

## **3.0 CORRECTIONS AND ADDITIONS TO THE DRAFT EIR**

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### **INTRODUCTION**

This section includes two subsections. As discussed in Chapters 1 and 2 of this Final EIR, Alternative 4 (Modified Design Alternative) is being added to this Final EIR in response to public comments raised during the Draft EIR public comment period, including those pertaining to aesthetic, historic and land use impacts. Subsection 1 presents a detailed description of Alternative 4 as well as an environmental analysis regarding the potential impacts that would result from the implementation of Alternative 4. Subsection 2 provides corrections and/or additions to the Draft EIR as a result of comments received on the document, including edits to discussions of alternatives that go beyond the specific evaluation of Alternative 4, such as the discussion of the Environmentally Superior Alternative, and the summary table comparing the impacts of all of the Alternatives to those of the Project.

### **SUBSECTION 1- NEW ALTERNATIVE 4: MODIFIED DESIGN ALTERNATIVE**

The following new Subsection 5.F.4 is added to Chapter 5.0, Alternatives, of the Draft EIR after the analysis of Alternative 3, Residential with Ground Level Commercial, starting on page 5-57. (Table numbers below reflect the continuity of table numbering originally presented in Chapter 5.0.)

## **5.F.4 ALTERNATIVE 4: MODIFIED DESIGN**

### **(A) DESCRIPTION OF THE ALTERNATIVE**

Alternative 4, the Modified Design Alternative includes the same uses as the Project, but in varied amounts; and with a reconfiguration of the Project's building components and open space. The changes to the Project under Alternative 4 have been developed to address public comments regarding the Project's ground level appearance and open space, views, setbacks, historic resource issues associated with the adjacent Petroleum Building, the amount of signage and lighting, and consistency with the City of Los Angeles Downtown Design Guide (Downtown Design Guide). As further detailed below, compared to the Project, the Modified Design Alternative would eliminate one of two residential towers, reduce overall development floor area by nearly 24 percent, reduce residential units by approximately 33 percent, reduce commercial uses by approximately 31 percent, and reduce digital display signage by approximately 63 percent. The heights of the remaining residential tower and the Hotel Tower would remain as proposed under the Project, and there would be no change in the number of hotel rooms.

The Modified Design Alternative includes a reduction in the overall size of the Project, adds two new ground level plaza areas, increases ground level building articulation with varied podium heights and gaps in building facades, increases setbacks at key locations, and provides substantial reductions in the amount of Project signage. Most notably, one of the residential towers, Residential Tower 1, proposed under the Project at 32 stories with 490 feet of height, has been eliminated. However, the Podium structure below that tower, i.e. the first 75 feet of development height at 11<sup>th</sup> Street and Flower Street, would remain. Hotel uses

would extend into the podium area above the podium's ground level retail space. Residential Tower 2 with 540 feet would be the same height as with the Project. However, the Modified Design Alternative would include 48 floors of residential development in the tower's interior space in contrast to the 38 floors proposed for the Project. The Podium beneath Residential Tower 2 would be reduced in height from 75 feet to 55 feet. The Hotel Tower would have the same height as that of the Project, 430 feet of height, with 29 stories.

Illustrative materials showing a site plan for the Modified Design Alternative, along with renderings showing its appearance and also schematic signage summary are included in Appendix A of the FEIR, *Illustrations of the Modified Design Alternative*. Figure A-1 provides the site plan and Figure A-2 shows the general massing and location of buildings. Figures A-3 through A-6 provide illustrative elevations from each of the four Project sides. Figure A-7 shows the location of proposed signage. Figures A-8 through A-12 illustrate the appearance of the Modified Design Alternative from various ground elevations in the Project vicinity. Figure A-13 shows the buildings in the context of their skyline setting.

As was the case with the Project, vehicular access would be from W. Olympic Boulevard, S. Flower Street and 11<sup>th</sup> Street. However, a residential access previously provided on 11<sup>th</sup> Street. The 11<sup>th</sup> Street driveway would remain for hotel uses only. A driveway on Olympic Boulevard would be for residential and service uses only. A driveway on S. Flower Street would be hotel, commercial and service uses. Similar to the Project, parking would be provided in the four subterranean parking level according to code, which would include up to 738 parking spaces in contrast to the Project's 799 spaces. Another variation is the addition of two new plazas, one located along W. Olympic Boulevard and one located along 11th Street to complement the larger Figueroa Street plaza. The Modified Design Alternative would include the same Site Security features (full time security program, and Crime Prevention Through Environmental Design strategies with the same components); and the same sustainability features (equivalency with the LEED Silver Certification level, compliance with State and City green building codes and sustainability program) as under the proposed Project.

The total amount of development would be reduced from the Project's 1,129,284 square feet, to 860,121 square feet, resulting in a development FAR of 7.4:1. The differences between the Modified Design Alternative and the Project are shown in **Table 5-7, Comparison of Development Programs**. As indicated in the table, the total number of residential units has been reduced from 650 units to 435 units (i.e. a decrease of 215 units). The number of hotel rooms has remained the same at 300 rooms; however ancillary hotel uses have been increased from 32,665 square feet to 36,580 square feet (i.e. an increase of 3,915 square feet). The amount of retail/restaurant space has been reduced from 80,000 square feet to 55,499 square feet (i.e. a decrease of 24,501 square feet).

The Modified Design Alternative, like the Project, would also have two development Phases; however, the overall level of activity within the two Phases would differ slightly. Phase 1 would include construction of the new hotel with its podium, retail uses and terraces. The residential tower (referred to as Residential Tower 1 under the proposed Project) in the southeast portion of the Project Site would not be constructed under the Modified Design Alternative. The number of hotel rooms would remain the same as the Project; however, the amount of space for ancillary hotel uses (banquet, conference, and amenity areas) would be increased. Overall Phase 1 would result in the construction of reduced building floor area under the

Modified Design Alternative as compared to the Project. Phase 1 of the Modified Design Alternative would generate the same daily building construction activity levels as the Project, but would require fewer days of building construction as compared to Phase 1 of the Project. Phase 2 (after completion of Phase 1) would include the demolition of the existing hotel with the construction of the residential tower along with retail uses and podium terraces. The residential tower would be the same height as the proposed Project; however, the Modified Design Alternative would fit 48 floors of residential development into the tower's interior space in contrast to the 38 floors proposed for the Project. Overall Phase 2 would result in the construction of greater building floor area under the Modified Design Alternative as compared to the Project. Phase 2 of the Modified Design Alternative would generate the same daily building construction activity levels as the Project, but would require more days of building construction as compared to Phase 2 of the Project.

The Modified Design Alternative would increase the depth of excavation for subterranean parking from 45/50 feet to 65 feet, to accommodate changes in the basement in both Towers from a concrete structure to a steel structure for greater structure flexibility, thus requiring a larger floor to floor height. The increase in building depth would increase the amount of excavation to be hauled off-site from the Project's 202,000 cubic yards to approximately 254,300 cubic yards. The additional excavation under the Modified Design Alternative would be accommodated by extending the number of days in the excavation phases by up to approximately 23 days in Phase 1 and up to approximately 16 days in Phase 2. The maximum level of construction activity on any one day under the Modified Design Alternative would remain approximately the same as the Project.

## **(B) ENVIRONMENTAL IMPACTS**

### **(1) Aesthetics/Visual Resources**

#### **i. Aesthetics and Views**

The Modified Design Alternative would replace the existing Luxe Hotel and parking lots with a new residential, hotel and retail project with two towers and a Podium structure. Construction activities would have the potential to degrade the visual character of the Project Site due to construction equipment, exportation of excavation materials, cranes and views of incomplete buildings. Construction fencing would be provided for safety, and screening of the Project Site.

Once built, the Alternative's two towers would be located atop a five-level Podium constructed in Phase 1 and a three-level Podium constructed in Phase 2. The Residential Tower would be up to 540 feet in height and located at the northwest portion of the Site at the corner of Olympic Boulevard and Figueroa Street. The 29 story Hotel Tower would be up to 430 feet in height; and would be located on the southwest portion of the Project Site directly across from the Staples Center Arena. The maximum heights of both towers would be the same as under the Project.

The Modified Design Alternative would have a contemporary architectural style similar to that of the Project; however, there would be changes in the overall aesthetic appearance. The Modified Design Alternative breaks up and reduces the amount of the ribbon of digital display signage from approximately 60,000 square feet to approximately 21,200 square feet, a reduction of 63 percent, with reductions in signage height as well

as area. It also breaks up continuous Podium facades in a manner that creates a layered box appearance, with varied horizontal and vertical shapes. These changes would result in smaller individual building components that are more integrated with the streetscape, with broader views across the Project Site that would provide an improved pedestrian experience, as advised in Section 06, Massing and Street Mall and Section 08, Architectural Detail of the Downtown Design Guide. (Figures B-8, B-9 and B-11.) The ground level appearance would be further enhanced with the provision of a new plaza along 11<sup>th</sup> Street and another new plaza along W. Olympic Boulevard to complement the redesigned main plaza on Figueroa Street. The amount of overall plaza area would be increased from 5,000 square feet to 7,700 square feet. (See Table 5-11, Alternative 4- Plaza and Residential Open Space Provisions). The plazas would include landscaping, artwork, and other amenities. (Figure B-3 and Figures B-8 through B-12.)

The layered box character is reflected in the tower designs, as both the Residential Tower and the Hotel Tower utilize the stacking box roofline to echo the Podium Design, to create roofline articulation, in contrast to the slanted residential tower roofs of the Project. (Figure B-2). Thus, while the appearance of the buildings would be varied, their character would be generally similar to those of the Project as they would have generally similar massing (albeit with one less Tower) and would fit into a similar Downtown vernacular. As with the Project, the buildings would be compatible with the existing, developed urban setting. (Figures B-8 to B-12.)

View impacts of the Modified Design Alternative would be varied with changes to the massing of the Residential Towers. Elimination of Residential Tower 1 would reduce view impacts from more distant locations and from elevations higher than 75 feet adjacent to the Project Site: notably the adjacent area currently occupied by the El Cholo Restaurant on the north side of the Project Site and the residential component of the Oceanwide project, atop its own podium, on the south side. (Figure B-11.)

The remaining Residential Tower increases the amount of space between the new tower and the Petroleum Building from approximately 20 feet in the Project to approximately 38 feet with the Modified Design Alternative. Under the Modified Design Alternative, the Phase 2 Residential Podium increases the amount of space between the new Podium and the Petroleum Building from 0 feet in the Project to approximately 20 feet, as well as lowering it in height from 75 feet to 55 feet. This results in a more open entry into the Project Site from W. Olympic Boulevard and allows a larger viewing angle of the wall sign on the western face of the Petroleum Building, as shown in Figure B-10.

Views of the Modified Design Alternative would be blocked from more distant locations along the public viewing corridors. Nearby views of the Project Site would be characterized by the pedestrian oriented ground level design adjacent to the Project Site. From more distant and/or elevated locations, the overall massing of the Project would be substantially reduced with the elimination of one of the three towers. The remaining two towers would blend into the Downtown milieu in a manner similar to that of the Project, but would occupy a smaller component of the Downtown skyline. (Figure A-13).



The Draft EIR Chapter 4.0 analysis of the Project's impacts on aesthetics evaluates the Project impacts against threshold guidelines in the L.A. CEQA Thresholds Guide for informational purposes. As indicated in that analysis, pursuant to SB 743, an analysis of aesthetic/visual resources impacts of the Project is not required; and is provided for informational purposes only.

The analysis of the Project addresses impacts regarding construction and operations. The analysis of construction impacts discusses the disturbance in site appearance that would occur during construction (construction equipment, excavation activities, cranes and incomplete buildings). The analysis concludes that construction impacts would be less than significant because construction fencing would provide visual screening of the site; and the impacts would be short-term and temporary, not substantially altering, or degrading, the long term visual character of the surrounding area or the existing Project site. This conclusion would also be applicable to the Modified Design Alternative.

The informational, L.A. CEQA Thresholds analysis of the Project's aesthetic and views impacts indicates that the Project would include new contemporary modern buildings, new landscaping, public plazas, artwork, street front commercial uses, and other amenities. The analysis concludes that the Project would be compatible with surrounding development, would maintain views of the primary facades of the adjacent Petroleum Building, and would not result in a substantial material change to the integrity and significance of that historic building. The Project would not substantially alter or degrade existing scenic resources, and would not substantially obstruct or degrade an existing recognized and valued public view of view resources. For these reasons, the analysis of impacts on Aesthetics and Views concludes that the impact of the Project would not exceed applicable thresholds of significance. Furthermore, the impacts are not considered significant under CEQA pursuant to SB 743.

Impacts of the Modified Design Alternative are not significant pursuant to SB 743 and as analyzed would not exceed the City's standard thresholds for evaluating aesthetic and view impacts. The Modified Design Alternative would have generally similar design features to those of the Project, with the above cited variations that would add increased articulation to buildings, reduce signage and lighting, enhance the streetscape with increased plaza space, increase spaces between Project buildings and adjacent uses, and provide more views over and through the Project Site. Because the aesthetic character of the Modified Design Alternative would be akin to that of the Project and the variations in massing and streetscape features enhance the Project appearance, the Modified Design Alternative's impacts would be reduced in severity when compared to those of the Project. Impacts regarding changes to views of valued focal or panoramic views across the Project Site would be less than those of the Project. Overall impacts of the Modified Design Alternative on aesthetics and views, like those of the Project, would not exceed City significance thresholds and are not considered significant under CEQA pursuant to SB 743.

## **ii. Light and Glare**

Construction activities are anticipated to occur during daylight hours and construction-related illumination, if needed would be used for safety and security purposes only. Such lighting would be shielded and directed onto the Project Site, and security fencing would also screen such light sources.

Once constructed and in operation, the Modified Design Alternative would include lighting for signage, commercial and architectural accents, wayfinding, and security. Signage would include various sign forms including wall signs, digital displays and streaming signage, supergraphic signs, building identification signs, and wayfinding signage, but it would not include open panel roof signs. The proposed location of the signage is summarized in Figure B-7. Elimination of Residential Tower 1 would result in less lighting from the residential interiors and from the two small building ID signs formerly located at the top of that tower.

The Modified Design Alternative includes substantial reductions in the amount of signage from that of the Project. Approximately 77 percent of the signage that would be provided is in the form of digital display signs located in a band along the Podium facades facing W. Olympic Boulevard, Figueroa Street and 11<sup>th</sup> Street. The amount of digital display signage has been reduced from approximately 60,000 square feet to approximately 21,200 square feet, a reduction of 63 percent, with reductions in signage height as well as area.

The key differences in the signage program from that proposed for the Project include breaking up the Project's continuous ribbon of digital display signs over the retail uses into discrete signs with spacing between. The resulting digital display signage would include approximately 1,425 square feet on W. Olympic Boulevard, 13,869 square feet on S. Figueroa Street, and approximately 1,650 square feet on 11<sup>th</sup> Street (as well as a 258 square foot Hotel wall sign). The changes to signage on W. Olympic Boulevard represent a reduction of 85 percent from that of the Project's 9,825 square feet and the Figueroa Street reduction represents a reduction of approximately 53 percent from the Project's 29,315 square feet.

The most notable reduction in signage has been along 11<sup>th</sup> Street, where the digital display signage has been reduced from the Project's 20,235 square feet by approximately 91 percent. On 11<sup>th</sup> Street, the horizontal band of signage that formerly extended across the podium under the previously proposed Residential Tower 1 to S. Flower Street is now limited to a vertically oriented sign on the Podium façade at Figueroa Street below the Hotel Tower. The 11<sup>th</sup> Street digital display signage, reduced in height from that of the Project, would be located across from the podium structure of the Oceanwide project, and would be limited in height to a maximum of 75 feet, the approximate height of the podium of the Oceanside project. The 11<sup>th</sup> Street frontage would also include a small Hotel ID sign (approximately 258 square feet) over the Hotel entry at mid-block.

The other types of signage associated with the Project, e.g. signs for building identification and wayfinding, would be similar for the Alternative, although the Alternative would not include open panel roof signs. The Modified Design Alternative, pursuant to PDF-AES-4, would not use highly reflective materials that would cause adverse glare impacts. (PDF-AES-4 has been revised in the Final EIR with a measure that would similarly control glare impacts).

As described in the Draft EIR Section 4.A, Aesthetics Analysis, of the Project's impacts on lighting, Project construction would occur during daylight hours and construction-related illumination, if needed would be used for safety and security purposes only. Such lighting would be shielded and directed onto the Project Site, and security fencing would also screen such light sources. Construction lighting would not substantially impact residential uses, alter the character of off-site areas or interfere with the performance of an off-site activity. Therefore, artificial light impacts associated with construction would be less than significant.

Upon completion, the Project would introduce new sources of lighting, notably associated with wall signs, digital displays and animated signage, supergraphic signs, hotel building identification, residential building identification, retail and restaurant building identification, parking entry identification, loading dock entry identification, and wayfinding signage, and open panel roof signs. The analysis of lighting for the Project is based on a Lighting Technical Study included in Appendix B to the Draft EIR, that evaluates impacts of two signage programs, Signage Alternative A and Signage Alternative B. The study concludes that the graphics and signage program would support an active street front experience on all sides, but particularly along the Figueroa corridor that would mix art and signage graphic components. It also concludes that the Project would not create a new source of light or glare that would substantially alter the character of off-site areas surrounding the Project Site, such as LA LIVE or the Staples Center, which currently experience high illuminance levels, and because the Project would not increase a lighting intensity greater than three foot-candles above ambient lighting as measured at the property line of the nearest residentially zoned property, impacts would be less than significant. Furthermore, the Project's lighting impacts would be less than significant pursuant to SB 743.

Construction lighting for the Modified Design Alternative would be similar to that of the Project and would also not substantially impact residential uses, alter the character of off-site areas or interfere with the performance of an off-site activity; and would also be less than significant. The lighting for the Modified Design Alternative during operation, has been evaluated in a Supplemental Lighting Technical Study, included as Appendix D, of the Final EIR. Based on a maximum surface illuminance of 200 cd/m<sup>2</sup>, the Supplemental Lighting Technical Study determined that the Modified Design Alternative would also not exceed three foot-candles at a residential use; and the Modified Design Alternative's reduction in signage would result in a notable reduction in the amount of lighting being emitted at the Project Site. For example, Tables 7 and 8 of the Project's Lighting Technical Study in signage Appendix B of the Draft EIR show that average vertical plane illuminance increases at Receptor Site R1-b would be 3.24 fc at the podium level under the Project's Signage Alternative A and 6.83 fc at the podium level under the Project's Signage Alternative B. For the Alternative 4, Table 5 of the Supplemental Technical Report indicates an increase in vertical plane illuminance would be only 0.1 fc at the same location. Receptor Site R1-b is located to the south of W. 11th Street just to the south of the Project Site. As illustrated in Table 5 of the Supplemental Technical Report, the Modified Design Alternative would also result in substantial decreases in the Project's Signage Alternative A and Signage Alternative B projected foot-candle levels at residential sites to the north and east of the Project Site. Impacts associated with light and glare would be less than significant relative to foot-candle increases, and because the scale of signage would be substantially reduced compared to the Project, this Alternative 4 would generate considerably less light and glare, with a resulting decrease in impacts in comparison to the Project. Other Project lighting, such as accent, building identification and wayfinding lighting would be similar to the Project, resulting in a substantial net reduction in lighting. Building materials would be similar to those of the Project, with similar reflective and glare characteristics. In both cases, the reflectivity of the glass would be limited pursuant to PDF-AES-4, inclusive of materials review by the Department of Building and Safety. Impacts of the Modified Design Alternative regarding light and glare would be less than that of the Project and like the Project would not exceed City thresholds. Furthermore, lighting impacts are not considered significant pursuant to SB 743.

### **iii. Shade/Shadow**

The construction of the Modified Design Alternative would initially be below grade, later at lower levels, and in time would include the development of towers that could cast shadows on adjacent uses. During construction the heights and massing of the structures would be less than with the completion of the structures, and would be a component to the overall shading of the Modified Design Alternative as discussed below.

The Modified Design Alternative would have reduced shading impacts compared to the Project due to the removal of Residential Tower 1. The reduction in shading would be most noticed to the north and northeast areas of the Project Site. With similar building heights to Residential Tower 2 and the Hotel Tower, the alternative's shadows to the west and north would be similar to those of the Project. Those towers would have locations that would be no closer to the edges of the Project Site than the Project's proposed residential and hotel towers. Therefore, the extent and time duration of the shadow cast from those buildings on shadow-sensitive uses would be similar to those of the Project.

The analysis of Project impacts on shading indicates that the Project would not shade shadow-sensitive uses for more than three hours between the hours of 9:00 a.m. and 3:00 p.m. PST, or more than four hours between the hours of 9:00 a.m. and 5:00 p.m. PDT. Therefore, shade/shadow impacts would be less than significant. The Project analysis also noted that shading from the Project in conjunction with cumulative project #116 would cause shading on outdoor recreational areas at the Hotel Figueroa that would exceed the three hour shading threshold during winter solstice; however, this was not considered a significant cumulative impact due to the mixed-use residential character of the Project, its location within an urban transit priority area, and exemption under SB 743 per the City of Los Angeles Zoning Information File ZI No. 2452. The elimination of Residential Tower 1 would not reduce this particular shading condition.

Changes to shading impacts due the Modified Design Alternative's variations in building massing would result in reduced shadow impacts relative to the Project, and like the Project would also be less than significant pursuant to SB 743.

## **(2) Air Quality**

### **i. Construction**

The Modified Design Alternative would require a construction program similar to that of the Project, inclusive of demolition, excavation, foundation placement, building construction, and paving. The general construction activities would be similar to those of the Project. The total building volumes would be similar to those of the Project. However, deeper excavation from approximately 45 feet/50 feet with the Project, to 65 feet with the Alternative, would increase the amount of excavation materials from approximately 202,000 cubic yards of soil to approximately 254,300 cubic yards of soil: an increase of approximately 26 percent. The added excavation would be performed under the same daily protocols (i.e. a similar number of haul trucks per day) as the Project; however; the length of the excavation period would be extended for up to

approximately 23 days during Phase 1 and up to approximately 16 days during Phase 2, which would result in approximately the same daily truck trips as the Project.<sup>4</sup>

Under the Modified Design Alternative, demolition of the existing paved area at the southern end of the Project Site would occur near the beginning of construction activities, followed by grading and excavation for Phase 1. After the completion of demolition, grading, and excavation, construction of the Modified Design Alternative would proceed with the hotel building construction and finishing activities under Phase 1. The residential tower (referred to as Residential Tower 1 under the proposed Project) in the southeast portion of the Project Site would not be constructed under the Modified Design Alternative. However, while the number of hotel rooms would remain the same as the Project, the amount of space for ancillary hotel uses (banquet, conference, and amenity areas) would be increased. Overall Phase 1 would result in the construction of reduced building floor area under the Modified Design Alternative as compared to the Project. As a result, the Modified Design Alternative would generate the same daily building construction activity levels as the Project, but would require fewer days of building construction as compared to Phase 1 of the Project. Phase 2 (after the completion of Phase 1) would proceed similar to the proposed Project and commence with demolition of the existing hotel followed by grading and excavation for Phase 2. After the completion of demolition, grading, and excavation, construction of the Modified Design Alternative would proceed with the residential tower building construction and finishing activities under Phase 2. The residential tower would be the same height as the proposed Project; however, the Modified Design Alternative would fit 48 floors of residential development into the tower's interior space in contrast to the 38 floors proposed for the Project. Overall Phase 2 would result in the construction of greater building floor area under the Modified Design Alternative as compared to the Project. As a result, the Modified Design Alternative would generate the same daily building construction activity levels as the Project, but would require more days of building construction as compared to Phase 2 of the Project.

The maximum daily construction emissions under the Modified Design Alternative would be similar to the Project as similar types and numbers of construction equipment and haul trucks would be used on a daily basis; however, the Modified Design Alternative would require additional days of grading activity during Phase 1 and Phase 2, fewer days of building construction activity during Phase 1, and greater number of days of building construction activity during Phase 2 as compared to the Project. Overall, for the combined Phase 1 and Phase 2 construction period, the Modified Design Alternative would require additional days of excavation and grading activity but a slightly fewer total number of days of building construction activity compared to the Project, given the reduced total building floor area.

The analysis in Section 4.B., Air Quality of the Draft EIR, indicated that the Project would emit regional and localized construction emissions below the SCAQMD daily numeric thresholds across applicable pollutants; and that the impacts of the Project would be less than significant. As construction activity on a daily basis would remain similar to the Project, the maximum daily construction emissions under the Modified Design

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<sup>4</sup> Actual number of extended excavation period days may be less than 23 days during Phase 1 and less than 16 days during Phase 2 based on refinements to the total additional excavated volume. Preliminary estimates for this Alternative were conservatively estimated at approximately 292,000 cubic yards; however, more detailed engineering estimates for the Modified Design Alternative became available and the amount has been refined to 254,300 cubic yards incorporating the most up-to-date steel structure basement design. The air quality and GHG emissions assessment utilizes the higher preliminary volume, which results in a conservative impact assessment, but does not alter the impact determination relative to the proposed Project.

Alternative also would remain below the regional and localized significance thresholds. As a result, regional and localized air quality impacts under the Modified Design Alternative would be similar to the proposed Project, and like the Project, would be less than significant.

The air quality analysis for the Project provided in Section 4.B, Air Quality, of the Draft EIR, evaluated the Project's contribution to potential health risks due to construction activities through the preparation of a Health Risk Analysis (HRA). The Project would include implementation of Project Design Features, such as the use of off-road diesel-powered construction equipment that meets or exceeds the CARB and USEPA Tier 4 off-road emissions standards for equipment rated at 50 hp or greater, that are consistent with state regulatory plans to reduce diesel-related emissions and that would minimize construction-related emissions. The analysis of the Project's contribution to health effects indicates that the Project (inclusive of construction activities and operations) would have a less than significant impact from toxic air contaminant (TAC) emissions. The Project's HRA concluded that the potential maximum carcinogenic risk for off-site sensitive receptors would be approximately 8 in one million, in contrast to a threshold of 10 in one million. The Modified Design Alternative would incorporate similar Project Design Features that would minimize emissions in a manner similar to that of the Project. At the same time, the Modified Design Alternative would include a slight increase in construction activity in the early stages of construction due to site grading and excavation over a longer duration, slightly increasing health risk impacts compared to the proposed Project.<sup>5</sup> The Modified Design Alternative would result in health risk impacts of approximately 8.0 in one million, compared to 7.5 in one million for the Project, which would still be below the significance threshold of 10 in one million (see Appendix G for detailed calculation sheets). In addition, the Modified Design Alternative would result in similar chronic health risk impacts of the Project of approximately 0.01 or less, well below the significance threshold of 1.0. Therefore, the Modified Design Alternative would result in slightly greater construction health risk impacts than the Project, but like the Project, impacts would be less than significant.

Similar to the Project, construction of the Modified Design Alternative would be consistent with the AQMP. The Modified Design Alternative would require the use of off-road diesel-powered construction equipment that meets or exceeds the CARB and USEPA Tier 4 off-road emissions standards, which would be consistent with construction emissions strategies in the AQMP, which are intended to reduce emissions from heavy-duty vehicles and equipment by accelerating replacement of older, emissions-prone engines with newer engines meeting more stringent emission standards. The Alternative would not conflict with implementation of these strategies. Additionally, the Alternative would comply with CARB requirements to minimize short-term emissions from on-road and off-road diesel equipment. The Alternative would also comply with SCAQMD regulations for controlling fugitive dust pursuant to SCAQMD Rule 403. Compliance with these requirements is consistent with and meets or exceeds the AQMP requirements for control strategies intended to reduce emissions from construction equipment and activities. In addition, and similar to the Project, the Alternative would result in an increase in short-term employment compared to existing conditions. Being relatively small in number and temporary in nature, construction jobs under the Project would not conflict with the long-term employment projections upon which the AQMP are based.

<sup>5</sup> *Increasing the construction activity during the early stages of construction is generally associated with a potential increase in health risk impacts due to the potential for early age exposure to construction-related TAC emissions. According to the Office of Environmental Health Hazard Assessment (OEHHA), Guidance Manual for Preparation of Health Risk Assessments (2015), the early age exposure is higher than adult exposures due to increased breathing rates, fraction of time spent at home, and age sensitivity factors.*

## ii. Operations

The Modified Design Alternative's development program would include the same uses and Site activity as the Project. However, the Modified Design Alternative would result in 215 fewer residential units and approximately 24,501 square feet less commercial and restaurant space compared to the proposed Project. The Modified Design Alternative would retain the same number of hotel rooms as the Project. As a result, the alternative would generate fewer vehicle trips to the Project Site and result in fewer overall vehicle miles traveled (VMT) than the Project. The Modified Design Alternative would also result in reduced building floor area as compared to the Project. Therefore, the Modified Design Alternative would result in reduced interim year and full buildout year operational emissions as compared to the Project. Air quality impacts from operational air pollutant emissions from the consumption of energy (i.e., natural gas), landscaping, use of consumer products, and mobile sources for transportation to and from the Project Site would be less than the Project. Similar to the Project, the Modified Design Alternative would result in less than significant regional and localized operational air pollutant emissions. The Modified Design Alternative would also have a less than significant contribution to CO hotspots and would result in reduced impacts from the Project due to the reduction in overall VMT. The Modified Design Alternative would implement the same Project Design Features as the Project, which would include a number of green building measures that would minimize operational emissions related to the consumption of energy and from mobile sources.

Similar to the Project, the Modified Design Alternative would generate only minor amounts of diesel emissions from delivery trucks and incidental maintenance activities. Trucks would comply with the applicable provisions of the CARB Truck and Bus regulation to minimize and reduce PM and NO<sub>x</sub> emissions from existing diesel trucks. Therefore, the operation of the Modified Design Alternative would not be considered a substantial source of diesel particulates. The restaurant uses could potentially generate TACs if charbroiling activities occur at the restaurant, which has the potential to generate small amounts of chemicals that are known or suspected by the State of California to cause human health impacts.<sup>6</sup> However, restaurant charbroiling in the Air Basin would be required to comply with SCAQMD Rule 1138 (Control of Emissions from Restaurant Operations), which requires the installation of emissions controls on charbroilers. The emissions controls would reduce the already small amounts of TAC emissions associated with charbroiling by approximately 83 percent,<sup>7</sup> such that adverse health impacts are not expected to occur at nearby sensitive receptors. As a result, toxic or carcinogenic air pollutants are not expected to occur in any meaningful amounts in conjunction with operation of the Modified Design Alternative. Similar to the Project, operational TAC impacts under the Modified Design Alternative would be less than significant.

Similar to the Project, operation of the Modified Design Alternative would be consistent with the AQMP. The FAR of 7.4:1 would be below the maximum FAR of 13:1. The Modified Design Alternative would therefore be consistent with the growth projections as contained in the City's General Plan and consistent with the growth projections in the AQMP. The Modified Design Alternative would also support measures related to reducing vehicle trips for patrons and employees and increasing commercial density near public transit. As the Modified Design Alternative would be consistent with the growth projections in the AQMP and would

<sup>6</sup> U.S. Environmental Protection Agency, *Polycyclic Aromatic Hydrocarbons (PAHs)*, January 2008, <https://archive.epa.gov/epawaste/hazard/wastemin/web/pdf/pahs.pdf>. Accessed April 2017.

<sup>7</sup> U.S. Environmental Protection Agency, *Methods for Developing a National Emission Inventory for Commercial Cooking Processes: Technical Memorandum*, (2003).

support relevant Transportation Control Measures aimed at reducing vehicle trips, impacts would be less than significant, similar to the Project.

### **(3) Cultural Resources**

#### **i. Archeological Resources and Tribal Cultural Resources**

The Modified Design Alternative would require the implementation of a construction program similar to that of the Project. However, the maximum depth of excavation would be increased from approximately 45 feet/50 feet to 65 feet. The recorded history of the Project Site identifies a range of urban uses that would not require deep excavations. The Geotechnical Engineering Investigation for the Project, Appendix C-1 of the Initial Study in Appendix A of the Draft EIR, indicates that fill materials at the Project Site extend to approximately eight feet and that undisturbed soils lie beneath that level. Therefore, it is not likely that past activity extended below the Project's 50-foot depth. Accordingly, the increased depth of excavation would occur below the expected depth of potential Archeological and Tribal Cultural Resources.

The Project would involve excavations into soils with the potential to contain resources associated with former turn of the 20<sup>th</sup> century residential uses on the Project Site. If such resources were to be present, potentially significant impacts on archaeological resources could occur unless mitigation measures were implemented. Mitigation measures are recommended that require monitoring of excavation activities with treatment, reporting and curation of resources should they be encountered. These measures would reduce impacts to less than significant levels. Further, as described in Section 4.C.1, Cultural Resources, Archaeological and Paleontological Resources, tribal consultation was carried out per the requirements of AB 52. No evidence was presented that tribal cultural resources exist at the Project Site; and therefore the Project would not result in a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code 21074.

Should the 20<sup>th</sup> century residential use resources or unknown tribal resources be present at the Project Site, they are likely to be closer to the surface in the area of the Project Site; and above the Alternative's deeper excavation level (i.e. 50 feet or less below grade). The same mitigation measures would be implemented should resources be encountered. Therefore, impacts of the Modified Design Alternative on archaeological and tribal cultural resources would be similar to those of the Project, and like the Project, would be less than significant with mitigation.

#### **ii. Paleontological Resources**

The Modified Design Alternative would have a construction program similar to the Project's. However, the maximum depth of excavation would increase from approximately 45 feet/50 feet to 65 feet. Accordingly, more excavation would occur into native soils and greater potential to encounter/disturb paleontological resources in the event they exist under the Project Site.

The analysis of the Project's impacts on paleontological resources indicates that Project grading and excavation may encounter native soil/sediment associated with older Quaternary Alluvium, the Fernando Formation, and the Puente Formation deposits below the previously disturbed ground surface levels. These formations have high potential for containing buried paleontological resources. As a result, the potential



exists for construction to directly or indirectly destroy buried unique paleontological resources or sites or unique geologic features. Impacts to buried paleontological resources are considered potentially significant. Therefore, the Project includes mitigation measures to avoid adverse effects on paleontological resources. These measures would include a monitoring program and treatment/curation of discovered fossils.

The difference in the likelihood of encountering paleontological resources between the Project and Alternative 4 would be minimal. As was the case for the Project, mitigation measures would be implemented for monitoring, and treatment/curation of discovered fossils. With mitigation, encountering of resources would allow for new resource recovery, and impacts would be similar to those of the Project. As was the case with the Project, impacts would be less than significant with mitigation.

### **iii. Historical Resources**

The Modified Design Alternative would demolish the existing Luxe Hotel and replace it with a new residential, hotel, and commercial mixed-use Project with new towers and a Podium. The location of these structures would be substantially similar to that of the Project, however the residential tower at 11<sup>th</sup> Street and Flower Street would be eliminated. Increased spacing between the remaining Residential Tower and the Petroleum Building would provide a larger buffer space between the Project building and the historic structure and provide a larger viewing angle of the wall sign on the western façade of the Petroleum Building.

As described in Section 4.C.2., Historical Resources of the Draft EIR, the Luxe Hotel does not qualify as a historical resource under CEQA. Because the Luxe Hotel is not a historical resource, no impacts associated with the demolition of the Luxe Hotel building would occur. However, the analysis of Project impacts during construction concluded that vibration impacts on the Petroleum Building have the potential to exceed a vibration threshold should the consent of the property owner not be secured for the installation of continuously operational automated vibrational monitors on the Petroleum Building as prescribed in recommended Mitigation Measure MM-NOISE-2. Therefore, direct impacts of the Project on the Petroleum Building were conservatively concluded to be significant and unavoidable.

Further, the analysis of Project impacts concluded that the Project would not create changes in the Project vicinity that would reduce or materially impair the integrity or significance of important nearby historical resources. Notably, the primary elevations of the Petroleum Building fronting W. Olympic Boulevard and S. Flower Street would not be affected by the Project and would remain fully visible from the public right of way. The Project would be set back along W. Olympic Boulevard to maintain views of the west corner and west façade of the Petroleum Building and Residential Tower 2 would be set back 20 feet from the west elevation of the Petroleum building to create a buffer between the Petroleum Building and Residential Tower 2; and the digital signage is similar to other signage placed along S. Figueroa Street, displayed at LA LIVE and 717 W. Olympic Boulevard. Therefore, the Project's indirect impacts would be less than significant.

The Modified Design Alternative would have a generally similar appearance to the Project and relationship to surrounding buildings, with the exception of the greater separation provided from the Modified Design Alternative and the Petroleum Building. The Modified Design Alternative would increase the spacing between the Podium and the Petroleum Building from 0 feet to approximately 20 feet as well as decrease the

height of the Podium at that location from 75 feet to 55 feet, and it would increase the spacing between Residential Tower and the Petroleum Building from approximately 20 feet to approximately 38 feet. This reduction in massing next to the Petroleum Building would allow a larger view corridor of the wall sign on the west facade of the Petroleum Building from Olympic Boulevard. Therefore, indirect impacts would be less than the already less than significant impacts of the Project. Direct impacts of the Modified Design Alternative would be similar to those of the Project. Demolition of the Luxe Hotel would not be significant; however, vibration damage to the Petroleum Building could remain potentially significant, as with the Project. The Project's Mitigation Measure MM-Noise-2 also would be recommended for the Modified Design Alternative; however as is the case with the Project, its implementation cannot be assured and therefore the direct impact would be considered potentially significant.

#### **(4) Greenhouse Gas Emissions**

The Modified Design Alternative would generate GHG emissions due to construction and operational activities. Similar to the Project, construction would generate GHG emissions from fossil fuel combustion from heavy-duty equipment, haul trucks, concrete trucks, worker trips, and vendor delivery trips. The amount of excavation would increase under this Alternative and would require more haul truck trips compared to the Project; however, the overall construction period would require a slightly fewer total number of days of building construction activity compared to the Project. These factors would generally offset and not result in a substantial change in overall construction-period GHG emissions. When amortized over a 30-year lifetime, construction-related GHG emissions would be similar to the proposed Project.

Similar to the Project, operational activities associated with the Modified Design Alternative would generate GHG emissions from transportation to and from the Project Site, energy consumption (i.e., electricity and natural gas), water demand, and wastewater and solid waste generation. The Modified Density Alternative would result in 215 fewer residential units and approximately 24,501 square feet less commercial and restaurant space compared to the proposed Project. The Modified Design Alternative would retain the same number of hotel rooms as the Project, although the amount of space for ancillary hotel uses (banquet, conference and amenity areas) would be increased. Overall, the Modified Design Alternative would result in reduced total building floor area. Therefore, GHG emissions associated with transportation, energy consumption, water demand, and solid waste generation would be less than that of the Project.

Similar to the Project, the Modified Design Alternative would generate GHG emissions from construction and operational activities; however, the net increase in annual GHG emissions, directly and indirectly, would be consistent with the City of Los Angeles LA Green Plan and Sustainable City Plan. The Modified Design Alternative would exhibit the same land use characteristics as the Project, such as providing a mix of uses in an urban infill location close to other residential and commercial uses, locating uses within a quarter mile of public transit including the Metro Blue and Expo Lines, and improving the on-site pedestrian environment, and result in the same level of transportation and location efficiency. In addition, the Modified Design Alternative would implement the same energy and water efficiency features as the Project including exceeding energy and water efficiency building standards and implementing United States Green Building Council (USGBC) Leadership in Energy and Environmental Design (LEED)-equivalent measures, resulting in similar levels of GHG reductions associated with transportation, energy, and water efficiency. Therefore, as the Modified Design Alternative would be consistent with the applicable City goals and actions for reducing GHG emissions, GHG emissions and associated impacts would be less than significant. Further, similar to the

Project, the Modified Design Alternative would be consistent with the AB 32 goals and CARB guidelines for assessing GHG emissions, and with State, Regional and Local regulations for reducing GHG emissions. The Modified Design Alternative would be consistent with and support the goals and benefits of the Southern California Association of Governments (SCAG) Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS), which seeks improved “mobility and access by placing destinations closer together and decreasing the time and cost of traveling between them.”<sup>8</sup> According to SCAG, incorporating “smart land use strategies encourages walking, biking, and transit use, and therefore reduces vehicular demand” and associated pollutants.<sup>9</sup> Additionally, the SCAG RTP/SCS seeks better “placemaking,” defined as “the process of developing options for locations where [people] can live and work that include a pleasant and convenient walking environment that reduces their reliance on their car.”<sup>10</sup> Therefore, as the Modified Design Alternative would be consistent with applicable plans, policies, and regulations adopted for the purpose of reducing GHG emissions, impacts regarding greenhouse gas reduction plans would be less than significant.

Compared to the proposed Project, the Modified Design Alternative would locate a fewer number of on-site residents and employees in proximity to the extensive public transportation hub within the Downtown area, and a reduced population in proximity to other nearby commercial and entertainment uses, and nearby office buildings and other job centers as compared to the Project. Therefore, while this Alternative would support reductions in regional vehicle miles traveled, as well as reductions in air pollutant and GHG emissions generated by regional vehicle trips, as it remains an infill and transit-oriented development, this Alternative would support the SCAG RTP/SCS strategies to a slightly lower degree as the Project, which would locate a slightly greater number of on-site residents and employees to the Project Site. As is the case with the Project, impacts caused by GHG emissions would be less than significant. The Modified Design Alternative would result in less than significant GHG impacts, but have a slightly greater impact with respect to consistency with GHG reduction strategies compared to the Project.

## **(5) Hazards and Hazardous Materials**

The Modified Design Alternative would include construction activities and operations uses that are similar to those of the Project. The construction program would include demolition, excavation, foundation preparation, building construction, and paving. At the same time, the depth and amount of excavation would be increased over that of the Project. The operations activities, i.e. the residential, hotel and commercial site uses, would require products routinely used for everyday household and retail activities consistent with regulatory requirements, similar to the Project. The Modified Design Alternative would not require the use of hazardous materials beyond these routinely used household/commercial products.

The analysis within Section 4.E., Hazards of the Draft EIR concluded that the Project’s use of potentially hazardous materials during Project construction and operations would include routinely used and regulated

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<sup>8</sup> Southern California Association of Governments, 2012-2035 Regional Transportation Plan/Sustainable Communities Strategy, (2012) 113.

<sup>9</sup> Southern California Association of Governments, 2012-2035 Regional Transportation Plan/Sustainable Communities Strategy, (2012) 39.

<sup>10</sup> Southern California Association of Governments, 2012-2035 Regional Transportation Plan/Sustainable Communities Strategy, (2012) 112.

products associated with development of residential, hotel and retail uses. Materials would be used in small quantities and in accordance with manufacturers' instructions for the use, storage, and disposal of such products. The Project would not require the use of or otherwise generate hazardous waste materials. Therefore, impacts due to operations would be less than significant.

The analysis of the Project also identified several potential Site conditions that could result in significant impacts during construction if not properly addressed through regulatory measures and mitigation measures. Demolition of the Luxe Hotel building could provide an exposure to Asbestos Containing Materials (ACMs), Lead Based Paint and/or Polychlorinated Biphenyls (PCBs). The identification, handling, removal, and/or disposal of ACMs and LBP would be completed in compliance with regulatory requirements, thereby resulting in a less than significant impact. Further, the Project's location in an LADBS designated Methane Hazard Area (Methane Zone), containing methane gas in soil samples would also be addressed through regulatory measures. A methane mitigation system designed in accordance with Division 71 of LAMC Section 91.7104 would be incorporated into the Project structures to provide for the public safety. This would reduce potential impacts associated with methane beneath the Project Site to a less than significant level.

Further, the Draft EIR determined that excavation would encounter contaminated soils and abandoned fuel facilities, which if not properly handled in accordance with applicable federal, state, and local regulations, could expose people to contaminants, resulting in a potentially significant impact. Excavation of the Project Site could also pose a risk to construction workers and future building occupants due to soils with pollutant concentrations above federal and state remediation levels. Lastly, unknown hazardous materials may be present in untested areas of the Project Site beneath existing structures. The Project would include mitigation measures to reduce these potentially significant hazardous conditions to less than significant levels. These measures require preparation and implementation of a Soil Management Plan, a Health and Safety Plan, and additional subsurface soil and a soil gas sampling and testing in accordance with the recommendations of the *Soil and Soil Gas Investigation* Technical Report contained in Appendix F of the Draft EIR.

Because hazards could arise from the conditions on the Project Site, the Modified Design Alternative would still encounter the same potentially hazardous site conditions as the Project, and would be required to comply with these same regulations and implement the same mitigation measures to reduce the potential impacts. While the depth of excavation would be increased, all excavation would be subject to the soil and gas sampling and testing called for in the mitigation measures and handling in compliance with the Soil Management Plan and Health and Safety Plan. During operations, the future Project Site population would use routinely used and regulated products similar to those of the Project. Impacts of the Modified Design Alternative on Hazards and Hazardous materials would be similar to those of the Project, and as is the case with the Project, would be less than significant with mitigation.

## **(6) Land Use and Planning**

The Modified Design Alternative would reduce the size of the Project from 1,129,284 square feet to 860,121 square feet, resulting in an FAR reduction from 9.7:1 to 7.4. While the amount of development has been reduced, the types of development would be similar to those of the Project, with residential units, hotel rooms with ancillary hotel uses and commercial retail/restaurant uses. It would include a somewhat similar

massing of development with the provision of two towers located atop a podium with ground-level retail uses and interspersed pedestrian plazas.

The elimination of one tower at the corner of 11<sup>th</sup> Street and S. Flower Street would alter the massing of development, but would not alter the types of uses provided or the general land use relationships of the Project to its vicinity. The elimination of the tower would be noticeable from more distant and/or elevated locations and result in a slightly less dense appearance in the downtown skyline. Elimination of the tower would allow continued views over the Project Site at elevations higher than 75 feet from the adjacent area currently occupied by the El Cholo Restaurant and the Petroleum Building on the north side of the Project Site and from the residential component of the Oceanwide project, atop its own podium, across from the Project Site on 11<sup>th</sup> Street.

The remaining two towers would have similar massing and the same maximum heights as the Project towers. The Hotel Tower would continue to be located on the southwest portion of the Project Site directly across S. Figueroa Street from the Staples Center Arena; and the remaining Residential Tower would be located at the north side of the Project Site at Olympic Boulevard and Figueroa Street. The first 55 feet to 75 feet of development above grade would still be comprised of the Podium. The first and second above grade levels of the Podium would include retail, restaurant, and other commercial uses, with ancillary hotel uses extending into the Podium along 11<sup>th</sup> Street to S. Flower Street. The Podium height below the remaining Residential Tower would be reduced from 75 feet to 55 feet in height. Parking would continue to be provided in a subterranean structure. The ground level structures have been redesigned to add architectural modulation to the Alternative's appearance at street level. Ground level plaza area has been increased from 5,000 square feet to 7,700 square feet; and setbacks between the remaining residential tower and the Petroleum Building have been increased (increasing the spacing between the Podium and the Petroleum Building from 0 feet to approximately 20 feet, with a decrease in the Podium height from 75 feet to 55 feet, and an increase in the spacing between the Residential Tower and the Petroleum Building from approximately 20 feet to approximately 38 feet). This modulation is best illustrated on Figure B-8, which shows the variations along Figueroa Street. Other representations are shown in Figures, B-2, B-3, B-9 and B-10. These modifications in the Alternative address provisions of the Downtown Design Guide intended to create a more coherent downtown milieu with enhanced linkages between individual developments. The added ground level plaza area and building modulation would improve the quality of pedestrian connectivity with adjacent development, including LA LIVE, Staples Center Arena, and the Los Angeles Convention Center (LACC). The increase in space between the Residential Tower with its underlying Podium and the Petroleum Building would widen the pedestrian view corridor, further setting off the wall sign on the Petroleum Building. The Figueroa Street Plaza may provide for a potential mid-block linkage to S. Flower Street in the future should adjacent landowners chose to complete that opportunity, thus supporting Section 07.2 of the Downtown Design Guide. An outdoor roof terrace for hotel guests on top of the Podium structure would feature a pool deck, seating areas, and green space that would be periodically used for outdoor events providing an outdoor visual linkage to the surrounding area for hotel guests.

As noted above, the Modified Design Alternative would have less development than the Project. The amount of residential development would be reduced from 650 units to 435 units, a reduction of 215 units. The proposed 300 hotel units would be the same as the Project's; however, there would be a net increase of 3,915 square feet in the hotel's banquet, conference and amenity facilities. The amount of commercial space

would be reduced from 80,000 square feet to 55,499 square feet, a reduction of 24,501 square feet. The open space for Project residents would also be reduced along with the reduction of the on-site population.

The analysis of Project impacts in Section 4.F, Land Use of the Draft EIR, evaluates the land use impacts of the Project's FAR of 9.7:1 requiring floor area transfer pursuant to the City's LAMC TFAR provisions; with 650 residential units, a 300 room hotel with banquet, conference, and amenity areas, and 80,000 square feet of commercial retail/restaurant space along the periphery of S. Figueroa Street, 11<sup>th</sup> Street, W. Olympic Boulevard, and S. Flower Street. Other Project characteristics taken into account in the analysis includes the Podium Garden Terrace and a rooftop amenity deck that would provide open space amenities for use by residents and hotel guests, including recreation facilities, recreation rooms and open space amenity.

As described in Section 4.F, Land Use of the Draft EIR, the analysis concluded that the Project would be substantially consistent with and would not substantially impede implementation of adopted land use plans, policies, guidance, and regulations adopted for the purpose of avoiding or mitigating an environmental effect. This conclusion is based analysis of Project consistency with applicable policies of the General Plan Framework, Do Real Planning, Walkability Checklist, Central City Community Plan, City Center Redevelopment Plan, LASED Streetscape Plan, My Figueroa Plan, LAMC, 2010 Bicycle Plan and Mobility Plan 2035, and SCAG's 2016 RTP/SCS. The Project's requested entitlements regarding TFAR, Conditional Use Permits, Vesting Tentative Tract Map, Site Plan Review, and Project Permit Compliance with a new Sign District. With approval of the proposed entitlements, the Project would be consistent with applicable plans and regulations, and impacts would be less than significant.

Key features of the Project that support the conclusion that land use impacts would be less than significant includes the following:

- The Project would provide a mixed-use development within the high quality transit area with access to the Metro Blue, Red, and Purple Lines; and multiple bus and shuttle lines. The City and SCAG have been promoting development patterns that will reduce vehicle miles traveled, providing reductions in energy consumption and air quality emissions, as well as convenience for commuters.
- The Project would provide needed housing to the region and the Downtown area, as well as visitor-serving uses at a scale and intensity that distinguishes and uniquely supports and identifies the Downtown Center. This includes hotel development in proximity to LA LIVE, Staples Center Arena, and the LACC.
- The Project would build upon and support the vibrancy of the Downtown Center and proximity to LA LIVE, Staples Center Arena, and the LACC and would bring and encourage further investment in the area. It would provide a pedestrian friendly street frontage with pedestrian access to commercial and restaurant frontage along the periphery of the property and an approximately 5,000-square foot public plaza along S. Figueroa Street, including wide sidewalks, parkways, landscaping, and special paving.

The Modified Design Alternative provides the same general development characteristics as the Project in a substantially similar arrangement of uses. Therefore, the Modified Design Alternative would be substantially similar to the Project in regard to the above cited features that led to the conclusion that the Project's impact

on Land Use would be consistent with plans and land use arrangements in the Project vicinity; and that its impacts would be less than significant.

The Modified Design Alternative would, like the Project require the use of TFAR provisions; however, the amount of transferred development would be less than that of the Project. The difference in the amount of development transferred would remain available for transfer to an alternative site. The variations in the massing of the Modified Design Alternative would not alter the Project's basic development profile of towers atop a podium with ground level retail and plaza uses. The elimination of one tower would allow increased views over/through the Project Site. Other changes in the design would add architectural modulation to the Alternative's appearance and enhanced plaza areas at street level. The changes would also enhance the visual quality of pedestrian connectivity with LA LIVE, Staples Center Arena, and LACC; and would increase the buffer between the Project and the Petroleum Building.

The variations in the amount of area assigned to each of the uses would not be sufficient to alter the overall character of the Project. The increase in the amount of ancillary hotel facilities and proposed design modifications would allow the Project to provide a more complementary program in support of the Project's connectivity with LA LIVE, Staples Center Arena, and the LACC. The reduction in the number of residential units would reduce the Project's contribution to housing development in the Downtown area; however, the large number of residential units would substantially contribute to supporting City housing policies. The variations in these land use benefits to the Downtown area would off-set and be in keeping with the overall framework of the policies noted above and the Project Objectives. While the amount of commercial space has been reduced, the role of the remaining commercial area would serve a land use function similar to that of Project. It would dedicate occupied ground level uses to a retail frontage that would face the adjacent streets and provide continuity with the retail street frontages and pedestrian grid in the Project vicinity.

In summary, the Modified Design Alternative would provide a generally similar contribution to the land development patterns in the Downtown Area as would the Project. The variations in design would improve the appearance of the Project and its interconnectivity with adjacent uses. Impacts of the Modified Design Alternative would be similar to those of the Project, and like the Project, would be less than significant.

## **(7) Noise**

### **i. Construction Noise and Vibration**

The Modified Design Alternative would require a construction program similar to the Project, including demolition, grading/excavation, foundation placement, building construction, and finishing/paving. The general construction activities would be similar to those of the Project, although the amount of excavation would be increase to accommodate the Alternative's subterranean parking. The added excavation would be accommodated by extending the construction schedule by approximately 23 days for Phase 1 and approximately 16 days for Phase 2.<sup>11</sup> The maximum construction activity that could occur on a given day, the

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<sup>11</sup> Actual number of extended excavation period days may be less than 23 days during Phase 1 and less than 16 days during Phase 2 based on refinements to the total additional excavated volume. Preliminary estimates for this Alternative were conservatively estimated at approximately 292,000 cubic yards; however, more detailed engineering estimates for the Modified Design Alternative became available and the amount has been refined to 254,300 cubic yards incorporating the most to-to-date steel structure (Footnote continued on next page)

basis for the analyses of construction noise impacts, would generally be similar. Similar to the Project, the Modified Design Alternative would result in a significant impact due to construction noise at nearby sensitive receptors (multi-family residential uses). The Modified Design Alternative would include the implementation of mitigation measures (i.e., sound barriers) to substantially reduce construction noise impacts. However, as with the Project, even with implementation of the sound barriers, noise associated with the Modified Design Alternative would be expected to increase ambient noise levels at nearby multi-family residential uses by 5 dBA or more, notably at upper floor levels, resulting in a significant unavoidable construction noise impact.

The off-site construction noise impacts under the Modified Design Alternative would be similar to the Project as the maximum daily haul truck trips and construction worker commutes would be similar. The impact criteria are assessed on a daily basis. However, because the Modified Design Alternative would require additional days of grading and excavation during Phase 1 and Phase 2, there would be more days with haul trucks traveling on roadways compared to the Project.

Similar to the Project, construction vibration under the Modified Design Alternative during Site clearing, grading, and shoring activity in the vicinity of the Petroleum Building would generate vibration levels that could potentially exceed the 0.50 inches per second PPV significance threshold for potential damage of historic building. However, mitigation measures (vibration monitoring and adjustment in construction activity if needed to reduce vibration levels and repair of the building if needed) have been proposed that, if implemented, would reduce impacts to a less than significant level. However, implementation may not be feasible because the measure requires the consent of the property owner of the adjacent Petroleum Building, and that owner may not agree, and therefore the impact under the Modified Design Alternative is considered to be a potentially significant and unavoidable impact, similar to the Project. The vibration from the construction levels at nearby locations with human activity would be sufficiently low to avoid significant impacts on human activity.

As the construction noise and vibration of the Modified Design Alternative would be similar to that of the Project on days of maximum construction activity, the noise and vibration impacts of the Alternative would be similar to those of the Project. The Modified Design Alternative would include the same mitigation measures as the Project and, like the Project, would have a significant impact on construction noise, less than significant impact from construction vibration if mitigated, but potentially significant and unavoidable impact if not mitigated, and a less than significant impact on human annoyance due to vibration.

## **ii. Operations Noise and Vibration**

The Modified Design Alternative would generate noise levels associated with stationary and mobile (i.e. automobile trip) sources. However, the Modified Design Alternative would result in 215 fewer residential units and approximately 24,501 square feet less commercial and restaurant space compared to the proposed Project. The Modified Design Alternative would retain the same number of hotel rooms as the Project. As a result, the alternative would generate fewer vehicle trips to the Project Site. Therefore, the Alternative would generate less roadway traffic noise as compared to the Project. Similar to the Project, traffic noise impacts

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*basement design. The air quality and GHG emissions assessment utilizes the higher preliminary volume, which results in a slightly conservative impact assessment, but does not alter the impact determination relative to the proposed Project.*



under the Modified Design Alternative would be less than significant. With similar Project Site uses, requirements for mechanical equipment under the Modified Density Alternative would be similar to the Project and the impacts on noise and vibration from mechanical equipment would be similar to those of the Project. Mechanical equipment under the Modified Density Alternative would be designed to incorporate appropriate enclosures or placed behind parapets to ensure compliance with Section 112.02 of the LAMC. Therefore, similar to the Project, mechanical equipment noise would be less than significant.

The Modified Design Alternative would include an outdoor terrace on the roof of the Podium structure in the location where Residential Tower 1 would be located under the Project. The outdoor terrace would feature a pool deck, seating areas, and green space that would be periodically used for outdoor events. The nearest noise-sensitive uses from this outdoor terrace are the existing residences along S. Flower Street and future residences along 11<sup>th</sup> Street (Oceanwide Plaza). These residences would be as close as approximately 120 feet from the nearest edge of the outdoor terrace that could be occupied by guests and event-goers. The sources of noise from the outdoor terrace would include human conversation and other noise associated with pool deck and green space use, and noise from occasional events that could include the use of amplified speakers. The Modified Design Alternative incorporates the following Project Design Feature to minimize potential noise from amplified speakers:

**PDF-NOISE-7:** Amplified Speaker Noise Limit: Prior to the use of amplified sound equipment on the outdoor terrace located near the intersection of S. Flower Street and 11<sup>th</sup> Street, the sound levels of amplified sound equipment shall be limited to the following levels as measured by a handheld sound level meter that meets the American National Standards Institute (ANSI) S1.4 standards or equivalent standards:

- For the use of two amplified speakers, each speaker shall be limited to a maximum sound level of 90 dBA as measured 5 feet away from each speaker. Two measurements shall be taken for each speaker: one between the speaker and S. Flower Street and one between the speaker and 11<sup>th</sup> Street.
- For the use of four amplified speakers, each speaker shall be limited to a maximum sound level of 88 dBA as measured 5 feet away from each speaker. Two measurements shall be taken for each speaker: one between the speaker and S. Flower Street and one between the speaker and 11<sup>th</sup> Street. The third and fourth speakers shall be located towards the interior no closer than 100 feet from the edge of the outdoor terrace nearest to S. Flower Street and 11<sup>th</sup> Street.
- Events and speaker operation on the outdoor terrace shall be limited to daytime and evening use between 8:00 a.m. and 10:00 p.m.
- Logs shall be maintained demonstrating that noise measurements have been taken prior to events with amplified speakers using sound level meters that meet the ANSI S1.4 standards or equivalent standards. The logs shall also document the locations of speakers in an event plan map, photographs, or other appropriate means. The logs shall be maintained on-site for a period of no less than two years from the date of each event and made available to the City upon request.

The ambient daytime noise level near the intersection of S. Flower Street and 11<sup>th</sup> Street is approximately 65 dBA Leq. Similar to the proposed Project, the Modified Design Alternative would contribute to an increase in ambient noise of approximately 1 dBA from traffic and mechanical equipment noise, based on the composite noise analysis for the Project presented in Section 4.G, *Noise*, of the Draft EIR. With the implementation of PDF-NOISE-7, the use of up to four speakers would generate a maximum noise level of approximately 65 dBA at the nearest sensitive receptors on Flower Street and 11<sup>th</sup> Street. Under a conservative scenario, assuming a maximum number of occupants on the outdoor terrace, noise from human conversation would be less than 59 dBA at the nearest sensitive receptors on Flower Street and 11<sup>th</sup> Street.

Similar to the Project, the Modified Design Alternative would include loading and refuse collection areas. Like the Project, the loading areas would be fully enclosed and shielded from surrounding off-site development. Noise from these areas would not increase noise levels at off-site sensitive receptor locations.

Also similar to the Project, the Modified Design Alternative would provide parking for the hotel guests, visitors, commercial, and residential uses in subterranean levels, which would be fully enclosed and contain no unobstructed openings that face toward the nearby noise sensitive uses. Noise from the parking structures would therefore not increase noise levels at off-site sensitive receptor locations.

The composite daytime noise level from these sources, inclusive of ambient noise, would be up to 69 dBA or less at the nearest sensitive receptors on Flower Street and 11<sup>th</sup> Street, which would not exceed the significance threshold of 70 dBA (see Appendix G ). Therefore, the composite noise impacts from the outdoor terrace on the Podium, mechanical equipment, and traffic would be less than significant. However, as this element could increase noise levels at off-site sensitive uses when events are occurring or when amplified speakers are in use, this Alternative would result in greater operational noise impacts than the Project.

As was the case with the Project, noise and vibration impacts from on-site sources during operations would be less than significant. Operation of the Modified Design Alternative would include typical commercial-grade stationary mechanical and electrical equipment, such as air handling units, condenser units, and exhaust fans, which would produce some vibration. However, the primary source of transient vibration would include passenger vehicle circulation within the proposed parking area. Ground-borne vibration generated by each of the above-mentioned activities would generate approximately up to 0.005 inches per second PPV adjacent to the Project Site.<sup>12</sup> The potential vibration levels from all operational sources at the closest existing and future sensitive receptor locations would be less than the significance threshold of 0.035 inches per second PPV for perceptibility. As such, vibration impacts associated with operation of the Modified Design Alternative would be below the significance threshold and impacts would be less than significant, similar to the Project.

## **(8) Population, Housing, and Employment**

The Modified Design Alternative would reduce the amount of housing units as well as the amount of commercial development. The number of hotel rooms would remain constant; however, the amount of space for hotel banquet area would be increased, while the hotel conference, and amenity areas would be reduced slightly. These changes would affect the amounts of population, housing and employment that would be

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<sup>12</sup> This vibration estimate is based on data presented in the USDOT Federal Transit Administration, (2006).

generated by the Project. These amounts are shown in **Table 5-8, Alternative 4 – Increases in Population, Housing and Employment**. The amounts are compared to those of the Project and the Project's contributions to growth as shown in **Table 5-9, Alternative 4 – Comparison of Contributions to Growth**.

As indicated in the tables, the Modified Design Alternative would result in the addition of 709 residents, 435 new housing units, and 428 net new employees to the Project Site. The population increase would comprise 3.5 percent of the population growth expected in the Central City Community Plan area between 2016 and the Project's buildout year of 2023 (i.e. 20,423 people). The Modified Design Alternative's increases in housing and employment in the Central City Community Plan area during this time frame would be 3.7 percent of the expected 11,880 new units and 3.5 percent of the expected 12,335 new jobs, respectively.

The analysis of Project impacts as described in Section 4.H, Population, Housing, and Employment, evaluates the Project's impacts on population, housing, and employment that would be associated both Project construction and Project operations. That analysis concludes that the construction phase would have no impact on the supply of housing units or population growth. Construction workers would be drawn from an existing regional pool of existing workers. The short-term employment opportunities created for construction would contribute to the local and regional economy.

Table 5-8

## Alternative 4 – Increases in Population, Housing and Employment

Population			
Total Housing Units		Average Household Size <sup>a</sup>	Total Population
435		1.63	709
Employees			
Use	Amount	Employment Generation Factor <sup>b</sup>	Number of Employees
Retail/Restaurant (sq.ft.)	55,499	0.00271	150
Residential Amenity Areas	13,573	0.00153	21
Hotel (sq.ft.) <sup>c</sup>	332,006	0.00113	<u>375</u>
Total New Employees			546
Existing Employees			<u>(118)</u>
<b>NET INCREASE</b>			<b>428</b>

<sup>a</sup> The average household size reflects the average household size for the Central City Community Plan Area: 1.63 residents per occupied unit; and reflects Census data for population in households divided by the number of occupied households.

<sup>b</sup> The employee generation factor for retail and hotel uses is taken from the Los Angeles Unified School District, 2014 Developer Fee Justification Study, Table 12, March 2014. As a separate rate is not provided for restaurant uses, the retail factor was used. The rate is for Neighborhood Shopping Centers. The rate for the common area is based on the community shopping center rate, which was the closest use type. The existing number of hotel employees is based on information provided by the LUXE Hotel for the existing facility

<sup>c</sup> Includes Hotel Rooms, Banquet, Conference, and Amenity Areas.

Source: ESA PCR Services Corporation, 2017

The analysis of impacts due to Project operations evaluates the consistency between the Project's 650 residential units, 1,060 people, and 438 net new employees with growth projections and policies. The analysis concludes that these increases in growth would be consistent with SCAG's short-term and long-term growth projections for the Community Plan area and the City of Los Angeles, which are the basis for planning of services, utilities and infrastructure. The increase in housing would help the City meet or exceed its housing objectives per the General Plan Housing Element, and housing allocation established in the SCAG Regional Housing Needs Assessment (RHNA). The Project would be consistent with the growth provisions of applicable City and SCAG policies, which seek to promote concentrated development within high quality transit areas, reducing vehicle miles traveled and improving the downtown ratio of jobs to housing. Further, the analysis notes that the Project is an infill development that would add no new infrastructure other than that needed to serve the Project Site, and that would not foster otherwise unplanned growth. For these reasons, Project impacts regarding population, housing and employment would be less than significant.

Table 5-9

**Alternative 4 – Comparison of Contributions to Growth**

	<u>Population</u>	<u>Housing</u>	<u>Employment</u>
<b>Comparison of Population Totals</b>			
Alternative 4	709	435	428
Proposed Project	1,060	650	438
<b>Comparison (Alternative – Project)</b>	<b>-351</b>	<b>-215</b>	<b>-10</b>
<b>Comparison of Contributions to Growth</b>			
<b>2016 – 2023 Buildout: Central City Community Plan Area</b>			
Alternative 4	3.5%	3.7%	3.5%
Proposed Project	5.2%	5.5%	3.6%
<b>Comparison (Alternative 4 – Project)</b>	<b>-1.7%</b>	<b>-1.8%</b>	<b>-0.1%</b>

Source: ESA PCR 2017

The impacts of the Modified Design Alternative on population and housing during construction would be similar to that of Project. As is the case for the Project, construction workers would be drawn from an existing regional pool of existing workers; and the construction activities would have no impact on the supply of housing units or population growth. The short-term employment opportunities created for construction would like the Project be slightly reduced from those of the Project, but would contribute to the local and regional economy.

The Modified Design Alternative's contribution to growth in the Central City Community Plan area between 2016 and 2023 are shown in Table 5-9, with a comparison of the differences between the Modified Design Alternative and the Project. As indicated, the variations would be extremely small. The increment of population growth would be 1.7 percent less with the Modified Design Alternative, the number of housing

units would be 1.8 percent less and the contribution to employment would be 0.1 percent less. As such, the Modified Design Alternative's contributions to growth would also be consistent with SCAG projections.<sup>13</sup>

The reduction in the number of residential units would reduce the Project's contribution to the availability of housing stock; and would be less successful in improving the jobs/housing ratio of the Downtown area. However, the added 435 housing units would continue to comprise a notable contribution to the City's efforts to meet its housing obligation per the RHNA; and the Modified Design Alternative's jobs/housing ratio of 0.98 would be housing rich and would help to bring down the Community Plan ratio of 7.5 to a value closer to the regional ratio of 1.35. Thus, the Modified Design Alternative would also make a substantial contribution to future development of the Downtown area as a more residential area with support for greater use of public transit. The increase in the amount of employment would support job growth, and would further support the vibrancy of the LA LIVE, Staples Center Arena, and LACC complex. By adding fewer units and population growth, the Modified Design Alternative's contribution to SCAG growth projections would be slightly reduced. However, the overall effect of the Modified Design Alternative with a similar mix of uses would be substantially similar to that of the Project. Therefore, the Modified Design Alternative would also be consistent with the growth provisions of applicable City and SCAG policies. Further, and similar to the Project, the Modified Design Alternative is an infill development that would add no new infrastructure other than that needed to serve the Project Site, and would not foster otherwise unplanned growth. Similar to the Project, impacts to Population, Housing, and Employment would be less than significant.

## **(9) Public Services**

### **i. Fire Protection**

Construction of the Modified Design Alternative would include demolition of the existing hotel, excavation and building assembly similar to that of the Project. These activities involve potential exposure to hazardous materials and conditions for site workers, potential exposure to accidents, and the need for site access to and from the adjacent streets.

Upon completion, the operations of the Modified Design Alternative would add new population, employment, and visitor activity at the Project Site, increasing the potential need for fire and/or emergency services. The total floor area of the Modified Design Alternative would be reduced from 1,129,284 square feet to 860,121 square feet, with the elimination of one tower. The remaining development would have a general development configuration similar to that of the Project. The Project's residential population would be reduced by 351 residents. There are variations in the square footages for the hotel and its banquet and conference activities, and the overall hotel program increases in area by approximately 52,000 square feet. The commercial area has been reduced by 24,501 square feet. The changes in the hotel and commercial activity would result in an estimated reduction of approximately 10 employees. The Modified Design Alternative would include the same Project Design Features and regulatory provisions as the Project that

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<sup>13</sup> The analysis also compared the Project contributions to growth within the larger City as well as the Central City Community Plan area and the longer 2040 time horizon of SCAG's RTP/SCS. Project contributions to these larger baseline populations is substantially smaller than for the time and geographic area focused on here. Therefore, variations between the Modified Design Alternative and the Project are less impactful, under those scenarios.

support public safety and facilitate the provision of services. Regulatory measures include such items as fire safety features (sprinklers emergency procedures), design (including LAFD accessibility), construction, water flow/hydrants, and LAFD plan review pursuant to applicable standards. A Project Design Feature, a Construction Management Program would also be implemented during the construction phase.

The analysis of the potential impact on fire protection and emergency services contained in Section 4.I.1, Fire Protection indicates that the Project would have less than significant impacts during construction and operations. The analysis of construction impacts indicates that the Project's construction impacts would be limited due to (1) Occupational Safety and Health Administration (OSHA) and Fire and Building Code requirements to protect workers from hazards and hazardous materials and provide on-site emergency procedures; (2) the Construction Management Program to control impacts on traffic movements on streets adjacent to the Project Site; and (3) accessibility to fire services. Therefore, construction impacts of the Modified Design Alternative would be similar to those of the Project.

The analysis of operations impacts indicates that the Project Site has access to adequate fire services with relatively low response times, adequate distance to nearby fire stations, has sufficient water flow for firefighting service, and as such would not require the addition of new facilities, which would result in a substantial adverse physical impact on the environment, in order to maintain service. Further, the Project would meet regulatory requirements that provide for the public safety and that reduce the demand for firefighting responses.

With a reduced demand for services due to reduced population, reduced commercial space, and reduced building volume, and with the same design features, fire station distance and response times, water flow for firefighting service, and regulatory provisions as the Project, impacts of the Modified Design Alternative on fire and emergency services would be less than those of the Project. The Modified Design Alternative would therefore also not require the addition of a new fire facility, or the expansion, consolidation, or relocation of an existing facility in order to maintain service. As such, the potential for physical impacts associated with construction of fire service facilities would be less than significant.

## **ii. Police Protection**

Construction of the Modified Design Alternative would include demolition of the existing hotel, excavation and building assembly similar to that of the Project. These activities would involve the storage of equipment, building materials, vehicles, and temporary offices that would be subject to theft or vandalism.

Upon completion, the Modified Design Alternative would add new population, employment and visitor activity at the Project Site increasing the potential need for police and emergency services. The residential population would require an estimated additional 7.6 new officers to maintain the existing service ratio of one officer per 93 persons at the Central Community Police Station, which serves the Project Site.<sup>14</sup> Based on factors in the L.A. CEQA Thresholds Guide, a non-residential population of 412 persons would result in a

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<sup>14</sup> 709 residents/1 officer per 93 people = 7.6 officers.

potential demand for an additional 4.4 officers.<sup>15</sup> While the site population for the uses would be varied, the general massing of development and the nature of the Site activities would be similar to that proposed for the Project.

The analysis of the potential impact on police services contained in Section 4.I.2, Police Protection, of the Draft EIR addresses impacts due to Project construction and operations. The analysis of impacts during construction concludes that the construction impacts would be less than significant. The Project includes a number of provisions that would reduce the need for LAPD services, including MM-POL-1. These include: limited access to construction areas, private security services, construction fencing with locked/gated entry, and flagging and traffic control as components of a larger construction management program. With these procedures there would be no notable increase in police services serving the Project Site; and therefore no need for the construction of police facilities to accommodate construction population. Therefore, construction impacts of the Modified Design Alternative would be similar to those of the Project.

The analysis of impacts due to Project operations is based on an evaluation of the Project's increased demand for police services and Project security features that would reduce potential impacts. The analysis estimates that the Project would generate a need for 11 new officers based on residential population and a need for an additional 4.5 officers based on non-residential population, if the non-residential population is considered as residential population and the service ratio were to remain constant. At the same time, the Project includes numerous security features that would reduce Project impacts and reduce the need for police services. These include, among other provisions, CCTV, restriction of access to non-public areas by electronically controlled and locking access cards, controlled access to parking structures, and 24-hour on-site security, including four to five private security staff. These security features reduce crime, allow site personnel to address many emergency situations, and facilitate the LAPD in providing services to the site. This reduces the need for additional police services or the provision of new police facilities. As such, the Project would not generate additional demand for police services that would require additional police facilities and impacts on police services would be less than significant.

Compared to the Project, the Modified Design Alternative would reduce the estimated need for additional officers by approximately 3.3 officers: 3.4 fewer officers for the residential development and 0.1 more officers for the increase in non-residential population. The Modified Design Alternative would include similar on-site safety provisions to those described above, including MM-POL-1. to reduce potential impacts and facilitate the provision of services. With the reduced demand for services, and the same on-site security provisions, impacts of the Alternative on police and emergency services would be less than those of the Project. The Modified Design Alternative would therefore also not require the addition of a new police facility, or the expansion, consolidation, or relocation of an existing facility in order to maintain adequate service. As such, the potential for physical impacts associated with construction of police service facilities would be less than significant.

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<sup>15</sup> 122 hotel room net increase x 1.5 person/room = 183 persons. 20,681 sq.ft. of banquet and conference facilities x 3 persons/1,000 sq.ft. = 62 persons. 55,499 sq.ft. of retail x 3 persons/1,000 sq.ft. = 167 persons. The total population of 412 persons (183+62+167)/93 officers = 4.4 officers.

### iii. Libraries

The analysis of Project impacts to library services is contained in Section 4.I.3, Libraries of the Draft EIR; and it addresses Project impacts during both Project construction and Project operations. The analysis of construction impacts notes that there are no libraries located in the immediate vicinity that would be affected by construction activities; and use of libraries by construction worker would be limited. Library stops amongst the regional work force may increase library use at one location while reducing it at another. Library effects would be temporal, occurring on a short-term basis. Therefore, increase in demand for library services would be negligible and less than significant.

The analysis of operations impacts indicates that the Project's population of 1,060 new residents would obtain library services primarily from the Richard J. Riordan Central Library, located less than one-mile away, as well as five other libraries in the Project vicinity. Most residents are expected to utilize the Central Library, with Pico Union Branch Library second most likely to be used. The Central Library serves the entire LAPL service area, and does not identify population served or facility size criteria for this facility as it serves not just the downtown area but the entire City as a unique facility with resources that go beyond what is provided through local and regional branch libraries. To the extent that the Pico Union Branch Library might be used, that library has a capacity of 45,000 persons with a current service population of 34,339. If every one of the Project's 1,060 residents chose to patronize this library, it would only comprise approximately 10 percent of the additional resident population that could be accommodated. This is a nominal increase in demand, and this library's existing service level would be maintained without an additional library or alterations to the existing library. Impacts on library services would be less than significant.

The Modified Design Alternative's impact on library services during construction would be similar to that of the Project. In both cases, such use would be minimal and of short-term. Similar to the Project, construction of the Modified Design Alternative would rely on a worker force that would come from an existing labor pool whose workers move between construction projects on short-term basis without requiring relocation. Workers traveling to work may stop at a local library, but such stops would be incidental. Therefore, increase in demand for library services would also be negligible and less than significant. Upon completion of construction, operations of the Modified Design Alternative would generate a new residential population of approximately 709 residents that would use local libraries.<sup>16</sup> During operations, the impacts of Modified Design Alternative would be less than those of the Project due to the reduction of site population by 351 residents. With a reduced residential population and demand for the same library facilities, impact of the Modified Design Alternative would be less than that of the Project. As was the case with the Project, impacts on library services would not require the provision of new library facilities in order to maintain service, the construction of which would lead to significant environmental effects. Impacts would be less than significant.

### iv. Parks and Recreation

During the construction phase of the Modified Design Alternative, the construction workforce would come from a regional pool of workers who would travel to the site to perform their work activities and return to

<sup>16</sup> As calculated in the discussion of impacts on population and housing above. 435 housing units with an average household size of 1.63 persons per unit each.



their homes at the end of the day. Some workers may visit area parks for lunch or recreational activities; however, such park usage would be limited and would not occur on a long-term basis.

Once development is completed, the operations of the Modified Design Alternative would produce an on-site population of 709 new residents that would generate a need for park and recreation facilities. The Alternative would also provide on-site recreation facilities for its residents, as well as provide recreation facilities for its hotel guests and plaza/public open space for pedestrians/visitors in the area. The on-site recreation facilities, including a fitness center and a pool, have been designed to meet the residents' primary recreational needs in a manner consistent with City regulations for the provision of open space.

The City's applicable open space requirements are defined in Section 12.21.G of the LAMC and modified per provisions of the Downtown Design Guide, and Section 12.22.A.30 that implements the provisions of the Downtown Design Guide. The Downtown Design Guide provisions allow for 50 percent reductions in the total amount of open space otherwise required for a Project under the LAMC, provided that the development's open space provides value to off-site/pedestrian population in the Downtown Area.<sup>17</sup>

The Modified Design Alternative's required amount of open space for meeting the needs of its new residential population is shown in **Table 5-10, Alternative 4 – Open Space Requirements**. All of the open space would be required during Phase 2 of the Project, i.e. the phase during which all of the residential development would be constructed. As indicated, the Modified Design Alternative would be required to provide 25,988 sf of total open space area.

**Table 5-10**

**Alternative 4 – Open Space Requirements**

<b>Proposed Residential Units</b>	<b>Quantity (units)</b>	<b>Factor (sf/unit)<sup>a</sup></b>	<b>Open Space Requirement (sf)</b>
<b>Phase II (Residential)</b>			
One Bedroom	210	100	21,000
Two Bedroom	168	125	21,000
Two Bedroom + Den	42	175	7,350
Three Bedroom and Penthouse	15	175	2,625
Subtotal	435	--	51,975 (1.19 acres)
<b>Requirement With 50% Downtown Guide Reduction</b>			<b>25,988 (0.60 acres)</b>

<sup>17</sup> Such publicly accessible space must: be at ground level; open to the public during daylight hours; have a minimum of 5,000 square feet; be lined with ground floor spaces designed for retail, especially restaurants that include outdoor dining, and/or cultural uses, along at least 20 percent of its frontage; be at least 40 percent landscaped including useable lawn or lawn alternative; and include at least one gathering place with fountain or other focal element.

Source: ESA PCR, 2017

Facilities for hotel visitors would include a variety of recreation facilities and rooftop gardens. The ground level plazas would provide landscape features and potential public art display as well as seating area that would provide refuge to pedestrians along the sidewalk. The residential facilities would include a mix of common area facilities as well as private balconies. The amounts of public plaza area, residential common area and residential private area are shown in **Table 5-11, Alternative 4 – Plaza and Residential Open Space Provisions**, along with a comparison to the respective amounts provided under the Project. As indicated, the Alternative would include a total of 51,200 square feet of open space, inclusive of 8,300 square feet of public plaza area, 19,800 square feet of common open space and 23,100 square feet of private open space.

**Table 5-11**

**Alternative 4 – Plaza and Residential Open Space Provisions**

	<b>Public – Street Level Plazas</b>	<b>Common Open Space</b>	<b>Private Open Space</b>	<b>All Open Space</b>
Phase 1	600	0	0	600
Phase 2	7,700	19,800	23,100	50,600
<b>Total Alternative 4</b>	<b>8,300</b>	<b>19,800</b>	<b>23,100</b>	<b>51,200</b>
Proposed Project	9,250 <sup>a</sup>	45,500	27,000	81,750 (1.62 acres)
<b>Comparison (Alternative – Project)</b>	<b>2,767</b>	<b>-25,700</b>	<b>-3,900</b>	<b>-30,550</b>

<sup>a</sup> *The Draft EIR described the Project as having 9,250 square feet of Street Level Plazas and other open space. Of that, 5,000 square feet was plaza area on Figueroa Street. The remaining 4,250 square feet was comprised of residual areas due to the shape of the towers. The Modified Design Alternative is providing 7,700 square feet of useable plaza open space in three plazas compared to the 5,000 square feet for one plaza in the Project. The added plaza areas offer more, higher quality open space that lends itself to more effective landscaping as well as streetscape features.*

Source: ESA PCR, 2017

Not all the Alternative's 51,200 square feet of open space reflected in Table 5-11 qualifies for credit in calculating consistency with the City's open space requirements. The City's regulatory requirements disallow certain types of open space in the calculations even though in many cases the non-credited open space is useable and provides value in reducing potential impacts on the demand for public parks and recreation. For example, City regulatory requirements require open space to have "no horizontal dimension less than 15 feet when measured perpendicular from any point on each of the boundaries of the open space area."<sup>18</sup> Both the plazas located on 11<sup>th</sup> Street and Olympic Boulevard include areas that are narrower than 15 feet as measured. Furthermore, the City's regulatory requirement allow only 50 square feet per dwelling unit of private open space to be attributable to the total usable open space.<sup>19</sup> The Modified Design Alternative

<sup>18</sup> LAMC 12.21 G.2.(a)(1)(iii).

<sup>19</sup> LAMC 12.21.G(2)(b)(2)(i).

includes private open space that are larger than the 50 square foot maximum and therefore are not included in the “code-recognized” open space calculation. The additional area is still usable, and is included in the “all open space” calculation. The amount of open space provided by the Modified Design Alternative that would be credited per the City’s code requirements is shown in **Table 5-12, Alternative 4 – Code Recognized Plaza and Residential Open Space Provisions**. As indicated, the Alternative would provide approximately 29,090 square feet, or 0.67 acres of such space. The Alternative would therefore meet the required amount of open space, 25,988 square feet, or 0.60 acres.

**Table 5-12****Alternative 4 – Code Recognized Plaza and Residential Open Space Provisions**

	<b>Public – Street Level Plazas</b>	<b>Common Open Space</b>	<b>Private Open Space</b>	<b>All Open Space</b>
Phase 1	0	0	0	0
Phase 2	5,000	15,700	8,350	29,050
<b>Total Alternative 4</b>				<b>29,090</b>
				<b>(0.67 acres)</b>
Required per LAMC				25,988
				(0.60 acres)
<b>Difference (Alternative Provision – Requirement)</b>				<b>3,102</b>
				<b>(0.07 acres)</b>

Source: ESA PCR, 2017

The analysis of Project impacts contained in Section 4.I.4, Parks and Recreation of the Draft EIR, evaluates the Project impacts during construction and operations of the Project. The analysis of construction impacts indicates that there are no parks adjacent to the Project Site would be affected by Project construction and that worker use of parks should it occur would be limited and not on a long-term basis. Also, potential park use would likely occur during the day and would not overlap with peak evening and week-end park usage. The short-term workers would not require new park facilities and impacts on parks would be less than significant.

The analysis of Project impacts on parks and recreation during the operations phase is based on the Project’s increase in demand from 650 residential units with an estimated 1,060 residents. That analysis concludes that the Project would provide 1.62 acres of recreation and open space area for Site residents with an additional 0.26 acres of recreation and open space area to serve hotel visitors. Of this amount, 9,250 square feet would be public serving open space in the street level public plaza and other street level locations.

The analysis of the Project’s provision of 1.62 acres of recreation and open space concludes that the Project would have less open space than would be required under the Public Recreation Plan’s (PRP) long-range standard of four acres per 1,000 persons, i.e. 4.24 acres for the Project’s 1,060 residents, and less open space than the PRP’s more attainable short- and intermediate-range standard of two acres per 1,000 persons, i.e., 2.12 acres for the Project’s 1,060 residents. However, the 1.62 acres of recreation and open space would be

sufficient to meet the requirement of 1.61 acres per LAMC Section 12.21.G. The Project would also provide for dedication of land for park uses and/or in-lieu fees to offset the park impacts of new residential development pursuant to LAMC Section 17.12. The Project would meet these requirements through a provision of on-site recreation amenities and payment of fees.

As described in the Draft EIR, the Project's residents would primarily use the Project's recreation facilities; and, residual off-site park usage would likely be dispersed among the 26 existing LADRP parks in the Project vicinity, with only a small increment of use at area public parks. However, the impacts at any single park location would be small and the Project contribution to park use would not cause substantial degradation of existing facilities or require a new public park. Further, the City mitigates potential impacts on park services to less than significant levels through parks and open space requirements and land dedication and/or in-lieu payment of Quimby fees. As the Project would accommodate recreation and open space demand by its residents on-site; and would meet its obligations for reducing impacts per LAMC regulations, impacts of the Project on parks and Recreation would be less than significant.

The Modified Design Alternative's reduction in the number of units and Site population results in a reduced requirement for on-site recreation and open space facilities. The character of the open space program is similar to that of the Project, incorporating its ground level plaza area for the general public, a large amount of common open space for its tenants and private open space for residents in individual units. As indicated in Table 5-11, the Modified Design Alternative reduces the total amount of open space from approximately 81,750 square feet to 51,200 square feet. As shown in Figure B-1, two new Plaza areas have been added along W. Olympic Boulevard and 11th Street, to complement the Project's primary Plaza on S. Figueroa Street. The tenant's open space areas have been modified from those of the Project in keeping with the reduced number of residents, and reductions in building massing and residential roof-top area. The amount of the Alternative's per capita common open space areas would be decreased from 43 square feet per resident to 28 square feet per resident; however, the private open space per unit would be increased from 26 square feet per resident to 33 square feet per resident.

As was the case with the Project, the Modified Design Alternative would have less open space than needed to meet the PRP long-range and intermediate range standards for the provision of park and recreation space. At the same time, the Modified Design Alternative's 29,090 square feet of open space would meet the LAMC code requirement of 25,988 square feet of open space.

While the Modified Design Alternative's open space has been reduced overall and reconfigured, the modifications to the Project would improve the ground level public plaza provisions, and provide common area recreation and open space areas that, like the Project's, would reduce demand for public park space. As was the case with the Project, after considering similar on-site fitness centers, pool areas, spas, and garden areas, the Modified Design Alternative's off-site park usage would be reduced and dispersed among the numerous parks in the vicinity, with only a small increment of use likely at any single public park. As with the Project, the impacts at any single park location would be small and the Modified Design Alternative's contribution to park use would not cause substantial degradation of existing facilities or require a new public park. Furthermore, like the Project, the Modified Design Alternative would mitigate potential impacts on park services through the payment of Quimby park and recreation fees. Therefore, the impacts of the

Modified Design Alternative on park services would be similar to those of Project, and as is the case with the Project, would be less than significant.

## **(10) Transportation and Circulation**

### **i. Construction**

The Modified Design Alternative would add haul trucks, equipment vehicles and worker trips to the local road system during construction. It could also have short-term effects on traffic flow adjacent to the Project Site.

The Project would also have a construction program that would add vehicles to the local road system and potentially affect traffic flows adjacent to the Project Site. The Project would be required to provide a Construction Management Plan (PDF-TRAF-1) to reduce potential construction impacts through scheduling of construction activities, scheduling of construction-related traffic to avoid peak hours, traffic controls, notification, and safety procedures. With the implementation of the Construction Management Plan, the Project would not result in substantial disruption of traffic flow, intersection operational impacts, conflicts with pedestrians and/or bicyclists, the loss of on-street parking, or conflicts with construction of My Figueroa Project, Los Angeles Streetcar Project, and existing Metro operations. Transportation and parking impacts related to construction would be less than significant. However, due to a large number of cumulative projects in the Project vicinity with a potential for overlapping construction, the Project could contribute to a cumulatively significant construction traffic impact.

The Modified Project Alternative's construction traffic would include some additional trips for excavation activity and reductions in the number of trips that would have been needed for construction of a third tower. The overall number of days of construction would be less during Phase 1 due to the elimination of the third tower, but slightly greater during Phase 2 due to additional floor area added to the Phase 2 residential tower. Some days of construction during the Modified Design Alternative may be subject to more or fewer trips as compared to the Project. However, the maximum number of trips on any one day of maximum construction activity would be similar to that of the Project's construction traffic. As with the Project, nearly all of the trips associated with building construction would occur outside of the peak hours. The Modified Design Alternative would include the same Construction Management Plan, PDF-TRAF-1, as the Project. Therefore, for the reasons concluded for the Project, implementation of PDF-TRAF-1 would ensure that impacts to traffic flow, intersection operations, pedestrians, bicyclists, access, loss of on-street parking, conflicts with My Figueroa and the Los Angeles Streetcar, and transit would be less than significant. As was the case with the Project, due to the large number of cumulative projects in the Project vicinity with a potential for overlapping construction, the Project could contribute to a cumulatively significant construction traffic impact.

### **ii. Intersection Service Levels**

The Modified Design Alternative would provide residential, hotel and commercial uses that would add traffic to the local and regional roadway systems. However, changes in the amount of each of the Site uses would result in trip generation values that vary from those of the Project. The estimated calculation of the

Alternative's trip generation with full buildout, before mitigation, is shown in **Table 5-13, Alternative 4 - Estimated Trip Generation**, with a comparison to the Project's trip generation.<sup>20</sup>

**Table 5-13****Alternative 4 - Estimated Trip Generation**

Use <sup>a</sup>	Amount	Units	Daily Trips	AM Peak Hour Trips			PM Peak Hour Trips		
				In	Out	Total	In	Out	Total
Residential	435	du	1,491	23	101	124	81	50	131
Hotel	300	rooms	1,838	70	49	119	69	66	135
Commercial	55,499	sf	2,363	85	68	153	105	84	189
<b>Subtotal – New Development</b>			<b>5,692</b>	<b>178</b>	<b>218</b>	<b>396</b>	<b>255</b>	<b>200</b>	<b>455</b>
Existing Hotel to be Removed			1,090	41	29	70	41	39	80
<b>Total Alternative 4</b>			<b>4,602</b>	<b>137</b>	<b>189</b>	<b>326</b>	<b>214</b>	<b>161</b>	<b>375</b>
Proposed Project			6,583	204	274	478	312	227	539
<b>Comparison (Alternative – Proposed Project)</b>			<b>-1,981</b>	<b>-67</b>	<b>-85</b>	<b>-152</b>	<b>-98</b>	<b>-66</b>	<b>-164</b>

<sup>a</sup> Trip Generation factors are based on "Trip Generation," 9th Edition, Institute of Transportation Engineers (ITE), 2012. The land uses categories reflected in the alternatives analyses include ITE 232 for residential; ITE 820 for retail; 932 for restaurant; ITE 310 for Hotel Calculations of trip generation for this Alternative are presented in Appendix D of the Final EIR.

Source: Gibson Transportation Consulting, Inc. 2017.

As indicated, the Alternative would generate a net increase of 4,602 daily trips, which is a reduction of approximately 30 percent of the Project's daily trips. Commensurate reductions would occur in the A.M. and P.M. peak hours, although minor variations in the relative number of in and out trips during the peak hours would vary due to the relative changes in the number of residential trips as compared to the hotel and commercial trips.

The Project's impacts on traffic are analyzed in Section 4.J, Transportation and Traffic of the Draft EIR. The analysis of Project impacts indicates that the Project would produce an increase in traffic over the current Luxe hotel trips by a total of 6,583 daily weekday trips, including 478 A.M. peak hour trips (204 inbound, 274 outbound) and 539 P.M. peak hour trips (312 inbound, 227 outbound). The analysis of Transportation and Traffic concluded that the Project would result in significant impacts at four intersections prior to mitigation when measured against the future (year 2023) baseline conditions. These include the following:

12. Figueroa Street & Olympic Boulevard (P.M. peak hour)
13. Figueroa Street & 11th Street (A.M. and P.M. peak hour)

<sup>20</sup> The analysis for the Alternative is based on the same methodology as that used for the Project in Section 4.J, Transportation and Traffic of the Draft EIR. The analysis of the Alternative is included as Appendix D of the Final EIR: Traffic Impact Analysis of Alternative 4 of the 1020 S Figueroa Street Project, Gibson Transportation Consulting, Inc., 2017. The Appendix study provides greater detail regarding the trip generation rates used, and the reduction credits given for transit/walk-in trips and pass-by-trips.

- 19. Flower Street & 11th Street (P.M. peak hour)
- 30. Grand Avenue & 17<sup>th</sup> Street/I-10 Westbound On-Ramp (P.M. peak hour)

The analysis identified feasible mitigation measures to reduce Project impacts including a physical improvement at Intersection 30, Grand Avenue & 17<sup>th</sup> Street/I-10 Westbound On-Ramp, and a requirement for a Travel Demand Management Program to promote non-auto travel and reduce the use of single-occupant vehicle trips. The traffic analysis indicates that with implementation of the Project's mitigation program, the impact at the following three intersections would remain significant and unavoidable:

- 12. Figueroa Street & Olympic Boulevard (P.M. peak hour)
- 13. Figueroa Street & 11th Street (A.M. and P.M. peak hour)
- 19. Flower Street & 11th Street (P.M. peak hour)

An analysis of the impacts of the Modified Design Alternative on studied intersections is included in Appendix D of the FEIR. The analysis evaluates both pre-mitigation and post-mitigation scenarios. The post-mitigation scenarios incorporate the same mitigation measures as would be implemented for the Project. The analysis demonstrates that the reduced trip generation would result in reduced impacts at the studied intersections. However, it concludes that the significantly impacted intersections under the Project, both pre-mitigation and post-mitigation, would also be significant for the Alternative, when measured against the Future Baseline conditions, although the magnitude of the impacts would be reduced.<sup>21</sup>

### iii. Regional Transportation System

Trip generation for the Modified Design Alternative and the Project, along with the amount of the Alternative's decrease in trip generation are shown in Table 5-13, above.

The Section 4.J, Transportation and Traffic analysis of the Project in the Draft EIR addresses potential traffic impacts at Congestion Manage Program (CMP) arterial monitoring stations and CMP freeway segments. The analysis regarding CMP arterial monitoring stations indicates that the one, nearest applicable monitoring station would not have an increase of 50 peak hour trips at Phase 1 or Buildout, during existing or future baseline conditions; and therefore would not result in an intersection V/C ratio of 0.02 or greater, the CMP threshold. The analysis regarding CMP freeway segments indicates that the Project would not exceed 150 peak hour trips at the four evaluated freeway segments; and the D/C (demand/capacity) ratio at those

<sup>21</sup> The Traffic Impact Analysis also evaluates the Phase 1 impacts of the Alternative against the Future Baseline conditions and Phase 1 and Build Out analyses for Project impacts against Existing Baseline Conditions. The analysis presented here compares the impacts of the Alternative to those of the Project for the most stringent conditions; i.e. Buildout development against the Future Baseline conditions. Refer to the Traffic Impact Analysis for more detailed discussion. As indicated therein, the Alternative's Phase 1 development would generate 2,376 net new daily trips. This is a reduction of approximately 45 percent from the Project's 4,279 net new daily trips in Phase 1. The reductions in net new daily trips would result in reductions in peak hour trip generation and the level of significance of traffic impacts. When measured against the Future Baseline conditions, the impacts of the Phase 1 traffic with mitigation would result in significant and unavoidable impacts at one intersection (Figueroa Street and 11<sup>th</sup> Street), in contrast to the three intersections of the Project's Phase 1 traffic. Neither the Project nor the Alternative would result in significant unavoidable impacts when measured against the Existing Baseline Conditions; although the impacts of the Alternative would be proportionately less than those of the Project.

segments during Phase 1 and Full Buildout, would not exceed the CMP significance threshold of 0.02 under either existing or future conditions. Therefore, the Project would result in a less than significant impact on the CMP facilities.

The Modified Design Alternative would generate approximately 30 percent fewer trips than the Project. Therefore, the impacts of the Modified Design Alternative would be less than those of the Project, and like the Project, would be less than significant.

#### **iv. Public Transit**

The Modified Design Alternative would generate new demand for public transit service, based upon its new residential, hotel and commercial uses.

The Draft EIR analysis of Project impacts is based on the Project's trip generation without mitigation measures and without trip adjustments for walk-in traffic, internal capture or pass-by traffic. The analysis indicates that the trip generation without these reductions would result in 752 AM and 851 PM peak hour trips at full buildout. The analysis converts these trips to estimated public transit trips by multiplying them by factors for average vehicle occupancy (1.4) and mode split percentage (25%). Accordingly, the Project is estimated to generate 263 new transit trips during the AM peak hour and 298 new transit trips during the peak hour during Buildout conditions.

The analysis concludes that the transit ridership generated by the Project would not exceed the residual capacity of the Project area's transit lines, and therefore impacts with respect to regional transit capacity would be less than significant. The analysis also indicates that the Project would not conflict with adopted policies, plans, or programs supporting alternative transportation, since development would be concentrated in the Downtown Center near public transit, would provide pedestrian and bicycle amenities, and would implement a Transportation Demand Management Program as Mitigation Measure MM-TRAF-1. Therefore, impacts in this regard would be also be less than significant.

The calculation of trip generation in Table 5, of the Alternative's Traffic Study, presents the net trip generation that is shown for the Modified Design Alternative in Table 5-13, above, resulting in 326 AM and 375 PM peak hour trips. Removing the trip reductions (also reported in Table 5), results in an estimated 504 AM peak hour and 585 PM peak hour trips for the purposes of calculating public transit trips. Applying the 1.4 vehicle occupancy and 0.25 mode split factors results in total estimate of 176 AM peak hour and 205 PM peak hour public transit trips for the Modified Design Alternative. These are reductions of approximately 33 percent and 31 percent respectively, which therefore would also not exceed the residual capacity of the Project area's transit lines. The Modified Design Alternative would include the same features as the Project that would support the adopted policies, plans, or programs supporting alternative transportation. Therefore, the impacts of the would be less than those of the Project, and like the Project would be less than significant.

#### **v. Access and Circulation**

Access for the Modified Design Alternative would be provided from 11<sup>th</sup> Street, Flower Street, and Olympic Boulevard. An egress/ingress driveway into the subterranean parking structure would be provided along



Olympic Boulevard for residences and service vehicles. An egress/ingress driveway along Flower Street would provide hotel and commercial access. The primary hotel access would be from a hotel dedicated driveway into the hotel porte cochere entryway from 11<sup>th</sup> Street. The porte cochere would be linked internally within the Project Site to the subterranean structure, loading and valet areas.

The Draft EIR analysis of the Project's access addresses a site plan with access from 11<sup>th</sup> Street, Flower Street, and Olympic Boulevard. A private residential access is provided via a driveway along 11<sup>th</sup> Street. A driveway along Flower Street would provide entrance for commercial visitors and service vehicles. Commercial and private residential access would also be provided from two driveways (for ingress and egress) along Olympic Boulevard. For hotel visitors, a separate hotel-only motor-court drop off area would be provided off of 11<sup>th</sup> Street, with one driveway for ingress and one for egress. A separate valet gate within the property at the interior of the motor-court area would provide access for valets to park hotel guest vehicles within the subterranean parking levels. Loading for service vehicles related to hotel, residential, and commercial uses and trash collection would be on the ground level, interior to the Project Site within the Podium and accessed from Flower Street.

The Draft EIR analysis identifies Project characteristics that would facilitate site access. The loading area would be designed to meet the requirements of the LAMC. All access points would be designed based on LADOT standards. Therefore, the Project would provide circulation to accommodate vehicular traffic without substantially impeding through traffic movements on City streets. Further, the existing network of traffic lanes, public sidewalks and pedestrian crosswalks would be maintained and sidewalks fronting the Project Site, along Figueroa Street, 11<sup>th</sup> Street, Flower Street, and Olympic Boulevard, would be widened. In addition, the Project would provide separated access for pedestrian and vehicular traffic and no safety or operational impact relative to bicycle traffic is anticipated. Therefore, impacts with respect to vehicular, pedestrian, and bicycle access would be less than significant.

Site access for the Modified Design Alternative is substantially similar to that of the Project with access from the same streets, similar sidewalk movements, and similar vehicle movements within the Site. The one variation is that the Project's residential and hotel driveways on 11<sup>th</sup> Street would no longer include residential entry, leaving the driveway dedicated to hotel uses. The residential uses would be relocated to Olympic Boulevard. The Modified Design Alternative would be subject to the same design standards and regulations with regard to access as would the Project. Therefore, impacts of the Modified Design Alternative would be similar to those of the Project and like the Project would be less than significant.

## **vi. Vehicle and Bicycle Parking**

The Appendix E Traffic Analysis also includes an evaluation of the estimated number of automobile and bicycle parking spaces that would be required for the Alternative by City Codes. As indicated, the total number of automobile parking spaces estimated to be required at Buildout of the Alternative is 738 spaces. This is 61 fewer parking spaces the 799 required parking spaces estimated for the Project. The Alternative would require an estimated 634 bicycle spaces in contrast to the Project's 894. The Alternative would, like the Project, provide at least the number of bicycle and vehicle parking spaces that meets the requirements of the Code, subject to final design review of the approved Project. The reduction in the number of parking spaces is commensurate to the reduction in the development program. Impacts of the Alternative on

vehicular and bicycle parking would be similar to those of the Project, and like those of the Project would be less than significant.

## (11) Utilities and Service Systems

### i. Water Supply

The Modified Design Alternative would include new residential, hotel, commercial and related amenity uses that would generate a demand for the consumption of water resources. The Modified Design Alternative has less development than the Project, with a varied mix of uses. The reduction in the number of residential units would reduce water consumption, although this decrease would be partially off-set with an increase in the average number of bedrooms per unit. Water consumption for the residential commons area would be increased slightly, while the water consumption for the hotel ancillary uses and commercial uses would be reduced relative to the Project. Water consumption for the hotel rooms would remain the same. The base demand of the Modified Design Alternative for water consumption is estimated in **Table 5-14, Alternative 4 - Estimated Base Demand Water Consumption**. As indicated, the base demand is 259,777 gpd.<sup>22</sup>

**Table 5-14**

**Alternative 4 – Estimated Base Demand Water Consumption**

Land Use	Quantity (units/sf/ seats/room)	Water Consumption Factor <sup>a</sup>	Base Demand (gpd)
<b>Residential</b>			
One Bedroom	210	110 gpd/unit	23,100
Two Bedroom	168	150 gpd/unit	25,200
Two Bedroom + Den	42	190 gpd/unit	7,980
Three Bedroom	12	190 gpd/unit	2,280
Penthouse/Four Bedroom	3	230 gpd/unit	690
<b>Residential Common</b>			
Lounge	11,400	0.05 gpd/sf	570
Fitness Room	10,000	0.65 gpd/sf	6,500
<b>Hotel</b>			
Rooms	300	120 gpd/room	36,000
Hotel Restaurant (seats)	77	30 gpd/seat	2,310
Hotel Bar (seats)	181	15 gpd/seat	2,715
Banquet	15,080	0.35 gpd/sf	5,278
Conference	20,000	0.12 gpd/sf	2,400
Fitness Center/Spa	6,990	0.65 gpd	4,544
Hotel public area (including lobby)	8,909	0.05 gpd/sf	445

<sup>22</sup> The base water demand calculation is based on the same factors as uses in the WSA. These are primarily from the Los Angeles Department of Public Works, Bureau of Sanitation Sewer Generation Rates table. The sewer generation rates take into account some regulatory required conservation features.

Land Use	Quantity (units/sf/ seats/room)	Water Consumption Factor <sup>a</sup>		Base Demand (gpd)
<b>Residential</b>				
<b>Commercial</b>				
Retail	32,115	0.05	gpd/ sf	1,606
Restaurant (Full Service Indoor Seat)	1,017	30	gpd/seat	30,510
<b>Open Space</b>				
Plazas/lounge/terrace	17,500	0.05	gpd/ sf	875
<b>Structured Parking/Subterranean Parking</b>	383,998	0.02	gpd/sf <sup>c</sup>	252
<b>Landscaping (sf)</b>		b		1,384
<b>Cooling Tower (tons)</b>		b		105,138
<b>Alternative 4 -- Total Base Demand</b>				<b>259,777</b>
<b>Project Base Demand</b>				<b>282,099</b>
<b>Comparison of Base Demand (Alternative - Project)</b>				<b>-22,322</b>

<sup>a</sup> The base water demand calculation is based on the same factors as used in the WSA. These are primarily from the Los Angeles Department of Public Works, Bureau of Sanitation Sewer Generation Rates table. The sewer generation rates take into account some regulatory required conservation features.

<sup>b</sup> It has been conservatively assumed that the water consumption for the cooling tower and for the landscaping would be similar to that of the Project, although the landscaped area has been reduced slightly and the cooling tower requirements would be reduced with one less Residential Tower.

<sup>c</sup> The generation factor, 0.02 gpd/sf, reflects a daily value for hosing down garage areas. However, it is assumed that such water usage would occur only one day per month. Therefore, the calculation of water consumption multiplies the square feet of parking by the water consumption factor and then by a percentage of days of occurrence that is equal to 12 months divided by 365 days.

Source: ESA PCR, 2017

The analysis of Project impacts on water consumption contained in Section 4.K-1, Water Supply, of the Draft EIR, is based on the Water Supply Assessment (WSA) that was prepared by the Los Angeles Department of Water and Power (LADWP). That analysis provides a calculation of base demand, and then takes reductions for water consumption by the existing hotel uses and for additional water conservation features required by ordinance and conservation features volunteered by the Project applicant. That analysis indicates that the Project would have a base demand of 282,099 gpd. This estimate has then been reduced by the 19,287 gpd that are associated with the existing hotel uses for a total of 262,812 gpd. After netting out the savings for the use of water conservation features, the WSA identifies a net demand of 219,525 gpd or 245.92 afy.

As also indicated in Table 5-14, the Modified Design Alternative's base demand of 259,777 gpd is approximately 22,322 gpd less than the Project's, or a reduction of approximately 8 percent. The Alternative would have the same reduction for existing uses and somewhat similar reductions for water conservation features that are required under City regulations and that are included in PDF-WS-1.<sup>23</sup> Therefore, it may be

<sup>23</sup> The analysis of the Alternative has conservatively assumed that the cooling tower for the Alternative would be the same size as that for the Project, even though the Alternative has one tower and 269,163 square feet less of development that would require cooling. Assuming that the water conservation for the tower would be similar (19,470 gpd if similarly sized) and the existing uses to be removed are the same (19,287 gpd) the reductions from the based demand of 38,757 gpd would amount to 62 percent of the (Footnote continued on next page)

roughly estimated that the net water consumption would be similarly reduced, by about 8 percent, or approximately 19.5 afy; resulting in a water consumption amount of 226.4 afy.

The WSA for the Project indicates that LADWP has sufficient water supply to meet the Project's needs. The Project includes numerous design features to reduce the demand for water consumption. Water infrastructure and water supply is sufficient to meet the demands of the Project without Project mitigation and the Project impact on the provision of water services would be less than significant.

As with the Project, the Modified Design Alternative would require provision of the necessary building water system on the Project Site and extension to connect the Project Site to existing water lines in the area, pursuant to LADWP rules and review. Impacts on existing water infrastructure would therefore be less than significant, similar to the Project. The Modified Design Alternative would include the same regulatory PDF-WS-1 conservation features to reduce the demand for water consumption as the Project. As the Alternative would include similar water conservation features to those of the Project and would generate less demand for water consumption than the Project, impacts of the Alternative would be less than the Project. As was the case with the Project, impacts would be less than significant.

## ii. Wastewater

The Modified Design Alternative would include new residential, hotel, commercial, and related amenity uses that would generate wastewater requiring conveyance from the Project Site and treatment. The Modified Design Alternative has less development than the Project, with a varied mix of uses. There would be some reduction in wastewater generation with fewer residential units, however the Alternative has larger unit sizes overall, increasing the amount of wastewater generation per unit. The Alternative has an increase in banquet facilities as compared to the Project, but also has a decrease in the amount of commercial space. The wastewater generation for the Alternative's development mix is estimated in **Table 5-15, Alternative 4 – Estimated Wastewater Generation**. As indicated, the Modified Design Alternative would generate a net increase of 184,807 gpd of wastewater.

**Table 5-15**

**Alternative 4 – Estimated Wastewater Generation**

Land Use	Quantity (units/sf/ seats/room) <sup>a</sup>	Wastewater Generation Factor <sup>b</sup>	Wastewater (gpd)
Residential			
One Bedroom	210	110 gpd/unit	23,100
Two Bedroom	168	150 gdp/unit	25,200
Two Bedroom + Den	42	190 gpd/unit	7,980
Three Bedroom	12	190 gpd/unit	2,280
Penthouse/Four Bedroom	3	230 gpd/unit	690

*reduction of 62,574 from the base demand. In other word the Alternative would have the same reductions for the two largest factors and the reductions for remaining use would be expected to be somewhat similar across the board.*

Land Use	Quantity (units/sf/ seats/room) <sup>a</sup>	Wastewater Generation Factor <sup>b</sup>	Wastewater (gpd)
Retail	32,115	25 gpd/1,000 sf	803
Restaurant (Full Service Indoor Seat)	263	30 gpd/seat	7,890
Hotel (Guest Rooms Only)	300	120 gpd/room	36,000
Banquet Room/Ballroom	20,681	350 gpd/1,000 sf	7,238
Swimming Pools <sup>c</sup>	91,413	1 gpd	91,413
Industrial Discharge <sup>d</sup>	1,500	<sup>a</sup> gpd	1,500
Less Existing Wastewater Generation			-19,287
<b>Total – Alternative 4</b>			<b>184,807</b>
Project			198,287
<b>Comparison (Alternative 4 – Project)</b>			<b>-13,480</b>

<sup>a</sup> The quantities used correspond the amount of each use as reflected in Table 5-7, above. The number of restaurant seats as a function of the number of square feet is determined proportionately, based on the conversion in the City's SCAR reports. It has been conservatively assumed that the swimming pool and industrial discharge amounts would be similar to those of the Project, although the Alternative has been reduced in size from that of the Project. Industrial discharge value is listed as a total in the SCAR report.

<sup>b</sup> Wastewater generation rates are those used by the Los Angeles Bureau of Engineering as part of the preparation of their Sewer Capacity Availability Review (SCAR) reports.

Source: ESA PCR, 2017

The Project's impacts on wastewater conveyance and treatment in Section 4.K.2 Wastewater, of the Draft EIR estimates the Project's demand for wastewater conveyance and treatment to represent a net increase of approximately 198,247 gpd more than the 19,298 gpd generated by the existing hotel generation of wastewater.<sup>24</sup> The analysis is based, in part, on the SCAR reports prepared by the Los Angeles Bureau of Engineering. The Project analysis concludes that the Hyperion Treatment Plant would have sufficient capacity to treat the Project's wastewater, and there would be sufficient local infrastructure in place to provide the necessary conveyance of the wastewater. The Project would not result in a measurable increase in wastewater flows at a point where, and a time when, a sewer's capacity is already constrained or that would cause a sewer's capacity to become constrained. Therefore, the Draft EIR analysis of Project impacts on HTP capacity, as supported by the SCAR reports, concludes that Project impacts would be less than significant.

The Modified Design Alternative would reduce the amount of wastewater discharge by approximately 13,480 gpd, or approximately 7 percent. Therefore, flow impacts within the local sewer lines and demand

<sup>24</sup> The estimate in Section 4.K.2 includes a gross calculation of 217,534 gpd with a credit of 19,287 gpd for existing uses, resulting in a net amount of 198,247 gpd. In their comment on the Draft EIR, the Bureau of Engineering included a new calculation that varied slightly from the value reflected in their SCAR reports: 218,519. Refer to Comment and Response 6-2, of Section 2.0 Comments and Responses of the Final EIR. The variation is minor and does not alter the conclusions of the Draft EIR.

for treatment at the HTP would be reduced. Impacts of the Modified Design Alternative would be less than those of the Project, and like the Project would be less than significant.

### **(C) RELATIONSHIP OF THE ALTERNATIVE TO PROJECT OBJECTIVES**

The Modified Design Alternative has incorporated a number of features to enhance the appearance of the Project and its relationship to nearby development. Therefore, the Alternative would more effectively accomplish the following Project objectives than would the Project itself:

- Objective 3: Respect and maintain the historical significance of the Petroleum Building by providing a setback along W. Olympic Boulevard to maintain views of the Petroleum Building's architecturally distinguished primary facades along W. Olympic Boulevard and S. Flower Street.
- Objective 4: Compliment and foster pedestrian activity through ground level retail/restaurant uses, street trees and landscaping, public art, and signage and lighting compatible with the active LASED and streetscape along W. Olympic Boulevard, S. Figueroa Street, S. Flower Street, and 11<sup>th</sup> Street.
- Objective 5: Create a visually vibrant and engaging pedestrian and vehicular experience along Figueroa Street, removing paved surface parking, and providing new pedestrian scale features such as a public plaza, that are compatible with the adjacent entertainment and restaurant venues at LA Live and Staples Center Arena directly across the street.
- Objective 6: Create a development that complements and improves the visual character of the area by connecting with the surrounding urban environment through a high level of architectural design and appropriate scale of development.
- Objective 7: Provide unique and vibrant signage that is integrated into the Project's architecture and that will visually connect to and be compatible with the scale of media and signage on existing and current development on adjacent blocks while informing and attracting visitors to the Project's content and offerings.

While still consistent with the objectives, reducing the number of residential units, maintaining the same number of hotel rooms, and reducing the amount of commercial space, the reductions in these uses reduces the effectiveness of the Alternative in meeting the following objectives as compared to the Project:

- Objective 1: Support the diverse array of entertainment, shopping, nightlife, cultural, and residential uses in Downtown by locating new residences within the Downtown Housing Incentive Area, new hotel rooms to support the goals laid out in the Mayor's 2015 White Paper on the Future of the Los Angeles Convention Center, and neighborhood and visitor serving uses to support connectivity with LA LIVE, Staples Center Arena, and the Los Angeles Convention Center.
- Objective 10: Maintain and enhance the economic vitality of the region by providing job opportunities that attract commercial and residential tenants, and increase the tax revenue, sales, and property taxes.

While the Alternative varies from the Project in its use mix and design, it would be substantially similar to the Project in meeting the following objectives:

- Objective 2: Develop a mixed-use project that combines housing, hotel, and commercial uses in close proximity to public transit consistent with regional mobility goals to reduce vehicle trips and infrastructure costs, while supporting the use of public transportation and amenities, including the nearby Metro Stations, City bus and DASH lines.
- Objective 8: Create a development with high quality design that is responsive environmental sustainability issues (e.g. energy efficiency, including electronic charging stations for Project tenants); and that provides open space and recreational amenities for Project's residents, hotel guests, commercial tenants, and site visitors.
- Objective 9: Redevelop an underutilized site with an economically viable and attractively designed development that supports the SCAG growth projections in Downtown by exercising TFAR provisions for fuller utilization of the Project Site and support of TFAR public benefits purposes.

## SUBSECTION 2- OTHER CORRECTIONS AND ADDITIONS

This subsection provides changes and additions to the Draft EIR that have been made to clarify, correct, or add to the information provided in that document as a result of comments received on the document. These changes and additions are based on comments received on the Draft EIR during the public review period and/or new information that has become available since publication of the Draft EIR. Deletions are shown with ~~striketrough~~ and additions are shown with an underline. Changes to the Draft EIR are indicated below under the respective EIR section heading. These changes do not add significant new information to the Draft EIR, nor do they result in new or more severe significant environmental impacts from the Project.

These corrections and/or additions to the Draft EIR do not include the changes with regard to adding Alternative 4, as discussed in Chapter 5.0 of the Draft EIR, including a discussion of the Environmentally Superior Alternative.

## EXECUTIVE SUMMARY

### 1. Executive Summary page ES-5. Revise the third paragraph to read as follows.

~~Three~~Four alternatives, as well as an environmentally superior alternative, are analyzed Chapter 5, *Alternatives*, of this Draft EIR and summarized below. The ~~three~~ four alternatives selected for evaluation include the 1) No Project/No Build Alternative; 2) Reduced Density Alternative; ~~and~~ 3) Residential with Ground Level Commercial Alternative, and 4) Modified Design Alternative."

**2. Executive Summary starting on page ES-8. Revise Table ES-1 as follows.**

Environmental Impacts	Project Design Features	Mitigation Measures (MM)	Level of Significance
A. Aesthetics/Visual Resources			
<p><b>Impact Statement AES-1:</b> Construction activities and associated equipment and materials would be screened and temporary fencing, barriers, and walkways would be inspected to remove unauthorized materials and ensure they are maintained in a reasonable manner throughout the construction period. As a result, effects on visual character due to short term construction activities would be less than significant.</p>	<p><b>PDF-AES-1: Construction Fencing:</b> <del>The Applicant shall provide and maintain a construction fence for safety and to screen views to the Project Site during construction to the extent feasible. The fence shall be located along the north, south, east and west perimeters of the Project Site with a minimum height of 8 feet. The Applicant shall ensure through appropriate postings and regular visual inspections that no unauthorized materials are posted on temporary construction barriers or temporary pedestrian walkways, and that such temporary barriers and walkways are maintained in a reasonable manner throughout the construction period.</del></p> <p><u>Where Project construction is visible from pedestrian locations adjacent to the Project Site and perimeter walls or fencing do not already exist, temporary construction fencing shall be placed along the periphery of the development sites to screen construction activity from view at the street level.</u></p> <p><u>The Applicant shall ensure through appropriate posting 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 barriers and walkways are maintained in a visible attractive manner (i.e.</u></p>	<p>No mitigation measures are required.</p>	<p>Less than Significant</p>



	<u>free of graffiti, peeling postings and of uniform paint color or graphic treatment) throughout the construction period.</u>		
<b>Impact Statement AES-2:</b> The Project would replace the existing Luxe Hotel and parking lots with a modern development that includes three towers, a Podium, public plaza, and streetscape improvements. The Project architecture and design would respond to and be compatible with surrounding development, including the adjacent Petroleum Building. Compared to existing conditions with the LUXE Hotel building, surface parking lots, and limited landscaping, the Project would improve visual conditions, particularly due to significant upgrades to the streetscape and pedestrian environment. Therefore, the Project would have a less than significant impact with respect to aesthetic character.	<b>PDF-AES-2: Screening of Utilities:</b> The Project <del>would</del> <u>shall</u> visually screen new transformers and other utilities associated with the Project from public view.	No mitigation measures are required.	Less than Significant
<b>Impact Statement AES-4:</b> The Project would not create a new source of light or glare that would substantially alter the character of off-site areas, which currently experience high illuminance levels; would result in light spill of greater than 3.0 foot candles at adjacent light-sensitive receptors; or cause excessive glare and contrast compared to existing conditions. Therefore, impacts regarding light and glare would be less than significant.	<b>PDF-AES-4: Glare.</b> <del>Glass and other building materials used in exterior facades shall be low reflective and/or treated with a non-reflective coating in order to minimize glare. Prior to issuance of a building permit, the Department of Building and Safety shall review the exterior building materials to confirm that they do not exceed the reflectivity of standard building materials, and would not cause significant glare impacts on motorists or nearby residential uses. Glass used in building facades shall minimize glare (e.g., minimize the use of glass with mirror coatings).</del> <u>Consistent with applicable energy and building code requirements, including Section 140.3 of the California Energy Code as may be</u>		

	<u>amended, glass with coatings required to meet the Energy Code requirements shall be permitted.</u>		
<b>B. Air Quality</b>			
<b>Impact Statement AQ-1:</b> Construction of the Project would not exceed the applicable SCAQMD daily regional numeric thresholds for VOC, NOX, CO, SO <sub>2</sub> , PM <sub>10</sub> , or PM <sub>2.5</sub> . Therefore, regional construction emission impacts would be less than significant.	<b>PDF-AQ-2: Construction Measures:</b> The Project shall utilize off-road diesel-powered construction equipment that meets or exceeds the CARB and USEPA Tier 4 off-road emissions standards for equipment rated at 50 hp or greater during Project construction. Equipment, such as tower cranes, welders and pumps shall be electric or alternative fueled (i.e., non-diesel). To the extent possible, <u>solar or</u> pole power will be made available for use with electric tools, equipment, lighting, etc. <u>Solar or</u> <del>Alternative</del> -fueled generators shall be used when commercial models that have the power supply requirements to meet the construction needs of the Project are readily available from local suppliers/vendors. These requirements shall be included in applicable bid documents and successful contractor(s) must demonstrate the ability to supply such equipment. A copy of each unit's certified tier specification or model year specification and CARB or SCAQMD operating permit (if applicable) shall be available upon request at the time of mobilization of each applicable unit of equipment.	No mitigation measures are required.	Less than Significant
<b>Impact Statement AQ-4:</b> The Project's contribution to regional emissions during operations would be less than significant. Project operational emissions would be below the SCAQMD numeric indicators for VOC, NO <sub>x</sub> , CO, SO <sub>2</sub> , PM <sub>10</sub> and	<b>PDF-AQ-1: Green Building Measures:</b> The Project <del>would</del> <u>shall</u> be designed and operated to meet or exceed the applicable requirements of the State of California Green Building Standards Code and the City of Los Angeles Green	No mitigation measures are required.	Less than Significant

PM <sub>2.5</sub> .	<p>Building Code and achieve the equivalent of the USGBC LEED Silver Certification level. Green building measures would include, but are not limited to the following:</p> <ul style="list-style-type: none"> <li>▪ The Project would implement a construction waste management plan to divert all mixed construction and demolition debris to City certified construction and demolition waste processors, consistent with the Los Angeles City Council approved Council File 09-3029.</li> <li>▪ The Project would be designed to optimize energy performance and reduce building energy cost by 14 percent for new construction compared to the Title 24 Building Energy Efficiency Standards as specified in the LEED 2009 Energy and Atmosphere credit 1 (EAc1).</li> <li>▪ The Project would be designed to optimize energy performance and reduce building energy cost by installing energy efficient appliances that meet the USEPA ENERGY STAR rating standards or equivalent.</li> <li>▪ The Project would include double-paned windows to keep heat out during summer months and keep heat inside during winter months.</li> <li>▪ The Project would include lighting controls with occupancy sensors to take advantage of available natural light.</li> <li>▪ The Project would reduce outdoor overall potable</li> </ul>		
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	<p>water use by a minimum of 50 percent compared to baseline water consumption. Reductions would be achieved through drought-tolerant/California native plant species selection, artificial turf, irrigation system efficiency, alternative water supplies (e.g., rainwater harvesting for use in landscaping), and/or smart irrigation systems (e.g., weather-based controls). <u>Baseline water consumption is measured consistent with the methodology in the USGBC LEED water efficient landscaping measure (i.e., credit WEc1 for LEED 2009).</u></p> <ul style="list-style-type: none"> <li>▪ The Project would reduce indoor potable water use by a minimum of 40 percent compared to baseline water consumption by installing water fixtures that exceed applicable standards. <u>Baseline water consumption is measured consistent with the methodology in the USGBC LEED water use reduction measure (i.e., credit WEc3 for LEED 2009).</u></li> <li>▪ The Project would provide on-site recycling areas, consistent with City of Los Angeles strategies and ordinances, with the goal of achieving 70 percent waste diversion by 2020, and 90 percent by 2025.</li> <li>▪ <del>To encourage carpooling and the use of electric vehicles by Project residents and visitors, the Applicant shall designate a minimum of 8 percent of on-site parking for carpool and/or alternative-fueled</del></li> </ul>		
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	<p>vehicles, and the Project design will provide for the installation of the conduit and panel capacity to accommodate future electric vehicle charging stations into 10 percent of the parking spaces.</p> <ul style="list-style-type: none"> <li>▪ <u>To encourage carpooling and the use of electric vehicles, the Proposed Project shall include at least twenty percent (20%) of the total Code required parking spaces provided for all types of parking facilities, but in no case less than one location, shall be capable of supporting future electric vehicle supply equipment (EVSE) or alternative fuel. Plans shall indicate the proposed type and location(s) of EVSE or comparable vehicle charging systems and also include raceway method(s), wiring schematics and electrical calculations to verify that the electrical system has sufficient capacity to simultaneously charge all electric vehicles at all designated EV charging locations at their full rated amperage. Plan design shall be based upon Level 2 or greater EVSE at its maximum operating capacity. Of the 20% EV Ready, five (5)% of the total Code-required parking spaces shall be further provided with EV chargers to immediately accommodate electric vehicles within the parking areas. When the application of either the 20% or 5% results in a fractional space, round up to the next whole number.</u></li> </ul>		
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	<p><u>A label stating “EVCAPABLE” shall be posted in a conspicuous place at the service panel or subpanel and next to the raceway termination point.</u></p> <p>See also PDF-AQ-3</p>		
<b>C. CULTURAL RESOURCES</b>			
<i>2. Historical Resources</i>			
<p><b>Impact Statement HIST-1:</b> The Project would demolish the Luxe Hotel, recommended ineligible at the national, State and local levels, and therefore, there would no direct Project impacts on historical resources. <u>However, there is a potential for construction vibration to have potential adverse material impacts on the Petroleum Building which may exceed a vibration threshold should the consent of the property owner not be secured for the implementation of a proposed mitigation measure to reduce such impact. Therefore, direct impacts on the adjacent Petroleum Building from potential construction vibrations are concluded to be significant and unavoidable.</u></p>	Not Applicable	No mitigation measures are required.	<p><del>Less than Significant and Unavoidable</del></p> <p><u>Significant and unavoidable, requires the consent of the property owner of the Petroleum Building to implement the proposed mitigation.</u></p>
<p><b>Impact Statement HIST-2:</b> The Project would not reduce or materially impair the integrity or significance of important historical resources in the Project vicinity such that their eligibility for listing on a register of historical resources would be substantially changed. <u>Therefore, indirect impacts would be less than significant. However, during construction indirect vibration impacts on the Petroleum Building have the potential to exceed a vibration threshold should the consent of the property owner not be secured for the installation of continuously</u></p>	Not Applicable	See mitigation measure MM-NOISE-2 regarding construction vibration impacts.	<p><del>Less than Significant and Unavoidable</del></p> <p><u>Significant and unavoidable, requires the consent of the property owner of the Petroleum Building to implement the proposed mitigation.</u></p>

operational automated vibrational monitors on the Petroleum Building. Therefore, indirect impacts on the Petroleum Building are conservatively concluded to be significant and unavoidable.			
<b>E. HAZARDS AND HAZARDOUS MATERIALS</b>			
<p><b>Impact Statement HAZ-1:</b> Excavation would encounter contaminated soils and abandoned fuel facilities, which if not properly handled in accordance with applicable federal, state, and local regulations, could <u>exacerbate existing environmental conditions and</u> expose people to contaminants, resulting in a potentially significant impact. Excavation of the Project Site could also pose a risk to construction workers and future building occupants due to <u>exposure of</u> soils with pollutant concentrations above federal and state remediation levels. This is considered a potentially significant impact. Lastly, historic business directories suggest land uses often associated with soil contamination were demolished and replaced prior to modern hazardous materials tracking requirements and remediation standards. The existing on-site structures prevent soils proposed for excavation from being tested for subsurface contamination. As a result, the potential presence of soil contamination in untested areas of the Project Site is considered a potentially significant impact.</p>	<p><b>PDF-HAZ-1: Removal of UST and Associated Piping:</b> The 530-gallon diesel UST and associated piping abandoned in place beneath the existing hotel driveway and landscaped median shall be removed in accordance with the provisions of the Covenant and Agreement recorded with the City on June 21, 2013, including the required permitting, soil sampling and testing, and reporting to the LAFD.</p>	<p><b>MM-HAZ-1: Soil Management Plan.</b> Because the Project Site contains subsurface contaminants that would be encountered during excavation activities, the Applicant shall retain a qualified environmental consultant to prepare a Soil Management Plan for Contaminated Soils (SMP) during Project design development, which will be submitted to the City of Los Angeles Department of Building and Safety for review and approval prior to the commencement of excavation and grading activities. The SMP shall be implemented during excavation and grading activities on the Project Site to ensure that any contaminated soils are properly identified, excavated, and disposed of off-site, as follows:</p> <ul style="list-style-type: none"> <li>▪ The SMP shall be prepared and executed in accordance with South Coast Air Quality Management District (SCAQMD) Rule 1166, Volatile Organic Compound Emissions from Decontamination of Soil. The SMP shall require the timely testing and sampling of soils so that contaminated soils can be separated from inert soils for proper disposal. The SMP shall</li> </ul>	<p>Less than Significant after Mitigation</p>

		<p>specify the testing parameters and sampling frequency. Anticipated testing includes total petroleum hydrocarbons (TPH), volatile organic compounds (VOCs), and semi-volatile organic compounds (SVOCs). During excavation, Rule 1166 requires that soils identified as contaminated shall be sprayed with water or another approved vapor suppressant, or covered with sheeting during periods of inactivity of greater than an hour, to prevent contaminated soils from becoming airborne. Under Rule 1166, contaminated soils shall be transported from the Project Site by a licensed transporter and disposed of at a licensed storage/treatment facility to prevent contaminated soils from becoming airborne or otherwise released into the environment.</p> <ul style="list-style-type: none"> <li>▪ Prior to the commencement of grading and excavation, the findings of the Phase I Environmental Site Assessment (ESA) for the LUXE City Center Hotel and Summary Report for Limited Soil and Soil Gas Investigation, Luxe Hotel shall be reported to the County of Los Angeles Fire Department Health and Hazardous Materials Division (HHMD), Site Mitigation Unit (SMU) (323-890-4045) and the City of Los Angeles Fire Department (LAFD) for review and comment. The recommendations of</li> </ul>	
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		<p>the HHMD and LAFD shall be incorporated in the SMP.</p> <ul style="list-style-type: none"> <li>▪ A qualified environmental consultant shall be present on the Project Site during grading and excavation activities in the known or suspected locations of contaminated soils or the UST, and shall be on call at other times as necessary, to monitor compliance with the SMP and to actively monitor the soils and excavations for evidence of contamination.</li> <li>▪ The diesel underground storage tank (UST), transfer pump, and approximately 200 feet of piping currently abandoned in place under the existing hotel driveway shall be removed in accordance with the Covenant and Agreement dated June 25, 2013 and Los Angeles Municipal Code (LAMC) Section 57.31.52 (Abandonment of Underground Storage Tanks). As required by LAMC Section 57.31.52, the Applicant shall notify the LAFD prior to tank removal, inert (remove or neutralize any flammable materials and vapors) the UST prior to transport, and establish to the satisfaction of the LAFD that no release of hazardous materials has occurred. The UST shall be properly disposed of by a licensed contractor in accordance with applicable regulations.</li> </ul> <p>During the Project's</p>	
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		excavation phase, the Project Applicant shall remove and properly dispose of impacted materials in accordance with the provisions of the SMP. If soil is stockpiled prior to disposal, it will be managed in accordance with the Project's Storm Water Pollution Prevention Plan, prior to its transfer for treatment and/or disposal. All impacted soils would be properly treated and disposed of in accordance with South Coast Air Quality Management District (SCAQMD) Rule 1166, Volatile Organic Compound Emissions from Decontamination of Soil, as well as applicable requirements of the California Department of Toxic Substances (DTSC), and Los Angeles Regional Water Quality Control Board (LARWQCB).	
		<b>MM-HAZ-2: Health and Safety Plan.</b> Given the presence of known soil contamination on at least the northern portion of the Project Site, a Health and Safety Plan shall be prepared in compliance with OSHA Safety and Health Standards (29 Code of Federal Regulations 1910.120) and Cal/OSHA requirements (CCR Title 8, General Industry Safety Orders and California Labor Code, Division 5, Part 1, Sections 6300-6719) and submitted for review by the Department of Building and Safety. The Health and Safety Plan would address, as appropriate, safety requirements that would serve to avoid significant impacts or risks to workers or the public in the event that elevated levels of subsurface gases are encountered during	

		<p>grading and excavation. The Health and Safety Plan would also address potential vapor encroachment from the soil contamination from the former gas station into the subterranean levels of the building. Gas monitoring devices would be in place to alert workers in the event elevated gas or other vapor concentrations occur when basement slab demolition or soil excavation is being performed. Contingency procedures would be in place in the event elevated gas concentrations are detected, such as the mandatory use of personal protective equipment, evacuation of the area, and/or increasing ventilation within the immediate work area. Workers would be trained to identify exposure symptoms and implement alarm response. Construction fencing would be installed around development areas to restrict public access from surrounding properties and other Phases of the Project Site, further reduce the potential for contaminated soils to become airborne, and provide additional distance between the public and excavation activities to allow for gas and vapor dilution. The Health and Safety Plan would have emergency contact numbers, maps to the nearest hospital, gas monitoring action levels, gas response actions, allowable worker exposure times, and mandatory personal protective equipment requirements. The Health and Safety Plan would be signed by all workers involved in the demolition and excavation of on-site soils to demonstrate their</p>	
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		understanding of the risks of excavation.	
		<p><b>MM-HAZ-3: Additional Site Testing.</b> The Applicant shall conduct additional subsurface soil and a soil gas sampling and testing in accordance with the recommendations of the <i>Summary Report for Limited Soil and Soil Gas Investigation, Luxe Hotel</i>, prepared by Terra-Petra and dated June 27, 2016. The additional site testing shall be completed in the location of existing on-site structures, subsequent to their demolition and prior to the excavation of soils at these locations. The findings of the soil and soil gas sampling effort shall be documented in a revised Soil and Soil Gas Investigation Report, which shall be submitted to the Los Angeles Department of Building and Safety and Los Angeles Fire Department prior to the commencement of excavation in the location of the former structures. Any additional recommendations pertaining to remediation, public health, and worker safety in the revised Soil and Soil Gas Investigation Report shall be incorporated into an updated Soil Management Plan and Health and Safety Plan.</p>	
<p><b>Impact Statement HAZ-3:</b> The Project is located in LADBS designated Methane Hazard Area (Methane Zone). Methane gas found in soil samples was determined to be of microbial origin and caused by anaerobic microbial degradation of residual gasoline deposits in the subsurface soil, and not of thermogenic origin. With implementation of a methane mitigation system designed in</p>	Not Applicable	No mitigation measures are required.	Less than Significant

accordance with Division 71 of LAMC Section 91.7104, impacts with regard to methane <u>exposure from the Project's exacerbation of existing environmental conditions</u> would be less than significant.			
<b>Impact Statement HAZ-5:</b> The Project's cumulative impacts, inclusive of impacts from cumulative projects, would be less than significant. The Project would not have significant impacts regarding hazardous materials with the implementation of identified mitigation measures and would not contribute to cumulative impacts <u>that would exacerbate existing environmental conditions</u> . Implementation of nearby development would be in compliance with regulatory requirements that would avoid significant impacts for those projects.	Not Applicable	No mitigation measures are required.	Less than Significant
<b>G. NOISE AND VIBRATION</b>			
<b>Impact Statement NOISE-1:</b> Construction activities would increase noise levels at off-site existing and future noise-sensitive receptors in the Project Area in excess of the applicable thresholds. Impacts due to noise from on-site construction activity would be potentially significant at off-site sensitive use locations. Even with implementation of the prescribed mitigation, noise impacts would exceed the applicable thresholds. Thus, construction noise impacts would be significant and unavoidable at the adjacent noise sensitive residential uses.	<b>PDF-NOISE-1: Equipment Noise Control:</b> The Project contractor(s) shall equip all construction equipment, fixed or mobile, with properly operating and maintained noise mufflers, consistent with manufacturers' standards. <u>All equipment shall be properly maintained. Construction contractor shall keep documentation on-site demonstrating that the equipment has been maintained in accordance with the manufacturer's specifications.</u> <b>PDF-NOISE-3:</b> Engine idling from construction equipment such as bulldozers and haul	<b>MM-NOISE-1:</b> Temporary noise barriers shall be used to block the line-of-site between the construction equipment and the noise-sensitive receptors during project construction, as follows: <ul style="list-style-type: none"> <li>Provide a temporary 15-foot tall construction fence equipped with noise blankets capable of achieving sound level reductions of at least 14 dBA between the Project construction site and residential uses (R3) across S. Flower Street during Construction Phase 1.</li> </ul>	Significant and unavoidable construction noise impacts at both the Project and cumulative level.

	trucks shall be limited no more than five minutes in compliance with applicable California Air Resources Board regulations. <u>Construction contractor shall keep documentation on-site demonstrating compliance with this measures.</u>	<u>At plan check, building plans shall include documentation prepared by a noise consultant verifying compliance with this measure.</u>	
<b>Impact Statement NOISE-4:</b> Project implementation would increase noise levels at adjacent noise-sensitive receptors in the Project vicinity. However, Project-related operational noise levels would not exceed established thresholds; therefore, noise impacts would be less than significant.	<b>PDF-NOISE-6:</b> Air conditioners, fans, generators, and related equipment will be designed to not to exceed the ambient noise levels by more than five (5) dBA at offsite residential uses. <u>At plan check, building plans shall include documentation prepared by a noise consultant verifying compliance with this measure.</u>	No mitigation measures are required.	Less than Significant
<b>Impact Statement NOISE-6:</b> Project impacts to on-site noise-sensitive uses would be less than significant. Sound levels for future Project residences would fall within the residential development standards established by the City of Los Angeles with the incorporation of required noise insulation features.	<b>PDF-NOISE-2:</b> On-site construction equipment staging area shall be located <del>as far as feasible</del> <u>a minimum of 50 feet</u> from on-site sensitive uses. <u>Construction contractor shall keep documentation on-site demonstrating compliance with this measure, such as a construction workplan showing the locations of the construction equipment staging areas relative to on-site sensitive uses. In accordance with the L.A. CEQA Thresholds Guide, noise-sensitive uses include residences, transient lodgings, schools, libraries, churches, hospitals, nursing homes, auditoriums, concert halls, amphitheaters, playgrounds and parks. The Project would include on-site residential uses and transient lodging (i.e., hotel).</u> <b>PDF-NOISE-4:</b> Effective noise barriers, <u>such as wooden fencing and noise blankets,</u> will be designed and erected as needed to shield on-site uses from excessive construction-related noise, <u>to comply with Los Angeles Municipal Code noise requirements, including</u>	No mitigation measures are required.	Less than Significant

	<p><u>those set forth in Chapter XI, Article 2 of the Los Angeles Municipal Code. At plan check, building plans shall include documentation prepared by a noise consultant verifying compliance with this measure.</u></p> <p><b>PDF-NOISE-5:</b> Future on-site residents will be notified prior to purchase/lease that construction is planned within close proximity to on-site residential uses.</p>		
<p><b>Impact Statement NOISE-7:</b> Construction activities would result in sporadic, temporary vibration effects which could adversely affect the Petroleum Building. Impacts due to vibration from on-site construction activity would be potentially significant for the Petroleum Building; therefore, implementation of mitigation measures is required.</p>	Not Applicable	<p><b>MM-NOISE-2:</b> To avoid or minimize potential construction vibration damage to finish materials on <u>or within</u> the Petroleum Building, the condition of such materials shall be documented by a qualified preservation consultant, prior to initiation of construction. During construction, the contractor shall install and maintain at least two continuously operational automated vibrational monitors on the Petroleum Building. The monitors must be capable of being programmed with two predetermined vibratory velocities levels: a first-level alarm equivalent to a 0.45 inches per second at the face of the building and a regulatory alarm level equivalent to 0.5 inches per second at the face of the building. The monitoring system must produce real-time specific alarms (via text message and/or email to on-site personnel) when velocities exceed either of the predetermined levels. In the event of a first-level alarm, feasible steps to reduce vibratory levels shall be undertaken, including but not limited to halting/staggering concurrent activities and utilizing lower-vibratory</p>	Significant and unavoidable, requires the consent of the property owner of the Petroleum Building to implement the proposed mitigation, which is beyond the control of the Applicant.

		techniques. In the event of an exceedance of the regulatory level, work in the vicinity shall be halted and the Petroleum Building visually inspected for damage. Results of the inspection must be logged. In the event damage occurs to historic finish materials due to construction vibration, such materials shall be repaired in consultation with a qualified preservation consultant, and if warranted, in a manner that meets the Secretary of the Interior's Standards.	
<b>J. TRANSPORTATION AND TRAFFIC</b>			
<p><b>Impact Statement TRAF-1:</b> With the implementation of PDF-TRAF-1, Construction Management Plan, potential construction impacts associated with hauling, deliveries, lane closures, and worker vehicles would be reduced through scheduling, traffic controls, notification, and safety procedures to ensure that the Project would not result in: substantial disruption of traffic flow, intersection operational impacts, conflicts with pedestrians and/or bicyclists, the loss of on-street parking, or conflicts with construction of My Figueroa Project, Los Angeles Streetcar Project, and existing Metro operations. Any temporary relocation of bus stops would not exceed one-quarter mile distance from the Project Site. Transportation and parking impacts related to construction would be less than significant.</p>	<p><b>PDF-TRAF-1: Construction Management Plan:</b> Prior to the issuance of a building permit for the Project, a detailed Construction Management Plan including street closure information, a detour plan, haul routes, and a staging plan would be prepared and submitted to the City for review and approval. The Construction Management Plan would formalize how construction would be carried out and identify specific actions that would be required to reduce effects on the surrounding community. The Construction Management Plan shall be based on the nature and timing of the specific construction activities and other projects in the vicinity of the Project Site, and shall include, but not be limited to, the following elements as appropriate:</p> <ul style="list-style-type: none"> <li>▪ Advance, bilingual notification of adjacent property owners and occupants of upcoming construction activities, including durations and</li> </ul>		



	<p>daily hours of operation.</p> <ul style="list-style-type: none"> <li>▪ Prohibition of construction worker or equipment parking on adjacent streets.</li> <li>▪ Temporary pedestrian, bicycle, and vehicular traffic controls during all construction activities adjacent to Figueroa Street, Flower Street, Olympic Boulevard and 11th Street, to ensure traffic safety on public rights of way. These controls shall include, but not be limited to, flag people trained in pedestrian and bicycle safety at the Project Site's Figueroa Street, Flower Street, and Olympic Boulevard driveways.</li> <li>▪ Temporary traffic control during all construction activities adjacent to public rights-of-way to improve traffic flow on public roadways (e.g., flag men). Scheduling of construction activities to reduce the effect on traffic flow on surrounding arterial streets.</li> <li>▪ Potential sequencing of construction activity for Phase 1 and Phase 2 of the Project to reduce the amount of construction-related traffic on arterial streets.</li> <li>▪ Contain construction activity generally within the Project Site boundaries.</li> <li>▪ Construction-related vehicles/equipment shall not park on surrounding public streets.</li> <li>▪ Coordination with LADOT to address any overlapping</li> </ul>		
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	<p>of construction with the My Figueroa Project and Los Angeles Streetcar Project.</p> <ul style="list-style-type: none"> <li>▪ Coordination with Metro to address any construction near the railroad ROW <u>and beyond the ROW</u>.</li> <li>▪ Safety precautions for pedestrians and bicyclists through such measures as alternate routing on the south side of 11th Street, the north side of Olympic Boulevard, and east side of Flower Street, a pedestrian canopy along Figueroa Street, and protection barriers/fencing along Figueroa Street, 11th Street, Flower Street, and Olympic Boulevard shall be implemented as appropriate.</li> </ul> <p>Scheduling of construction-related deliveries, haul trips, etc., so as to occur outside the commuter peak hours to the extent feasible.</p>		
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3. Executive Summary page ES-6. Insert the following paragraph after the discussion of Alternative 3, and revise the following heading number as follows:

#### **4. Alternative 4: Modified Design Alternative**

The Modified Design Alternative would provide the same uses as the Project; but with an overall reduction in the amount of development and the elimination of one tower, Residential Tower I. The total FAR would be limited to 7.4:1; which would require implementation of TFAR provisions for the increase in density over an FAR of 6.0:1. The Modified Design Alternative includes 435 residential units, 300 hotel rooms with banquet, conference and amenity uses, and 55,499 square feet of commercial retail/restaurant uses. The Modified Design Alternative would include two towers, a Phase 1 Hotel Tower and Phase 2 Residential Tower. The two towers would be placed above Podium structures, with ground level retail uses and a subterranean parking structure.

#### **45. Environmentally Superior Alternative**

4. Page ES-7. A new paragraph is added in the discussion of 4. Environmentally Superior Alternative after the third paragraph, as follows:

The Modified Design Alternative would have impacts that are generally less than, or similar to those of the Project. The Modified Design Alternative would not cause additional significant impacts. However, the reduced impacts on traffic (and traffic related air quality and noise topics), services and utilities would be less than the reductions that would occur for the Residential with Ground Level Commercial Alternative. Therefore, the Modified Design Alternative would not be considered environmentally superior to the Residential with Ground Level Commercial. However, it would be considered environmentally superior to the Project, while substantially achieving the Project's Objectives, which the Residential with Ground Level Commercial Alternative does not.

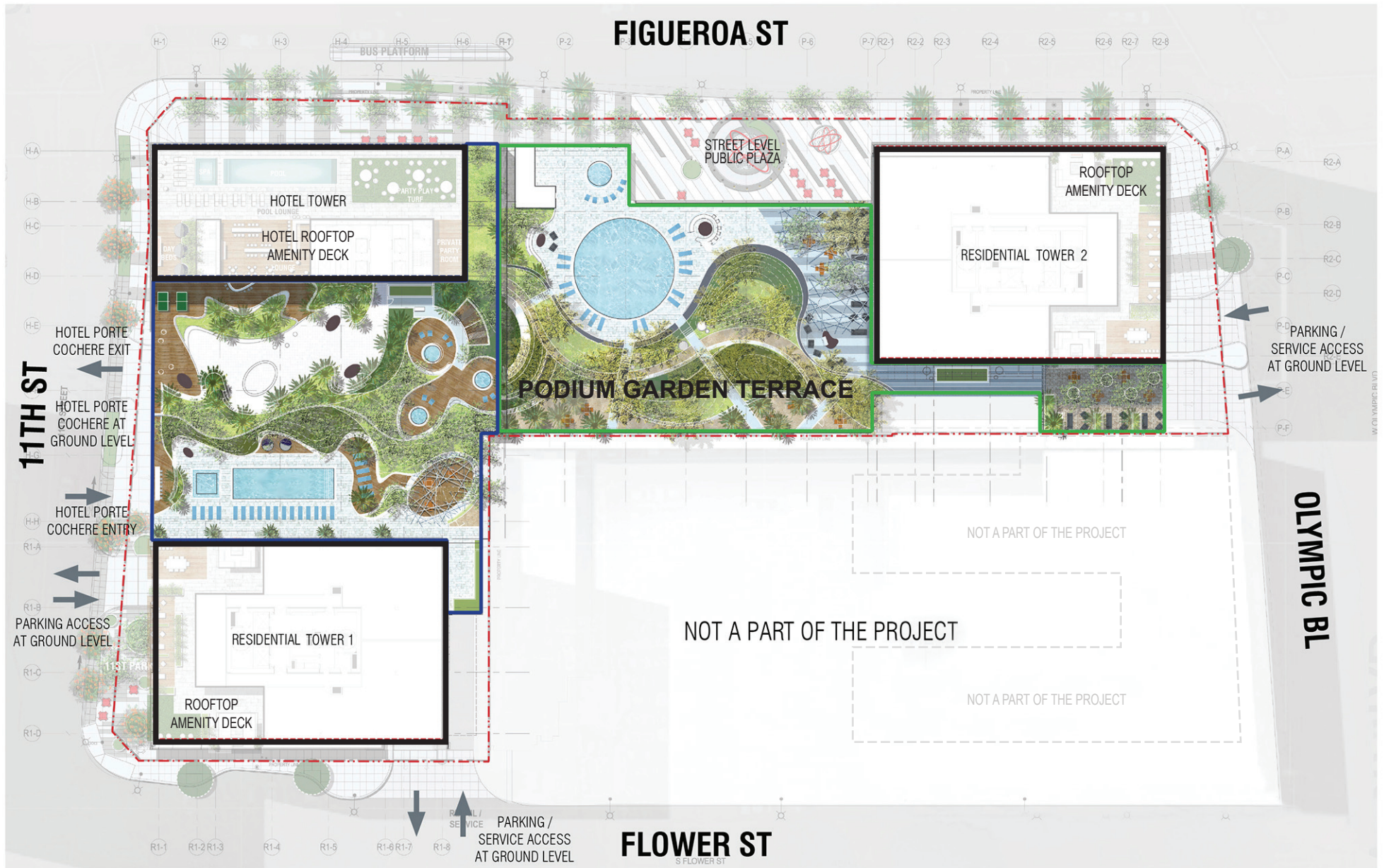
## INTRODUCTION

1. **Section 1.0 Introduction, page 1-5. Revise the fifth paragraph to read as follows:**

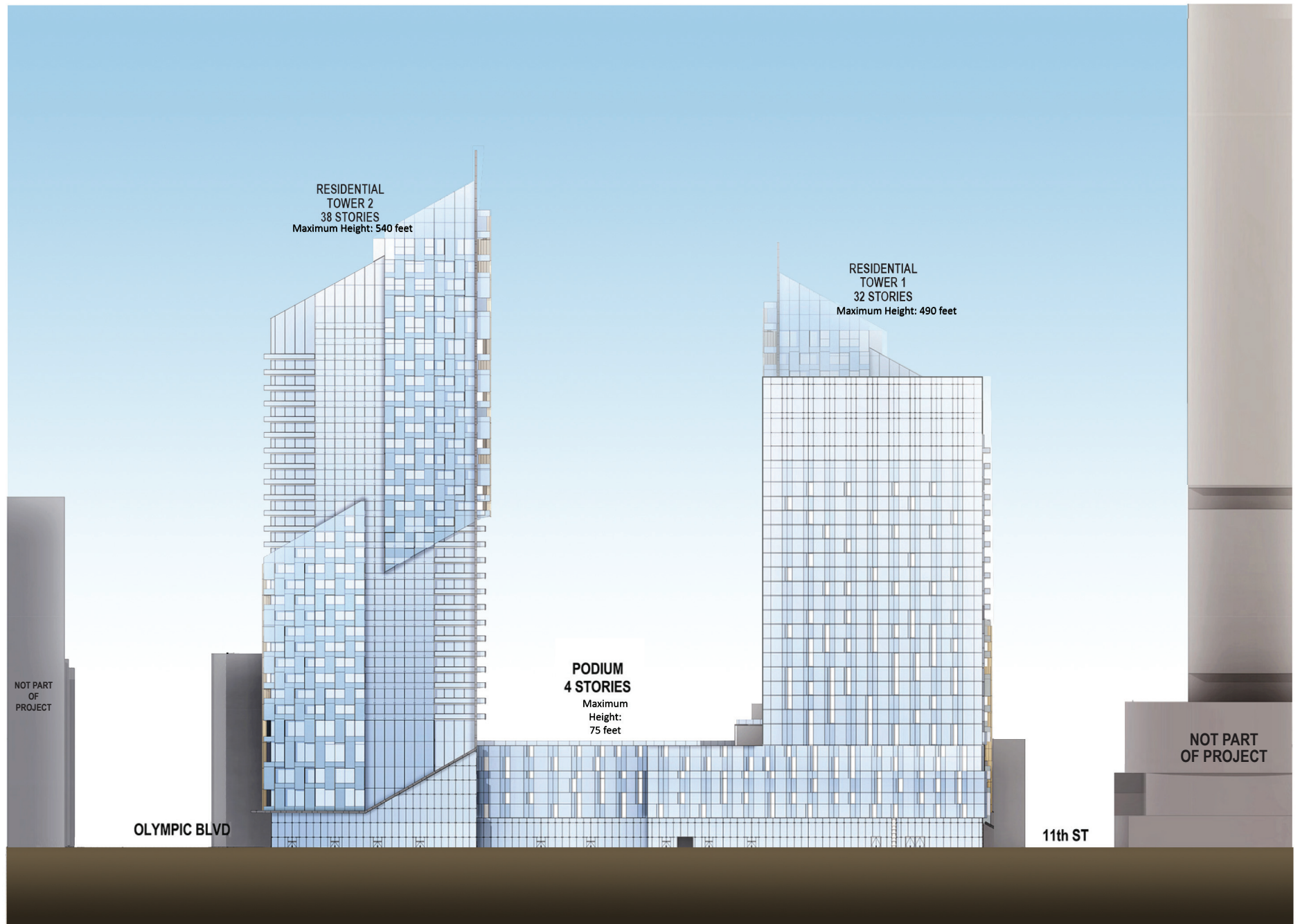
**5. Alternatives.** This section describes a reasonable range of alternatives to the Project, including the No Project/No Build Alternative, Reduced Density Alternative, ~~and~~ Residential with Ground Level Commercial Alternative, and Modified Design Alternative. This section also evaluates the environmental effects of the alternatives for each issue area analyzed in the Draft EIR.

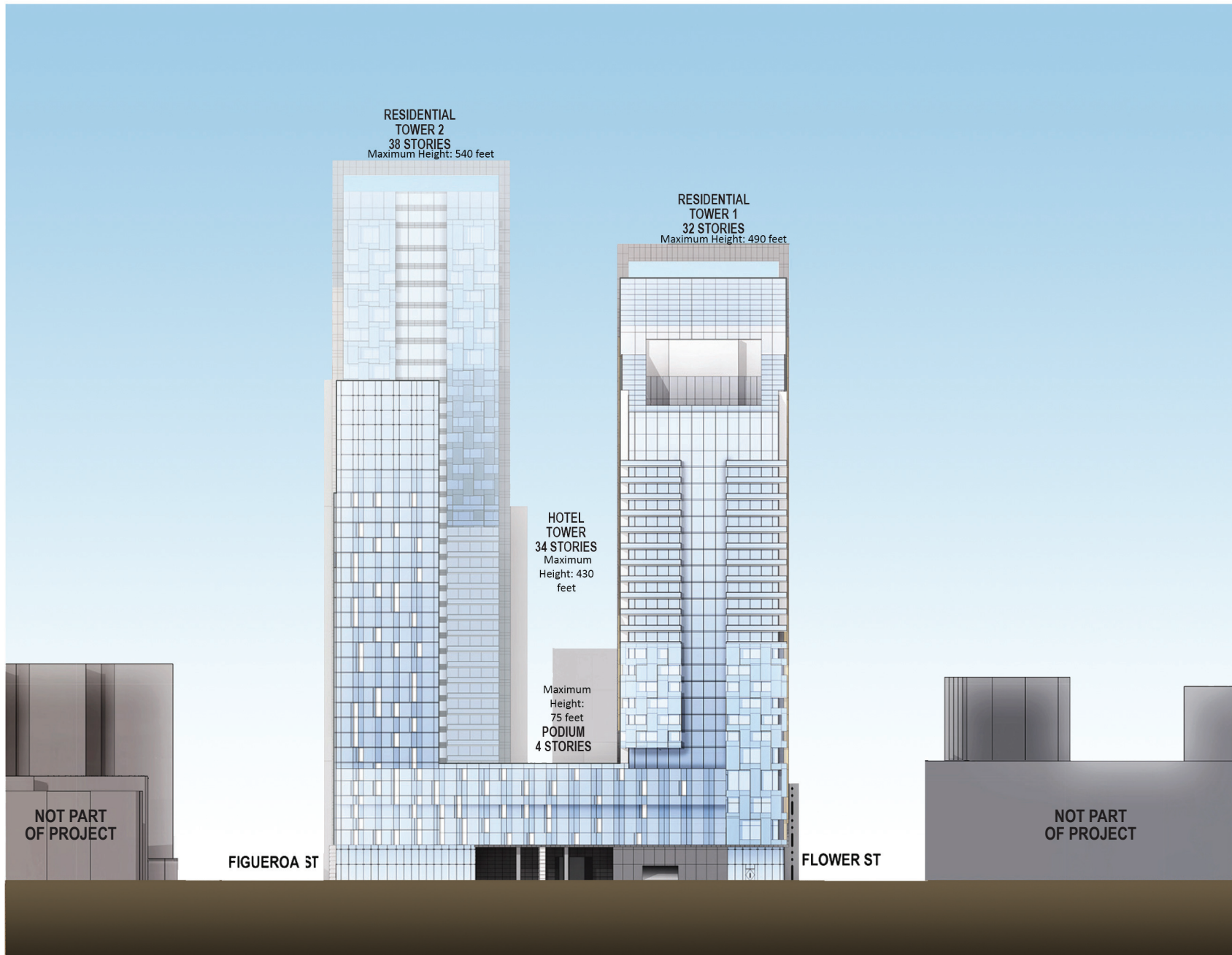
## PROJECT DESCRIPTION

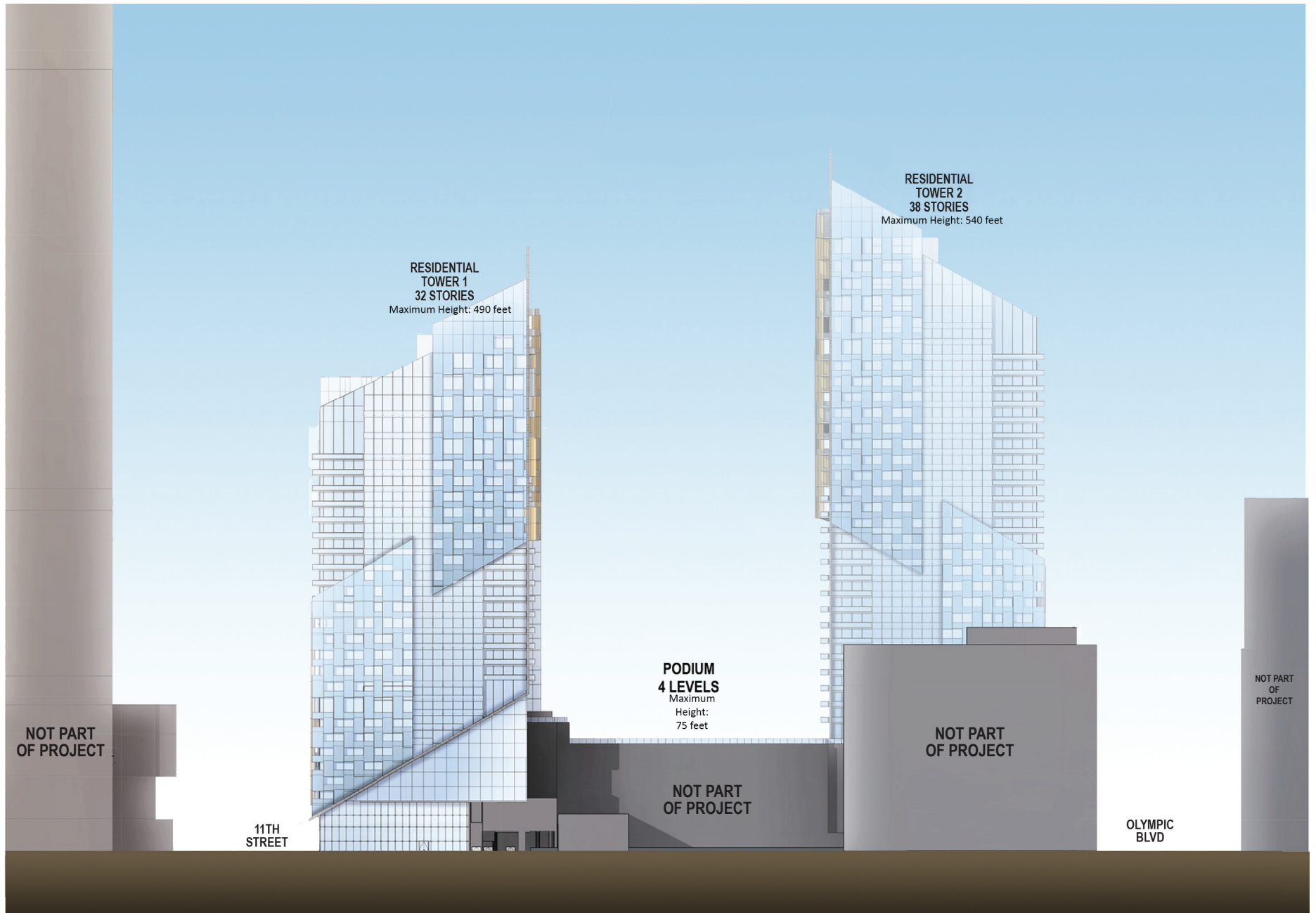
1. **Project Description, Pages 2-11, 2-17,2-18, 2-19, and 2-20. Modify Figures 2-3, 2-6, 2-7, 2-8, and 2-9 with the following changes.**



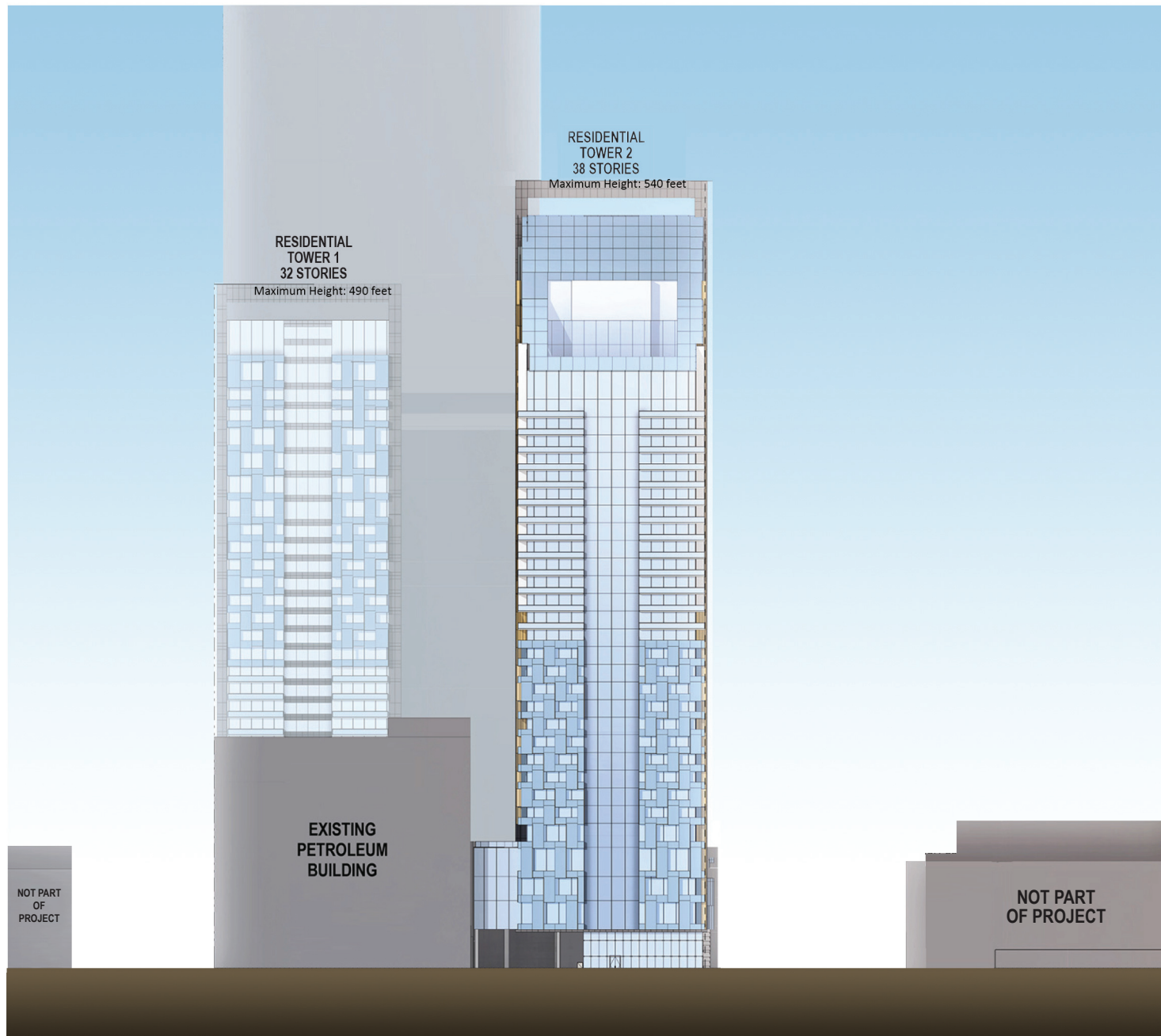














## AESTHETICS

### 1. Page 4.A -7. Third paragraph is modified with the following changes:

The west elevation directly adjacent to the Project Site along W. Olympic Boulevard is an architecturally unadorned secondary elevation and is covered in large part with ~~applied billboard advertising, a large painted wall sign.~~

### 2. Page 4.A 33. Paragraphs six and seven are modified with following changes:

The signage would be limited in the hours of operation in compliance with the provisions listed in the Sub-Area tables above. Facing S. Figueroa Street, there is unrestricted animation within Level 2 for Digital Signs and Integral Digital Signs. For that portion facing the residential buildings on W. Olympic Boulevard, the Digital Signs and Integral Digital Signs allow unrestricted animation from 7am to 2am, and provide restricted animation from 2am to 7am. Any Digital Signs in Level 4 are subject to these restrictions as well. Digital Signs in Sub-District B have no animation and limited refresh rates in Level 2 only. All Digital Signs would have a brightness of up to 6,500 cd/m<sup>2</sup> during daylight hours, which is reduced to 300 cd/m<sup>2</sup> after dark.

~~Pursuant to Section 93.0117 of the LAMC, no stationary exterior light source shall be arranged and illuminated in such a manner as to produce a light intensity of greater than two footcandles above ambient lighting, as measured at the property line of the nearest residentially zoned property. Pursuant to Section 14.4.4 of the LAMC, no sign shall be arranged and illuminated in a manner that will produce a light intensity of greater than three foot-candles above ambient lighting, as measured at the property line of the nearest residentially zoned property.~~

Upon completion of the Project, a measurement of the lighting levels emitted by the new signage would be taken upon installation and activation to confirm that the light intensity is no more than ~~two three~~ footcandles ~~above as measured from~~ at the property line of the nearest residentially zoned property, surrounding residential uses.

### 3. Page 4.A-34. Revise the Project Design Features on the page as follows:

**PDF-AES-1: Construction Fencing:** ~~The Applicant shall provide and maintain a construction fence for safety and to screen views to the Project Site during construction to the extent feasible. The fence shall be located along the north, south, east and west perimeters of the Project Site with a minimum height of 8 feet. The Applicant shall ensure through appropriate postings and regular visual inspections that no unauthorized materials are posted on temporary construction barriers or temporary pedestrian walkways, and that such temporary barriers and walkways are maintained in a reasonable manner throughout the construction period.~~

Where Project construction is visible from pedestrian locations adjacent to the Project Site and perimeter walls or fencing do not already exist, temporary construction fencing shall

be placed along the periphery of the development sites to screen construction activity from view at the street level.

The Applicant shall ensure through appropriate posting 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 barriers and walkways are maintained in a visible attractive manner (i.e. free of graffiti, peeling postings and of uniform paint color or graphic treatment) throughout the construction period.

**PDF-AES-2: Screening of Utilities:** The Project ~~would~~ shall visually screen new transformers and other utilities associated with the Project from public view.

**PDF-AES-4: Glare.** ~~Glass and other building materials used in exterior façades shall be low reflective and/or treated with a non-reflective coating in order to minimize glare. Prior to issuance of a building permit, the Department of Building and Safety shall review the exterior building materials to confirm that they do not exceed the reflectivity of standard building materials, and would not cause significant glare impacts on motorists or nearby residential uses. Glass used in building facades shall 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.~~

**4. 4. Page 4.A-63. Revise the third paragraph on the page as follows:**

As described in PDF-AES-4, the Project would incorporate glass ~~and other building materials in its building facades that would reduce potential glare impacts. be low reflective and/or treated with a non-reflective coating in order to minimize~~ Prior to issuance of a building permit, the Department of Building and Safety ~~and Department of City Planning~~ would review the glass used in the exterior facades to confirm that it is consistent with applicable energy and building code requirements, including Section 140.3 of the California Energy Code. ~~they do not exceed the reflectivity of standard building materials, and would not cause significant glare impacts on motorists or nearby residential uses.~~ Therefore, the building façade would not substantially alter the character of off-site areas surrounding the Project Site. Impacts associated with Project-induced daytime glare would be less than significant.

**5. Pages 4.A-86 and 4.A-89. Modify Table 4.A-8 with following changes:**

**Table 4.A-8**  
**Comparison of the Project to Applicable Policies of the Citywide Design Guidelines**

<b>Policy</b>	<b>Analysis of Project Consistency</b>
5. When driveway placement on a front façade cannot be avoided, locate the driveway at the edge of the parcel rather than in the center. Ensure that the street-facing driveway width is minimized to 20 feet or less.	<b>Consistent.</b> S. Figueroa Street, main façade of the Project, would not contain a vehicle driveway.

Policy	Analysis of Project Consistency
6. Wrap parking structures with active uses such as retail spaces or housing units on the ground floor.	<b>Not Applicable.</b> Parking for the Project would be located underground in a subterranean parking structure.
7. Blend parking structure façades with nearby buildings by incorporating architectural treatments such as arches or other architectural openings and varied building materials, decorative screening, climbing vines, or green walls to provide visual interest.	<b>Consistent.</b> Parking would be provided within four subterranean levels and would not be visible.
8. Mitigate the impact of parking visible to the street with the use of planting and landscaped walls tall enough to screen headlights.	<b>Not Applicable.</b> Parking for the Project would be located underground in a subterranean parking structure.
9. Illuminate all parking areas and pedestrian walkways to improve safety. Avoid unintended spillover impacts onto adjacent properties.	<b>Consistent:</b> Pedestrian walkways would be well lit for pedestrian safety. Pursuant to Section <del>93.0117</del> <u>14.4.4.E</u> of the LAMC, no stationary exterior light source shall be arranged and illuminated in such a manner as to produce a light intensity of greater than <u>three footcandles</u> <del>two footcandles</del> above ambient lighting, as measured at the property line of the nearest residentially zoned property. Parking for the Project would be located underground in a subterranean parking structure and would be well lit.
10. Use architectural features, such as decorative gates and fences, in combination with landscaping to provide continuity at the street where openings occur due to driveways or other breaks in the sidewalk or building wall.	<b>Consistent.</b> No driveways would be located along S. Figueroa Street. Vehicle driveways and sidewalks on W. Olympic Boulevard, 11 <sup>th</sup> Street and S. Flower Street would include landscaping and decorative paving treatments. In addition, along 11 <sup>th</sup> Street, a hotel motor-court drop off area would include a combination of landscape and hardscape treatments in a covered plaza like arrangement for both arriving guests and other pedestrians.
<b>Objective 5.</b> Include Open Space to Provide Opportunities for Public Gathering	
<b>On-Site Landscaping</b>	
1. Retain mature and healthy vegetation and trees when developing a site, especially native species.	<b>Consistent.</b> In total, the Project would include 163 new and existing trees that would include native and drought tolerant species. The type of trees and locations would be compliant with the LASED streetscape plan and the Los Angeles Municipal Code.
2. Design landscaping to be architecturally integrated with the building and suitable to the functions of the space while selecting plant materials that complement the architectural style, uses, and form of the building.	<b>Consistent.</b> The Project would integrate landscaping into the building design through the public plaza, the Podium Garden Terrace, and trees along all street edges.

Policy	Analysis of Project Consistency
3. Design open areas to maintain a balance of landscaping and paved area.	<b>Consistent.</b> Open space areas, including 5,000 sf public plaza along S. Figueroa Street setback at the west edge of the Project would be integrated into the overall design of the Project, which includes decorative paving and street trees. For hotel visitors and guests, the motor-court vehicle drop off area fronting 11th Street and would include landscape and hardscape surfaces in a covered plaza-like arrangement. The provision of the public plaza, street trees, paving treatments a motor court plaza area would allow for a balance between pavement and greenery.
4. Select drought tolerant, native landscaping to limit irrigation needs and conserve water. Mediterranean and local, climate-friendly plants may be used alongside native species.	<b>Consistent.</b> Plant species will be specifically selected for drought tolerance.
5. Facilitate sustainable water use by using automated watering systems and drip irrigation to irrigate landscaped areas.	<b>Consistent.</b> The Project would use a low-demand drip watering system to irrigate landscaped areas.
6. Facilitate stormwater capture, retention, and infiltration, and prevent runoff by using permeable or porous paving materials in lieu of concrete or asphalt. Collect, store, and reuse stormwater for landscape irrigation.	<b>Consistent:</b> The Project would comply with City stormwater management requirements. Based on irrigation demands, storage tanks would be provided to collect drainage from the roof and the Podium for use as irrigation. The Project would also include numerous design features to reduce water use and runoff including; drip/ subsurface irrigation; artificial turf; landscaping contouring to minimize precipitation runoff; water conserving turf Cynodon Dactylon (Tifgreen) and rainwater harvesting.
7. Provide canopy trees in planting areas in addition to street trees for shade and energy efficiency, especially on south and southwest facing façades.	<b>Consistent.</b> In total, the Project would include 163 new and existing trees compared to the 22 trees under existing conditions. These trees would include shade <del>an</del> <u>and</u> canopy trees.
8. Use landscape features to screen any portion of a parking level or podium that is above grade. Trees, shrubbery, planter boxes, climbing plants, vines, green walls, or berms can be used to soften views from the public right-of-way	<b>Not Applicable.</b> Parking would be located below grade.
<b><i>Open Space and Plazas</i></b>	
1. Incorporate shaded open space such as plazas, courtyards, pocket parks, and terraces in large scale commercial buildings. Design open areas to be easily accessible and comfortable for a substantial part of the year.	<b>Consistent.</b> The Project is not a large-scale commercial building but does include commercial use at the street level. However, it would provide setbacks for public use, such as the provision of a 5,000 sf public outdoor plaza along S. Figueroa Street that would encourage pedestrian activity and an active streetfront. The outdoor plaza would incorporate landscape features, seating, and potential for public art display areas within this space. Street trees, which would provide comfort, would be installed along street frontages.

Policy	Analysis of Project Consistency
2. Orient open spaces to the sun and views. Create a sense of enclosure while maintaining safety, so that open spaces and plazas feel like outdoor rooms.	<b>Consistent.</b> The ground level public plaza, the Podium Garden Terrace and the Hotel Rooftop Amenity Deck would be open to the sky and would provide views to the surrounding area. The Hotel Rooftop Amenity Deck would also provide panoramic views of the Los Angeles Basin.
3. Connect open spaces to other activity areas where people gather to sit, eat, or watch other people.	<b>Consistent.</b> The Podium Garden Terrace and landscaped rooftop amenities at the roofs of the hotel and residential towers would provide outdoor open space for use by residents and hotel guests. Also, the outdoor plaza along S. Figueroa Street would be publicly accessible and connected to other street front commercial uses and restaurants, and plaza areas associated with the adjacent LA LIVE project.
4. Locate sidewalk restaurants or outdoor dining areas on or adjacent to open spaces and pedestrian routes. Connect shops or office entrances directly to places where people gather or walk.	<b>Consistent.</b> Outdoor dining areas would be located along the adjacent streetfronts along S. Figueroa Street and 11 <sup>th</sup> Street. Retail uses on the ground level would have individual entrances accessible from the street.
5. Landscape all open areas not used for buildings, driveways, parking, recreational facilities, or pedestrian amenities. Landscaping may include any practicable combination of shrubs, trees, ground cover, minimal lawns, planter boxes, flowers, or fountains that reduce dust and other pollutants and promote outdoor activities, especially for children and seniors.	<b>Consistent.</b> All open areas not used for buildings, driveways, parking, recreational facilities, decorative paving, or pedestrian amenities would be landscaped to enhance the enjoyment of the space.
<b>Objective 6.</b> Improve the Streetscape by Reducing Visual Clutter	
<b>Building Signage Placement</b>	
1. In general, a maximum of one business identification wall sign should be installed per business frontage on a public street. Rarely should more than one business identification wall sign be utilized per storefront.	<b>Consistent.</b> Signs would be consistent with and incorporated into the Project's architecture and business signs would be installed per the SUD and applicable regulations.
2. Locate signs where architectural features or details suggest a location, size, or shape for the sign. Place signs so they do not dominate or obscure the architectural elements of the building or window areas.	<b>Consistent.</b> Project signage would include on and off-site signage in various forms, including wall signs, digital displays and streaming signage, supergraphic signs, open panel roof signs, hotel building identification, residential building identification, retail and restaurant building identification, parking entry identification, loading dock entry identification, and wayfinding signage. No billboard signs are proposed. The graphics and signage program would support an active street front experience on all sides, but particularly along the Figueroa corridor that would mix art and signage graphic components. Signs would be consistent with and incorporated into the Project's architecture and would not obscure or dominate the buildings architectural elements.
3. Include signage at a height and of a size that is visible to pedestrians and facilitates access to the building entrance.	<b>Consistent.</b> All identification and wayfinding signs would be designed to be visible to pedestrians and facilitate access to the building entrance.

Policy	Analysis of Project Consistency
4. In commercial and mixed-use buildings with multiple tenants, develop a coordinated sign program establishing uniform sign requirements that identify appropriate sign size, placement, and materials.	<b>Consistent.</b> Pursuant to the provisions of Chapter I, Article 3, Section 13.11 of the Municipal Code, the Project would establish the Fig and 11th Sign District that would encompass the Project Site and the entire block bordered by W. Olympic Boulevard, S. Flower Street, 11 <sup>th</sup> Street and S. Figueroa Street. This would provide uniform sign requirements for different restaurant and retail tenants in the Project's commercial areas.
<b><i>Building Signage Materials</i></b>	
1. At large retail developments, provide maps and signs in public spaces showing connections, destinations, and locations of public facilities such as nearby transit stops.	<b>Not Applicable.</b> The Project is not a larger retail development, such as a shopping center. All retail areas would front public streets and public areas.
2. Limit the total number of colors used in any one sign. Small accents of several colors make a sign unique and attractive, but competition of many different colors reduces readability	<b>Consistent.</b> Project related signage would be regulated by the signage regulations set forth in the proposed Fig & 11th Sign District that would establish requirements governing allowable sign types, locations, maximum size or coverage, hours of operation, and type of animation or controlled refresh rates. Project Permit Compliance would ensure that the Project would comply with the provisions related to the permitted and prohibited signage in the proposed Fig & 11th Sign District.
3. Limit text on signs to convey the business name or logo. Eliminate words that do not contribute to the basic message of the sign.	
4. Select sign materials that are durable and compatible with the design of the façade on which they are placed.	<b>Consistent.</b> Sign materials would be durable and compatible with the design of the façade on which they are placed.
5. Illuminate signs only to the minimum level required for nighttime readability.	<b>Consistent.</b> Project signage would include on and off-site signage in various forms, including wall signs, digital displays and animated signage, supergraphic signs, open panel roof signs, hotel building identification, residential building identification, retail and restaurant building identification, parking entry identification, loading dock entry identification, and wayfinding signage Pursuant to Section 93.0117(b) of the LAMC, no stationary exterior light source shall be arranged and illuminated in such a manner as to produce a light intensity of greater than two footcandles above ambient lighting, as measured at the property line of the nearest residentially zoned property.  <u>Pursuant to Section 14.4.4. of the LAMC, no sign shall be arranged and illuminated in a manner that will produce a light intensity of greater than three foot-candles above ambient lighting, as measured at the property line of the nearest residentially zoned property.</u>

## 6. Pages 4.A-90 and 4.A-91 are modified with following changes:

### (d) LASED Streetscape Plan

The Project is within the boundaries of the LASED Streetscape Plan which include parcels along Figueroa Street from Venice Boulevard to 7<sup>th</sup> Street, W. Olympic Boulevard and 11<sup>th</sup> Street from S. Flower Street to Cherry Street, and S. Flower Street from Pico Boulevard to just north of Olympic Boulevard. The principal objective of this LASED Streetscape Plan is to develop attractive, functional, safe and enjoyable streets and pedestrian friendly sidewalks that connect to and complement the Downtown context and support the creation of a unique regional sports and entertainment destination within Downtown Los Angeles. Streetscape elements addressed by LASED Streetscape Plan include, but are not limited to the following: sidewalk widths and paving patterns; crosswalks; medians; street trees; street lights; street furniture such as information kiosks, benches, trash receptacles, news vending machines and bicycle racks; and public art and signage in the public right-of-way. Street trees, street furniture, and pedestrian-oriented lighting aim to make the District's streets comfortable for pedestrians and will support pedestrian-oriented activity along those streets. ~~Although the Project is within the LASED Streetscape Plan area, the Downtown Street Standards supersede and apply per City policy. Therefore the analysis below is provided for informational purposes only.~~

As summarized in **Table 4.A-9, Comparison of the Project to Applicable Policies of the LASED Streetscape Plan**, the Project would support the LASED Streetscape Plan of enhancing the pedestrian environment and creating new open space, landscaping, and pedestrian connections within the Project site and the surrounding streetscape. The Project also would support good design, as the Project's architecture, landscaping, and design would complement surrounding development. As such, the impact of the Project relative to consistency with applicable objectives in the LASED Streetscape Plan would be less than significant.

## AIR QUALITY

### 1. Page 4.B-34 and 35. Modify PDF-AQ-1 and PDF AQ-2 with the following changes:

**PDF-AQ-1: Green Building Measures:** The Project ~~shall~~ would be designed and operated to meet or exceed the applicable requirements of the State of California Green Building Standards Code and the City of Los Angeles Green Building Code and achieve the equivalent of the USGBC LEED Silver Certification level. Green building measures would include, but are not limited to the following:

- The Project would implement a construction waste management plan to divert all mixed construction and demolition debris to City certified construction and demolition waste processors, consistent with the Los Angeles City Council approved Council File 09-3029.
- The Project would be designed to optimize energy performance and reduce building energy cost by 14 percent for new construction compared to the Title 24 Building Energy Efficiency Standards as specified in the LEED 2009 Energy and Atmosphere credit 1 (EAc1).
- The Project would be designed to optimize energy performance and reduce building energy cost by installing energy efficient appliances that meet the USEPA ENERGY STAR rating standards or equivalent.

- The Project would include double-paned windows to keep heat out during summer months and keep heat inside during winter months.
- The Project would include lighting controls with occupancy sensors to take advantage of available natural light.
- The Project would reduce outdoor potable water use by a minimum of 50 percent compared to baseline water consumption. Reductions would be achieved through drought-tolerant/California native plant species selection, artificial turf, irrigation system efficiency, alternative water supplies (e.g., rainwater harvesting for use in landscaping), and/or smart irrigation systems (e.g., weather-based controls). Baseline water consumption is measured consistent with the methodology in the USGBC LEED water efficient landscaping measure (i.e., credit Wec1 for LEED 2009).
- The Project would reduce indoor potable water use by a minimum of 40 percent compared to baseline water consumption by installing water fixtures that exceed applicable standards. Baseline water consumption is measured consistent with the methodology in the USGBC LEED water use reduction measure (i.e., credit Wec3 for LEED 2009).
- The Project would provide on-site recycling areas, consistent with City of Los Angeles strategies and ordinances, with the goal of achieving 70 percent waste diversion by 2020, and 90 percent by 2025.
- ~~▪ To encourage carpooling and the use of electric vehicles by Project residents and visitors, the Applicant shall designate a minimum of 8 percent of on-site parking for carpool and/or alternative fueled vehicles, and the Project design will provide for the installation of the conduit and panel capacity to accommodate future electric vehicle charging stations into 10 percent of the parking spaces.~~

To encourage carpooling and the use of electric vehicles, the Proposed Project shall include at least twenty percent (20%) of the total Code required parking spaces provided for all types of parking facilities, but in no case less than one location, shall be capable of supporting future electric vehicle supply equipment (EVSE) or alternative fuel. Plans shall indicate the proposed type and location(s) of EVSE or comparable vehicle charging systems and also include raceway method(s), wiring schematics and electrical calculations to verify that the electrical system has sufficient capacity to simultaneously charge all electric vehicles at all designated EV charging locations at their full rated amperage. Plan design shall be based upon Level 2 or greater EVSE at its maximum operating capacity. Of the 20% EV Ready, five (5) % of the total Code-required parking spaces shall be further provided with EV chargers to immediately accommodate electric vehicles within the parking areas. When the application of either the 20% or 5% results in a fractional space, round up to the next whole number.

- PDF-AQ-2: Construction Measures:** The Project shall utilize off-road diesel-powered construction equipment that meets or exceeds the CARB and USEPA Tier 4 off-road emissions standards for equipment rated at 50 hp or greater during Project construction. Equipment, such as tower cranes, welders and pumps shall be electric or alternative fueled (i.e., non-diesel). To the extent possible, solar or pole power will be made available for use with electric tools, equipment, lighting, etc. Solar or alternative-fueled generators shall be used when commercial models that have the power supply requirements to meet the construction needs of the Project are readily available from local suppliers/vendors. These requirements shall be included in applicable bid documents and successful contractor(s) must demonstrate the ability to



supply such equipment. A copy of each unit's certified tier specification or model year specification and CARB or SCAQMD operating permit (if applicable) shall be available upon request at the time of mobilization of each applicable unit of equipment.

**2. Page 4.B-46. Modify Table 4.B-13 with the following changes:**

**Table 4.B-13**

**Maximum Carcinogenic Risk for Off-Site Sensitive Receptors from Construction**

<b>Sensitive Receptor</b>	<b>Maximum Cancer Risk (# in one million)</b>
Residence – South/Southeast of Project Site	7.59
<i>Maximum Individual Cancer Risk Threshold</i>	10
<i>Exceeds Threshold?</i>	No

*Source: PCR, 2016 (see Appendix G of the FEIR)*

**3. Page 4.B-46. Modify Table 4.B-14 with the following changes:**

**Table 4.B-14**

**Maximum Non-Cancer Chronic Impacts for Off-Site Sensitive Receptors**

<b>Sensitive Receptor</b>	<b>Chronic Hazard Index</b>
Residence – South/Southeast of Project Site	0.0089
<i>Total Hazard Index</i>	1.0
<i>Exceeds threshold?</i>	No

*Source: PCR, 2016 (see Appendix G of the FEIR)*

**4. Appendix C, Air Quality Technical Report, Page 45. Modify PDF-AQ-1 with the following changes:**

**Green Building Measures:** The Project ~~shall~~ ~~would~~ be designed and operated to meet or exceed the applicable requirements of the State of California Green Building Standards Code and the City of Los Angeles Green Building Code and achieve the equivalent of the USGBC LEED Silver Certification level. Green building measures would include, but are not limited to the following:

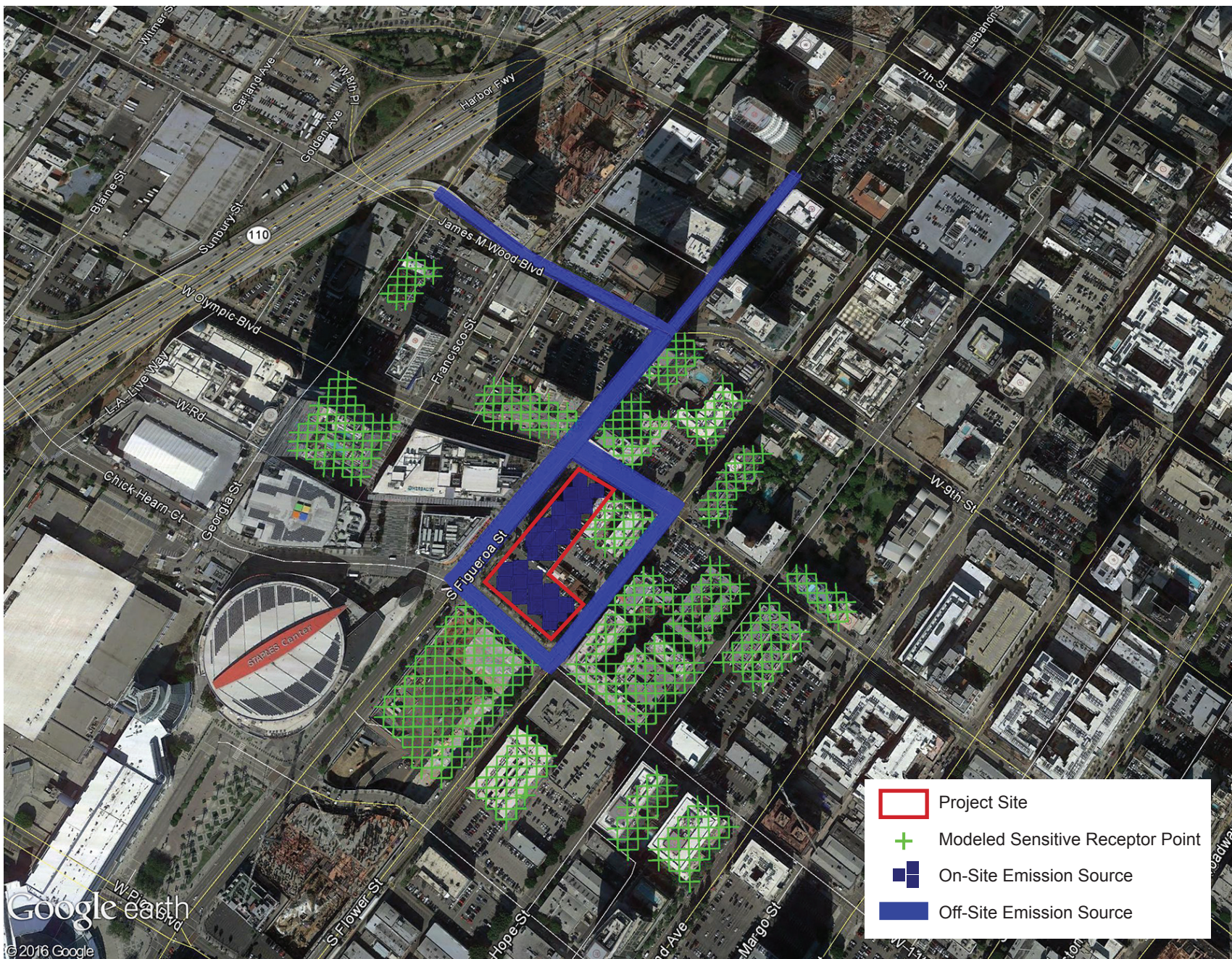
- The Project would implement a construction waste management plan to divert all mixed construction and demolition debris to City certified construction and demolition waste processors, consistent with the Los Angeles City Council approved Council File 09-3029.
- The Project would be designed to optimize energy performance and reduce building energy cost by 14 percent for new construction compared to the Title 24 Building Energy Efficiency Standards as specified in the LEED 2009 Energy and Atmosphere credit 1 (EAc1).

- The Project would be designed to optimize energy performance and reduce building energy cost by installing energy efficient appliances that meet the USEPA ENERGY STAR rating standards or equivalent.
- The Project would include double-paned windows to keep heat out during summer months and keep heat inside during winter months.
- The Project would include lighting controls with occupancy sensors to take advantage of available natural light.
- The Project would reduce outdoor potable water use by a minimum of 50 percent compared to baseline water consumption. Reductions would be achieved through drought-tolerant/California native plant species selection, artificial turf, irrigation system efficiency, alternative water supplies (e.g., rainwater harvesting for use in landscaping), and/or smart irrigation systems (e.g., weather-based controls). Baseline water consumption is measured consistent with the methodology in the USGBC LEED water efficient landscaping measure (i.e., credit WEc1 for LEED 2009).
- The Project would reduce indoor potable water use by a minimum of 40 percent compared to baseline water consumption by installing water fixtures that exceed applicable standards. Baseline water consumption is measured consistent with the methodology in the USGBC LEED water use reduction measure (i.e., credit WEc3 for LEED 2009).
- The Project would provide on-site recycling areas, consistent with City of Los Angeles strategies and ordinances, with the goal of achieving 70 percent waste diversion by 2020, and 90 percent by 2025.
- ~~▪ To encourage carpooling and the use of electric vehicles by Project residents and visitors, the Applicant shall designate a minimum of 8 percent of on-site parking for carpool and/or alternative fueled vehicles, and the Project design will provide for the installation of the conduit and panel capacity to accommodate future electric vehicle charging stations into 10 percent of the parking spaces.~~

To encourage carpooling and the use of electric vehicles, the Proposed Project shall include at least twenty percent (20%) of the total Code required parking spaces provided for all types of parking facilities, but in no case less than one location, shall be capable of supporting future electric vehicle supply equipment (EVSE) or alternative fuel. Plans shall indicate the proposed type and location(s) of EVSE or comparable vehicle charging systems and also include raceway method(s), wiring schematics and electrical calculations to verify that the electrical system has sufficient capacity to simultaneously charge all electric vehicles at all designated EV charging locations at their full rated amperage. Plan design shall be based upon Level 2 or greater EVSE at its maximum operating capacity. Of the 20% EV Ready, five (5) % of the total Code-required parking spaces shall be further provided with EV chargers to immediately accommodate electric vehicles within the parking areas. When the application of either the 20% or 5% results in a fractional space, round up to the next whole number.

**5. Appendix C, Air Quality Technical Report, Page 57. Modify Figure 4 with the following changes:**







**6. Appendix C, Air Quality Technical Report, Page 59. Modify Table 15 with the following changes:**

**Table 15**

**Maximum Carcinogenic Risk for Off-Site Sensitive Receptors from Construction**

<b>Sensitive Receptor</b>	<b>Maximum Cancer Risk (# in one million)</b>
Residence – South/Southeast of Project Site	7.59
<i>Maximum Individual Cancer Risk Threshold</i>	10
<i>Exceeds Threshold?</i>	No

*Source: ESA PCR, 2016 (see Appendix G of the FEIR)*

**7. Appendix C, Air Quality Technical Report, Page 59. Modify Table 16 with the following changes:**

**Table 16**

**Maximum Non-Cancer Chronic Impacts for Off-Site Sensitive Receptors**

<b>Sensitive Receptor</b>	<b>Chronic Hazard Index</b>
Residence – South/Southeast of Project Site	0.0089
<i>Total Hazard Index</i>	1.0
<i>Exceeds threshold?</i>	No

*Source: ESA PCR, 2016 (see Appendix G of the FEIR)*

## **CULTURAL RESOURCES -HISTORICAL RESOURCES**

**1. Page 4.C.2-14, second paragraph is modified with the following changes:**

The Petroleum Building has a Classical design, which emphasizes symmetry, and includes Classical features such as arched openings, a heavy, elaborate cornice, string courses, a cast stone veneer which imitates ashlar masonry, highly regulated fenestration patterns, and swag detailing above the top row of windows on the primary elevations. The primary elevations of the Petroleum Building fronting W. Olympic Boulevard and S. Flower Street would not be affected by the Project and would remain fully visible from the public right of way. Furthermore, the Project would be set back 30 feet along W. Olympic Boulevard to maintain views of the west corner of the Petroleum Building as well as a portion of the west façade, which would further support the visual prominence of the Petroleum Building. Also, Residential Tower 2 would be 540 feet tall and would be set back 20 feet from the west elevation of the Petroleum building to create a buffer between the Petroleum Building and Residential Tower 2. Moreover, the digital band wrapping around the buildings would not

materially impair the Petroleum Building and would not affect the primary views of the Petroleum Building from the southeast. The digital signage is similar to other signage placed along S. Figueroa Street, displayed at LA Live and 717 W. Olympic Boulevard. Views of the Petroleum Building from the ~~southeast~~ southwest towards the west elevation have already been impaired by contemporary infill development and the presence of large-scale digital signage.

**2. Page 4.C.2-14, third paragraph and Page 4.C.2-15 first paragraph is modified with the following changes:**

The west façade of the Petroleum Building is a non-descript secondary façade of unadorned brick, simple design and materials which was intended to accommodate adjacent structures in the block and was not originally designed for public view. As it exists today the west façade has a tall solid brick wall that is covered almost entirely by a large sign, and a projecting rear wing punctuated by regularly spaced rectangular windows. The west façade is a contributing secondary façade that has been previously partially altered and obscured by existing signage. While a portion of the west façade would be obscured from view by the Project, this façade is an unadorned secondary elevation that lacks the ashlar stone veneer and Classical ornamentation of the primary elevations along S. Flower and W. Olympic. Furthermore, the west façade currently and over recent years has been covered with ~~large-scale advertising~~. a large painted wall sign. While the 75 foot tall Podium would be directly adjacent to the Petroleum Building, the two structures would be separated by a distance of approximately 12 inches at the Podium level along the Petroleum Building's west façade and would be 90 feet below the 165 foot tall Petroleum Building. Above the Podium, Residential Tower 2 would be setback 20 feet from the blank northernmost west façade of the Petroleum building. Residential Tower 2 is designed to respect the context and character of the adjacent historic Petroleum Building by stepping back 30 feet along W. Olympic Boulevard to maintain views of the west corner of the Petroleum Building as well as a portion of the west façade.

Between the Petroleum Building's southernmost west façade that does contain windows and the proposed Podium, the distance between the two buildings would be approximately 30 feet. Above the 75 foot Podium, the Residential Tower 2 would be set back an additional four feet, resulting in a setback of approximately 34 to 35 feet between Residential Tower 2 and the southernmost west façade of the Petroleum Building.

~~Moreover, Residential Tower 2 (at S. Figueroa Street and W. Olympic Boulevard) would be set back 20 feet from the northern section of the west elevation of the Petroleum Building and 20 feet from the southern half of the west elevation of the Petroleum Building (the only portion of the west elevation which contains windows). As such, any windows on the southern end of the west elevation would be set back 20 feet from the Podium and 40 feet from Residential Tower 2.~~

The Project and its effect on the Petroleum Building were evaluated against the applicable Standards 9 and 10 of the Secretary of the Interior's Standards for Rehabilitation (Standards), as discussed in Chapter 5, Section C of the Assessment Report. The analysis found that the Project would partially conform with Standard 9 and would fully conform with Standard 10. The Project conforms to the extent feasible with the intent of the Standards by ensuring the continued visual prominence of the Petroleum Building along W. Olympic Boulevard, including the provision of a setback along the west elevation of the Petroleum Building and the setback of Residential Tower 2 approximately 34 to 35 ~~40~~ feet away from the southernmost west elevation of the Petroleum Building. The Project would not destroy historic materials, features, or spatial relationships that characterize the Petroleum Building and the Project would be clearly differentiated from yet compatible with the materials of the Petroleum Building. However, while the Podium would be

considerably shorter than the Petroleum Building, the Project only partially conforms to the Standard 9 in terms of size and scale because the high-rise components of the Project would exceed the height of the 165 foot tall Petroleum Building and is out of scale and proportion with the 165 foot tall Petroleum Building. While the Project only partially conforms to Standard 9, the Project is in keeping with the intent of Standard 9, which is to minimize the impact of new construction on existing historical resources. This minimization of impacts is achieved through the 30 foot setback along W. Olympic Boulevard, the 20 foot setback of the Podium and 34 to 35 ~~40~~ foot setback of Residential Tower 2 from the southern half of the Petroleum Building's west elevation (where the Petroleum Building's windows are located), the 20 foot setback of Residential Tower 2 from the Petroleum Building's west elevation, the height of the Podium (90 feet less than that of the Petroleum Building), the transparency and contemporary architectural treatment of the Podium, no destruction of historical materials or spatial relationships, and retention of the views of the two primary east and south elevations of the Petroleum Building along W. Olympic Boulevard and S. Flower Street. Overall, the analysis presented in the Assessment Report determined that the indirect impacts to the Petroleum Building would be less than significant and would not alter the Petroleum Building's eligibility as a historical resource.

**3. Appendix D-3, Historical Resources Assessment Report, Page 60, second paragraph is modified with the following changes:**

Furthermore, the only elevation that would be directly adjacent to the Project, the west elevation (Figure28), is an architecturally unadorned secondary elevation that notably lacks the ashlar stone veneer and Classical ornamentation of the primary elevations along S. Flower and W. Olympic, and is covered in large part with applied billboard advertising, large painted wall sign.

## **GREENHOUSE GAS EMISSIONS**

**1. Page 4.D-31 and 32. Modify PDF-AQ-1 and PDF-AQ-2 with the following changes:**

**PDF-AQ-1: Green Building Measures:** The Project shall ~~would~~ be designed and operated to meet or exceed the applicable requirements of the State of California Green Building Standards Code and the City of Los Angeles Green Building Code and achieve the equivalent of the USGBC LEED Silver Certification level. Green building measures would include, but are not limited to the following:

- The Project would implement a construction waste management plan to divert all mixed construction and demolition debris to City certified construction and demolition waste processors, consistent with the Los Angeles City Council approved Council File 09-3029.
- The Project would be designed to optimize energy performance and reduce building energy cost by 14 percent for new construction compared to the Title 24 Building Energy Efficiency Standards as specified in the LEED 2009 Energy and Atmosphere credit 1 (EAc1).
- The Project would be designed to optimize energy performance and reduce building energy cost by installing energy efficient appliances that meet the USEPA ENERGY STAR rating standards or equivalent.
- The Project would include double-paned windows to keep heat out during summer months and keep heat inside during winter months.

- The Project would include lighting controls with occupancy sensors to take advantage of available natural light.
- The Project would reduce outdoor potable water use by a minimum of 50 percent compared to baseline water consumption. Reductions would be achieved through drought-tolerant/California native plant species selection, artificial turf, irrigation system efficiency, alternative water supplies (e.g., rainwater harvesting for use in landscaping), and/or smart irrigation systems (e.g., weather-based controls). Baseline water consumption is measured consistent with the methodology in the USGBC LEED water efficient landscaping measure (i.e., credit WEc1 for LEED 2009).
- The Project would reduce indoor potable water use by a minimum of 40 percent compared to baseline water consumption by installing water fixtures that exceed applicable standards. Baseline water consumption is measured consistent with the methodology in the USGBC LEED water use reduction measure (i.e., credit WEc3 for LEED 2009).
- The Project would provide on-site recycling areas, consistent with City of Los Angeles strategies and ordinances, with the goal of achieving 70 percent waste diversion by 2020, and 90 percent by 2025.
- ~~To encourage carpooling and the use of electric vehicles by Project residents and visitors, the Applicant shall designate a minimum of 8 percent of on-site parking for carpool and/or alternative fueled vehicles, and the Project design will provide for the installation of the conduit and panel capacity to accommodate future electric vehicle charging stations into 10 percent of the parking spaces.~~

To encourage carpooling and the use of electric vehicles, the Proposed Project shall include at least twenty percent (20%) of the total Code required parking spaces provided for all types of parking facilities, but in no case less than one location, shall be capable of supporting future electric vehicle supply equipment (EVSE) or alternative fuel. Plans shall indicate the proposed type and location(s) of EVSE or comparable vehicle charging systems and also include raceway method(s), wiring schematics and electrical calculations to verify that the electrical system has sufficient capacity to simultaneously charge all electric vehicles at all designated EV charging locations at their full rated amperage. Plan design shall be based upon Level 2 or greater EVSE at its maximum operating capacity. Of the 20% EV Ready, five (5) % of the total Code-required parking spaces shall be further provided with EV chargers to immediately accommodate electric vehicles within the parking areas. When the application of either the 20% or 5% results in a fractional space, round up to the next whole number.

- PDF-AQ-2: Construction Measures:** The Project shall utilize off-road diesel-powered construction equipment that meets or exceeds the CARB and USEPA Tier 4 off-road emissions standards for equipment rated at 50 hp or greater during Project construction. Equipment, such as tower cranes, welders and pumps shall be electric or alternative fueled (i.e., non-diesel). To the extent possible, solar or pole power will be made available for use with electric tools, equipment, lighting, etc. Solar or alternative-fueled generators shall be used when commercial models that have the power supply requirements to meet the construction needs of the Project are readily available from local suppliers/vendors. These requirements shall be included in applicable bid documents and successful contractor(s) must demonstrate the ability to supply such equipment. A copy of each unit's certified tier specification or model year

specification and CARB or SCAQMD operating permit (if applicable) shall be available upon request at the time of mobilization of each applicable unit of equipment.

2. Page 4.D-35 – 4.D-44. Modify Table 4.D-4 with the following changes:

Table 4.D-4

Consistency with Applicable City of Los Angeles Green LA Plan GHG Emissions Goals and Actions

Action		Description	Consistency Analysis
<b>Focus Area: Energy</b>			
E1	Meet the goal to increase renewable energy from solar, wind, biomass, and geothermal sources to 20 percent by 2010.	The LADWP's Renewables Portfolio Standard goal is one example of the Department's environmental leadership. This goal calls for an increase in the supply of electricity from eligible renewable resources to 20% by December 31, 2010, and 35% by 2020. Reducing the amount of electricity generated by fossil fueled power plants will result in direct, real reductions in greenhouse emissions.	<b>Not Applicable.</b> This action applies to LADWP and other utility providers and does not apply to the Project. LADWP has achieved the 20 percent by 2010 target. The Project would not conflict with or impede the City's ability to implement this action.
E2	Increase use of renewable energy to 35 percent by 2020.	See E1, above.	See E1, above.
E3	Reduce the use of coal-fired power plants.	Reducing the amount of electricity produced by coal, the most greenhouse gas intensive of the fossil fuels, will reduce the CO <sub>2</sub> intensity of LADWP's power mix.	<b>Not Applicable.</b> This action applies to LADWP and other utility providers and does not apply to the Project. The Project would not conflict with or impede the City's ability to implement this action.
E4	Increase the efficiency of natural gas-fired power plants.	The LADWP plans to replace four steam boiler electric generating units with advanced gas turbines. Replacing old generating units with more efficient generating units will reduce the amount of natural gas burned per unit of electric energy produced, and will therefore reduce GHG emissions from the combustion of natural gas.	<b>Not Applicable.</b> This action applies to LADWP and other utility providers and does not apply to the Project. The Project would not conflict with or impede the City's ability to implement this action.
E5	Increase biogas co-firing of natural gas-fired power plants.	The combustion of biogas will displace a portion of natural gas usage at power plants, thus reducing GHG emissions. The following represent the City's major projects to more fully utilize biogas emissions.	<b>Not Applicable.</b> This action applies to LADWP and other utility providers and does not apply to the Project. The Project would not conflict with or impede the City's ability to implement this action.
E6	Present a comprehensive set of green building policies to guide and support private sector	The City embarked on an effort to establish green building requirements, paired with incentives, for medium- to large-private projects. Buildings account for a majority of electricity use. Each	<b>Consistent.</b> The Project would be designed and operated to meet or exceed the applicable requirements of the State of California Green Building Standards Code and the City of Los



Action	Description	Consistency Analysis
development.	building site is a microcosm of the environmental issues faced by the City, so addressing each site in a comprehensive manner will provide a variety of environmental benefits.	Angeles Green Building Code and meet the standards of the USGBC LEED Silver Certification level or its equivalent. The Project would incorporate energy efficiency measures defined in PDF-AQ-1. As a result, the Project would be consistent with City's green building policies.
E7 Reduce energy use by all City departments to the maximum extent feasible.	This measure seeks to reduce energy use associated with the operation of streetlights and traffic signals by replacing lights with energy-efficient lighting sources, manage City computers by turning off or placing in standby computers when they are not in use, and implementing other energy saving measures.	<b>Consistent.</b> While this action applies to City departments, the Project would be designed and operated to meet or exceed the applicable requirements of the State of California Green Building Standards Code and the City of Los Angeles Green Building Code and meet the standards of the USGBC LEED Silver Certification level or its equivalent. The Project would incorporate energy efficiency measures defined in PDF-AQ-1. As a result, the Project would be consistent with the City's action to reduce energy use.
E8 Complete energy efficiency retrofits of all City-owned buildings to maximize energy efficiency and reduce energy consumption.	For several years, the City has been meeting aggressive environmental standards for its new construction program, but has now also identified energy saving opportunities for 497 of the existing Council-controlled buildings that it owns and operates.	<b>Consistent.</b> While this action applies to City-owned buildings, the Project would be designed and operated to meet or exceed the applicable requirements of the State of California Green Building Standards Code and the City of Los Angeles Green Building Code and meet the standards of the USGBC LEED Silver Certification level or its equivalent. The Project would incorporate energy efficiency measures defined in PDF-AQ-1. As a result, the Project would be consistent with the City's action to reduce energy use.
E9 Install the equivalent of 50 "cool roofs" on new or remodeled City buildings.	Designed with high albedo (reflectivity) to reflect the sun's heat, cools roofs can provide energy saving to buildings and also help reduce the urban heat island effect. Green or vegetated roofs provide the same benefits, with the additional benefits of green space and reduced stormwater runoff.	<b>Consistent.</b> While this action applies to City-owned buildings, the Project would include a 6,000 sf Residential Rooftop Amenity Deck on Level 33 (above the 32 <sup>nd</sup> story of Residential Tower 1) and Level 39 (above the 38 <sup>th</sup> story of Residential Tower 2) that would include landscaping and lounging areas. Also, a Podium Garden Terrace would be located on top of the fourth level of the Podium. The Podium Garden Terrace would serve each of the three towers for Project residents, guests and hotel patrons. The Podium Garden Terrace would feature a bar

Action	Description	Consistency Analysis
		<p>and dining area near the Hotel Tower, open areas for adult and children recreational activities, pools, strolling/exercise areas for pets, and quiet/passive areas with shaded zones. Overall, the Project would include a total of 36,500 sf of Podium Garden Terrace and 9,000 sf of rooftop amenity decks on the residential and hotel buildings. As shown in Figure 2-3, Conceptual Site Plan, the Podium Garden Terrace would be extensively vegetated with minimal hardscape primarily dedicated for pool, spa, and lounge seating areas, exercise areas, and walkways. The rooftop amenity deck areas would include vegetation as well as hardscape areas for walkways, pool, spa, and lounge seating areas, exercise areas, and walkways.</p> <p>In addition to rooftop vegetation, the Project would implement cool roof strategies that meet the standards of the USGBC LEED Silver Certification level or its equivalent. At least 75 percent of the project building's roof would be covered by materials having a Solar Reflectance Index of at least 78. As a result, the Project would be consistent with the City's action to install cool roofs on new buildings.</p>
E10 Install solar heating for all City-owned swimming pools.	The City has determined this measure to be infeasible because the majority of City-owned pools are seasonal and therefore not heated and the costs to retrofit the pools to operate on electricity would be extremely prohibitive. The City also found that the pools that are heated (by natural gas) are covered to retain heat, which is the most cost-effective method for heating the pools.	<p><del><b>Consistent.</b> While this action has been determined to be infeasible for City-owned pools, the Project would be equipped with a pool and spa that would be consistent with the City's actions with respect to heating. The Project pool and spa would be heated by natural gas or solar and would be covered when closed to retain heat.</del></p> <p><b>Not Applicable.</b> The pool for the Project is not a City-owned Pool. The Project would not conflict with or impede the City's ability to implement this action.</p>
E11 Improve energy efficiency at drinking water treatment and distribution facilities.	This action is intended to reduce the amount of electricity used for water pumping and water treatment, thus leading to reduced GHG emissions from fossil-fueled electric power plants.	<p><b>Not Applicable.</b> This action applies to LADWP and does not apply to the Project. The Project would not conflict with or impede the City's ability to implement this action.</p>
E12 Maximize energy	The City of Los Angeles Bureau of	<p><b>Not Applicable.</b> This action applies to</p>

Action	Description	Consistency Analysis
efficiency of wastewater treatment equipment.	Sanitation can employ direct action/s to reduce energy usage, including: a) investigate and test modifications to treatment processes that could reduce wastewater volume, electricity, and/or natural gas usage; or increase the production of biogas, which is used to produce electricity; and b) research the availability of more energy-efficient treatment equipment.	City of Los Angeles Bureau of Sanitation and does not apply to the Project. The Project would not conflict with or impede the City's ability to implement this action.
E13 Distribute two compact fluorescent light (CFL) bulbs to each of the 1.4 million households in the City.	To reduce energy consumption and related CO <sub>2</sub> emissions, the LADWP will purchase 2.4 million compact fluorescent light bulbs (CFLs) and distribute two bulbs to each of the City's 1.2 million households.	<b>Consistent.</b> While this action applies to LAWPD, the Project would incorporate energy efficiency measures defined in PDF-AQ-1, which includes lighting controls with occupancy sensors to take advantage of available natural light. The Project would also utilize energy efficient lighting, such as CFLs, light emitting diodes (LEDs), or other energy efficient lighting technology. The Project would be consistent with the City's action to provide energy efficient lighting to City residents.
E14 Increase the level and types of customer rebates for energy efficient appliances, windows, lighting, and heating and cooling systems.	Through implementation and aggressive promotion of existing non-residential energy efficiency programs in LADWP's service territory, energy consumption and related GHG emissions will continue to be reduced. LADWP will work closely with professional organizations, chambers of commerce, contractors, and vendors to promote energy efficiency and encourage businesses to retrofit with new efficient technologies.	<b>Consistent.</b> While this action applies to LADWP, the Project would incorporate energy efficiency measures defined in PDF-AQ-1, which includes energy efficient lighting, lighting controls with occupancy sensors, energy efficient appliances, energy efficient windows, and energy efficient HVAC systems. The Project would be consistent with the City's action to encourage building energy efficiency.
E15 Increase the distribution of energy efficient refrigerators to qualified customers.	To facilitate energy conservation among customers who receive low-income rate assistance (Rates 06 and 86), LADWP intends to offer up to 50,000 new energy-efficient refrigerators, in exchange for the customers' older, less-efficient refrigerators.	<b>Consistent.</b> While this action applies to LADWP, the Project would incorporate energy efficiency measures defined in PDF-AQ-1, which includes energy efficient appliances. The Project would be consistent with the City's action to provide energy efficient appliances to City residents.
E16 Create a fund to "acquire" energy savings as a resource from LADWP customers.	To expand energy saving opportunities, the establishment of a fund was proposed that would reward LADWP customers for additional conservation efforts. Such efforts will reduce the amount of electric energy generated by fossil-fueled electric power plants, which will in turn reduce GHG	<b>Not Applicable.</b> This action applies to LADWP and does not apply to the Project. The Project would not conflict with or impede the City's ability to implement this action.

Action		Description	Consistency Analysis
		emissions.	
<b>Focus Area: Water</b>			
W1	Meet all additional demand for water resulting from growth through water conservation and recycling.	<p>The Mayor's Office and LADWP developed the <i>Securing LA's Water Future</i> plan, which is an aggressive, multi-faceted approach to developing a locally sustainable water supply. The plan includes a set of key short-term and long-term strategies to secure our water future, such as:</p> <p>Short-Term Conservation Strategies:</p> <ol style="list-style-type: none"> <li>1. Enforcing prohibited uses of water (levying fines and sanctions against water abusers and increase water conservation awareness).</li> <li>2. Expanding the list of prohibited uses of water (possible further restrictions on watering landscape and washing/rinsing vehicles without a self-closing nozzle).</li> <li>3. Extending outreach efforts, water conservation incentives, and rebates.</li> <li>4. Encouraging regional conservation measures (encourage all water agencies in the region to adopt water conservation ordinances which include prohibited uses and enforcement).</li> </ol> <p>Long-Term Conservation Strategies:</p> <ol style="list-style-type: none"> <li>1. Increasing water conservation through reduction of outdoor water use and new technology.</li> <li>2. Maximizing water recycling.</li> <li>3. Enhancing stormwater capture</li> <li>4. Accelerating clean-up of the groundwater basin.</li> <li>5. Expanding groundwater storage.</li> </ol>	<p><b>Consistent.</b> While this action primarily applies to the City and LADWP, the Project would incorporate water efficiency measures defined in PDF-AQ-1. The reductions would be achieved through the installation of water efficient fixtures that exceed applicable standards, drought-tolerant/California native plant species selection, irrigation system efficiency, and/or smart irrigation systems (e.g., weather-based controls). The Project would not allow for residents to wash or rinse their cars with a hose on the premises. As a result, the Project would be consistent with the applicable short- and long-term water conservation strategies.</p>
W2	Reduce per capita water consumption by 20%.	See W1, above.	See W1, above.
W3	Implement the City's innovative water and wastewater integrated resources plan that will increase conservation, and maximize use of recycled water, including capture and reuse of stormwater.	See W1, above.	See W1, above.

Action		Description	Consistency Analysis
<b>Focus Area: Transportation</b>			
T1	Require 85% of City fleet to be powered by alternative fuels.	To reduce both air pollution and GHG emissions, City Departments will continue to acquire alternative fuel and advanced technology vehicles to replace those powered by conventional fuels.	<b>Not Applicable.</b> This action applies to the City and does not apply to the Project. The Project would not conflict with or impede the City's ability to implement this action.
T2	Convert 100% of City refuse collection trucks and street sweepers to alternative fuels.	To reduce the use of conventional diesel fuel, reduce GHG and toxic air pollutant emissions, the City will continue to acquire solid resources collection vehicles (for refuse, dead animals, yard trimmings, and commingled recyclable materials) and street sweeper vehicles that are fueled by natural gas, an alternative fuel.	<b>Not Applicable.</b> This action applies to the City and does not apply to the Project. The Project would not conflict with or impede the City's ability to implement this action.
T3	Convert 100% of Metropolitan Transportation Authority (MTA) buses to alternative fuels. Convert 100% of City Department of Transportation (DOT) Commuter Express Diesel Buses to Alternative Fuel.	In 2011, the Los Angeles County Metropolitan Transportation Authority retired its last diesel bus and operates solely on alternative fuels – primarily compressed natural gas (CNG). <sup>25</sup>	<b>Not Applicable.</b> This action applies to MTA and the City and does not apply to the Project. The Project would not conflict with or impede MTA and the City's ability to continue implementation of this action.
T4	Complete the Automated Traffic Surveillance and Control System (ATSAC).	This action reduces vehicle emissions that result from idling at intersections. By reducing vehicle stops, delays and travel time through improved traffic signal timing, vehicles can travel a longer distance at a consistent rate of speed, improving fuel economy.	<b>Consistent.</b> The Project traffic analysis takes into account the signalized study intersections equipped with the ATSAC and the Adaptive Traffic Control System (ATCS), which are computer-based traffic control systems. Refer to <b>Section 4.J, Transportation and Traffic</b> , of this Draft EIR for additional information. The Project would be consistent with this action.
T5	Expand FlyAway shuttles serving Los Angeles International Airport (LAX) and other regional airports, and convert existing FlyAway buses to alternative fuels.	Providing additional convenient options to air travelers can decrease the number of vehicle trips to and from LAX, thereby decreasing associated GHG emissions. Since the commencement of the Union Station FlyAway service, LAWA has been studying other potential sites, including locations in Long Beach, Norwalk, El Monte, Anaheim and other areas.	<b>Not Applicable.</b> This action applies to Los Angeles World Airports (LAWA) and does not apply to the Project. The Project would not conflict with or impede the City's ability to continue implementation of this action.
T6	Make transit information easily	A Los Angeles Department of Transportation (LADOT) partnership	<b>Consistent.</b> The Project would provide new on-site residents with available

<sup>25</sup> Los Angeles County Metropolitan Transportation Authority, "Metro Retires Last Diesel Bus, Becomes World's First Major Transit Agency to Operate Only Clean Fuel buses," January 12, 2011. Available: [https://www.metro.net/news/simple\\_pr/metro-retires-last-diesel-bus/](https://www.metro.net/news/simple_pr/metro-retires-last-diesel-bus/).

Action	Description	Consistency Analysis
available, understandable, and translated into multiple languages.	with the Personnel Department and ELA will enable DOT to determine in which additional languages transit information should be provided. Facilitating access to transit information increases the likelihood of transit use, which can reduce single occupancy vehicle trips and help alleviate traffic congestion, and most importantly, reducing associated greenhouse gas emissions.	LADOT and Metro regional transit information.
T7 Increase the City employee participation in the rideshare program and increase subsidy for use of mass transit.	Employee rideshare programs are intended to reduce the number of single-occupant vehicle trips associated with commuting to the workplace. These programs help reduce traffic, as well as reducing the air pollutants from personal vehicles.	<b>Consistent.</b> While this action applies to the City, the Project would implement mitigation measure MM-TRAF-1, which requires the Applicant to implement a comprehensive Travel Demand Management (TDM) Program to promote non-auto travel and reduce the use of single-occupant vehicle trips (refer to Section 4.J, Transportation and Traffic, for additional information). Measures may include a transportation information center, educational programs, kiosks and/or other measures.
T8 Promote walking and biking to work, within neighborhoods, and to large events and venues.	Promoting alternate modes of travel will reduce the carbon emissions associated with single occupancy vehicles (SOVs). As described in Action Items LU1 and LU2, the City is promoting high-density and mixed-use housing close to major transportation arteries. Such developments will also support the advancement of Action Item T8, by improving accessibility for those who wish to walk and bike to work.	<b>Consistent.</b> The Project would promote walking and bicycling by providing convenient access to and from on-site uses from various at-grade sidewalks and areas with café tables, and parkway planters to facilitate pedestrian accessibility. A key feature of the design is the provision of a 5,000 sf public outdoor plaza along S. Figueroa Street that would support connectivity between the Project and LA LIVE while also encouraging pedestrian activity and an active street front. The Project would locate residential, commercial, and hotel uses within an area that has public transit (with access to existing regional bus service and the Metro Blue and Expo Lines Pico and 7 <sup>th</sup> Street/Metro Center Stations), and employment opportunities, restaurants and entertainment all within walking distance. As a result, the Project would be consistent with this action.
T9 Expand the regional rail network.	Metro planning calls for investments to expand the Metro Rail system by another 32 miles.	<b>Not Applicable.</b> This action applies to Metro and does not apply to the Project. The Project would not conflict with or impede Metro's ability to

Action		Description	Consistency Analysis
			continue implementation of this action.
<b>Focus Area: Land Use</b>			
LU1	Promote high-density housing close to major transportation stops (same as Action Items LU3 and LU6).	Promoting higher density housing in areas close to transportation stops is an important component of the City's General Plan. Higher density housing with good access to transit helps accommodate the City's growing population and helps relieve traffic congestion, by increasing ridership on public transit.	<b>Consistent.</b> The Project Site represents an urban infill location within the Downtown area of the City of Los Angeles. The Project would be located in a highly walkable area served by frequent and comprehensive transit within a quarter-mile of the Project Site, including existing Metro bus routes (e.g., 4, 28, 81, 442, 460, 701, 721, 728, 910/950, Commuter Express 422/423/438/448/534, DASH F) and the Metro Blue and Expo Lines. The Metro Red and Purple Lines are within a one-half mile of the Project Site. The Project would provide access to on-site uses from existing pedestrian pathways. The Project would also provide parking for approximately 887 bicycles on-site to encourage utilization of alternative modes of transportation. As a result, the Project is consistent with this City action.
LU2	Promote and implement transit-oriented development (TOD).	Transit Oriented Districts (TODs) represent opportunities for creating cohesive, vibrant, walkable communities where fragmented, auto-dependent corridors now exist. TODs are a positive alternative to low-density traditional land use patterns that typically segregate housing, jobs and neighborhood services from one another. In contrast, TODs cluster these community elements in close proximity, so a greater portion of trips can be made by transit, bike, or on foot.	<b>Consistent.</b> The Project would co-locate complementary commercial and residential land uses in close to proximity to existing off-site commercial and residential uses. The Project would include on-site retail and residential land uses and would be located within a quarter-mile of off-site commercial and residential uses. The Project would be located in a highly walkable area served by frequent and comprehensive transit within a quarter-mile of the Project Site, including existing Metro bus routes (e.g., 4, 28, 81, 442, 460, 701, 721, 728, 910/950, Commuter Express 422/423/438/448/534, DASH F) and the Metro Blue and Expo Lines. The Metro Red and Purple Lines are within one-half mile of the Project Site. The increases in land use diversity and mix of uses on the Project Site would reduce vehicle trips and VMT by encouraging walking and non-automotive forms of transportation, which would result in corresponding reductions in transportation-related emissions. As a result, the Project is

Action		Description	Consistency Analysis
LU3	Make available underutilized City land for housing and mixed-use development.	The City can leverage the value of its real estate assets, whether developed and unimproved lands, to further Smart Growth policies such as improving access to transportation, strengthening job/housing linkages, reducing vehicle trips, providing non-traditional open space such as linear networks, and parkland that is built upon freeway covers.	<p>consistent with this City action.</p> <p><del><b>Consistent.</b> While this action applies to City-owned land and facilities, the Project would be consistent. The Project would replace an existing surface parking lot with new development locating employment and housing opportunities within a one-quarter mile of frequent and comprehensive transit. The Project would provide sufficient parking consistent with Los Angeles Municipal Code (LAMC) requirements to the serve the new development (refer to Section 4.J, Transportation and Traffic, for an analysis of parking impacts). The Project would co-locate complementary commercial and residential land uses in close proximity to existing off-site commercial and residential uses. The Project would be located in an area accessible to alternative forms of transportation including walking, bicycling, and transit. The Project would include a public 5,000 sf of outdoor plaza along S. Figueroa Street; a 36,500 sf Podium Garden Terrace with a pool, and recreational areas; and a 6,000 sf roof garden space on the roof of both towers equipped with lounge seating, outdoor bar tops and bar stools, and pool deck. The Project further includes 27,000 sf of private residential balconies. As a result, the Project is consistent with this City action.</del></p> <p><b>Not Applicable.</b> The Project does not make use of City land. The Project would not conflict with or impede the City's ability to implement this action.</p>
LU4	Make available underutilized City land for parks and open space.	See LU3, above.	See LU3, above.
LU5	Clean up brownfields sites for community economic revitalization projects and open space.	Brownfields are a tremendous resource—open space in the urban core—available for redevelopment as projects, many of which confer public benefits. Each brownfield site that is successfully redeveloped can result in improved utilization of existing infrastructure, such as transit, and a	<b>Not Applicable.</b> The Project is not a brownfield site. The Project would not conflict with or impede the City's ability to implement this action.



Action		Description	Consistency Analysis
		concomitant decrease in vehicle trips. Brownfields can also be turned into urban parks, thereby expanding our urban forest.	
LU6	Make available underutilized City land within 1,500 feet of transit for housing and mixed-use development.	See LU3, above.	See LU3, above.
<b>Focus Area: Waste</b>			
WsT1	Reduce or recycle 70% of trash by 2015.	Source reduction and recycling programs not only conserve natural resources and landfill space, but also confer climate benefits.	<b>Consistent.</b> The Project would be served by a solid waste collection and recycling service that may include mixed waste processing, and that yields waste diversion results comparable to source separation and consistent with Citywide recycling targets. According to the City of Los Angeles <i>Zero Waste Progress Report</i> (March 2013), the City achieved a landfill diversion rate of approximately 76 percent by year 2012. <sup>26</sup>
<b>Focus Area: Open Space and Greening</b>			
OS/G1	Create 35 new parks.	Parks and their trees, shrubs and other vegetation help mitigate climate change impacts by absorbing CO <sub>2</sub> and releasing oxygen into the atmosphere.	<b>Consistent.</b> The Project would replace an existing surface parking lot with new development that includes a total of 9,250 sf of public open space, 36,500 sf of Podium Garden Terrace, and 9,000 sf of rooftop amenity decks. The Project would provide landscaping and garden uses that would complement the aesthetic character of the Project Site and enhance its relationship to surrounding buildings. The exterior boundaries of the Project Site along S. Figueroa Street, W. 11 <sup>th</sup> Street, and W. Olympic Street would include a streetscape design. All of the open spaces areas would have extensive landscaping and well-detailed hardscape. Street trees would be planted along S. Figueroa Street, W. 11 <sup>th</sup> Street, and W. Olympic Street. In total, the Project would include 163 new and existing trees compared to the 22 trees existing on site and along the surrounding streets under current

<sup>26</sup> City of Los Angeles, *Zero Waste Progress Report, 2013*. Accessed: [http://www.lacitysan.org/solid\\_resources/recycling/publications/PDFs/CLA\\_%20Zero\\_Waste\\_Progress\\_Report.pdf](http://www.lacitysan.org/solid_resources/recycling/publications/PDFs/CLA_%20Zero_Waste_Progress_Report.pdf).

Action	Description	Consistency Analysis
		<p>conditions. The Project would also pay Quimby fees pursuant to the State Quimby Act (California Government Code §66477) that would further the City's goal of creating new parks. As a result, the Project would be consistent with this action.</p> <p><b>Not Applicable.</b> The Project is not a park development project. The Project would not conflict with or impede the City's ability to implement this action.</p>
OS/G2 Revitalize the Los Angeles River to create open space opportunities along the 32-mile corridor within the City of Los Angeles.	The primary goal of the Los Angeles River Revitalization Master Plan (LARRMP) is to revitalize the River by restoring some of its ecological functions. Where feasible, projects will enhance the creation and protection of habitat, floodwater retention, groundwater recharge, water quality, and other natural processes.	<b>Not Applicable.</b> The Los Angeles River is not a component of the Project nor is the Project Site adjacent to the Los Angeles River. The Project would not conflict with or impede the City's ability to implement this action.
OS/G3 Plant 1 million trees throughout Los Angeles.	The Mayor launched the "Million Trees LA" (MTLA) Initiative in September 2006. The initiative is rooted in the idea that natural processes can reduce pollution and transform our city into a sustainable, green city. The one million new trees will provide shade and reduce energy costs, clean the air, absorb the GHGs that cause global warming, capture polluted urban runoff, improve water quality, provide homes for wildlife, and add beauty to neighborhoods.	<b>Consistent.</b> In total, the Project would include 163 new and existing trees compared to the 22 trees existing on site and along the surrounding streets under existing conditions. Street trees would be planted along S. Figueroa Street, Flower Street, W. 11 <sup>th</sup> Street, and W. Olympic Street. The Project would provide landscaping and garden uses that would complement the aesthetic character of the Project Site and enhance its relationship to surrounding buildings. All of the open spaces areas would have extensive landscaping and well-detailed hardscape. As a result, the Project would be consistent with this action and help the City to achieve its goal.
OS/G4 Identify opportunities to "daylight" streams.	The "daylighting" of streams—bringing them to above ground channels again—has been identified as a strategy the City could employ to address new regulatory requirements pertaining to stormwater runoff. The Bureau of Sanitation (BOS), with assistance from the Department of Recreation and Parks (RAP), has submitted many of the grant applications for the daylighting of streams in strategic locations. Specific daylighting projects include the Hazard Park Wetland and Stream Restoration Project and the North Atwater Creek	<b>Not Applicable.</b> The City has not identified feasible Projects for the daylighting of streams in dense urban environments such as Downtown. As a result, this measure is not applicable to the Project. The Project would not conflict with or impede the City's ability to implement this action.

Action	Description	Consistency Analysis
	Restoration and Water Quality Enhancement Project. These projects will restore wetlands for stormwater runoff capture and treatment and provide habitat linkage to the Los Angeles River.	
OS/G5 Identify and develop promising locations for stormwater infiltration to recharge groundwater aquifers.	Stormwater infiltration is a Best Management Practice (BMP) that mirrors the natural process of infiltration found in undeveloped (or natural) watersheds. Where site conditions allow, a portion of urban stormwater runoff can be managed through infiltration, to effectively increase the volume of water returned to the soil and reduce the volume of direct runoff to streams and sewers. Increased infiltration also improves flood protection and aids in meeting local water demand by helping to recharge (replenish) underground aquifers.	<b>Consistent.</b> The Project would comply with City stormwater management requirements. As a result, the Project would be consistent with this action.
OS/G6 Collaborate and partner with schools to create more parks in neighborhoods.	See OS/G1, above.	See OS/G1, above.

Source: City of Los Angeles, Green LA Plan, 2008; ESA PCR, 2016.

3. Page 4.D-45 – 4.D-48. Modify Table 4.D-5 with the following changes:

Table 4.D-5

Consistency with Applicable City of Los Angeles Sustainable City pLAN Goals

Action	Description	Consistency Analysis
<b>Focus Area: Environment</b>		
Local Water	Lead the nation in water conservation and source the majority of water locally.	<b>Consistent.</b> The Project would incorporate water efficiency measures defined in PDF-AQ-1. The reductions would be achieved through the installation of water efficient fixtures that exceed applicable standards, drought-tolerant/California native plant species selection, irrigation system efficiency, and/or smart irrigation systems (e.g., weather-based controls). The Project would not conflict with the City's and LADWP's ability to provide locally sourced water.

Action	Description	Consistency Analysis
Local Solar	Increase Los Angeles' clean and resilient energy supplies by capturing energy from abundant sunshine.	<b><u>Potentially Consistent.</u></b> Building rooftop areas without landscaping, pool, deck, garden or other improvements shall be construction as solar-ready for the future installation of on-site solar photovoltaic (PV) or solar water heating (SWH) systems. <u>The Project would not conflict with or impede the City's ability to implement this action.</u>
Energy Efficient Buildings	Save money and energy by increasing the efficiency of buildings.	<b>Consistent.</b> The Project would be designed and operated to meet or exceed the applicable requirements of the State of California Green Building Standards Code and the City of Los Angeles Green Building Code and meet the standards of the USGBC LEED Silver Certification level or its equivalent. The Project would incorporate energy efficiency measures defined in PDF-AQ-1.
Carbon and Climate Leadership	As a proactive leader on climate issues, strengthen Los Angeles' economy by dramatically reducing GHG emissions and rallying other cities to follow Los Angeles' lead.	<b>Consistent.</b> The Project would be designed to incorporate energy and water efficient designs that exceed the standards, which would result in substantial GHG emissions reductions. The Project would also be located in an area well served by multiple public transportation options and in a highly walkable environment, which would substantially reduce transportation-related GHG emissions.
Waste and Landfills	Become the first big city in the United States to achieve zero-waste, and recycle and reuse most of its waste locally.	<b>Consistent.</b> The Project would be served by a solid waste collection and recycling service that may include mixed waste processing, and that yields waste diversion results comparable to source separation and consistent with Citywide recycling targets.
<b>Focus Area: Economy</b>		
Housing and Development	Address Los Angeles' housing shortage, ensure that most new units are accessible to high-quality transit, and close the gap between income and rents.	<b>Consistent.</b> The Project would be located in an area well served by multiple public transportation options and in a highly walkable environment, which would substantially reduce transportation-related GHG emissions. The Project would be located in a major job center for the region, allowing residents to live close to places of work and retail, commercial,

Action	Description	Consistency Analysis
		and entertainment uses.
Mobility and Transit	Invest in rail, bus lines, pedestrian/bike safety, and complete neighborhoods that provide more mobility options and reduce vehicle miles traveled.	<b>Consistent.</b> The Project would be located in an area well served by multiple public transportation options and in a highly walkable environment, which would substantially reduce vehicle miles traveled and transportation-related GHG emissions.
Prosperity and Green Jobs	Strengthen and grow the economy including through increased jobs and investments in clean technology sectors.	<b>Consistent.</b> The Project would provide jobs during construction, which would require technical knowledge and skills related to the installation of sustainable and energy efficient building systems. Operation of the Project would require periodic maintenance, which would require personnel with technical knowledge and skills in maintaining energy efficient building systems. The Project would also be located in a major job center for the region, allowing residents to live close to places of work allowing for increased job opportunities and improved commute patterns for residents.
Preparedness and Resiliency	Prepare for natural disasters and decrease vulnerability to climate change.	<b>Consistent.</b> The Project would be constructed to meet or exceed City requirements for fire, earthquake, and other building safety standards.
<b>Focus Area: Equity</b>		
Air Quality	Healthy air to breathe.	<b>Consistent.</b> The Project would implement emissions reductions measures during construction and operations to minimize air pollutant emissions, as discussed in PDF-AQ-1 and PDF-AQ-2. Implementation of these measures would ensure air quality impacts are less than significant.
Environmental Justice	Ensure the benefits of the pLAn extend to all Angelenos.	<b>Not Applicable.</b> The City is responsible for ensuring the benefits of the pLAn extend to all Angelenos. The Project would not conflict with or impede the City's ability to implement this action.
Urban Ecosystem	Have access to parks, open space, including a revitalized Los Angeles River Watershed.	<b>Consistent.</b> The Project would provide a 5,000 sf public outdoor plaza along S. Figueroa Street that would support connectivity between the Project and LA LIVE while also encouraging pedestrian activity and an active street front. The outdoor plaza would

Action	Description	Consistency Analysis
		incorporate landscape features, seating, and potential for public art display areas within this space. An additional 4,250 sf of street level open space would be provided for a total of 9,250 sf of public open space. Residents and guests/visitors would have access to 36,500 sf of Podium Garden Terrace, and 9,000 sf of rooftop amenity decks.
Livable Neighborhoods	Live in safe, vibrant, well-connected, and healthy neighborhoods.	<b>Consistent.</b> The Project would provide a vibrant, safe, and well-connected neighborhood. Street trees would be planted along S. Figueroa Street, W. 11 <sup>th</sup> Street, and W. Olympic Street. The Project would provide landscaping and garden uses that would complement the aesthetic character of the Project Site and enhance its relationship to surrounding buildings. All of the open spaces areas would have extensive landscaping and well-detailed hardscape. The Project would improve the street-level pedestrian environment and connectivity within the LA LIVE, Staples Center, the Los Angeles Convention Center and the surrounding streetscape, with the creation of new pedestrian scale features such as a public plaza along Figueroa with street level retail/restaurant uses, street trees and landscaping, public art, and signage and appropriate street lighting.

Source: City of Los Angeles, Green LA Plan, 2008; ESA PCR, 2016.

**4. Appendix E, Greenhouse Gas Technical Report, Pages 40-41. Modify the 6th and 7th bullet of PDF-AQ-1 with the following changes:**

- The Project would reduce outdoor potable water use by a minimum of 50 percent compared to baseline water consumption. Reductions would be achieved through drought-tolerant/California native plant species selection, artificial turf, irrigation system efficiency, alternative water supplies (e.g., rainwater harvesting for use in landscaping), and/or smart irrigation systems (e.g., weather-based controls). Baseline water consumption is measured consistent with the methodology in the USGBC LEED water efficient landscaping measure (i.e., credit WEC1 for LEED 2009).

- The Project would reduce indoor potable water use by a minimum of 40 percent compared to baseline water consumption by installing water fixtures that exceed applicable standards. Baseline water consumption is measured consistent with the methodology in the USGBC LEED water use reduction measure (i.e., credit WEc3 for LEED 2009).

## HAZARDS AND HAZARDOUS MATERIALS

### 1. Page 4.E-3 Section b. (2) Hazardous Materials Database Site Listings, (a) Project Site modified as follows:

The Initial Study, page B-18, provides a discussion of databases that are identified in Government Code Section 65962.5 to determine whether hazardous conditions might occur pursuant to that particular code. The discussion provides background regarding the code, and a list of databases that were accordingly reviewed in the Phase I ESA. As indicated, the Project Site is not located on any such lists. However, the Project is listed on other databases that identify hazardous conditions. The Project Site is listed on the following federal and state hazardous materials databases as a result of the former and ongoing hazardous materials conditions stated above:

### 2. Page 4.E-17 and 4.E-18 Section b, Thresholds of Significance.

*In 2015, the California Supreme Court in CBIA v. BAAQMD, held that CEQA generally does not require a lead agency to consider the impacts of the existing environment on the future residents or users of the project. The revised thresholds are intended to comply with this decision. Specifically, the decision held that an impact from the existing environment to the project, including future users and/or residents, is not an impact for purposes of CEQA. However, if the project, including future users and residents, exacerbates existing conditions that already exist, that impact must be assessed, including how it might affect future users and/or residents of the project. For example, if construction of the project on a hazardous waste site will cause the potential dispersion of hazardous waste in the environment, the EIR should assess the impacts of that dispersion to the environment, including to the project's residents.*

*In accordance with Appendix G of the State CEQA Guidelines and the CBIA v. BAAQMD decision, the project would have a significant impact related to hazards and hazardous materials if it results in any of the following impacts to future residents or users.*

*Would the project:*

- Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?
- Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment?
- Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?
- Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or

the environment caused in in whole or in part from the project's exacerbation of existing environmental conditions?

- For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?
- For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?
- Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?
- Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands caused in whole or in part from the project's exacerbation of existing environment conditions?

### 3. Page 4.E-18. Modify the third paragraph with the following changes:

As discussed in the Initial Study, provided in Appendix A-2 of this Draft EIR, and in Chapter 6, *Other CEQA Considerations*, the Project would not emit hazardous emissions or handle hazardous materials within one-quarter mile of a school because the nearest school to the Project Site is Olympic Primary Center (kindergarten), which is located approximately 0.4 miles northeast of the Project Site. The Initial Study also concluded that the Project Site is not within an airport land use plan and it is not within two miles of a public use airport or private air strip, and no impact would occur. With respect to adopted emergency response or evacuation plan, short-term construction activities may temporarily affect access adjacent streets (e.g. S. Figueroa Street is a designated disaster route in the City's General Plan Safety Element and the County's Department of Public Works Disaster Route map). In these instances, the Project would implement traffic control measures, (e.g., construction flagmen, signage, etc.) to maintain flow and access, and in accordance with City requirements, develop a Construction Management Plan, as provided for in PDF-TRAF-1: Construction Management Plan, which includes designation of a haul route, to ensure that adequate emergency access is maintained during construction. The potential impact on emergency access and response times is addressed further in Draft EIR Section 4.I.1, *Fire Protection*. That analysis identifies the specific measures that would be implemented to facilitate travel under emergency situations. Project operation would not cause an impediment along an emergency evacuation route or impair the implementation of the City's emergency response plan, resulting in a less than significant impact. Lastly, the Project Site is located in the highly urbanized downtown area of Los Angeles and residential, hotel, and commercial uses proposed by the Project and would not exacerbate existing environment conditions resulting in expose exposure of people or structures to a significant risk involving wildland fires. Therefore, no further analysis of these topics in this section is necessary.

### 4. Page 4.E-19, HAZ-1 is revised as follows:

**HAZ-1** Would not comply with applicable regulations regarding the handling and storage of hazardous materials; or would expose persons to substantial risk resulting from the release of



hazardous materials or from exposure to a health hazard in excess of regulatory standards due to the exacerbation of existing environmental conditions.

**5. Page 4.E-20, d. Project Impacts, Threshold HAZ-1 and Impact Statement HAZ-1 are revised as follows:**

**Threshold HAZ-1:** The Project would have a significant hazards and hazardous materials impact if it would not comply with applicable regulations regarding the handling and storage of hazardous materials; or would expose persons to substantial risk resulting from the release of hazardous materials or from exposure to a health hazard in excess of regulatory standards due to the exacerbation of existing environmental conditions.

**(1) Residual Soil Contamination**

**Impact Statement HAZ-1:** *Excavation would encounter contaminated soils and abandoned fuel facilities, which if not properly handled in accordance with applicable federal, state, and local regulations, could exacerbate existing environmental conditions and expose people to contaminants, resulting in a potentially significant impact. Excavation of the Project Site could also pose a risk to construction workers and future building occupants due to exposure of soils with pollutant concentrations above federal and state remediation levels. This is considered a potentially significant impact. Lastly, historic business directories suggest land uses often associated with soil contamination were demolished and replaced prior to modern hazardous materials tracking requirements and remediation standards. The existing on-site structures prevent soils proposed for excavation from being tested for subsurface contamination. As a result, the potential presence of soil contamination in untested areas of the Project Site is considered a potentially significant impact.*

**6. Page 4.E-20, first full paragraph, last sentence, is revised as follows:**

The need for excavation, removal, transport, or recycling/disposal of contaminated soils or the abandoned fuel facilities soils which would exacerbate existing environmental conditions is considered a potentially significant impact.

**7. Page 4.E-21, first paragraph, second line, is revised as follows:**

As the Project proposes excavation to a depth of up to 50 feet bgs which would exacerbate existing environmental conditions, the presence of elevated levels of soil contaminants, particularly those above established RSLs and CHSLs (which are generally considered the threshold for remediation) presents a potential human health hazard for building construction workers, and to future building occupants via the air intrusion pathway from soil to indoor air.

**8. Page 4.E-21, third paragraph, seventh line, is revised as follows:**

Even with the implementation of applicable worker safety regulations, the potential for construction workers and future building occupants to be exposed to potentially flammable or otherwise hazardous materials in exceedance of applicable thresholds due to existing environmental conditions

is considered a potentially significant impact because applicable regulations do not provide site-specific procedures and mechanisms to ensure regulatory compliance, or to protect and train workers for the presence of these materials.

**9. Page 4.E-23, (3) Methane, Impact Statement HAZ-3 and the following paragraph are revised as follows:**

**(3) Methane**

***Impact Statement HAZ-3:*** *The Project is located in LADBS designated Methane Hazard Area (Methane Zone). Methane gas found in soil samples was determined to be of microbial origin and caused by anaerobic microbial degradation of residual gasoline deposits in the subsurface soil, and not of thermogenic origin. With implementation of a methane mitigation system designed in accordance with Division 71 of LAMC Section 91.7104, impacts with regard to methane exposure from the Project's exacerbation of existing environmental conditions would be less than significant.*

Worker exposure to methane is regulated by OSHA under 29 Code of Federal Regulations Section 1910.146. This section regulates worker exposure to a “hazardous atmosphere” within confined spaces where the presence of flammable gas vapor or mist is in excess of 10 percent of the lower explosive limit. With regard to worker safety, the oxidation and continued degradation of petroleum hydrocarbons (i.e., gasoline and diesel) have resulted in methane gas in subsurface soils. Methane is not toxic; however, it is combustible and potentially explosive at concentrations between 50,000 and 150,000 parts per million (ppm) in the presence of oxygen and an ignition source, and may pose a hazard to construction workers by exposing them to gasses which could become explosive under certain conditions and thus exacerbate an existing environmental condition. This potential for the Project to expose workers to flammable conditions, particularly if there is no site-specific mechanism to warn workers that methane levels are approaching combustible levels, is considered a potentially significant impact.

**10. Page 4.E-24, first full paragraph, fifth line, is revised as follows:**

With the implementation of a methane mitigation system designed in accordance with the requirements of Division 71 of LAMC Section 91.7104, impacts with regard to methane exposure would be less than significant.

**11. Pages 4.E-24 and 4.E-25, e. Cumulative Impacts, Impact Statement HAZ-5 and the following paragraph are revised as follows:**

***Impact Statement HAZ-5:*** *The Project's cumulative impacts, inclusive of impacts from cumulative projects, would be less than significant. The Project would not have significant impacts regarding hazardous materials with the implementation of identified mitigation measures and would not contribute to cumulative impacts that would exacerbate existing environmental conditions. Implementation of nearby development would be in compliance with regulatory requirements that would avoid significant impacts for those projects.*

The Project would not result in a cumulatively considerable impact related to residual soil contamination that could expose persons to substantial risk resulting from the release of hazardous materials or from exposure to a health hazard in excess of regulatory standards. As described in the Existing Conditions Section above, the Phase I ESA identified all potentially hazardous conditions in the vicinity of the Project. The survey for potentially hazardous conditions was inclusive of among other sites, the nearest cumulative development sites including those for the Oceanwide Plaza mixed-use project currently under construction across S. Figueroa Street southwest of the Project Site, and the proposed Olympic Tower mixed use project across S. Figueroa Street and W. Olympic Boulevard to the northwest. The Phase I analysis concluded that based on distance, topography, assumed groundwater gradient, current regulatory status, and/or the absence of reported releases, none of the sites listed in agency databases in the vicinity of the Project Site are considered to represent a likely past, present or material threat of release that would adversely affect the Project Site by exacerbating an existing environmental condition. A subsurface VOC plume of unknown origin at 115 feet bgs and exceeding MCLs was identified at the Staples Arena and during the development of LA LIVE, approximately 161 feet southwest and across Figueroa Street from the Project Site. The properties are listed on the SLIC database with a current case status of "Completed – Case Closed" as of June 1, 2005. The Phase I ESA concluded that based on the reported direction of groundwater flow in the site vicinity, to the southwest, the Project Site is in a location considered to be cross-gradient from these sites, unless the contamination plume is very wide, wide enough to extend eastward from the sites to the Project Site, in which case groundwater at approximately 115 feet bgs beneath the Project Site may be impacted by VOC. As the Project only proposes excavation to a depth of 50 feet bgs, the plume, if it were to encroach under the Project Site, would not have a significant impact on the Project or exacerbate an existing environmental condition. Further, none of the soil and soil gas testing completed on the Project indicated the plume has encroached the Project Site.

**12. Pages 4.E-25, last paragraph and 4.E-26, first paragraph are revised as follows:**

The Project would not result in a cumulatively considerable impact or health hazard related to the release of methane in excess of regulatory standards due to existing conditions. The presence of subsurface methane is a condition specific to an individual development site. As discussed above, the Project would implement a methane mitigation system designed in accordance with Division 71 of LAMC Section 91.7104. The development of related projects would be also required to implement applicable methane mitigation systems in accordance with applicable methane seepage requirements if located within a City-designated methane zone and therefore would not exacerbate existing environmental conditions.

**13. Pages 4.E-26, 4. Mitigation Measure, first sentence, is revised as follows:**

As discussed above, Project excavation would encounter residual soil contaminants, which could result in a release of hazardous materials into the environment and/or expose workers to hazardous materials due to the exacerbation of existing conditions.

**14. Pages 4.E-28, 5. Level of Significance After Mitigation, second paragraph, second line, is revised as follows:**

The excavation of contaminated soils may pose a hazard to construction workers in the vicinity of the soils and exacerbate an existing environmental condition by exposing them to explosive gasses or materials that are above levels determined to be detrimental to human health if time of exposure is not properly reduced or eliminated; or could expose the public if on-site contamination were not contained and removed in accord with regulations for the protection of public safety.

**15. Pages 4.E-29, first full paragraph, seventh line, is revised as follows:**

With implementation of Mitigation Measure MM-HAZ-3, impacts as a result of unknown subsurface soil conditions which could be exacerbated by the Project would be reduced to a less than significant level.

## **NOISE**

**1. Page G-19. Revise the Project Design Features as follows:**

**PDF-NOISE-1:** Equipment Noise Control: The Project contractor(s) shall equip all construction equipment, fixed or mobile, with properly operating and maintained noise mufflers, consistent with manufacturers' standards. All equipment shall be properly maintained. Construction contractor shall keep documentation on-site demonstrating that the equipment has been maintained in accordance with the manufacturer's specifications

**PDF-NOISE-2:** On-site construction equipment staging area shall be located ~~as far as feasible a~~ minimum of 50 feet from on-site sensitive uses. Construction contractor shall keep documentation on-site demonstrating compliance with this measure, such as a construction workplan showing the locations of the construction equipment staging areas relative to on-site sensitive uses. In accordance with the L.A. CEQA Thresholds Guide, noise-sensitive uses include residences, transient lodgings, schools, libraries, churches, hospitals, nursing homes, auditoriums, concert halls, amphitheaters, playgrounds and parks. The Project would include on-site residential uses and transient lodging (i.e., hotel).

**PDF-NOISE-3:** Engine idling from construction equipment such as bulldozers and haul trucks shall be limited no more than five minutes in compliance with applicable California Air Resources Board regulations. Construction contractor shall keep documentation on-site demonstrating compliance with this measures

**PDF-NOISE-4:** Effective noise barriers, such as wooden fencing and noise blankets will be designed and erected as needed to shield on-site uses from excessive construction-related noise, to comply

with Los Angeles Municipal Code noise requirements, including those set forth in Chapter XI, Article 2 of the Los Angeles Municipal Code. At plan check, building plans shall include documentation prepared by a noise consultant verifying compliance with this measure.

**PDF-NOISE-6:** Air conditioners, fans, generators, and related equipment will be designed to not to exceed the ambient noise levels by more than five (5) dBA at offsite residential uses. At plan check, building plans shall include documentation prepared by a noise consultant verifying compliance with this measure.

**2. Page G-41. Revise Mitigation Measure NOISE-1 and NOISE-2 is revised as follows:**

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

Provide a temporary 15-foot tall construction fence equipped with noise blankets capable of achieving sound level reductions of at least 14 dBA between the Project construction site and residential uses (R3) across S. Flower Street during Construction Phase 1. At plan check, building plans shall include documentation prepared by a noise consultant verifying compliance with this measure.

**MM-NOISE-2:** To avoid or minimize potential construction vibration damage to finish materials on or within the Petroleum Building, the condition of such materials shall be documented by a qualified preservation consultant, prior to initiation of construction. During construction, the contractor shall install and maintain at least two continuously operational automated vibrational monitors on the Petroleum Building. The monitors must be capable of being programmed with two predetermined vibratory velocities levels: a first-level alarm equivalent to a 0.45 inches per second at the face of the building and a regulatory alarm level equivalent to 0.5 inches per second at the face of the building. The monitoring system must produce real-time specific alarms (via text message and/or email to on-site personnel) when velocities exceed either of the predetermined levels. In the event of a first-level alarm, feasible steps to reduce vibratory levels shall be undertaken, including but not limited to halting/staggering concurrent activities and utilizing lower-vibratory techniques. In the event of an exceedance of the regulatory level, work in the vicinity shall be halted and the Petroleum Building visually inspected for damage. Results of the inspection must be logged. In the event damage occurs to historic finish materials due to construction vibration, such materials shall be repaired in consultation with a qualified preservation consultant, and if warranted, in a manner that meets the Secretary of the Interior's Standards.

## **TRANSPORTATION AND TRAFFIC**

**1. Page 4.J.-40, PDF TRAF-1 is revised as follows:**

**PDF-TRAF-1: Construction Management Plan:** Prior to the issuance of a building permit for the Project, a detailed Construction Management Plan including street closure information, a detour plan, haul routes, and a staging plan would be prepared and submitted to the City for review and approval. The Construction Management Plan would formalize how construction would be carried out and identify specific actions that would be required to reduce effects on the surrounding community. The Construction Management Plan shall be based on the nature and timing of the specific construction activities and other projects in the vicinity of the Project Site, and shall include, but not be limited to, the following elements as appropriate:

- Advance, bilingual notification of adjacent property owners and occupants of upcoming construction activities, including durations and daily hours of operation.
- Prohibition of construction worker or equipment parking on adjacent streets.
- Temporary pedestrian, bicycle, and vehicular traffic controls during all construction activities adjacent to Figueroa Street, Flower Street, Olympic Boulevard and 11th Street, to ensure traffic safety on public rights of way. These controls shall include, but not be limited to, flag people trained in pedestrian and bicycle safety at the Project Site's Figueroa Street, Flower Street, and Olympic Boulevard driveways.
- Temporary traffic control during all construction activities adjacent to public rights-of-way to improve traffic flow on public roadways (e.g., flag men). Scheduling of construction activities to reduce the effect on traffic flow on surrounding arterial streets.
- Potential sequencing of construction activity for Phase 1 and Phase 2 of the Project to reduce the amount of construction-related traffic on arterial streets.
- Contain construction activity generally within the Project Site boundaries.
- Construction-related vehicles/equipment shall not park on surrounding public streets.
- Coordination with LADOT to address any overlapping of construction with the My Figueroa Project and Los Angeles Streetcar Project.
- Coordination with Metro to address any construction near the railroad ROW and beyond the ROW.
- Safety precautions for pedestrians and bicyclists through such measures as alternate routing on the south side of 11<sup>th</sup> Street, the north side of Olympic Boulevard, and east side of Flower Street, a pedestrian canopy along Figueroa Street, and protection barriers/fencing along Figueroa Street, 11<sup>th</sup> Street, Flower Street, and Olympic Boulevard shall be implemented as appropriate.
- Scheduling of construction-related deliveries, haul trips, etc., so as to occur outside the commuter peak hours to the extent feasible.

## **PUBLIC SERVICES, FIRE PROTECTION**

### **1. Page 4.I.1-1, third paragraph is modified with the following changes:**

As shown in **Figure 4.I.1-1, LAFD Fire Stations in the Project Vicinity**, there are four LAFD fire stations that would provide primary fire protection service to the Project Site. The location, distance from the

Project Site, average response times, staffing, and equipment of each of these fire stations are summarized in **Table 4.I.1-1, LAFD Fire Stations in the Project Vicinity**. As indicated, Fire Station 10, located at 1335 S. Olive Street, is 0.90 miles from the Project Site and is the first due fire station (i.e., the fire station with primary responsibility for the Project Site).<sup>27</sup> The other ~~three~~ four fire stations include Fire Station 9, located at 430 E. 7<sup>th</sup> Street ~~1.2~~ 1.3 miles from the Project Site, Fire Station 3, located at 108 N. Fremont Avenue 1.3 miles from the Project Site, and Fire Station 11, located at 1819 W. 7<sup>th</sup> Street ~~1.3~~ 1.4 miles from the Project Site, and Fire Station No. 15, located at 3000 S. Hoover Street 2.3 miles from the Project Site.

As further indicated in Table 4.I.1-1, the average response times for EMS (emergency medical service) and non-EMS (fire and other services) calls are: 3:57 minutes and 3:28 minutes, respectively, from Fire Station 10; 3:26 minutes and 3:04 minutes, respectively, from Fire Station 9; 4:02 minutes and 3:04 minutes, respectively, from Fire Station 3; ~~and 3:24 minutes and 3:17 minutes, respectively, from Fire Station 11~~ and 4.15 minutes and 3.32 minutes from Fire Station 15.

In comparison, Citywide LAFD response times are higher. Citywide response times for EMS calls are 4:16 minutes and non-EMS calls are 4:10 minutes. This is compared to LAFD's response time standards of 5:00 minutes for 90 percent of EMS responses and 5:20 minutes for 90 percent of non-EMS fire responses.<sup>28</sup> Therefore, response times to the Project Site from all ~~four~~ five fire stations serving the Project Site meet the LAFD's response time standards, and according to the LAFD, existing protection services for the Project Site are considered "adequate".<sup>29</sup> It should be noted that the average response times are not necessarily representative of the actual time required to reach the Project Site from any of these fire stations, but is simply an indication of the average time needed to reach any given destination within each station's respective service area.

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<sup>27</sup> John N. Vidovich, Fire Marshall, Bureau of Fire Prevention and Public Safety, LAFD, correspondence dated March 30, 2016 Included as Appendix I-1 of this Draft EIR.

<sup>28</sup> City of Los Angeles, Academy of Motion Pictures Environmental Impact Report, SCH #2013051086, DEIR pg.4.I.2-1, certified June 24, 2015.

<sup>29</sup> Ibid.

**2. Page 4.I.1-2. Modify Table 4.I.1-1 with the following changes:**

**Table 4.I.1-1**  
**LAFD Fire Stations in the Project Vicinity**

Station No./Location	Distance From Project Site <sup>a</sup>	Average Response Times <sup>b,c</sup>		Equipment <sup>a</sup>
		EMS	Non-EMS	
<b>Fire Station 10</b> 1335 S. Olive St.	0.9 mi.	3:57 min.	3:28 min.	Task Force Engine Task Force Truck <del>Company Paramedic Rescue</del> <u>Paramedic Rescue Ambulance</u> Ambulance EMT Rescue Ambulance
<b>Fire Station 9</b> 430 E. 7th St.	<del>1.2</del> <u>1.3</u> mi.	3:26 min.	3:04 min.	Task Force Engine Task Force Truck <del>Company Paramedic Rescue</del> <u>Paramedic Rescue Ambulance</u> Ambulance Battalion 1 Headquarters
<b>Fire Station 3</b> 108 N. Fremont Ave.	1.3 mi.	4:02 min.	3:04 min.	Task Force Engine Task Force Truck <u>Paramedic Rescue Ambulance</u> <del>Company Paramedic Rescue</del> Ambulance-Division Headquarters
<b>Fire Station 11</b> 1819 W 7th St.	<del>1.3</del> <u>1.4</u> mi.	3:24 min.	3:17 min.	Task Force Engine Task Force Truck <del>Company Paramedic Rescue</del> Ambulance
<b>Fire Station 15</b> <u>3000 S. Hoover St.</u>	<u>2.3</u> mi.	<u>4.15</u> min	<u>3.32</u> min	<u>Task Force Truck</u> <u>Task Engine Company</u> <u>Paramedic Rescue Ambulance</u> <u>EMT Rescue Ambulance</u>

<sup>a</sup> John N. Vidovich, Fire Marshall, Bureau of Fire Prevention and Public Safety, LAFD, correspondence dated March 30, 2016.

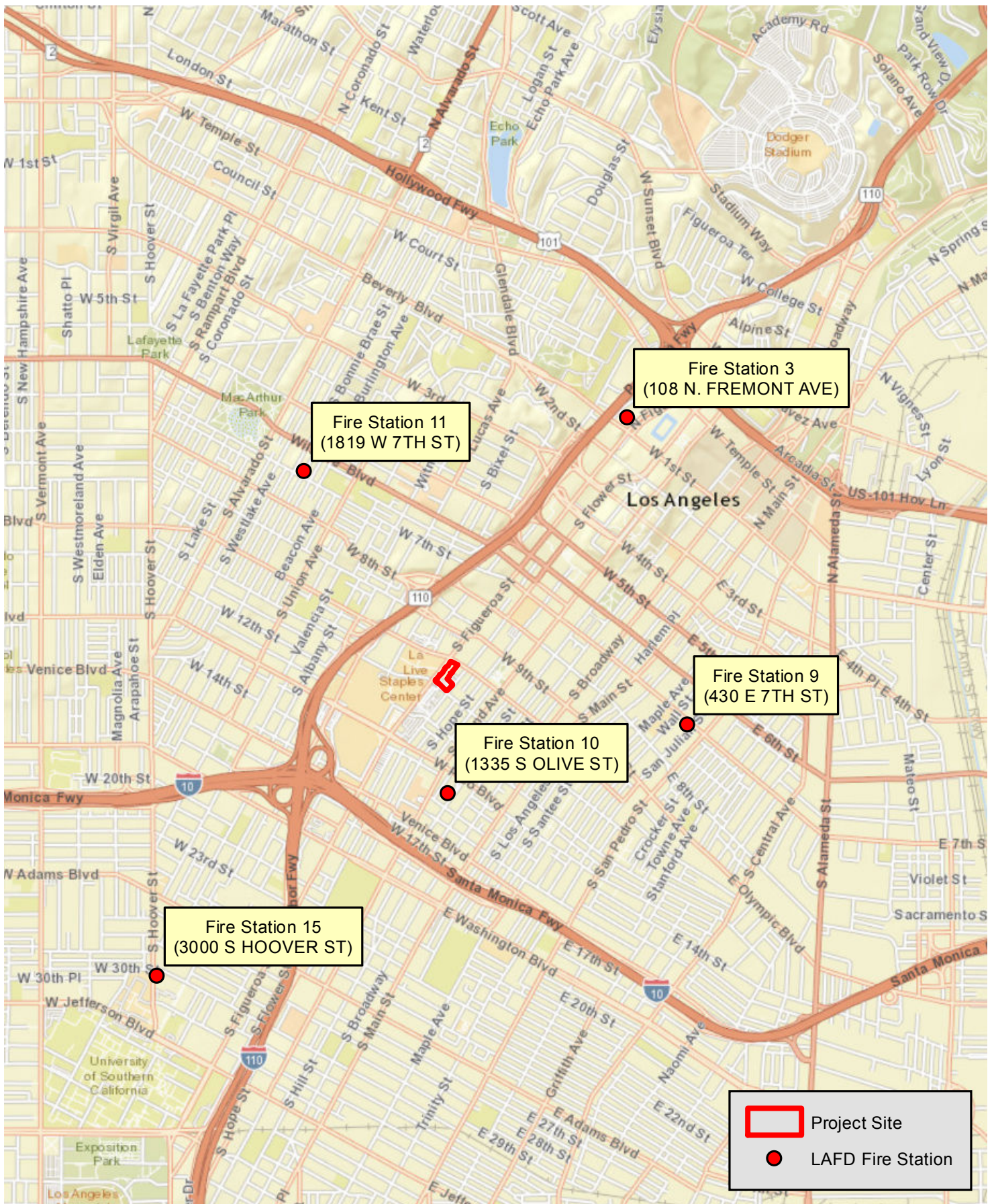
<sup>b</sup> EMS = Emergency Medical Services, Non-EMS = Fire and others services

<sup>c</sup> LAFD website, FireStateLA, <http://www.lafd.org/fsla/stations-map>. Accessed April 2016 and March 2017.

Source: PCR Services Corporation, April 2016 and March 2017

**3. Page 4.I.1-3, Modify Figure 4.I.1-1 with the following changes.**





4. Page 4.I.1-5, first and third paragraph and Table 4.I.1-2 are modified with the following changes:

**Table 4.I.1-2, LAFD Fire and Paramedic Incident Data**, lists the numbers of EMS and non-EMS incidents for ~~each of the four fire~~ fire stations Nos. 3, 9, 10, and 11 in 2015. Also shown data is provided for fire station No. 15 in early 2017. As shown, the majority of the incidents responded to by each of the four fire stations was to EMS calls, with: 1,326 EMS and 326 non-EMS incidents responded to by Fire Station 10; 3,530 EMS and 734 non-EMS incidents responded to by Fire Station 9; 1,171 EMS and 313 non-EMS incidents responded to by Fire Station 3, and 2,150 EMS and 480 non-EMS incidents responded to by Fire Station 11. In addition, Fire Station 15 reported 788 EMS and 166 non-EMS incidents in February 2017.

**Table 4.I.1-2**

**LAFD Fire and Paramedic Incident Data (January to March 2016)<sup>a</sup>**

<b>Station No. and Location</b>	<b>EMS<sup>b</sup></b>	<b>Non-EMS<sup>b</sup></b>	<b>Total</b>
<b>Fire Station 10</b> 1335 S. Olive St.	1,326	326	<b>1,652</b>
<b>Fire Station 9</b> 430 E. 7th St.	3,530	734	<b>4,264</b>
<b>Fire Station 3</b> 108 N. Fremont Avenue	1,171	313	<b>1,484</b>
<b>Fire Station 11</b> 1819 W 7th St.	2,150	480	<b>2,630</b>
<b><u>Fire Station 15</u></b> <u>3000 S. Hoover St.</u>	<u>788</u>	<u>166</u>	<u><b>954</b></u>

<sup>a</sup> LAFD website, FireStateLA, <http://www.lafd.org/fsla/stations-map>. Accessed April 2016

<sup>b</sup> EMS = Emergency Medical Services, Non-EMS = Fire and Other Services

Source: PCR Services Corporation, April 2016 and April 2017.

## (2) Emergency Access

As shown on Figure 4.I.1-1, the Project Site is accessible by emergency vehicles from a number of major roadways serving the Project Site. Emergency access to the Project Site is available from the four streets bordering the Project Site, including from the north and south by W. Olympic Boulevard and 11th Street, and from the west and east by S. Figueroa Street and S. Flower Street. Each of the ~~four~~ five fire stations serving the Project Site has multiple routes available to the Project Site. According to the LAFD, the first due engine company should be within one mile of the Project Site and the first due truck company should be within 1.5 miles. As indicated in Table 4.I.1-1, Fire Station



10, less than a mile from the Project Site, meets the LAFD distance standard for an engine company. While Fire Station 15 is 2.3 miles from the Project Site, while all four fire stations are within 1.5 miles and meet the LAFD distance standard for a truck company.

**5. Page 4.I.1-5, first and third paragraph and Table 4.I.1-2 are modified with the following changes:**

Fire Station 10 is located closest to the Project Site (0.9 miles) and would be the first due in station to respond to an emergency. Additional back up response to the Project Site is provided by Fire Stations 9, 3, ~~and 11 and 15~~. Based on the required fire flow of 6,000-9,000 gpm identified for the Project by the LAFD, ~~these four~~ of the five fire stations collectively meet the LAFD's first in distance standards to the Project Site of 1.0 miles for an engine company (e.g., the engine company at Fire Station 9) and 1.5 miles for a truck company (e.g., the truck company at each of the four fire stations). Based on these distance criteria, and on the equipment and staffing levels at each of the fire stations set forth in Table 4.I.1-1, the LAFD has determined that existing fire protection resources are "adequate" to serve the Project, but that Project operation would incrementally increase the need for emergency medical services in the area.

**6. Page 4.I.1-17, third paragraph is modified with the following changes:**

Fire Station 10 is located closest to the Project Site (0.9 miles) and would be the first due in station to respond to an emergency. Additional back up response to the Project Site is provided by Fire Stations 9, 3, ~~and 11 and 15~~. Based on the required fire flow of 6,000-9,000 gpm identified for the Project by the LAFD, these four fire stations collectively meet the LAFD's first in distance standards to the Project Site of 1.0 miles for an engine company (e.g., the engine company at Fire Station 9) and 1.5 miles for a truck company (e.g., the truck company at each of the four fire stations). Based on these distance criteria, and on the equipment and staffing levels at each of the fire stations set forth in Table 4.I.1-1, the LAFD has determined that existing fire protection resources are "adequate" to serve the Project, but that Project operation would incrementally increase the need for emergency medical services in the area.

**7. Page 4.I.1-18, last paragraph is modified with the following changes:**

Finally, as indicated in Table 4.I.1-2, response times to the Project Site from all ~~four~~ fire stations serving the Project Site are well within the LAFD's response time standards of 5:00 minutes for 90 percent of EMS responses and 5:20 minutes for 90 percent of non-EMS responses.

**8. Page 4.I.1-20, first paragraph is modified with the following changes:**

Chapter 3, *General Description of Environmental Setting* of this Draft EIR, identifies 116 cumulative projects that are anticipated to be developed in the Project vicinity. Of these, 96 are located within the service areas of the ~~same~~ four closest LAFD fire stations that would serve the Project (e.g., Fire Stations 10, 9, 3, and 11) as shown in **Table 4.I.1-3, Cumulative Projects for Fire Protection**. These cumulative projects would cumulatively generate, in conjunction with the Project, the need for additional fire protection and emergency medical services from these fire stations.

## WATER SUPPLY

1. **Page 4.K.1-3, (2) Water Supply, (b) Groundwater.** Revise the last sentence on the page to read as follows:

In accordance with the 2015 Urban Water Management Plan (UWMP), annual ~~Annual~~ entitlements to the Central Basin is ~~16,546~~ 17,236 af/y.

Revise Footnote 10 to read as follows:

<sup>10</sup> ~~Ibid, Chapter 6.4, Central Basin; with updated entitlement information provided in the Water Supply Assessment-LADWP-2015 Urban Water Management Plan, Exhibit 6A, p. 6-3;~~  
<http://www.ladwp.com/2015uwmp>.

2. **Table 4.K1-2 on page 4.K.1-4.** Revise the groundwater supply value for the San Fernando Basin in 2019-2020 as follows:

~~78,800~~ 76,800

3. **Page 4.K.1-16.** Revise the first sentence of the fourth paragraph as follows:

**Ordinance No. 181,480.** The City's Green Building Code, Ordinance No. 181,480, with amendments (e.g. Ordinance No. 184,248), creates a set of development standards and guidelines to further energy efficiency and reduction of greenhouse gases.

4. **Page 4.K.1-20.** Revise the second and third sentences of the last paragraph of the as follows:

"The Project standards would meet and/or exceed standards established in the Water Efficiency Requirements Ordinance - City Ordinance No.180,822; the Los Angeles Green Building Code Ordinance - City Ordinance No. 181,480 (as amended, e.g. City Ordinance 184,248); and the California Green Building Standard Code."

5. **Page 4.K.1-18, (d) Los Angeles Department of Water and Power Urban Water Management Plan.** Revise the last two sentence of the third paragraph as follows:

"The 2015 UWMP has been released in Draft form and is scheduled for adoption in was approved and released in final form in June 2016 and submittal to the California Department of Water Resources in July 2016. Ongoing programs and plans to meet future water needs are being have been integrated into LADWP's 2015 UWMP.

Revise Footnote 41 to read as follows:

<sup>41</sup> ~~LADWP, About Us, Water, Sources of Supply, 2015, Urban Water Management Plan,~~  
[https://www.ladwp.com/ladwp/faces/wcnav\\_externalId/a-w-sos-uwmp?\\_af.ctrl-state=clziyvdod-29&\\_afLoop=364831753147071](https://www.ladwp.com/ladwp/faces/wcnav_externalId/a-w-sos-uwmp?_af.ctrl-state=clziyvdod-29&_afLoop=364831753147071). Accessed May 10, 2016. The 2015 UWMP is available at the following link: <http://www.ladwp.com/2015uwmp>.

**6. Page 4.K.1-23. (2)(a) Water Demand. Revise the fifth sentence of the first paragraph as follows:**

Ordinance required savings are ~~28,018 gpd~~ are approximately 41,000 gpd or 46 af/y (inclusive of approximately 13,000 gpd that are represented in the sewage generation factors used for estimating base water consumption demand in Table 4.K.1-3 and 28,000 gpd of additional ordinance savings that are cited in Table 1 of the WSA, Appendix K-1 of the Draft EIR). ~~;~~ and additional Additional savings for Applicant-volunteered conservation features are 15,269 gpd.

**7. Page 4.K.1-24, Table 4.K.1-3. Revise the heading of the fifth column as follows:**

Other Water Efficiency Requirements Ordinance Savings (gpd)

Revise Table footnote<sup>a</sup> as follows:

<sup>a</sup> Base demand is based on City of Los Angeles Department of Public Works, Bureau of Sanitation Sewer Generation rates. These rates include imbedded reductions in Water Demand due to Water Efficiency Requirements Ordinances.

**8. Page 4.K1-26, Revise the beginning of the last paragraph on the page as follows:**

LADWP, as a public water service provider, is required to prepare and periodically update an UWMP to plan and provide for water supplies to serve existing and projected demands. The UWMP prepared by LADWP is based on the growth projects that are provided in the SCAG RTP, which is updated on 4-year cycles to account for changes in growth rates. It accounts for existing development within the City, as well as projected growth anticipated to occur through redevelopment of existing uses and development of new uses. Each of the cumulative projects is required to be consistent with the Southern California Association of Governments' Regional Transportation Plan projections in order to be accounted for in LADWP's UWMP current and projected available water demand. Should the related projects be accounted for in LADWP's UWMP, no significant cumulative water supply impact is anticipated from development of the Project and the cumulative projects. Additionally, under the provisions of SB 610, LADWP is required to prepare a comprehensive WSA for every new development "project" (as defined by Section 10912 of the CWC) within its service area.

## **Chapter 5.0. ALTERNATIVES**

**1. 5.C. Alternatives Selected for Analysis, page 5-3. Revise the second full paragraph as follows:**

"Accordingly, ~~three~~ four Alternatives have been selected for detailed analysis, as discussed further below. One is a No Project/No Build Alternative. ~~The remaining two~~ Two are build alternatives that would reduce the overall density of the Project, with reductions in the amount of traffic generation and construction activity. The ~~three~~ four alternatives selected for evaluation are listed below and are described in detail and evaluated in subsection F, Alternatives Analysis.

1. No Project/No Build Alternative
2. Reduced Density Alternative

3. Residential with Ground Level Commercial Alternative

4. Modified Design Alternative.

2. **5.G. ENVIRONMENTALLY SUPERIOR ALTERNATIVE. Revise the third through fifth paragraphs on page 5-59 as follows:**

In accordance with the State *CEQA Guidelines* requirement to identify an environmentally superior Alternative other than the No Project/No Build Alternative, a comparative evaluation of the remaining Alternatives indicates that Alternative 3, the Residential with Ground Level Commercial, would be the environmentally superior Alternative due to the reductions in traffic when evaluated with LOS traffic criteria. As shown below in ~~Table 5-7~~ Table 5-16, Alternative 3, the Residential with Ground Level Commercial Alternative would generate fewer traffic impacts than the Reduced Density Alternative, and the Modified Design Alternative reducing the amount of trip generation and eliminating a significant intersection impact at one location. However, ~~both~~ the Residential with Ground Level Commercial, ~~and the Reduced Density Alternative, and the Modified Design Alternative.~~ while reducing impacts from those of the Project would continue to result in significant traffic impacts due to operations and continue to have a significant noise impact due to construction as well as a significant cumulative impact on traffic.

Alternative 3, Residential with Ground Level Commercial would also result in less impact for some other environmental topics than would Alternative 2, Reduced Density Alternative and Alternative 4, Modified Design Alternative. Alternative 3 would result in fewer impacts that are traffic related including air emission and noise impacts due to traffic. This alternative would also result ~~is~~ in less impact on water and wastewater utility services. Related to these topics, Alternative 3 would also result in a lower level of energy consumption.

Alternative 3 would only partially meet the Project Objectives. It would meet the Project's Objective's regarding the overall design of the Project. However, it would not meet Project Objectives regarding the contribution of hotel rooms to serve the LACC, or the complementary mix of uses anticipated with the Project. It would meet the Project Objectives regarding the provision of housing units and the Project's economic objectives, but not to the same extent as the Project. Further, it would not so fully fulfill the Objectives regarding the implementation of transit oriented development.

**3. Page 5-61. Modify Table 5-7 as follows:****Table 5-716****Comparison of Impacts Associated with the Project and the Alternatives**

	<b>Project Impact</b>	<b>Alternative 1 No Project/ No Build</b>	<b>Alternative 2 Reduced Density/Traffic Reduction Alternative</b>	<b>Alternative 3 Residential with Ground Level Commercial</b>	<b>Alternative 4 <u>Modified Design</u></b>
<b>A. Aesthetics/Visual Resources</b>					
Aesthetic Character	Less than Significant	Less (No Impact)	Similar (Less than Significant)	Similar (Less than Significant)	<u>Less</u> <u>(Less than Significant)</u>
Views	Less than Significant	Less (No Impact)	Similar (Less than Significant)	Similar (Less than Significant)	<u>Less</u> <u>(Less than Significant)</u>
Light and Glare	Less than Significant	Less (No Impact)	Similar (Less than Significant)	Less (Less than Significant)	<u>Less</u> <u>(Less than Significant)</u>
Shade/Shadow	Less than Significant	Less (No Impact)	Less (Less than Significant)	Less (Less than Significant)	<u>Less</u> <u>(Less than Significant)</u>
<b>B. Air Quality</b>					
Construction	Less than Significant	Less (No Impact)	Less (Less than Significant)	Less (Less than Significant)	<u>Similar</u> <u>(Less than Significant)</u>
Operation	Less than Significant	Less (No Impact)	Less/Greater (Less than Significant)	Less/Greater (Less than Significant)	<u>Less</u> <u>(Less than Significant)</u>
<b>C. Cultural Resources</b>					
Archeological Resources/Tribal Cultural Resources	Less than Significant with Mitigation	Less (No Impact)	Similar (Less than Significant with Mitigation)	Similar (Less than Significant with Mitigation)	<u>Similar</u> <u>(Less than Significant with Mitigation)</u>
Paleontological Resources	Less than Significant with Mitigation	Less (No Impact)	Less (Less than Significant with Mitigation)	Less (Less than Significant with Mitigation)	<u>Similar</u> <u>(Less than Significant with Mitigation)</u>
Historic Resources	<del>Less than Significant and Unavoidable – (Direct Impacts – Construction Vibration)</del>  Less than Significant and Unavoidable (Indirect Impacts – Construction Vibration)	Less (No Impact)	<del>Similar (Less than Significant and Unavoidable – (Direct Impacts – Construction Vibration))</del>  Less than Significant and Unavoidable (Indirect Impacts – Construction Vibration)	<del>Similar (Less than Significant and Unavoidable – (Direct Impacts – Construction Vibration))</del>  Less than Significant and Unavoidable (Indirect Impacts – Construction Vibration)	<u>Similar</u> <u>Significant- and Unavoidable – (Direct Impacts – Construction Vibration)</u>  <u>Less</u> <u>Less than Significant (Indirect Impacts )</u>

	<b>Project Impact</b>	<b>Alternative 1 No Project/ No Build</b>	<b>Alternative 2 Reduced Density/Traffic Reduction Alternative</b>	<b>Alternative 3 Residential with Ground Level Commercial</b>	<b><u>Alternative 4 Modified Design</u></b>
<b>D. Greenhouse Gas Emissions</b>					
Greenhouse Gas Emissions	Less than Significant	Less (No Impact)	Less (Less than Significant)	Less (Less than Significant)	<u>Less</u> (Less than Significant)
Greenhouse Gas Reduction Plans	Less than Significant	Less (No Impact)	Less/greater (Less than Significant)	Less/greater (Less than Significant)	<u>Greater</u> (Less than Significant)
<b>E. Hazards and Hazardous Materials</b>					
Hazardous Materials/Health Hazard	Less than Significant with mitigation	Less (No Impact)	Similar (Less than Significant with Mitigation)	Similar (Less than Significant with Mitigation)	<u>Similar</u> (Less than Significant with Mitigation)
<b>F. Land Use and Planning</b>					
Land Use and Planning	Less than Significant	Less (No Impact)	Less/greater (Less than Significant)	Less/greater (Less than Significant)	<u>Similar</u> (Less than Significant)
<b>G. Noise</b>					
Construction Noise	Significant and Unavoidable	Less (No Impact)	Less (Significant and Unavoidable)	Less (Significant and Unavoidable)	<u>Similar</u> (Significant and Unavoidable)
Construction Vibration (Human Annoyance)	Less than Significant	Less (No Impact)	Less (Less than Significant)	Less (Less than Significant)	<u>Similar</u> (Less than Significant)
Construction Vibration (Historic Buildings)	Significant and Unavoidable	Less (No Impact)	Similar Significant and Unavoidable	Similar Significant and Unavoidable	<u>Similar</u> Significant and Unavoidable
Operation Noise	Less than Significant	Less (No Impact)	Less (Less than Significant)	Less (Less than Significant)	<u>Greater</u> (Less than Significant)
Operation Vibration	Less than Significant	Less (No Impact)	Less (Less than Significant)	Less (Less than Significant)	<u>Similar</u> (Less than Significant)
<b>H. Population, Housing, and Employment</b>					
Population	Less than Significant	Less (No Impact)	Less/greater (Less than Significant)	Less/greater (Less than Significant)	<u>Similar</u> (Less than Significant)
Housing	Less than Significant	Less (No Impact)	Less/greater (Less than Significant)	Less/greater (Less than Significant)	<u>Similar</u> (Less than Significant)
Employment	Less than Significant	Less (No Impact)	Less/greater (Less than Significant)	Less/greater (Less than Significant)	<u>Similar</u> (Less than Significant)
<b>I. Public Services</b>					
Fire Protection	Less than Significant	Less (No Impact)	Less (Less than Significant)	Less (Less than Significant)	<u>Less</u> (Less than Significant)
Police Protection	Less than Significant with Mitigation	Less (No Impact)	Less (Less than Significant with Mitigation)	Less (Less than Significant with Mitigation)	<u>Less</u> (Less than Significant with Mitigation)



	<b>Project Impact</b>	<b>Alternative 1 No Project/ No Build</b>	<b>Alternative 2 Reduced Density/Traffic Reduction Alternative</b>	<b>Alternative 3 Residential with Ground Level Commercial</b>	<b>Alternative 4 Modified Design</b>
Libraries	Less than Significant	Less (No Impact)	Less (Less than Significant)	Less (Less than Significant)	<u>Less (Less than Significant)</u>
Parks and Recreation	Less than Significant	Less (No Impact)	Similar (Less than Significant)	Similar (Less than Significant)	<u>Similar (Less than Significant)</u>
<b>J. Transportation and Circulation</b>					
Construction	Cumulative Significant and Unavoidable	Less (No Impact)	Less (Cumulative Significant and Unavoidable)	Less (Cumulative Significant and Unavoidable)	<u>Similar (Cumulative Significant and Unavoidable)</u>
Operation	Significant and Unavoidable	Less (No Impact)	Less (Significant and Unavoidable)	Less (Significant and Unavoidable)	<u>Less (Significant and Unavoidable)</u>
<b>K. Utilities</b>					
Water Supply	Less than Significant	Less (No Impact)	Less (Less than Significant)	Less (Less than Significant)	<u>Less (Less than Significant)</u>
Waste Water	Less than Significant	Less (No Impact)	Less (Less than Significant)	Less (Less than Significant)	<u>Less (Less than Significant)</u>
<i>Source: PCR Services Corporation/ESA, 2017.</i>					

## OTHER CEQA CONSIDERATIONS

### 1. Page 6-5, last paragraph is revised as follows:

Furthermore, the Project would be designed to achieve the equivalent of the United States Green Building Council (USGBC) Leadership in Energy and Environmental Design (LEED) Silver Certification level. The Project would also comply with the Los Angeles Green Building Code, which builds upon and sets higher standards than those incorporated in the 2013 California Green Building Standard Code, or CALGreen. A sustainability program would be prepared and monitored by an accredited design consultant to provide guidance on Project design, construction and operations; and performance monitoring during Project operations to reconcile design and energy performance and enhance energy savings. Some of the Project's key design features that contribute to energy efficiency include the installation of energy efficient appliances, water efficient irrigation systems, water efficient indoor fixtures, and the installation of the conduit and panel capacity to accommodate future electric vehicle charging stations into ~~10~~ 20 percent of the parking spaces. Of the 20% EV Ready, five (5)% of the total Code-required parking spaces shall be further provided with EV chargers to immediately accommodate electric vehicles within the parking areas. The Project would achieve several objectives of the City of Los Angeles General Plan Framework Element, Southern California Association of Governments Regional Transportation Plan, and South Coast Air

## APPENDICES

**Appendix A-2: Initial Study, Attachment B, Initial Study Checklist, page IS-8, VI. Geology and Soils. As a result of the CBIA vs. BAAQMD California Supreme Court decision, the following language regarding exacerbation is hereby incorporated to further clarify that the Project would not result in the exacerbation of existing environmental conditions related to Geology and Soils:**

*Would the project:*

- a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:
  - i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault caused in whole or in part by the project's exacerbation of the existing environmental conditions? Refer to Division of Mines and Geology Special Publication 42.
  - ii. Strong seismic ground shaking caused in whole or in part by the project's exacerbation of the existing environmental conditions?
  - iii. Seismic-related ground failure, including liquefaction caused in whole or in part by the project's exacerbation of the existing environmental conditions?
  - iv. Landslides, caused in whole or in part by the project's exacerbation of the existing environmental conditions?
- b. Result in substantial soil erosion or the loss of topsoil?
- c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potential result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse caused in whole or in part by the project's exacerbation of the existing environmental conditions?
- d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property caused in whole or in part by the project's exacerbation of the existing environmental conditions?
- e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?

**Appendix A-2: Initial Study, Attachment B, Initial Study Checklist, page IS-9, VIII. Hazards and Hazardous Materials.**

*In 2015, the California Supreme Court in CBIA v. BAAQMD, held that CEQA generally does not require a lead agency to consider the impacts of the existing environment on the future residents or users of the project. The*

*revised thresholds are intended to comply with this decision. Specifically, the decision held that an impact from the existing environment to the project, including future users and/or residents, is not an impact for purposes of CEQA. However, if the project, including future users and residents, exacerbates existing conditions that already exist, that impact must be assessed, including how it might affect future users and/or residents of the project. For example, if construction of the project on a hazardous waste site will cause the potential dispersion of hazardous waste in the environment, the EIR should assess the impacts of that dispersion to the environment, including to the project's residents.*

*In accordance with Appendix G of the State CEQA Guidelines and the CBIA v. BAAQMD decision, the project would have a significant impact related to hazards and hazardous materials if it results in any of the following impacts to future residents or users.*

### VIII. Hazards and Hazardous Materials

#### *Would the project:*

- a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?
- b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?
- c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?
- d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or the environment caused in whole or in part from the project's exacerbation of existing environmental conditions?
- e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?
- f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?
- g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?
- h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands caused in whole or in part from the project's exacerbation of existing environmental conditions?

**Appendix A-2: Initial Study, Attachment B, Initial Study Checklist, Explanation of Checklist Determinations, Page B-9 and B-10. Revise text as follows:**

*In 2015, the California Supreme Court in CBIA v. BAAQMD, held that CEQA generally does not require a lead agency to consider the impacts of the existing environment on the future residents or users of the project. The revised thresholds are intended to comply with this decision. Specifically, the decision held that an impact from the existing environment to the project, including future users and/or residents, is not an impact for purposes of CEQA. However, if the project, including future users and residents, exacerbates existing conditions that already exist, that impact must be assessed, including how it might affect future users and/or residents of the project. For example, if construction of the project on a hazardous waste site will cause the potential dispersion of hazardous waste in the environment, the EIR should assess the impacts of that dispersion to the environment, including to the project's residents.*

*In accordance with Appendix G of the State CEQA Guidelines and the CBIA v. BAAQMD decision, the project would have a significant impact related to geology and soils if it results in any of the following impacts to future residents or users.*

**VI. GEOLOGY AND SOILS**

Would the project:

- a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:
- i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault caused in whole or in part by the project's exacerbation of the existing environmental conditions?  
Refer to Division of Mines and Geology Special Publication 42.

**Appendix A-2: Initial Study, Attachment B, Initial Study Checklist, Explanation of Checklist Determinations, Page B-11. Revise text as follows:**

fault located 2.5 miles southwest of the Project Site, and the Elysian Park Thrust Fault, which generally underlies the southwest portion of the Los Angeles Basin, with the active segment of the fault located approximately 3.75 miles southwest of the Project Site. Based on this information, the Geotechnical Investigation concluded that the potential for ground surface rupture at the Project Site is low, and thus, the Project would not expose people or structures to substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault. Furthermore, the Project's proposed residential, hotel, and commercial components do not contain uses that would exacerbate the existing environmental conditions resulting

Therefore, impacts from fault rupture would be less than significant. No further analysis of this topic is necessary in an EIR and no mitigation measures are required.

- ii. Strong seismic ground shaking caused in whole or in part by the project's exacerbation of the existing environmental conditions?

**Appendix A-2: Initial Study, Attachment B, Initial Study Checklist, Explanation of Checklist Determinations, Page B-12. Revise text as follows:**

With implementation of the recommendations, among others not specific to seismic design, the Geotechnical Investigation concluded that construction of the Project is feasible from a geotechnical standpoint. Furthermore, the Project's proposed hotel, residential, and commercial uses would not exacerbate existing environmental conditions related to strong seismic ground shaking. The Los Angeles Department of Building and Safety concurred with the findings and recommendations of the Geotechnical Investigation in a Soils Report Approval Letter dated January 13, 2016, and included in Appendix C-1 of this Initial Study.

Overall, given compliance with regulatory requirements, the Project's proposed uses, and Site-specific recommendations, impacts associated with seismic ground shaking would be less than significant.

iii. Seismic-related ground failure, including liquefaction caused in whole or in part by the project's exacerbation of the existing environmental conditions?

**Appendix A-2: Initial Study, Attachment B, Initial Study Checklist, Explanation of Checklist Determinations, Page B-13. Revise text as follows:**

for the Hollywood Quadrangle, the Project Site is not located within a mapped potential liquefaction hazard zone. Further, no groundwater was encountered in the soil borings completed for the Geotechnical Investigation, which extended to a depth of 130 below ground surface. The highest groundwater level was established by the CGS Survey Seismic Hazard Zone Report of the Hollywood Quadrangle at 100 feet below the existing grade. While the Geotechnical Investigation found that the shallow fill material underlying the Project Site are unsuitable to support the proposed structures, excavation of the proposed subterranean levels would remove the fill materials and expose the underlying native soils, which are very dense to very stiff and not subject to liquefaction. As a result, the Geotechnical Investigation concluded that the potential for liquefaction at the Project Site is remote. Furthermore, the Project does not contain any land uses that would exacerbate existing environmental conditions as it relates to liquefaction. Therefore, the impacts associated with liquefaction would be less than significant. No further analysis of this topic in an EIR is necessary and no mitigation measures are required.

iv. Landslides, caused in whole or in part by the project's exacerbation of the existing environmental conditions?

**No Impact.** The Project Site is not located within a City-designated Hillside Grading Area, is not subject to the City's Hillside Ordinance, and is not located in a City-designated Landslide area.<sup>12,13</sup> Additionally, the Project Site is located in the downtown area and the Site and surrounding area is relatively flat. Further, the Project Site is not in close proximity to any mountains or steep slopes. As such, there is no potential for landslides to occur on or near the Project Site. The Project does not contain uses or structures that would exacerbate existing environmental conditions as it relates to landslides. Therefore, the Project would not expose people or structures to potential substantial adverse effects involving landslides and no impact would result. No further analysis of this topic in an EIR is necessary and no mitigation measures are required.

**Appendix A-2: Initial Study, Attachment B, Initial Study Checklist, Explanation of Checklist Determinations, Page B-14. Revise text as follows:**

c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potential result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse caused in whole or in part by the project's exacerbation of the existing environmental conditions?

**Appendix A-2: Initial Study, Attachment B, Initial Study Checklist, Explanation of Checklist Determinations, Page B-15. Revise text as follows:**

With regard to collapse, the subterranean retaining walls would be required to comply with the CBC, as incorporated into the City's Building Code, as well as the recommendations of the Geotechnical Investigation, including observing maximum earth pressures and adjacent surcharge, waterproofing and retaining wall drainage, utilizing proper backfill, and installing an adequate sump system. Temporary excavations during construction would cause disturbance of existing soils and contribute to potential localized raveling or caving of excavated areas (e.g. the excavated side walls losing stability). Such potential effects are typical of construction for projects with deep excavations. All required excavations would be sloped and properly shored in accordance with applicable provisions of the CBC as incorporated into the City's Building Code, and the site-specific recommendations contained in the Geotechnical Investigation. Specifically, the Geotechnical Investigation recommends that temporary excavations should be performed in accordance with Project plans, specifications, and all Occupational Safety and Health Administration (OSHA) requirements. Recommendations to shore up temporary excavations include the use of soldier piles and tie-back anchors, designed in accordance with adequate earth pressures and accounting for additional surcharge resulting from adjacent buildings and roadways. Furthermore, the Project would not contain uses or structures that would exacerbate existing environmental conditions as it relates to landslide, lateral spreading, subsidence, liquefaction or collapse. Given the Project's proposed uses and ~~With~~ compliance to standard City requirements and the recommendations of the Geotechnical Investigation, impacts associated with lateral spreading, subsidence, or collapse would be less than significant. No mitigation measures are required and no further analysis of this issue in an EIR is necessary.

d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property caused in whole or in part by the project's exacerbation of the existing environmental conditions?

**Less Than Significant Impact.** Expansive soils are typically associated with fine-grained clayey soils that have the potential to shrink and swell with repeated cycles of wetting and drying. The Geotechnical Investigation found that native soils underlying the Project Site are in the low to moderate expansion range, with an expansion index ranging from 20 and 73. However, the Project would be constructed and designed in accordance with the 2013 CBC, as enforced by the City of Los Angeles, which includes building foundation requirements appropriate to site-specific conditions. Further, the Geotechnical Investigation includes Site specific recommendations to reduce the expansion potential of underlying soils, including the scarifying and re-compaction of native soils to a 95 percent relative compaction, and the placement properly controlled fill materials with an expansion index of less than 50. The Geotechnical Investigation also recommends that all continuous pour foundations to be reinforced with a minimum of #4 steel rebar and poured to a minimum of 12 inches in width and 24 inches in depth to strengthen the foundations against a number of forces, including soils expansion. When designed in accordance with design bearing pressures, recommendations of the Geotechnical Investigation would exceed a factor of safety of 3. Lastly, the Geotechnical Investigation

recommends waterproofing and the drainage of subterranean water from retaining walls with a sump pump system, which would reduce the potential for cycles of wetting and drying. Furthermore, the Project would not contain uses or structures that would exacerbate existing environmental conditions as it relates to expansive soil. Therefore, given the Project's proposed uses, ~~with~~ compliance to standard City requirements and the recommendations of the Geotechnical Investigation, impacts associated with expansive soils would be less than significant. No mitigation measures are required and no further analysis of this issue in an EIR is necessary.