as appropriate, including along all identified Los Angeles Unified School District (LAUSD) pedestrian routes to nearby schools;
- Scheduling of construction-related deliveries, haul trips, etc., so as to occur outside the commuter peak hours to the extent feasible, and so as to not impede school drop-off and pick-up activities and students using LAUSD's identified pedestrian routes to nearby schools;

- Coordination with public transit agencies to provide advanced notifications of any anticipated stop relocations and durations;
- Provision of advanced notification of any temporary on-street parking removals and duration of removals;
- Establish construction hours that are in compliance with Sections 41.40 and 62.61 of the Los Angeles Municipal Code (LAMC);
- Establish a construction phone number which shall be posted on the site, and appoint a construction liaison to respond to concerns or inquiries regarding Project construction;
- Maintain unimpeded emergency access to the Project site and nearby properties;
- Establish truck access and staging areas, and identify haul route approved with the Project;
- Provide construction site security.

Mitigation Measure K-2: (see CEQA Findings, Section VI.G above)

Mitigation Measure K-3: Neighborhood Protection Program—The Warner Center Plan provides funding of the Neighborhood Protection Program and allows a mechanism for further study, if requested by residents of the identified neighborhoods, to identify potential intrusion impacts upon completion of a project. A neighborhood traffic management plan process for the Project would include the following steps:

1. Prior to completion of a Project phase that could result in neighborhood intrusion impacts (anticipated to be completion of the Southwest Area, following completion of the Northeast and Northwest Areas) (the “Potential Impact Phase”), the Applicant would collect 24-hour count data, subject to the approval of LADOT, on the key residential streets within the five identified neighborhoods. These counts would be completed and submitted to LADOT prior to the issuance of the temporary or final Certificate of Occupancy for the Potential Impact Phase.
2. If requested by LADOT, “after” counts would be conducted on event nights within one year of the opening of the Potential Impact Phase to quantify the level of intrusion impacts. These counts could be repeated in subsequent years to determine if the amount of intrusion has grown or diminished with stabilization of the Project’s operation.
3. If the traffic growth within the neighborhood exceeds the LADOT criteria for a significant impact, a neighborhood traffic management study for the affected neighborhood would be prepared.
4. A detailed neighborhood traffic management plan would be developed in cooperation with the neighborhood residents and then submitted to LADOT and to the residents for approval.

5. Should the plan fail to gain the required level of approval by the residents (per LADOT guidelines), then the improvement plan would not be implemented and such impacts would remain significant.

c. Findings

Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the Supplemental EIR. However, although such measures may reduce and possibly eliminate certain impacts, the Project may be considered to result in a significant and unavoidable impacts on the environment under CEQA. Specific economic, legal, social, technological, or other considerations make infeasible additional mitigation measures or project alternatives identified in the Supplemental EIR.

d. Rationale for Findings

Implementation of the Mitigation Measure K-1, the Construction Management Plan, and Warner Center Mitigation Program would reduce construction impacts to less than significant levels. However, Project-level and cumulative construction impacts would remain significant and unavoidable until either construction is completed or the Warner Center Mitigation Program is implemented. Additionally, Mitigation Measure K-3 requires that traffic counts be conducted before and after a Project phase that could result in significant impacts to neighborhood street segments. However, in the event that significant impacts are identified, and a neighborhood traffic management plan is not approved by the affected neighborhood, then any identified significant Project-level and cumulative neighborhood street segment impacts would remain.

e. Reference

For a complete discussion of impacts on traffic, access, and parking, please see Section I.V.K of the Draft Supplemental EIR and Section 3.11 of the Erratum.

IX. ALTERNATIVES TO THE PROJECT

The Draft Supplemental EIR examined five alternatives to the Project in detail, which include the No Project/No Built Alternative, the No Project/Base Maximum Development in Accordance with the Warner Center Plan Alternative, the Reduced Density Alternative, the Studio Mixed-Use Development Alternative, and the Reduced Entertainment and Sports Center Seating Alternative (Option 1—10,000 Seats and Option 2—7,500 Seats). A general description of these alternatives is provided below.

A. Project Alternatives Examined

1. Alternative 1: No Project/No Build 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 634,142-square-foot, two-story Shopping Center building, the stand-alone one-story restaurant building comprising 7,022 square feet, and the 2,530 surface parking spaces would remain on the Project Site, and no new construction would occur. The existing tenants with long-term leases (AMC Theaters and P.F. Chang's) would remain in operation until the expiration of their existing leases.

2. Alternative 2: No Project/Base Maximum Development in Accordance with the Warner Center Plan

Alternative 2, the No Project/Base Maximum Development in Accordance with the Warner Center Plan Alternative, considers development of the Project Site in accordance with the parameters set forth in the Warner Center Plan. Specifically, Alternative 2 would include the development of 3,588 residential units, 357,350 square feet of retail, and 3,250,650 square feet of office uses. Overall, Alternative 2 would construct 7,196,000 square feet of new floor area (an increase of 3,924,950 square feet compared to the Project). Alternative 2 illustrates the base maximum FAR of 5:1 permitted within the Downtown District of the Warner Center Plan, and includes residential and non-residential uses in percentages consistent with the graduated FAR table in Appendix B of the Warner Center Plan.

3. Alternative 3: Reduced Density Alternative

Alternative 3, the Reduced Density Alternative, would reduce the FAR of the Project to 1.75, specifically by reducing the residential and office uses proposed. Alternative 3 proposes the development of up to 1,063 residential units (a reduction of 369 units compared to the Project), approximately 244,000 square feet of retail/restaurant uses, approximately 157,000 square feet of office space (a reduction of approximately 574,500 square feet compared to the Project), up to 622 hotel rooms (634,000 square feet), and an Entertainment and Sports Center with 15,000 seats. Overall, the Reduced Density Alternative would construct 2,525,050 square feet of new floor area (a reduction of 745,950 square feet compared to the Project). This accounts for a 25-percent reduction in density as compared to the Project.

4. Alternative 4: Studio Mixed-Use Development Alternative

Alternative 4, the Studio Mixed-Use Development Alternative, is an alternative use and reduced density scheme that would construct a studio and mixed-use project with up to 552 residential units, and approximately 1,619,000 of office uses, which include 587,000 square feet of studio uses. This alternative would not include the hotel uses or the Entertainment and Sports Center proposed by the Project. Overall, the Studio Mixed-Use Development Alternative would construct 2,376,000 square feet of new floor area, which is a reduction of 895,000 square feet compared to the Project. This accounts for a 30-percent reduction in density as compared to the Project.

5. Alternative 5: Reduced Entertainment and Sports Center Seating Alternative (Option 1—10,000 Seats and Option 2—7,500 Seats)

Alternative 5, the Reduced Entertainment and Sports Center Seating Alternative (Option 1—10,000 Seats and Option 2—7,500 Seats), would construct a mixed-use project similar to the Project. However, the number of seats in the Entertainment and Sports Center would be reduced. Specifically, this alternative analyzes a 10,000-seat Entertainment and Sports Center (Option 1) and a 7,500-seat Entertainment and Sports Center (Option 2). In total, this Alternative would include up to 1,432 residential units, approximately 244,000 square feet of retail/restaurant uses, approximately 629,000 square feet of office uses, up to 572 hotel rooms, and an approximately 320,050-square-foot Entertainment and Sports Center. While this alternative analyzes a reduction in seating provided in the Entertainment and Sports Center, the building area of the Entertainment and Sports Center under Alternative 5 is assumed to be the same as that proposed under the Project for the Entertainment and Sports Center. This would provide for a variety of smaller seating areas within the same building. Each of the smaller seating areas for sports or entertainment would require its own back of the house space, for instance, for equipment storage, changing rooms, and associated support facilities. As a result, the Entertainment and Sports Center building in Alternative 5 would

utilize a higher proportion of the floor area for back of the house support facilities, and a lower proportion of floor area for seating. The Entertainment and Sports Center would have the same building volume and floor areas as the Project, but with reduced seating capacity. Similar to the Project, Alternative 5 would construct 2,629,886 square feet of net new floor area.

B. Environmentally Superior Alternative

In accordance with the CEQA Guidelines requirement to identify an Environmentally Superior Alternative other than the No Project/No Build Alternative (Alternative 1—No Project/No Build Alternative), a comparative evaluation of the alternatives indicated that Alternative 4, the Studio Mixed-Use Development Alternative, would be the Environmentally Superior Alternative. Alternative 4 would eliminate the significant and unavoidable regional air quality impacts during operation of the Project and would reduce many of the Project's less-than-significant and less-than-significant-with-mitigation impacts. However Alternative 4 would not meet many of the Project's objectives and would only partially meet the underlying purpose of the Project, as it does not include hotel and entertainment uses.

X. OTHER CEQA CONSIDERATIONS

A. 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. Growth-inducing impacts are characteristics of a project that could directly or indirectly foster economic or population growth or the construction of additional housing, either directly or indirectly, in the surrounding environment. According to the CEQA Guidelines, such projects include those that would remove obstacles to population growth (e.g., a major expansion of a waste water treatment plant). In addition, as set forth in the CEQA Guidelines, increases in the population may tax existing community service facilities, requiring construction of new facilities that could cause significant environmental effects. The CEQA Guidelines also state that it must not be assumed that growth in an area is necessarily beneficial, detrimental or of little significance to the environment.

The Project includes 1,432 multi-family residential units and, thus, would introduce a new residential population into the area. Based on a household size factor of 2.73 persons per household for multi-family housing units and a 95 percent occupancy rate, the Project is estimated to generate a residential population of 3,714 persons at full buildout. Based on SCAG's 2016–2040 RTP/SCS, the population of 3,714 persons generated by the Project would represent approximately 0.16 percent of the projected growth in the SCAG region between 2016 and 2033 (i.e., the Project's baseline and buildout years), and 0.8 percent of the projected growth in the City of Los Angeles during the same period. With regard to housing, the Project's 1,432 residential units would represent approximately 0.16 percent of the projected housing growth in the SCAG region between 2016 and 2033, and 0.65 percent of the projected housing growth in the City of Los Angeles during the same period. Project-related household growth would be consistent with contemplated growth under the Warner Center Plan as described in the Warner Center Plan EIR. As such, the Project would not cause housing growth to exceed projected/planned levels for the Project's buildout year. When accounting for the removal of existing uses, a net increase of approximately 3,571 on-site jobs during operation would be anticipated to occur. The additional 3,571 on-site employees that would be generated by the Project would represent approximately 0.25 percent of employment growth forecasted for the SCAG Region between 2016 and 2033 and approximately 1.24 percent of the employment growth forecasted for the City of Los Angeles between 2016 and 2033 based on SCAG's 2016–2040 RTP/SCS. Therefore, the Project's addition of residents, housing and employees would be well within SCAG's projections in the 2016 RTP/SCS for the SCAG region 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.

The area surrounding the Project Site is already developed with a mix of commercial, office, and residential uses and the Project would not remove impediments to growth. All roadway improvements planned for the Project would be tailored to improve circulation flows and safety throughout the area, consistent with the Project's impacts and objectives. The Project may require local infrastructure upgrades to maintain and improve sewer, electricity, and natural gas lines on-site and in the immediate vicinity of the Project Site. Such improvements would be intended primarily to meet Project-related demand and would not necessitate regional utility infrastructure improvements that have not otherwise been accounted for and planned for on a regional level. The Project employees' demand for convenient commercial goods and services would be met by new retail, service, and other resources included as part of the Project or already located within close proximity to the Project Site. No new development specifically to meet the Project's scale of commercial demand would be needed.

Overall, the Project would be consistent with the growth forecast for the SCAG region 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. Therefore, direct and indirect growth-inducing impacts would be less than significant.

B. 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.

1. 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, metals, and petrochemical construction materials.

The Project would comply with the sustainability intent of the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED®) program to meet the standards of LEED Silver or equivalent green building standards. In so doing, the Project would: (1) implement a construction waste management plan to achieve a minimum 75 percent diversion from landfills; (2) use at least 10 percent recycled materials, at least 10 percent regional materials (sourced within 500 miles), and certified wood in new construction; and (3) use recycled content for concrete fly ash within concrete and structural steel with recycled content. Thus, with implementation of Project Design Feature M.3-1, the consumption of non-renewable building materials such as lumber, aggregate materials, and plastics during construction would be reduced.

2. Water

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 of the Project at buildout. Based on a review of construction projects that are similar in size and duration to that of the Project, a conservative estimate of construction water use ranges from 1,000 to 2,000 gallons per day (gpd), which is substantially less than the water consumption of the existing uses of approximately 106,868 gpd. Water for construction activities would be conveyed using the existing water infrastructure at the Project Site and no major off-site infrastructure improvements would be needed. Additionally, as concluded in the Los Angeles Department of Water and Power (LADWP)'s 2015 Urban Water Management Plan (UWMP), projected water demand for the City would be met by the available supplies during an average year, single-dry year, and multiple-dry year in each year from 2015 through 2040. Project construction is anticipated to be completed by 2033. Therefore, the Project's temporary and intermittent demand for water during construction could be met by the City's available supplies during each year of Project construction.

During operation, the estimated water demand for the Project would not exceed the available supplies projected by LADWP. Specifically, it is estimated by the Water Supply Assessment (WSA) prepared for the Project, that the Project would generate an average daily water demand of approximately 727,254 gpd. The Project would implement Project Design Feature M.1-1, which includes implementation of additional water conservation measures beyond those required by the Los Angeles Municipal Code (LAMC), as amended by Ordinance No. 184248. The Promenade 2035 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, in addition to the existing and planned future water demands within LADWP's service area through the year 2040. Thus, the Project would not result in a significant impact related to water supply.

3. 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. Construction activities for the Project would not require the consumption of natural gas, but would require the use of fossil fuels and electricity. 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. The Project would implement various project design features to reduce electricity consumption, including Project Design Features D-1, D-3, D-4, D-5, and D-6. The Project would include measures to capture and reuse rainwater for irrigation and landscaping; reduce energy usage through a variety of measures including solar passive design, daylight harvesting, natural ventilation, and building orientation; cover the top floors of the parking structures with open space, vegetation or amenities; and cover building roofs with either vegetation or cool roof systems to help reduce energy use. Therefore, the Project would not cause wasteful, inefficient, and unnecessary consumption of electricity during operation.

With regard to natural gas, as discussed above, the Project would implement Project Design Feature D-1 included in Section IV.D, Greenhouse Gas Emissions, which would also serve to reduce the use of natural gas by implementing various energy efficiency improvements, consistent with LEED checklist requirements, such as installing high efficiency water heaters or tankless water heaters, installing enhanced insulation, and high-efficiency furnaces, among others. Furthermore,

Project Design Feature D-2 would limit the installation of natural gas fireplaces to the villa and penthouse units and outdoor amenities. Additionally, Project Design Feature D-3 would require the Project to install a minimum of 10 percent of total domestic hot water heaters as solar or non-fossil fuel burning units.

With regard to transportation fuel, Project characteristics, such as increasing density and increasing the diversity of uses, would reduce vehicle miles traveled. In addition, the Project Site is located in an area well-served by public transit. In addition, in accordance with Project Design Feature K-7 presented in Section IV.K, Traffic, Access, and Parking, the Applicant would develop and implement a Transportation Demand Management (TDM) Program that includes strategies to promote non-auto travel and reduce the use of single-occupant vehicle trips. Furthermore, based on the City's current requirements for bicycle facilities, the Project would provide 361 short-term and 1,726 long-term bicycle parking spaces, in addition to bicycle-serving amenities that would further encourage biking. Additionally, the Project Site was designed to encourage walkability. Furthermore, the Project is proposing to provide parking spaces below the maximum permitted under the Warner Center Plan, to further incentivize the use of transit, bicycles, and walking.

Based on the above, 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.

4. Environmental Hazards

The Project's potential use of hazardous materials is addressed in Section IV.E, Hazards and Hazardous Materials, of the Draft Supplemental EIR. As discussed therein, during demolition, on-site grading, and building construction, hazardous materials such as fuel and oils associated with construction equipment, as well as coatings, paints, adhesives, and caustic or acidic cleaners would be used, handled, and stored on the Project Site. The use, handling, and storage of these materials would increase the potential for hazardous materials releases and, subsequently, the exposure of people and the environment to hazardous materials. However, all potentially hazardous materials would be used and stored in accordance with manufacturers' specifications and instructions, thereby reducing the risk of hazardous materials use. In addition, the Project would be in compliance with all applicable federal, state, and local requirements concerning the use, storage, and management of hazardous materials. With respect to transport of hazardous materials, the Project would be required to adhere to the requirements of Warner Center Plan Mitigation Measure HAZ-3, which prohibits the transport of hazardous materials along Topanga Canyon Boulevard, along Burbank Boulevard, or within 0.25 mile of a school. Warner Center Plan EIR Mitigation Measure HAZ-5 requires any construction site storing hazardous materials to comply with applicable regulations regarding storage, transport and disposal of hazardous materials and wastes also would be implemented as part of the Project. Therefore, it is not expected that the Project would cause irreversible damage from environmental accidents associated with the use of typical, potentially hazardous materials.

5. Conclusion

Based on the above, Project construction and operation would require the irretrievable commitment of limited, slowly renewable, and non-renewable resources, which would limit the availability of these resources and the Project Site for future generations or for other uses. However, the consumption of such resources would not be considered substantial and would be consistent with regional and local growth forecasts and development goals for the area. The loss of such resources would not be highly accelerated when compared to existing conditions and such resources would not be used in a wasteful manner. Therefore, although irreversible environmental changes would result from the Project, such changes are concluded to be less than significant.

Considering that the Project would consume an immaterial amount of natural resources, and it is replacing an existing urban use on a redevelopment site, the limited use of nonrenewable resources is justified.

XI. STATEMENT OF OVERRIDING CONSIDERATIONS

Implementation of the Project would result in significant impacts that cannot be mitigated, including impacts associated with: (1) Project and cumulative construction-related regional air quality emissions; (2) Project and cumulative operational regional air quality emissions; (3) historical resources; (4) on-site construction noise impacts at on-site receptors; (5) cumulative on- and off-site construction noise impacts to off-site receptors; (6) Project and cumulative noise impacts from off-site construction vibration related to the significance threshold for human annoyance; (7) Project and cumulative construction traffic; (8) Project and cumulative intersection impacts for operation of Phases 1–3 (interim) conditions in the event that the Warner Center Plan improvements are not implemented by operation of Phases 1–3; and (9) Project and cumulative traffic impacts to neighborhood street segments during operation.

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 Supplemental 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 Supplemental 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 Supplemental EIR, the source references in the EIR, and other documents and material that constitute the record of proceedings.

Accordingly, the City adopts the following Statement of Overriding Considerations for the Project. The City recognizes that significant and unavoidable impacts will result from implementation of the Project. Having: (1) adopted all feasible mitigation measures; (2) rejected as infeasible Alternatives 1, 2, 3, 4, and 5 (Option 1); (3) recognized all significant, unavoidable impacts; and (4) balanced the benefits of the Project against its significant and unavoidable impacts, the City hereby finds that each of 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 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 Supplemental EIR. Despite the unavoidable impacts caused by the construction of the Project, the City approves the Project based on the following contributions of the Project to the community:

1. The Project will be a significant economic engine in the City of Los Angeles. Development and construction of the Project will generate approximately 10,800 full- and part-time construction jobs, and 9,700 long-term operational jobs at full buildout. These jobs will be generated both on-site and elsewhere in the City of Los Angeles, as the Project's construction and operation stimulate and support businesses in the local economy.

2. The Project will generate approximately \$1.7 billion in total economic output from construction-related activity, \$1.9 billion in total economic output annually from operation of the completed Project, as well as \$6.4 million in one-time revenues and \$17.2 million annually in net new revenues to the City's General Fund. (All dollar values are in constant 2020 dollars.)
3. The Project will transform a significantly underutilized site, primarily covered with surface parking and a vacant mall, into a new community with residential, retail/restaurant, office, hotel, and entertainment uses. The transformed Project Site will include more than 11 acres of open space, including 6 acres of ground-level, publicly accessible open space, exceeding the open space requirements of both the Warner Center Plan and Los Angeles Municipal Code.
4. The Project will promote health within Warner Center by creating a variety of different types of open space and recreation areas, including: Promenade Square with more than 1 ½ acres of open space that can be used for a variety of functions, including open-air concerts, farmers markets, civic events, and passive and organized recreation; two street-facing courtyards called the Gardens which would include a lawn, soft decomposed granite seating area, and amenities, together totaling approximately 0.5 acre in size; smaller landscaped plazas located throughout the Project Site with shaded seating; and private roof decks with pool amenities.
5. The Project will create a walkable, pedestrian- and transit- oriented environment. The Project will transform all four Project Site street frontages consistent with the Warner Center Plan's streetscape requirements, and create new tree-lined sidewalks both along the perimeter of the Site and traveling through the Site. The Warner Center Plan requires the creation of New Streets to break up the large Warner Center blocks, and the Project exceeds this requirement by providing four private streets throughout the Project Site, in addition to two New Streets, to further facilitate permeability of the Site and pedestrian movement. The Project includes Active Street frontages and Activity Nodes on Owensmouth Avenue consistent with the Warner Center Plan¹⁸, as well as pedestrian-serving, ground floor uses throughout the Project site to activate the pedestrian experience. Finally, the Project is located directly adjacent to the Warner Center Transit Hub, serviced by numerous transit lines including the Warner Center circulator, allowing visitors to arrive by transit.
6. The Project has been designed with sensitivity to the surrounding neighborhood context by proposing buildings adjacent to existing buildings of similar scale. The lowest heights at 35 feet and 55 feet are proposed along Topanga Canyon Boulevard on the north side of the Project Site, continuing the heights of the buildings at the Village at Westfield Topanga and across Topanga Canyon Boulevard. In terms of the Entertainment and Sports Center, the highest point of the roof (85 feet) would be located at the center of the structure, and not along the public street frontages. Additionally, the Project's taller buildings are proposed in the southeast corner of the Project Site, with the tallest building sited at the corner of Owensmouth Avenue and Oxnard Street, opposite similarly tall office towers on the south side of Oxnard Street.
7. The Project will significantly improve the visual character and quality of the existing Project Site. The Project Site's existing asphalt paved surface parking areas and minimal landscaping, which do not contribute to the valued visual character of the area,

¹⁸ Active Street Frontages are designated streets where buildings incorporate features and elements that are human scaled and can be used and enjoyed by pedestrians. An Activity Node is an activity focal point located at the intersection of streets where pedestrian-serving uses are concentrated.

would be replaced with new buildings, landscaped sidewalks, wider parkways providing greater buffers from the public street, and a greater number of trees providing shade along the Project Site's street frontages. Existing surface parking would be replaced with underground parking or structured parking shielded from view by proposed buildings. Overall, these aesthetic improvements would enhance the livability of the neighborhood.

8. The Project located within the Downtown District, will reinforce the area as the Downtown core of activity for Warner Center. Specifically, the Warner Center Plan encourages a concentration of entertainment and mixed uses in the Downtown District, which also serves to preserve Warner Center's surrounding residential neighborhoods. Development of the Project in an established urban area served by existing infrastructure also minimizes the need for the development of new infrastructure and makes more efficient use of existing facilities.
9. This Project will facilitate achieving the City's local and regional objectives to reduce vehicular trips (and associated greenhouse gas emissions) and promote regional and local mobility objectives by concentrating high-density residential, retail, office, hotel and entertainment uses adjacent to the Warner Center Transit Hub. The Warner Center Transit Hub is directly serviced by five Metro local lines, one Metro Rapid line, one Antelope Valley Transit Authority line, one Santa Clarita Transit Line, and the Warner Center circulator connection to the Metro Orange Line.
10. The Project will be designed to achieve the standards of the Silver Rating under the USGBC's Leadership in Energy Efficiency and Design ("LEED") green building program, or equivalent green building standards, and include numerous sustainability measures to promote resource conservation, including rooftop solar, electric vehicle charging stations and infrastructure, and water conservation measures.
11. The Project would support the City's objective to provide more housing by building 1,432 multi-family residential units, consisting of a variety of housing types including live-work, studio, one-, two-, and three-bedroom units. Up to 54 housing units will be reserved for Very Low-Income Households and up to 54 housing units will be reserved for Workforce Households. The various unit sizes, types, and rental rate restrictions provide options to meet the needs of potential residents.
12. The Entertainment and Sports Center will support the Warner Center's Downtown District by attracting users who will spend at retail and restaurant locations and hotels at or near the Project Site, thereby contributing to the economic sustainability of the Warner Center. This is consistent with the purpose of the Downtown District to be "Warner Center's primary employment and entertainment center providing a mix of restaurant and specialty retail uses that will attract office workers during the day and area residents and families in the evenings and on weekends".
13. The Entertainment and Sports Center will support the economic revitalization of Warner Center by keeping consumer spending on entertainment local, which spending is currently "leaking" to other parts of the City and region as San Fernando Valley residents travel to other areas for entertainment options not available closer to home.
14. The Entertainment and Sports Center will offer events outside of hours when single-use commercial or residential districts are typically active, thereby achieving the goal of the Warner Center Plan to "encourage entertainment and nightlife uses in the Downtown and Uptown Districts of Warner Center..."

15. As there is no venue within a 45-minute drive time of the Project Site that is comparable in scale or purpose to the proposed Entertainment and Sports Center, the Entertainment and Sports Center will be a quality of life amenity for area residents which does not currently exist in the market, substantially reducing the distances that area residents must travel to attend a concert or sporting event.

XII. GENERAL FINDINGS

1. The City, acting through the Department of City Planning, is the “Lead Agency” for the Project that is evaluated in the Supplemental EIR. The City finds that the Supplemental EIR was prepared in compliance with CEQA and the CEQA Guidelines. The City finds that it has independently reviewed and analyzed the Supplemental EIR for the Project, that the Draft Supplemental EIR which was circulated for public review reflected its independent judgment, and that the Final Supplemental EIR and Erratum reflect the independent judgment of the City.
2. The Supplemental EIR evaluated the following potential project and cumulative environmental impacts: Aesthetics, Views, Light/Glare, and Shading; Air Quality; Cultural Resources; Greenhouse Gas Emissions; Hazards and Hazardous Materials; Hydrology, Surface Water Quality, and Groundwater; Land Use; Noise; Population, Housing, and Employment; Public Services (Fire, Police, Schools, Parks and Recreation, Libraries); Traffic, Access, and Parking; Tribal Cultural Resources; Utilities and Service Systems (Water Supply and Infrastructure, Wastewater, and Solid Waste); and Appendix F - Energy Conservation. The significant environmental impacts of the Alternatives 1, 2, 3, 4, and 5 (Option 1 and Option 2) were identified in the Supplemental EIR.
3. The City finds that the Supplemental 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 Supplemental EIR. The Final Supplemental EIR was prepared after the review period and responds to comments made during the public review period. The Erratum, which determined that the Project’s impacts were fully disclosed within the Supplemental EIR, analyzed modifications to the Project, including the reduction in size and capacity of the Entertainment and Sports Center and incorporation of affordable housing components into the Project.
4. Textual refinements 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 the 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 Supplemental EIR. In accordance with CEQA, the Department of City Planning prepared written responses describing the disposition of significant environmental issues raised. The Final Supplemental 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 Supplemental EIR. The Department of City Planning prepared the Erratum to analyze any potential environmental impacts associated with modifications to the Project, in order to clarify and refine the environmental analysis and provide supplemental information to City decision-makers and to the public. The Erratum did not identify

any significant new information, new significant impacts, or a substantial increase in the severity of an impact area already identified in the Draft Supplemental 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 Supplemental EIR.

6. The Final Supplemental EIR documents changes to the Draft Supplemental EIR. The Final Supplemental EIR provides additional information that was not included in the Draft Supplemental EIR. The Erratum supplements the Draft and Final Supplemental EIR by analyzing the proposed modifications to the Project, including a reduction in the size and capacity of the Entertainment and Sports Center. Having reviewed the information contained in the Draft Supplemental EIR, the Final Supplemental EIR, and Erratum, and in the administrative record, as well as the requirements of CEQA and the CEQA Guidelines regarding recirculation of Draft Supplemental 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 Supplemental EIR, or preparation of a subsequent EIR.

Specifically, the City finds that:

- a. The Responses To Comments contained in the Final Supplemental EIR fully considered and responded to comments claiming that the Project would have significant impacts or more severe impacts not disclosed in the Draft Supplemental 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 Supplemental EIR.
 - b. The City has thoroughly reviewed the public comments received regarding the Project, the Final Supplemental EIR, and the Erratum 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 Supplemental EIR prior to its adoption and has determined that recirculation of the Supplemental EIR is not required.
 - c. None of the information submitted after publication of the Final Supplemental EIR, including the Erratum and testimony at and documents submitted for the public hearings on the Project, constitutes significant new information or otherwise requires preparation of a subsequent Supplemental 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 Supplemental EIR or Erratum, or a feasible mitigation measure or alternative not included in the Final Supplemental EIR or Erratum.
7. The mitigation measures identified for the Project were included in the Draft and Final Supplemental 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 with the exception of those impacts identified in the Statement of Overriding Considerations as significant and unavoidable.
 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 Supplemental 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. As a Supplemental EIR, the MMP also includes applicable Warner Center Plan Mitigation Measures from the Warner Center Plan EIR. 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, Major Projects Section, 6262 Van Nuys Boulevard, Room 351, Los Angeles, California 91401.
11. The City finds and declares that substantial evidence for each and every finding made herein is contained in the Supplemental EIR, which is incorporated herein by this reference, or is in the record of proceedings in the matter.
12. The City is certifying a Supplemental EIR for, and is approving and adopting findings for, the entirety of the actions described in these Findings and in the Supplemental EIR as comprising the Project.
13. The Supplemental 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 Supplemental EIR serves as the primary environmental compliance document for entitlement decisions regarding the Project by the City and other regulatory jurisdictions.
14. The City finds that none of the public comments to the Draft Supplemental EIR or subsequent public comments or other evidence in the record, including any changes in the Project in response to input from the community and the Council Office and the analysis in the Erratum, include or constitute substantial evidence that would require recirculation of the Final Supplemental EIR prior to its certification and that there is no substantial evidence elsewhere in the record of proceedings that would require substantial revision of the Final Supplemental EIR prior to its certification, and that the Final Supplemental EIR need not be recirculated prior to its certification.