DEPARTMENT OF CITY PLANNING

RECOMMENDATION REPORT

City Planning Commission

Date: July 28, 2016
Time: After 8:30 AM*
Place: Van Nuys City Hall Council Chambers
2nd Floor
14410 Sylvan Street
Van Nuys, CA 91401

Public Hearing Completed: May 24, 2016
Appeal Status: Off-Menu Housing Incentive is not further appealable by any party. All other actions are appealable to City Council per LAMC Section 12.36-C.
Expiration Date: July 28, 2016

Multiple Approval: Yes

Case No.: CPC-2013-2551-MCUP-DB-SPR
CEQA No.: ENV-2013-2552-EIR (SCH No. 2013091044)
Incidental Cases: None
Related Cases: VTT-72370-CN
Council No.: 4 – Hon. David Ryu
Plan Area: Hollywood
Specific Plan: None
Certified NC: Hollywood Hills West
General Plan: Neighborhood Office Commercial
Zone: C4-1D

Applicant: AG SCH 8150 Sunset Owner, LP

Representative: Michael Nytzen, Paul Hastings LLP

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

PROPOSED PROJECT: The project, as approved by the Advisory Agency on June 23, 2016, proposes construction of a mixed-use development that includes approximately 65,000 square feet of commercial retail and restaurant uses, 249 residential units of which 28 will be set aside for Very Low Income households, and 820 parking spaces within four subterranean and semi-subterranean levels. The project site is currently occupied by two commercial buildings and associated parking, all of which would be removed to allow for the project.

REQUESTED ACTION:

ENV-2013-2552-EIR

1. Pursuant to Section 21082.1(c) of the California Public Resources Code, review and consider the adequacy of the previously certified Environmental Impact Report (EIR), ENV-2013-2552-EIR, SCH No. 2013091044, including the Environmental Findings, Project Design Features, Mitigation Monitoring Program, and Statement of Overriding Considerations.

REQUESTED ACTIONS:

CPC-2013-2551-MCUP-DB-SPR

1. Pursuant to LAMC Section 12.24-W,1, a **Master Conditional Use** for the sale and/or dispensing of a full line of alcoholic beverages for on-site consumption in conjunction with four restaurant/dining uses, and the sale of a full line of alcoholic beverages for off-site consumption in conjunction with a grocery store;
2. Pursuant to LAMC Section 12.22-A,25(c), a **Density Bonus** setting aside 11% (28 units) of the total units for Very Low Income Households, and the utilization of **Parking Option 1** to allow one on-site parking space for each residential unit of zero to one bedrooms, two on-site parking spaces for each residential unit of two to three bedrooms, and two-and-one-half on-site parking spaces for each residential unit of four or more bedrooms. The applicant is requesting two **Off-Menu Affordable Housing Incentives** as follows:

a. Pursuant to LAMC Section 12.22-A,25(g)(3), an Off-Menu Incentive to allow the lot area including any land to be set aside for street purposes to be included in calculating the maximum allowable floor area, in lieu of as otherwise required by LAMC Section 17.05; and

b. Pursuant to LAMC Section 12.22-A,25(g)(3), an Off-Menu Incentive to allow a 3:1 Floor Area Ratio for a Housing Development Project in which 50% of the commercially zoned parcel is located within 1,560 feet of a Transit Stop, in lieu of the 1,500 foot distance specified in LAMC Section 12.22-A,25(f)(4)(ii); and

3. Pursuant to Section 16.05 of the LAMC, **Site Plan Review** for a project which creates or results in an increase of 50 or more dwelling units and 50,000 gross square feet of nonresidential floor area.

RECOMMENDED ACTIONS:

1. **Find** that the City Planning Commission has reviewed and considered the information contained in the Environmental Impact Report, Environmental Clearance No. **ENV-2013-2552-EIR**, (SCH. No. **2013091044**), in its determination of the proposed project and **Affirm** that the EIR was certified by the Deputy Advisory Agency on June 23, 2016 and that the EIR was prepared in compliance with the California Environmental Act and reflects the independent judgment of the lead agency and Adopt the EIR for use in reviewing the approved project. The City Planning Commission actions confirms that the Deputy Advisory Agency:

   a. **Certified** that the EIR has been prepared in compliance with CEQA and reflects the City's (Lead Agency) independent judgment and analysis; and,

   b. **Adopted** the Statement of Overriding Considerations setting forth the reasons and benefits of adopting the EIR with full knowledge that significant impacts may occur; and

   c. **Adopted** the Mitigation Measures, Mitigation Monitoring Program; and,

   d. **Adopted** the related Environmental Findings;

2. **Advise** the applicant that, pursuant to California State Public Resources Code Section 21081.6, the City shall monitor or require evidence that **mitigation conditions** are implemented and maintained throughout the life of the project and the City may require any necessary fees to cover the cost of such monitoring;

3. **Advise** the applicant that pursuant to the State Fish and Game Code Section 711.4, a Fish and Game and/or Certificate of Game Exemption is now required to be submitted to the County Clerk prior to or concurrent with the Environmental Notices and Determination (NOD) filing;

4. **Approve** a **Master Conditional Use** to permit the sale and/or dispensing of a full line of alcoholic beverages for on-site consumption in conjunction with four restaurant/dining uses, and the sale of a full line of alcoholic beverages for off-site consumption in conjunction with a grocery store;

5. **Approve** a Density Bonus setting aside 11% (28 units) restricted to Very Low Income Households, and the utilization of a Density Bonus Package Incentive Parking Option 1 and two Off-Menu Affordable Housing Incentives as follows:

   a. Pursuant to Section 12.22-A,25(g)(3), an Off-Menu Incentive to allow the lot area including any land to be set aside for street purposes to be included in calculating the maximum allowable floor area, in lieu of as otherwise required by LAMC Section 17.05; and

   b. Pursuant to Section 12.22-A,25(g)(3), an Off-Menu Incentive to allow a 3:1 Floor Area Ratio for a Housing Development Project in which 50% of the commercially zoned parcel is located within 1,560 feet of a Transit Stop, in lieu of the 1,500 foot distance specified in LAMC Section 12.22-A,25(f)(4)(ii).

6. **Approve** the **Site Plan Review** for a mixed-use development with 249 residential dwelling units and 65,000 square feet of commercial floor area, with the attached conditions.

VINCENT P. BERTONI, AICP
Director of Planning

William Lamborn, Hearing Officer
Telephone: (213) 978-1470

Christina Toy Lee
City Planner

Luciralia Ibarra
Senior City Planner

Charles J. Rausch, Jr.
Associate Zoning Administrator

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

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Exhibits:

PROJECT ANALYSIS

PROJECT DESCRIPTION

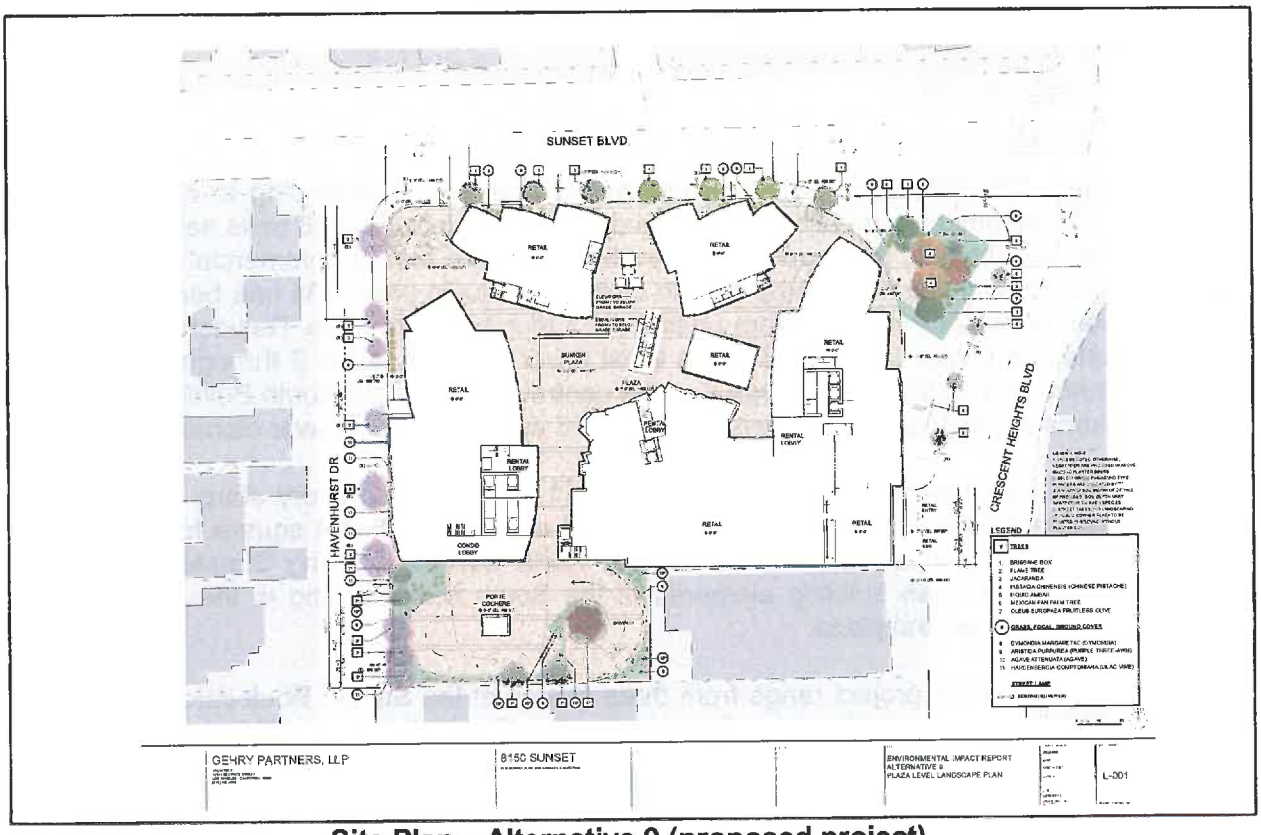
Proposed Project

The applicant, AG SCH 8150 Sunset Boulevard Owner, LP, is proposing to construct a new mixed-use development comprised of 249 residential units, including 28 units set aside for Very Low Income households, and approximately 65,000 square feet of commercial and restaurant uses. The residential unit mix is proposed to include 54 studio units, 134 one-bedroom units, 35 two-bedroom units, 24 three-bedroom units, and 2 four-bedroom units. Residential apartments will be located on levels 2 through 6 of the West tower element, levels 2 through 11 of the East tower element, and on levels 3 through 5 of the central portion of the South Building. Residential condominiums will be located on levels 7 through 15 within the West tower element.

The proposed commercial space includes a 24,811 square-foot grocery store, 23,158 square feet of restaurant area, 11,937 square feet of retail uses, and a 5,094 square foot bank. Retail uses will be located in the one- to three-story North Building fronting Sunset Boulevard, at ground level in the three building elements of the South Building, and in the one-story retail structure within the central plaza.

Building heights for the project range from three stories at the Sunset Boulevard retail frontage to 15 stories at the South Building. Specifically, the South Building will include three tower elements, one along Havenhurst Drive at 15 stories in height (approximately 234 feet above grade), one along Crescent Heights Boulevard at 11 stories (approximately 174 feet above grade), and one at the central portion of the South Building between the East and West tower elements at five stories (approximately 110 feet above grade). The maximum building height will be approximately 234 feet as measured from the lowest point of the project site. Although building heights for the North Building are limited to three stories, an architectural projection (or "marquis element") at the northwest corner of the North Building will extend up to a height of 7 stories (or approximately 80 feet) above the Sunset Boulevard grade. The project will have a total floor area of 334,000 square feet, with a FAR of 3:0:1.

The project site is an irregular shaped 2.56-acre lot consisting of two parcels, one with primary frontage on Sunset Boulevard and one with frontage on Havenhurst Drive. The property has frontage along Havenhurst Drive, Sunset Boulevard, and Crescent Heights Boulevard. The project site is zoned C4-1D and is currently improved with two commercial buildings containing 80,000 square feet of commercial space, including a bank, fast food uses and associated surface and subterranean parking, all of which would be removed to allow for the proposed project.



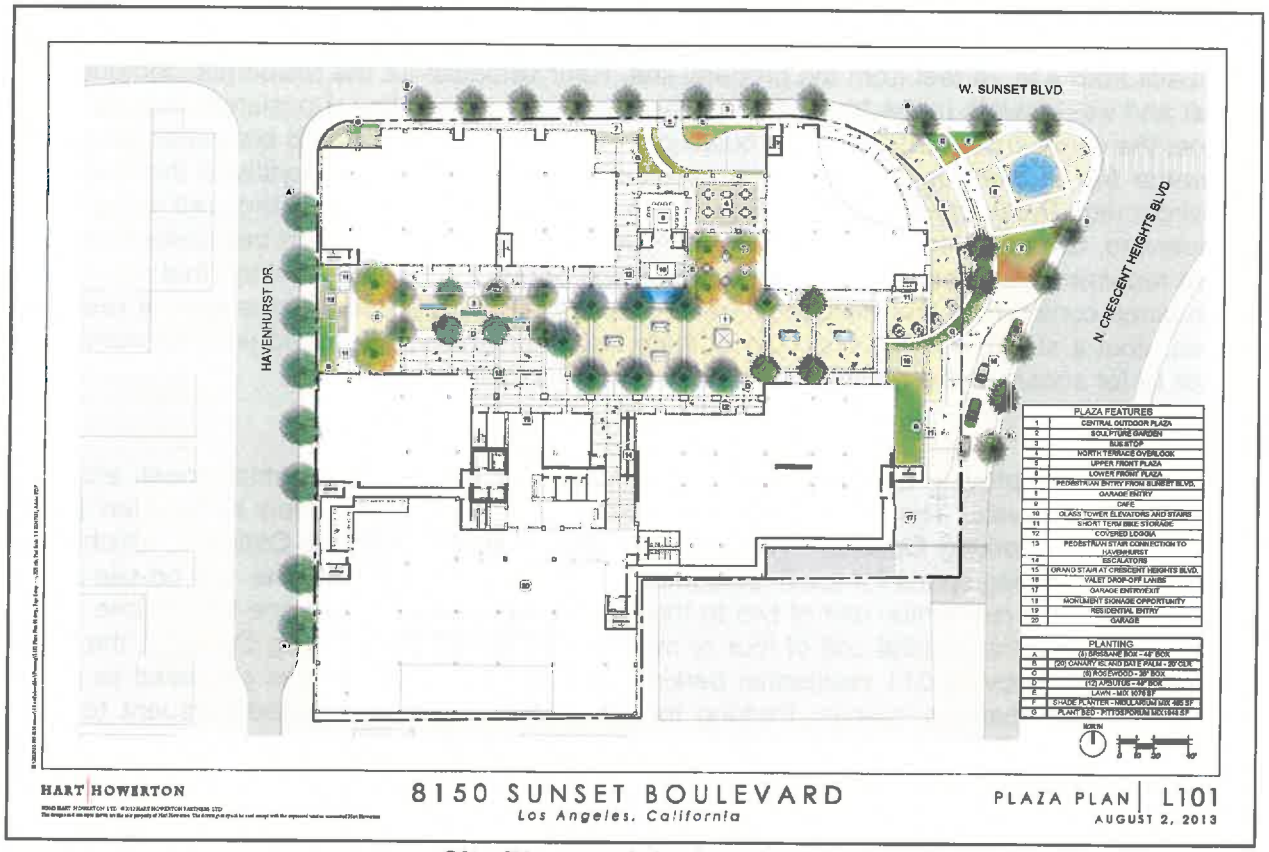
Site Plan – Alternative 9 (proposed project)

Original Project

As analyzed in the Draft EIR, the original project proposed 249 apartment units, including 28 affordable housing units, and approximately 111,339 square feet of commercial retail and restaurant uses. Based on comments received on the Draft EIR, including concerns that the original project would obstruct views, impair overall visual quality, worsen long-term air quality, increase traffic, and provide insufficient on-site parking, the applicant developed a new project alternative, Alternative 9, Enhanced View Corridor and Additional Underground Parking (the project). This Alternative was evaluated in the Recirculated Portions of the Draft EIR, which was circulated for public review. Alternative 9 (the project) proposes a mixed-use development comprised of 249 residential units, including 28 affordable housing units (equivalent to the original project), and 65,000 square feet of commercial uses (compared to 111,339 square feet under the original project).

Building heights for the project are similar to the original project, which would have ranged from three stories at the Sunset Boulevard retail frontage to 16 stories at the South Building, with a maximum height of 216 feet. However, under the project, the proposed massing of the buildings will vary from that of the original project in order to create an approximately 150-foot-wide view corridor between the East and West tower elements that provides views southward across the project site from locations to the north and vice-versa. Revisions were also made to the excavation plans to accommodate four rather than three subterranean parking levels compared to the original project. The rooftop bar/lounge that was proposed in the original project is eliminated from the proposed project's design. Revisions were also made to the project's vehicular access, eliminating the originally proposed driveway on Sunset Boulevard, and limiting vehicular access for the project's commercial and retail uses to the Crescent Heights Boulevard driveway. The majority of other project-related improvements, facilities, and amenities such as

landscaping and the conversion of the adjacent City-owned traffic island to provide a 9,134 square-foot public space are similar to the original project considered in the Draft EIR.



Site Plan – original project

Open Space

The project will provide approximately 47,850 square feet of open space for the residents, exceeding the 27,725 square feet of open space required by the LAMC. Open space available to project residents includes approximately 22,100 square feet of private balcony space and terraces, 19,050 square feet of common roof deck space, and 6,700 square feet of recreation and fitness space. The project will provide 11,400 square feet of open space on Levels 2 and 3 of the commercial North Building fronting Sunset Boulevard, which would be available for outdoor dining and occasional special events. Outdoor semiprivate areas for the residences would be located on the third and seventh floors of each of the East and West tower elements of the South Building. The project also provides a 27,000 square foot publicly accessible central plaza at ground level.

In addition, the existing traffic island at the intersection of Crescent Heights Boulevard and Sunset Boulevard is proposed to be reconfigured to adjoin the property and provide approximately 9,134 square feet of public space that will include landscaping and other amenities. The reconfigured traffic island, while maintained by the applicant, will remain under ownership of the City. The publicly accessible open space provided by reconfiguring the traffic island is not incorporated into the calculation of open space provided by the project to meet LAMC requirements.

Setbacks

The project will provide setbacks and breaks in massing to respond to the scale of the surrounding neighborhoods. The residential portion of the west tower will provide a variable 14 to 40-foot setback along Havenhurst Drive, and the residential portion of the east tower will be setback from 4 to 28 feet from the property line. Rear setbacks for the residential portions of the east and west towers range from 15 to 30 feet from the property line. Consistent with the C4-1D zone, the commercial portions of the building do not require setbacks and are generally oriented towards the property line to create a consistent streetscape and to activate the pedestrian environment. Pursuant to LAMC Section 12.22-A,18(c)(3), no side yard is required along Sunset Boulevard, Crescent Heights Boulevard or Havenhurst Drive. Pursuant to this Code section, no yard requirements apply to the residential portions of buildings in the C4 zone that are used for combined commercial and residential uses, if such portions are used exclusively for residential uses, abut a street, and the first floor of such buildings is used at ground level for commercial uses or for access to the residential portions of such buildings.

Parking

The project will provide approximately 820 parking spaces within four subterranean and semi-subterranean levels. The Density Bonus Ordinance permits a reduction in required parking based on two Parking Options. The applicant has requested Parking Option 1, which allows one on-site parking space for each residential unit of zero to one bedrooms, two on-site parking spaces for each residential unit of two to three bedrooms, and two-and-one-half on-site parking spaces for each residential unit of four or more bedrooms. Under Parking Option 1, the project is required to provide 311 residential parking spaces. The applicant has proposed to provide 326 residential parking spaces. Parking for commercial uses is provided pursuant to LAMC Section 12.21-A,4. The applicant proposes to provide 494 commercial vehicular parking spaces, exceeding LAMC requirements, for a total of 820 commercial and residential parking spaces.

Residential Unit Type	**Number of Units**	**Required Vehicular Parking LAMC 12.22-A,25(d)(1)**
0 and 1 Bedrooms	188 units	188 parking spaces
2 and 3 Bedrooms	59 units	118 parking spaces
4 Bedrooms	2 units	5 parking spaces
Total Required	**249 Units**	**311 parking spaces**
Total Residential Provided		**326 parking spaces**
Commercial Use	**Square Footage**	**Required Vehicular Parking LAMC 12.21-A,4**
Restaurant	23,158 square feet	232 parking spaces
Grocery Store	24,811 square feet	99 parking spaces
Retail	11,937 square feet	48 parking spaces
Walk-in Bank	5,094 square feet	10 parking spaces
Total Required	**65,000 square feet**	**389 parking spaces**
Total Commercial Provided		**494 parking spaces**
Total Parking Provided (Residential + Commercial)		**820 vehicular parking spaces**

The project will provide a total of 622 bicycle parking spaces (249 residential long term, 25 residential short term, 32 commercial long term and 316 commercial short-term spaces). Long-term bicycle parking for residents will be provided within the subterranean parking structure. Long-term bicycle parking provided for commercial uses will also be located within the subterranean parking structure. Short-term bicycle parking will be provided within Basement Level 1, as well as at ground level fronting Havenhurst Drive and Crescent Heights Boulevard, and within the publicly accessible central plaza.

Commercial short-term bicycle parking spaces will be provided in excess of LAMC requirements by 284 spaces. The LAMC allows that Code-required automobile parking spaces may be replaced by bicycle parking at a ratio of one automobile parking space for every four bicycle spaces provided. Pursuant to this section, not more than 20 percent of the required parking for non-residential uses may be replaced. The project's total provision of bicycle parking qualifies for a reduction of 78 vehicular parking spaces. However, as noted above, the applicant is providing vehicular parking in excess of LAMC requirements and is not requesting this reduction.

Residential Units		**Required Bicycle Parking LAMC 12.22-A,16(a)**
249 Dwelling Units		249 long-term spaces
		25 short-term spaces
Total Residential Required		**274 bicycle parking spaces**
Total Residential Provided		**274 bicycle parking spaces**
Commercial Use	**Square Footage**	**Required Bicycle Parking LAMC 12.22-A,16(a)(2)**
Restaurant	23,158 square feet	12 long-term parking spaces 12 short-term parking spaces
Grocery Store	24,811 square feet	12 long-term parking spaces 12 short-term parking spaces
Retail	11,937 square feet	6 long-term parking spaces 6 short-term parking spaces
Walk-in Bank	5,094 square feet	2 long-term parking spaces 2 short-term parking spaces
Total Required	**65,000 square feet**	**32 long-term parking spaces** **32 short-term parking spaces**
Total Commercial Provided		**32 long-term parking spaces** **316 short-term parking spaces**
Total Parking Provided (Residential + Commercial)		**622 bicycle parking spaces**

Site Access

The project site is an irregular-shaped 2.56-acre lot consisting of two parcels, one with primary frontage on Sunset Boulevard and one with frontage on Havenhurst Drive. Vehicular access for commercial uses will be provided via ramps on Crescent Heights Boulevard (ingress and egress). No vehicular access for commercial uses would be provided from Havenhurst Drive. Commercial parking would be valet during peak hours, with self-parking available during off-peak hours. Vehicular access for residents will also be provided via the ramps on Crescent Heights Boulevard, as well as from two dedicated residential access driveways on Havenhurst Drive. Both attendant and self-parking options will be available for residents. The northernmost of the two Havenhurst Drive access points will be an ingress-egress driveway for apartment residents. In the project's Mitigation Monitoring Program (MMP), a physical barrier or equivalent improvement is proposed, subject to review and approval by LADOT, in order to ensure that vehicles exiting from the project's Havenhurst Drive driveways do not make left-turns onto southbound Havenhurst Drive. The southernmost access point will be a porte cochere for condominium residents.

Commercial and residential delivery vehicles, and trash trucks, will access the project site from Havenhurst Drive via a dedicated driveway directly to the north of the condominium porte cochere. All vehicle maneuvers will take place within the Basement Level 2 internal loading dock and trash sorting area.

Pedestrian access to ground-floor commercial uses will be provided from multiple points along the Sunset Boulevard retail frontage, as well as from access points throughout the central public plaza. The public plaza itself will be accessible to pedestrians from an open entryway through the center of the project's Sunset Boulevard frontage, and from outdoor steps leading into the plaza from the northeast and northwest corners of the project site. The condominium lobby will be accessible from the central plaza and the porte cochere, while pedestrian access to the two rental lobbies will be provided at three points from within the central plaza.

Environmental Impact Report

On September 12, 2013 the City circulated a Notice of Preparation (NOP) to State, regional, and local agencies, and members of the public for a 33-day review period commencing on September 12, 2013 and ending October 15, 2013. A public scoping meeting was conducted on October 2, 2013 at the Will and Ariel Durant Branch Library, located at 7140 W. Sunset Boulevard, Los Angeles, California 90046. In accordance with State CEQA Guidelines, upon completion of the Draft Environmental Impact Report, a Notice of Completion and Availability was submitted to the State Clearinghouse, Governor's Office of Planning and Research for distribution to State Agencies as well as interested parties. The Draft EIR was circulated for a 62-day public review period on November 20, 2014 through January 20, 2015.

Based on comments received on the Draft EIR, the applicant developed a new project alternative, Alternative 9, Enhanced View Corridor and Additional Underground Parking Alternative (the project). The City determined that recirculating portions of the Draft EIR was desirable, with the purpose being to foster further public input and informed decision-making associated with the CEQA process for the project. Because the revisions were limited to a specific portion of the EIR (the new discussion of Alternative 9) and other insubstantial corrections to the Draft EIR, the City elected to only recirculate the modified portions of the document. As was done for the Draft EIR, the City submitted a Notice of Completion and Availability of the Recirculated Portions of the Draft EIR (RP-DEIR) to the State Clearinghouse, Governor's Office of Planning and Research for distribution to State Agencies as well as

interested parties. The RP-DEIR was circulated for a 61-day public review on September 10, 2015 through November 9, 2015.

The City published a Final EIR for the project on May 13, 2016. On June 10, 2016, an Errata to the EIR was published on the City's website with additional information in response to comments that were made during the public hearing process.

On June 23, 2016, the Advisory Agency certified the Environmental Impact Report, in conjunction with Vesting Tentative Tract Map No. VTT-72370-CN. The Environmental Impact Report identified impacts that would have 1) no impacts or less than significant impacts, 2) potential significant impacts that could be mitigated to less than significant, and 3) significant and unavoidable impacts. The impacts are summarized below.

Impacts found to have No Impact or Less Than Significant include the following:

- Agricultural and Forestry Resources
- Aesthetics and Visual Resources (Visual Character - Operation, Views, Light and Glare, Shading, Regulatory Framework Consistency)
- Air Quality (Plan Consistency, Operational Air Quality, Odors)
- Biological Resources
- Geology and Soils (Surface Fault Rupture, Liquefaction, Landslides, Expansive Soils, Geologic Hazards, Sediment and Erosion, Landform Alteration, Disposal of Wastewater)
- Greenhouse Gas Emissions (Construction and Operation)
- Hazardous Materials (Airport Land Use Plan or Hazard, Hazards within ¼ mile of a school, Emergency Response or Evacuation Plan, Wildland Fires)
- Hydrology and Water Quality (Water Quality, Groundwater, Drainage, Runoff, 100-Year Flood Plain or Flood Risk, Inundation by Seiche, Tsunami or Mudflow)
- Land Use and Planning (Consistency with Plans and Policies, Land Use Compatibility, Dividing an Established Community, Conflict with Habitat Conservation Plan or Natural Community Conservation Plan)
- Mineral Resources
- Noise (Permanent Increase in Ambient Noise, Conflict with Land Use Compatibility, Operational Noise in Excess of Standards, Operational Vibration, Within 2 Miles of Airport)
- Population and Housing (Construction, Population & Employee Generation Replacement Housing)
- Public Services (Parks and Recreation – Construction, Libraries)
- Transportation and Circulation (Neighborhood Streets, Regional Traffic, Public Transit, Access, Pedestrian/Bicycle Safety, Parking, Regulatory Framework Consistency, Air Traffic)
- Utilities and Service Systems (Water Supply, Wastewater, Solid Waste, Stormwater Drainage, Other Utilities and Service Systems)

Impacts found to be Less Than Significant with Mitigation include the following:

- Aesthetics and Visual Character (Construction)
- Air Quality (Construction)
- Cultural Resources (Archeological and Paleontological Resources)
- Geology and Soils (Seismic Ground Shaking, Temporary Excavations Site Stability)
- Hazards/Hazardous Materials (Asbestos and Lead Based Paint: Transport, Use of Disposal of Hazardous Materials, Release of Hazardous Materials, Listed Hazardous Materials Site)

- Public Services (Police Protection, Fire Protection, Schools, Parks and Recreation)

Impacts Found to be Significant and Unavoidable even with the implementation of all feasible mitigation include the following:

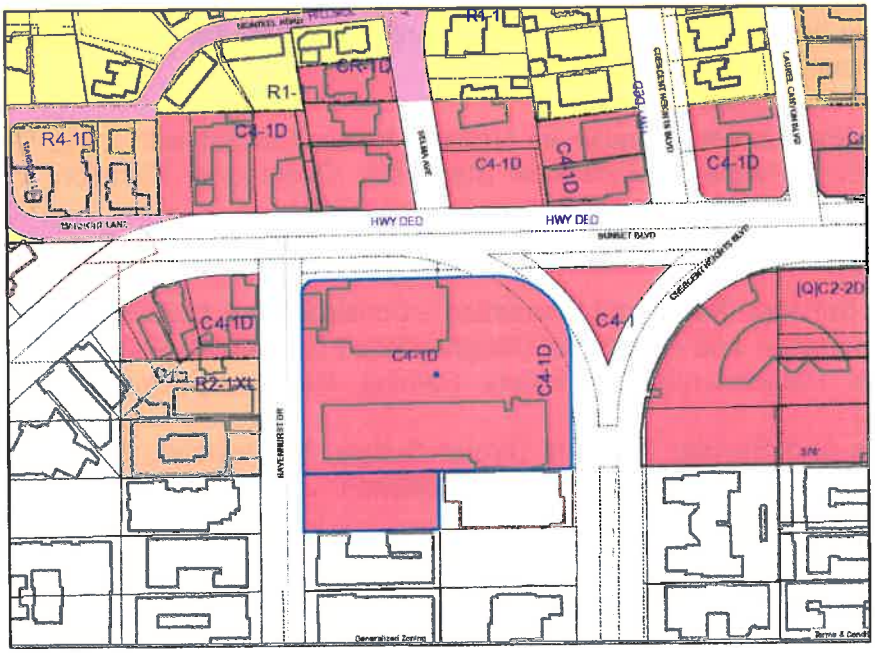
- Cultural Resources (Historical Resources)
- Noise (Construction noise and vibration)
- Traffic and Transportation (Construction traffic during shoring and excavation phase; Intersection impacts at Havenhurst Drive and Fountain Avenue in the City of West Hollywood during project Operations)

PROJECT BACKGROUND

Existing Zone and Land Use

The Hollywood Community Plan map designates the project site for Neighborhood Office Commercial land uses with corresponding zones of C1, C2, C4, P, RAS3, and RAS4. The project site is zoned C4-1D. This zoning designation does not restrict height. The zoning designation limits the project site to a 1.5:1 floor area ratio. However, the site's "D" limitation, pursuant to Ordinance 164,714 passed by the City Council on March 22, 1989, limits the project site to a 1:1 floor area ratio. The project site is not located within a specific plan.

The project site is currently improved with two commercial buildings, including a bank and fast food uses, and associated parking, with a total of 80,000 square feet of commercial space, all of which would be removed to allow for the proposed project. The property has frontage along Havenhurst Drive, Sunset Boulevard, and Crescent Heights Boulevard. There are no protected trees on the site.



Surrounding Properties

The project is an infill development located within a commercial area of Sunset Boulevard. The project vicinity is highly urbanized and generally built out, and is characterized by a mix of uses, including commercial, restaurant, bar, hotel, single- and multi-family residential uses in the C4-

1D, (Q)C2-2D, CR-1D, R4-1D, R2-1XL, and R1-1 zones. A mix of commercial uses is concentrated along Sunset Boulevard to the east and west of the project site. Areas to the north of Sunset Boulevard demonstrate hillside topography and consist of predominately single-family residential uses. Areas immediately to the west of the project site along Havenhurst Drive are characterized by multi-family residential uses. Areas immediately to the south of the project site are located in the City of West Hollywood and are characterized by multi-family residential uses. Notable uses in the project vicinity Boulevard include hotel and multi-family residential buildings constructed in the 1920s and 1930s, including the Chateau Marmont on Sunset Boulevard to the northwest; the Colonial House and Ronda Apartments along Havenhurst Drive to the south; the Andalusia Apartments on Havenhurst Drive to the west; and The Granville, The Tuscany, and the Savoy Plaza on Crescent Heights Boulevard to the southeast. Commercial and multi-family residential uses are located along Sunset Boulevard to the west, and a commercial development which includes a Trader Joe's, a Burke Williams Day Spa, the Sundance Cinemas movie theaters, and a Crunch gym is located immediately to the east of the project site. The XIV restaurant, a liquor store and Bar Marmont are located to the north along Sunset Boulevard.

Circulation

The applicant filed a Vesting Tentative Tract Map preceding the adoption of the Mobility Plan 2035, and therefore the Transportation Element applies to the subject property.

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

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

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

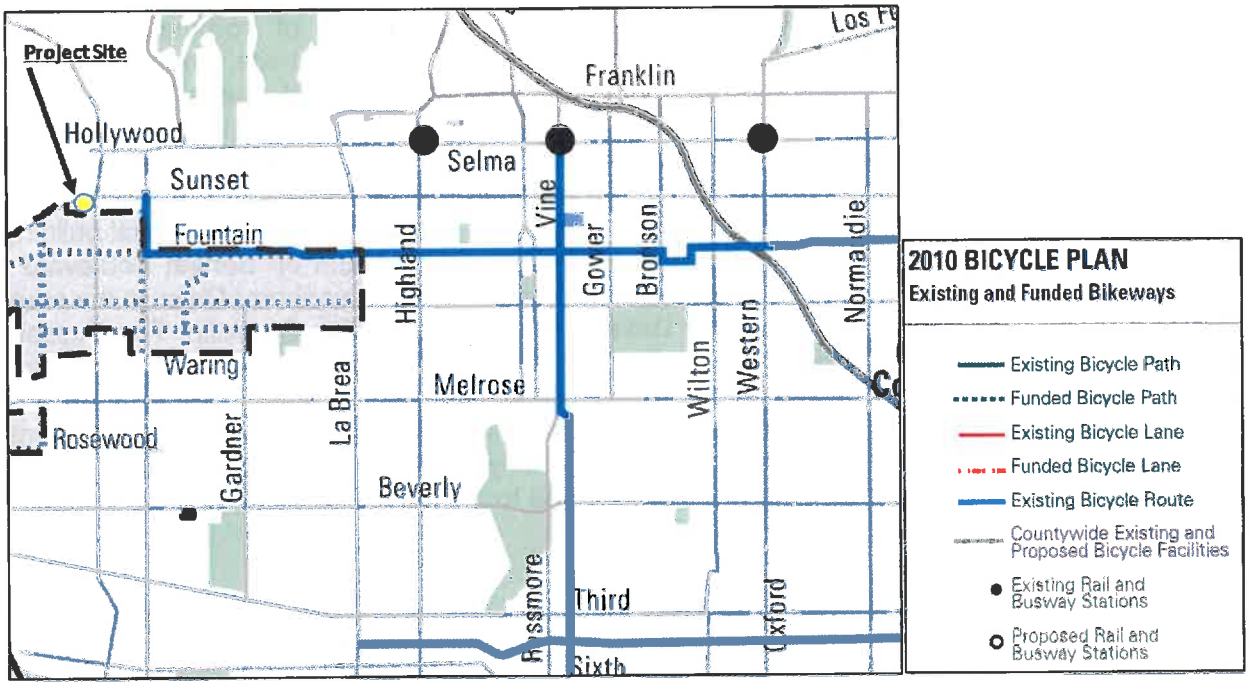
Public Transit

The following transit lines provide service to and around the project site:

Metro Rapid Line: 780
Metro Regional/Local Lines: 2/302, 217, 218
West Hollywood Cityline: Orange, Blue

2010 Bicycle Plan and Surrounding Bike Lanes

The 2010 Bicycle Plan, adopted on March 1, 2011, identifies Class I Bicycle Paths, Class II Bicycle Lanes, Class III Bicycle Routes, and Bicycle Friendly Streets throughout the City. The 2010 Bicycle Plan also introduces three new bikeway networks: the Backbone Network, the Neighborhood Network, and the Green Network. A Class III Bicycle Route is currently provided along Fountain Avenue to the east of the project site. A Class II Bicycle Lane was installed on Fairfax Avenue in September, 2014 between Fountain Avenue and Hollywood Boulevard, and in June 2016 was extended south to Melrose Avenue through the Cities of Los Angeles and West Hollywood. The 2010 Bicycle Plan includes planned Class II Bicycle Lanes on nearby streets in the project vicinity, including Sunset Boulevard and Hollywood Boulevard. Bicycle Friendly Streets are also planned for nearby streets, including Selma Avenue and Laurel Avenue.



Hazards

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

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

On-site related cases

VTT-72370-CN: This is a concurrent request that was approved on June 23, 2016 by the Advisory Agency, approving the merger and resubdivision of a 111,339 square-foot site into one Master Lot and 10 airspace lots, for a mixed use development consisting of 249 residential dwelling units, including 28 affordable units, and 65,000 square feet of commercial retail and restaurant uses. Four appeals were filed on July 5, 2016 that will be heard concurrently at the City Planning Commission hearing on July 28, 2016.

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

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

programs, as modified by the Commission.

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

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

ZA 92-1141(CUZ)(CCR)(ZV): On April 13, 1993, the Zoning Administrator approved a conditional use to permit the continued use and maintenance of a drive through fast food restaurant in the C4 Zone that is adjacent to a residential zone, and a commercial corner review to permit the continued use and maintenance of an existing shopping center, and a variance to permit 222 parking spaces in lieu of the 376 spaces, and denied the construction, use and maintenance of a proposed 500 square-foot newsstand in the C4 Zone adjacent to a residential zone.

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

ZA 88-0939(E): On September 22, 1988, the Zoning Administrator approved a conditional use exception to permit the sale of alcoholic beverages for on-site consumption in a 78-seat restaurant.

Off-site related cases

ZA 2015-2876(CUB): On January 6, 2016, the Zoning Administrator approved a conditional use to permit the continued sale and dispensing of a full line of alcoholic beverages for off-site consumption in conjunction with an existing Trader Joe's market, located at 8000 Sunset Boulevard, #C120.

ZA 2015-2106(ZV)(CUB): On December 2, 2015, the Zoning Administrator approved a conditional use to permit the sale and dispensing of a full line of alcoholic beverages for off-site consumption in conjunction with an existing pharmacy/market in the [Q]C2-2D Zone, and a variance to permit a wall sign within five feet of an interior lot line, located at 8000 Sunset Boulevard.

ZA 2012-1479(CUB): On November 9, 2012, the Zoning Administrator approved a conditional use permit authorizing the continued sale and dispensing of a full line of alcoholic beverages for on-site consumption in conjunction with an existing restaurant on property located within the [Q]C2-2D Zone Classification, located at 8000 Sunset Boulevard, #A202.

ZA 2012-0501(CUB): On July 24, 2012, the Zoning Administrator approved a conditional use to permit the sale and dispensing of a full line of alcoholic beverages for on-site consumption in conjunction with a proposed new restaurant in the [Q]C2-2D Zone, located at 8000-8108 West Sunset Boulevard, 1437-1459 North Laurel Avenue, and 1430-1458 North Crescent Heights Boulevard.

ZA 2012-0372(CUB): On June 29, 2012, the Zoning Administrator approved a conditional use permit to allow the sale and dispensing of beer and wine for on-site consumption in the [Q]C2-2D Zone, located at 8000 Sunset Boulevard, #D230.

ZA 2011-2954(CUB): On February 12, 2014, the Zoning Administrator approved a conditional use to permit the sale and dispensing of a full line of alcoholic beverages for on-site consumption, in conjunction with an existing restaurant/lounge in the C4-1D Zone, located at 8171 West Sunset Boulevard.

ZA 2011-0461(CUB): On July 7, 2011, the Zoning Administrator approved a conditional use permit to allow the sale and dispensing of a full line of alcoholic beverages for on-site consumption in conjunction with a 6,072 square-foot restaurant in the [Q]C2-2D Zone, located at 8000 Sunset Boulevard.

ZA 2009-1768(CUB): On October 20, 2009, the Zoning Administrator approved a conditional use permit to allow the sale and dispensing of beer and wine for on-site consumption in conjunction with a restaurant in the [Q]C2-2D Zone, located at 8000 West Sunset Boulevard, Suite 112.

ZA 2008-4379(CUB)(PA1): On May 23, 2012, the Zoning Administrator approved plans determining that substantial compliance with the conditions of the prior action of the Zoning Administrator for Case No. ZA 2008-4379(CUB) had been attained in association with the continued operation of a hotel dispensing a full line of alcoholic beverages for on-site consumption, located at 8221 West Marmont Lane.

ZA 2008-4739-CUB: On December 21, 2009, the Zoning Administrator approved a conditional use to permit the continued sale and dispensing of a full line of alcoholic beverages for on-site consumption, at 8221 West Marmont Lane, 8291-8215 Sunset Boulevard, and 8220-824 Monteel Road.

ZA 2007-5840(CUB): On October 30, 2008, the Zoning Administrator approved a conditional use to permit the sale and dispensing of a full line of alcoholic beverages for off-site consumption in conjunction with a proposed market, located at 8000 West Sunset Boulevard, #C120.

ZA 2007-3626(CUB): On December 14, 2007, the Zoning Administrator approved a conditional use to permit the sale and dispensing of beer and wine for on-site consumption in conjunction with an existing restaurant having operating hours of 7 a.m. to midnight daily, located at 8162 Sunset Boulevard.

ZA 2004-6636(CUB): On February 9, 2005, the Zoning Administrator approved a conditional use to permit the sale and dispensing of alcoholic beverages for on-site consumption, in conjunction with a proposed restaurant with outdoor dining in the [Q]C2-2D; and, a variance from Section 12.14-A,1(b)(3) of the Los Angeles Municipal Code to permit outdoor dining on the second floor balcony of the proposed restaurant, located at 8000 West Sunset Boulevard.

ZA 2004-6016(CUB)(CUX): On February 22, 2005, the Zoning Administrator approved a conditional use to permit the sale and dispensing of a full line of alcoholic beverages for on-site consumption, and incidental dancing and live entertainment, having hours of operation from 11 a.m. to 3 p.m. and from 6 p.m. to 1:30 a.m., daily, located at 8117 West Sunset Boulevard.

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

ZA 2001-5784(CUB)(CU): On July 15, 2002, the Zoning Administrator approved a conditional use to permit the sale and dispensing of beer and wine for consideration of beer and wine as a use accessory to a restaurant, and a conditional use to permit the restaurant to stay open until midnight, located at 8162 Sunset Boulevard.

ZA 2001-5469(CUB): On September 6, 2002, the Zoning Administrator approved a conditional use authorizing the sale and dispensing of a full line of alcoholic beverages for on-site consumption, in conjunction with an existing 4,970 square-foot restaurant including patio area in the C4-1D Zone, located at 8210 Sunset Boulevard.

ZA 2000-1436(CUB)(ZV): On August 10, 2000, the Zoning Administrator approved a conditional use permit authorizing the sale and dispensing of alcoholic beverages for on-site consumption, in conjunction with a proposed 3,903 square-foot restaurant, located within an existing 150,000 square-foot shopping center; and, a variance from Section 12.14-A,1(b)(3) to permit outdoor dining on the second floor balcony of the proposed restaurant, located at 8000 West Sunset Boulevard. Patron seating shall not exceed a maximum of 199 within a 3,350 square-foot building. (A Letter of Correction was issued on September 19, 2000).

Public Hearing held on May 24, 2016

A joint Hearing Officer/Advisory Agency public hearing was held for Vesting Tentative Tract Map 72370-CN and CPC-2013-2551-CUB-DB-SPR and for environmental clearance, ENV-2013-522-EIR.

Issues raised during the May 24, 2016 public hearing include the following:

- Project's massing, height and setbacks.
- Project's eligibility for Density Bonus incentives and distance from public transit.
- Preservation of the existing on-site Bank Building.
- Potential impacts to wastewater and intersection traffic in the City of West Hollywood.
- Potential traffic impacts and neighborhood cut-through traffic.
- Potential impacts resulting from the proposed traffic island reconfiguration at Sunset Boulevard and Crescent Heights Boulevard, to be maintained by the applicant as publicly accessible space under continued ownership of the City.

A summary of comments made during the public hearing is provided in Section P of this report.

PROJECT ANALYSIS

Walkability Analysis

Walkability is a measure of how interesting, inviting, and comfortable the street and sidewalk environment is for pedestrians. The City of Los Angeles Walkability Checklist for Site Plan Review ("Walkability Checklist") was created by the City's Urban Design Studio of the Department of City Planning. The Walkability Checklist consists of a list of design principles intended to improve the pedestrian environment, protect neighborhood character, and promote high quality urban form and is to be used by decision-makers and/or hearing officers to assess the pedestrian orientation of a project when making the required findings for approval of a project. The design elements are consistent with the General Plan and applicable Urban Design

Chapters of the Community Plans. Guidelines address such topics as building orientation, building frontage, landscaping, off-street parking and driveways, building signage, and lighting within the private realm; and sidewalks, street crossings, on-street parking, and utilities in the public realm.

An analysis of site plans, community context, and building elevations is essential to improve and ensure walkability. The project is consistent with many of the goals and implementation strategies of the Department of City Planning's Walkability Checklist.

While the guidance provided by the Walkability Checklist is not mandatory and is not a part of the LAMC, incorporating the criteria listed to the maximum extent feasible would create a more walkable environment and a higher quality urban form for the proposed project. The essential purpose of the Walkability Checklist is to guide City Planning staff in working with developers to make developments more "walkable" by way of enhancing pedestrian activity, access, comfort, and safety. In addition, the Walkability Checklist encourages planners and developers to protect neighborhood character and pursue high-quality urban form. The following is an analysis of the proposed project's consistency with the applicable guidelines.

a. **Building Orientation.** Building orientation describes how a building's placement on a site establishes its relationship to the sidewalk and street and how the building could enhance pedestrian activity. The one- to three-story retail frontage along Sunset Boulevard will be oriented towards the street, is conducive to the pedestrian environment, and will activate the streetscape with ground-floor retail and restaurant uses. Façade treatments and landscaping distinguish the primary entrances visually from the street and sidewalk, with sidewalk-oriented retail windows and transparent glass at ground level along the street front. Existing sidewalk widths are 10 feet along all project frontages. Per required street dedications, the project will provide 2 additional feet of dedicated sidewalk width along its Sunset Boulevard and Crescent Heights Boulevard frontages. Pedestrian entrances to the retail uses will be located at several points along on Sunset Boulevard, and will be directly accessible from the public sidewalk. In addition, project retail spaces will be directly accessible from multiple entrances throughout the 27,000 square-foot publicly accessible central plaza. The central plaza facilitates pedestrian movement throughout the project site, opening pedestrian connections from Crescent Heights Boulevard through to Havenhurst Drive, and will provide a central gathering place available to residents and to the public.

   The project incorporates a stepped back design and breaks in massing to respond to the scale of the lower intensity multi-family residential uses to the south and to the west of the project site. The residential portion of the west tower will provide a variable 14- to 40-foot setback along Havenhurst Drive, and the residential portion of the east tower will be setback from 4 to 28 feet from the property line. Rear setbacks for the residential portions of the east and west towers range from 15 to 30 feet from the property line. The building's south-facing massing is substantially lower as it abuts residential uses to the south in the City of West Hollywood. The massing and orientation of the taller building elements would open up an approximately 150-foot wide view corridor through the center of the project site, thereby softening the scale and appearance of the project as it relates to surrounding single- and multi-family residential areas.

b. **Building Facade.** The project is designed in a modern architectural style, with articulated building facades to provide visual interest. The façade of the North Building facing Sunset Boulevard will be a one- to three-story structure contrasted by the curved features of the central plaza, and will provide retail frontages and transparent building materials at ground-level to enhance the pedestrian scale. The central residential building will have the most

articulation of the proposed structures, and is designed to draw pedestrians to the project's interior plaza. The interior plaza will provide a central gathering place with direct accessibility to the project's ground floor retail uses.

The exterior façade of the eastern residential building component, central residential building, and the lower portion of the western residential building component will feature a solid material, such as stone cladding, with punched windows to relate to existing neighborhood characteristics. The articulation of the eastern residential building component along Crescent Heights Boulevard is simpler in articulation compared to other components of the design. Its articulation and massing is intended to relate to the scale of the surrounding buildings. The residential portion of the east tower will be setback from 4 to 28 feet from the property line. Rear setbacks for the residential portions of the east and west towers range from 15 to 30 feet from the property line. The residential portion of the west building element will have a variable 14 to 40-foot setback along Havenhurst Drive, and the upper portion of the building component would be comprised of a transparent glazed façade with a degree of transparency to allow the massing to appear lighter and better relate to its surroundings. The project will include contrasting surface orientations, overhangs, and rooftop spaces/terraces to create visual interest and minimize the appearance of large, flat building surfaces.

c. **On-Site Landscaping**. The proposed project is designed to generally support the walkability guidelines discussing on-site landscaping. Landscaping will be incorporated into the ground-level central plaza and within the various project terraces and street frontages. The central plaza would feature hard and soft landscaping, and would provide benches and areas for public gathering. The project will also provide a 9,134 square-foot landscaped public space through the reconfiguration of the existing traffic island at Sunset Boulevard and Crescent Heights Boulevard. The public open space will be landscaped with trees, planters, and seating areas. The reconfigured traffic island will be improved and maintained by the applicant under the continued ownership of the City.

   The north retail building will be stepped back at both ends of Sunset Boulevard, which creates second- and third-level terraces that will include potted landscaping and trees. Landscaping will also be incorporated into the third-level roof deck of the north retail building. The west and east building elements provide landscaped terraces as the building steps back its horizontal massing at Level 7. Landscaping and trees are proposed, and a pool deck will be provided on the western building's Level 7 terrace. An outdoor amenity area and pool deck are also proposed on the Level 3 southern portion of the central building element.

   The project would provide a green wall and vineyard stone cladding along the exposed podium structure on Havenhurst Drive and landscaping treatment of the exposed podium structure on the south edge of the property, as required by the project's Mitigation Monitoring Program in Project Design Feature PDF-AES-1. The project will provide 11 new street trees along the Sunset Boulevard and Crescent Heights Boulevard street frontages, and would retain 6 existing street trees along Havenhurst Drive. Multiple trees will also be provided on the 9,134 square-foot reconfigured traffic island, as well as throughout the project site on the various terraces and outdoor amenity areas.

d. **Off-Street Parking and Driveways.** The proposed project generally supports the walkability guidelines discussing off-street parking and driveways, which states that the safety of the pedestrian is primary in an environment where pedestrians and automobiles must both be accommodated. Driveway entrances from Havenhurst Drive will have widths of 23 feet at the

northern residential entrance, 25 feet for the southern residential driveway, and 35 feet for the delivery and loading truck entrance. The Crescent Heights Boulevard driveway would be 53-feet wide.

The project has removed the driveway on Sunset Boulevard proposed in the original design, thereby providing a continuous street edge and enhancing the pedestrian experience along the project's primary retail frontage. The project has also eliminated vehicular access to the commercial and retails uses from the Havenhurst Drive driveway, as had been proposed in the original design, which will improve the pedestrian environment where the project abuts residential uses to the west and to the south of the project site. All commercial vehicular access will be from Crescent Heights Boulevard. The Crescent Heights Boulevard driveway has added a second ingress lane and to compensate for the loss of the Sunset Boulevard access point (for a total of 2 ingress and 2 egress lanes). The width of driveways will meet driveway requirements necessary to accommodate vehicles and all parking areas will be illuminated with adequate, uniform, and glare-free lighting. In addition, in accordance with Project Design Feature PDF-Traffic-1, the applicant shall construct a physical barrier or other equivalent improvement, subject to review and approval by LADOT, in order to ensure the vehicles exiting from the project's Havenhurst Drive driveways do not make left-turns onto southbound Havenhurst Drive, in order to further minimize vehicular traffic in adjacent residential areas. Therefore, the proposed project would be substantially consistent with Walkability Checklist guidelines related to off-street parking and driveways.

e. **Building Signage and Lighting.** Building signage and lighting would consist of tenant and building identification signs, security lighting, and retail signage along the Sunset Boulevard frontage. Limited retail identification signage may be provided along Crescent Heights Boulevard and Havenhurst Drive. No illuminated signs are proposed on the west façade of the North Building or on the south facades of the North and South buildings. All signs will be consistent with code requirements. The project would not involve any off-site signs or billboards. There is currently one billboard on-site, which would be removed as part of the proposed project.

f. **Sidewalks.** The proposed project generally supports the walkability guidelines discussing sidewalks, which describes that pedestrian corridors should be delineated by creating a consistent rhythm, should be wide enough to accommodate pedestrian flow, and provide pedestrian safety, specifically creating a clear separation from the roadway and from traffic. Existing sidewalk widths are 10 feet along all project frontages. Per required street dedications, the project will provide 2 additional feet of dedicated sidewalk width along its Sunset Boulevard and Crescent Heights Boulevard frontages. Existing sidewalks along Sunset Boulevard, Crescent Heights Boulevard and Havenhurst Drive will be replaced. Sidewalk widths will be a minimum of 10 feet wide on Havenhurst Drive, and a minimum of 12 feet wide on Sunset Boulevard and Crescent Heights Boulevard. The sidewalks will be consistent with the character of development along both sides of the street. Sidewalks will be continuous to ensure continuous pedestrian flow in the northbound and southbound on both sides of the street.

g. **Utilities.** The proposed project generally supports the walkability guidelines discussing utilities, which describe that ideally utilities should be placed underground in order to improve and preserve the character of the neighborhood, increase visual appeal, and minimize obstructions in the pedestrian travel path. All utility lines will be buried and will not be visible from adjacent streets and sidewalks. Any rooftop utilities will be appropriately screened from view from the public right-of way. Therefore, the proposed project would be substantially consistent with Walkability Checklist guidelines related to utilities.

Architectural Design

The project's distinctive design includes a set of interrelated building elements, varied in articulation and massing, which are spatially oriented around a publicly accessible central plaza. Building materials would be transparent at ground-floor retail frontages to enhance the pedestrian scale, while the lower residential portions of the east and west residential building elements would feature a solid material, such as stone cladding, with punched windows to relate to existing neighborhood characteristics. The project's central building would provide substantial articulation through unique vertically oriented design components, intended to attract pedestrians and visitors to the central plaza. The residential portion of the eastern building features simpler articulation in order to relate to its surroundings. The upper portion of the western residential building would be comprised of a transparent glazed façade with a degree of transparency to soften its massing, and would provide integrated vertical and horizontal articulation through balconies and vertically oriented architectural features. Glass used in building façades would be non-reflective or treated with a non-reflective coating in order to minimize glare, and all major utilities would be placed underground.

The project's architectural projection fronting Sunset Boulevard reflects the intent for the project to provide a gateway through its unique and iconic design, further reinforced by its location on a prominent street corner in a major commercial thoroughfare adjacent to the Sunset Strip in the City of West Hollywood.

CONCLUSION

The proposed project will serve the community by providing a new mixed-use housing development, 221 market rate rental units, 28 restricted affordable units for Very Low Income households, and 65,000 square feet of commercial floor area. The project's site is at a prominent corner lot location adjacent to commercial uses concentrated along Sunset Boulevard and along the Sunset Strip to the west of the project site. In consideration of all the facts and mandatory findings for the requested entitlements, staff recommends that the Los Angeles City Planning Commission approve the Master Conditional Use Permit, Density Bonus Off-Menu Affordable Housing Incentives, and Site Plan Review, subject to the Conditions of Approval.

Conditions of Approval

Entitlement Conditions

1. **Site Development.** Except as modified herein, the project shall be in substantial conformance with the plans and materials submitted by the applicant, stamped "Exhibit A," and attached to the subject case file. No change to the plans will be made without prior review by the Department of City Planning, and written approval by the Director of Planning. Each change shall be identified and justified in writing. Minor deviations may be allowed in order to comply with the provisions of the Municipal Code or the project conditions.

2. **Development Services Center**. Prior to sign-off on building permits by the Department of City Planning's Development Services Center for the project, the Department of City Planning's Major Projects Section shall confirm, via signature, that the project's building plans substantially conform to the conceptual plans stamped as Exhibit "A", as approved by the City Planning Commission.

3. **Floor Area**. The project shall be limited to a maximum 3:1 Floor Area Ratio (FAR).

   Note to Building and Safety: For the purposes of calculating floor area, the building and architectural projections noted in light gray and dark gray identified on pages SK-0124-1 through SK-0124-16, and SK-0124-B1 through SK-0124-B4, shall not be included.

4. **Height.** The project shall be limited to a maximum height of 234 feet.

5. **Commercial Development.** The project shall be limited to 65,000 square feet of commercial uses. Commercial uses may include, but not limited, to a 24,811 square foot grocery store, 23,158 square feet of restaurant uses, 11,937 square feet of general retail use, and a 5,094 square foot walk-in bank.

6. **Residential Automobile Parking.** Parking for residential uses shall be provided in accordance with LAMC Section 12.22-A,25(d)(1) parking requirements, Density Bonus Parking Option 1 which requires 1 on-site parking space for each residential unit of 0-1 bedroom, 2 on-site parking spaces for each residential unit of 2-3 bedrooms, and 2½ on-site parking spaces for each residential unit of 4 or more bedrooms.

7. **Commercial Parking**. Parking for commercial uses shall be provided in compliance with LAMC Section 12.21-A,4. Twenty percent of the required automobile parking may be replaced by bicycle parking at a ratio of one vehicle parking space for every four bicycle parking spaces provided.

8. **Bicycle Parking.** Bicycle parking shall be provided consistent with LAMC Section 12.21-A,16. Long-term bicycle parking shall be provided at a rate of one per dwelling unit or guest room. Additionally, short-term bicycle parking shall be provided at a rate of one per ten dwelling units or guest rooms, with a minimum of two short-term bicycle parking spaces. Short-term and long term bicycle parking for general retail stores and restaurants requires one bicycle parking per 2,000 square feet, with a minimum of two bicycle parking spaces for both long- and short-term bicycle parking.

9. **Electric Vehicle Charging Stations.** The project shall encourage carpooling and the use of electric vehicles by providing that at least 20 percent of the total code-required parking spaces, but in no case less than one location, be capable of supporting future

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

10. **Fire Department.** Prior to the issuance of any building permit, definitive plans and specifications shall be submitted to the Fire Department and all requirements for necessary permits shall be satisfied, inclusive of the conditions identified in the Fire Department letter to the Department of City Planning, dated May 10, 2016.

11. **Loading/unloading.** Commercial and residential delivery, trash truck and loading vehicle access to the project site via the designated driveway on Havenhurst Drive shall be restricted to off-peak traffic periods.

12. **Havenhurst Driveway.** Prior to the issuance of building permits, the applicant shall finalize plans for the physical driveway barrier proposed in PDF-Traffic-1 of the project's Mitigation Monitoring Program.

Master Alcohol Conditional Use Permit Conditions

13. **Grant.**

    a. **On-Site Alcohol Sales.** Permit the sale and/or dispensing of a full line of alcoholic beverages for on-site consumption in conjunction with four restaurant/dining uses

    b. **Off-Site Alcohol Sales.** Permit the sale of a full line of alcoholic beverages in conjunction with a grocery store.

14. **Sidewalk dining**. Establishments seeking to serve food and alcohol within the public right-of-way shall secure a revocable permit prior to issuance of a certificate of occupancy.

15. **Plan Approval**. The operator shall file a Plan Approval pursuant to Section 12.24-M of the Los Angeles Municipal Code in order to implement and utilize the Conditional Use Permit authorized. The Plan Approval application shall be accompanied by the payment of appropriate fees and must be accepted as complete by the Condition Compliance Unit. Mailing labels shall be provided by the applicant for all abutting owners, for the Council Office, the Neighborhood Council and for the Los Angeles Police Department. The purpose of the Plan Approval procedure is to review the proposed venue in greater detail and tailor specific conditions for each premise including but not limited to hours of operation, seating capacity, size, security, the length of a term grant and/or any requirement for a subsequent Approval of Plans application to evaluate compliance and effectiveness of the conditions of approval. Conditions herein shall be incorporated into the Plan Approval unless in the opinion of the decision-maker the applicant has justified otherwise. A public hearing shall be conducted if the operator proposes to change the

conditions. A Plan Approval without a hearing may be granted by the Chief Zoning Administrator if the operator agree to the Conditional Use Permit Conditions.

16. The food service premises shall be maintained as bona fide restaurants and shall provide a menu containing an assortment of foods normally offered in restaurants. Food service shall be available at all times during normal operating hours.

17. Food service shall be available at any counter, bar or bar like structure in the development subject to this permit.

18. The property owner or the property management company shall be responsible for maintaining free of litter, the area adjacent to the property including the sidewalk and patio areas.

19. There shall be no cover charge required at any time on the premise.

20. No after-hour use of the establishments is permitted. This includes but is not limited to private or promotional events, excluding any activities which are issued film permits by the City.

21. There shall be no coin-operated games or video machines maintained in any premises within the development unless permitted by a Plan Approval with a public hearing.

22. No pool or billiard table shall be maintained on any premises within the development unless permitted by a Plan Approval with a public hearing.

23. Any premises on the site shall not be used exclusively for private parties where the general public is excluded. Operators shall not require the general public to pay an admission or cover charge to a premises where a portion of the premises has been rented to a private party.

24. Any use of a venue with an alcohol permit for on-site consumption shall not use the entire venue for private events, including corporate events, birthday parties, anniversary parties, weddings or other private events which are not open to the general public and any such event in a portion of the venue shall be subject to the same provisions and hours of operation as the venue.

25. There shall be no live entertainment, disk jockey or karaoke at any premises on the site unless permitted by a Plan Approval with a public hearing. The playing of individual pieces of music queued by a staff member of the establishment on a computer, tablet, i-pod or similar music player shall not be considered a disk jockey.

26. The applicant shall not sublet the premises to any outside or third-party promoters. All events, functions and activities shall be managed, supervised and monitored by the applicant/operator.

27. Amplified recorded-music shall not be audible beyond the area under the control of the individual venue and shall not exceed decibel levels that are stated in the City's Noise Ordinance.

28. The exterior windows and glass doors of the various venues shall be maintained substantially free of signs and other materials from the ground to at least 6 feet in height

above the ground so as to permit surveillance into the store by Police and private security.

29. Only doors accessible from a street or public paseo shall be used for patron access from the exterior of the building. Any other exterior entry doors shall be equipped, on the inside, with an automatic locking device and shall be kept closed at all times. These doors shall not be used as a means of access by patrons to and from the premises. Temporary use of these doors for delivery of supplies or trash removal does not constitute a violation. Said doors are not to consist solely of a screen or ventilated security door, but shall be solid.

30. Security personnel shall be licensed consistent with State law and Los Angeles Police Commission standards and maintain an active American Red Cross first-aid card. The security personnel shall be dressed in such a manner as to be readily identifiable to patrons and law enforcement personnel.

31. The operator shall maintain a security log of events, incidents and evictions. This log shall be maintained in the security office for the development at all times and shall be immediately produced upon request of any Los Angeles Police Officer, ABC investigator or the Department of City Planning Condition Compliance Unit.

32. A "designated driver program" shall be implemented in which free non-alcoholic beverages such as coffee, tea or soft drinks will be offered to the designated driver of a group. The availability of this program shall be made known to patrons either via a card placed on all tables and bars or in a program description in the menu. Restaurant staff should also monitor obviously intoxicated people and call either a cab or a shared driver service to drive the patron home.

33. Within six months of the effective date of the any subsequent plan approvals, all employees involved with the sale of alcoholic beverages shall enroll in the Los Angeles Police Department "Standardized training for Alcohol Retailers" (STAR). Upon completion of such training, the applicant shall request the Police Department to issue a letter identifying which employees completed the training. The applicant shall transmit a copy of the letter from the Police Department to the Zoning Administrator as evidence of compliance. In the event there is no change in the licensee, within one year of such change, this training program shall be required for all new staff.

34. The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the Department of City Planning to impose additional corrective conditions, if, it is determined by the Department of City Planning that such conditions are proven necessary for the protection of person in the neighborhood or occupants of adjacent property.

35. If at any time during the period of the grant, should documented evidence be submitted showing continued violation(s) of any condition(s) of the grant, resulting in a disruption or interference with the peaceful enjoyment of the adjoining and neighboring properties, the Department of City Planning will have the right to require the Petitioner(s) to file for a Plan Approval application together with the associated fees and to hold a public hearing to review the Petitioner(s) compliance with and the effectiveness of the conditions of the grant. The Petitioner(s) shall submit a summary and supporting documentation of how compliance with each condition of the grant has been attained.

36. The operator shall install and maintain surveillance cameras in all areas of the restaurant premises, including any outdoor dining area and a 30-day video library that covers all common areas of such business, including all high-risk areas and entrances or exits. The tapes shall be made available to the Police Department upon request.

37. All establishments applying for an Alcoholic Beverage Control license shall be given a copy of these conditions prior to executing a lease and these conditions shall be incorporated into the lease. Furthermore, all vendors of alcoholic beverages shall be made aware that violations of these conditions may result in revocation of the privileges of serving alcoholic beverages on the premises.

38. If at any time during the period of the grant, should documented evidence be submitted showing continued violation(s) of any condition(s) of the grant, resulting in a disruption or interference with the peaceful enjoyment of the adjoining and neighboring properties, the City Planning Department will have the right to require the Petitioner(s) to file for a Plan Approval application together with the associated fees and to hold a public hearing to review the Petitioner(s) compliance with and the effectiveness of the conditions of the grant. The Petitioner(s) shall submit a summary and supporting documentation of how compliance with each condition of the grant has been attained.

39. A copy of this grant and all Conditions and/or any subsequent appeal of this grant and resultant Conditions and/or letters of clarification shall be printed on the building plans submitted to the Condition Compliance Unit and the Department of Building and Safety for purposes of having a building permit issued.

40. **Graffiti Removal.** All graffiti on the site shall be removed or painted over to match the color of the surface to which it is applied within 24 hours of its occurrence.

41. **Aesthetics.** The structure, or portions thereof shall be maintained in a safe and sanitary condition and good repair and free of graffiti, trash, overgrown vegetation, or similar material, pursuant to Municipal Code Section 91,8104. All open areas not used for buildings, driveways, parking areas, recreational facilities or walks shall be attractively landscaped and maintained in accordance with a landscape plan, including an automatic irrigation plan, prepared by a licensed landscape architect to the satisfaction of the decision maker.

42. **Plan Approval.** Modifications to these Conditions of Approval shall require that the applicant file a plan approval(s) with the Department of City Planning. The plan approval(s) shall be accompanied by the payment of appropriate fees, and must be accepted as complete by the Department of City Planning. Mailing labels shall be provided by the applicant for all abutting property owners. Mitigation Measures and/or Project Design Features shall not be changed, modified, or removed using the plan approval process.

CONDITIONS IDENTIFIED FOR CONSIDERATION BY THE STATE DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL RELATIVE TO THE SALE AND DISTRIBUTION OF ALCOHOLIC BEVERAGES

In approving the instant grant, the City Planning Commission has not imposed Conditions specific to the sale or distribution of alcoholic beverages, even if such Conditions have been volunteered or negotiated by the applicant, in that the City Planning Commission has no direct authority to regulate or enforce Conditions assigned to alcohol sales or distribution.

The City Planning Commission has identified a set of Conditions related to alcohol sales and distribution for further consideration by the State of California Department of Alcoholic Beverage Control (ABC). In identifying these conditions, the City Planning Commission acknowledges the ABC as the responsible agency for establishing and enforcing Conditions specific to alcohol sales and distribution. The Conditions identified below are based on testimony and/or other evidence established in the administrative record, and provide the ABC an opportunity to address the specific conduct of alcohol sales and distribution in association with the Conditional Use granted herein by the City Planning Commission.

- There shall be no exterior window signs of any kind or type promoting alcoholic products.
- The alcoholic beverage license for the restaurants shall not be exchanged for "public premises" license unless approved through a new conditional use authorization. "Public Premises" is defined as a premise maintained and operated for sale or service of alcoholic beverages to the public for consumption on the premises, and in which food is not sold to the public as a bona fide eating place.
- No alcohol shall be allowed to be consumed on any adjacent property under the control of the applicant.
- There shall be no advertising of any alcoholic beverages visible from the exterior of the premises from the food and beverage areas within the establishment, promoting or indicating the availability of alcoholic beverages.
- Alcohol sales and dispensing for on-site consumption shall only be served by employees. The sale of alcoholic beverages for consumption off the premises of the building is prohibited.
- Signs shall be posted in a prominent location stating that California State Law prohibits the sale of alcoholic beverages to persons under 21 years of age. "No loitering or Public Drinking" signs shall be posted outside the subject facility.
- The venue operator, owner and the venue personnel shall at all times maintain a policy of not serving to obviously intoxicated patrons and shall take preventative measures to help avert intoxication-related problems.
- No person under the age of 21 years shall sell or deliver alcoholic beverages.
- The sale of distilled spirits by the bottle for same day or future consumption is prohibited.
- There shall not be a requirement to purchase a minimum number of drinks.
- There shall be no portable self-service bar(s) at either location. A wait person or bartender shall conduct all alcoholic beverage service, which may be from a portable bar.
- In the off-site venue, there shall not be any sale of single cans or bottles of beer, wine coolers, or malt liquor from pre-packaged 6- or 4-packs. The sale of individual cans or bottles of craft beer from 15+ fluid ounce containers is permissible.
- No sale of alcohol shall be permitted at any self-service, automated check-out station (check-out conducted primarily by the customer, with assistance by a store monitor) if such are available on the site. All sales of alcohol shall be conducted at a full-service check-out station directly attended by a cashier/checkout clerk specifically assigned solely to that station.

Density Bonus Conditions

43. **Density Bonus Residential Density**. The project density shall be limited to the C4-1D Zone, the High Residential Density category of the Hollywood Community Plan, and a 22% Density Bonus.

44. **Affordable Units.** A minimum of 28 units, 11 percent of the base dwelling units, shall be reserved as Very Low Income units, as defined by the State Density Bonus Law 65915 (C)(2).

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

46. **Housing Requirements.** Prior to issuance of a building permit, the owner shall execute a covenant to the satisfaction of the Los Angeles Housing and Community Investment Department (HCIDLA) to make 28 units available to Very Low Income Households, for sale or rental as determined to be affordable to such households by HCIDLA for a period of 55 years. Enforcement of the terms of said covenant shall be the responsibility of HCIDLA. The applicant will present a copy of the recorded covenant to the Department of City Planning for inclusion in this file. The project shall comply with the Guidelines for the Affordable Housing Incentives Program adopted by the City Planning Commission and with any monitoring requirements established by the HCIDLA. Refer to the Density Bonus Legislation Background section of this determination.

47. **Residential Automobile Parking**. Vehicle parking shall be provided consistent with LAMC Section 12.21-A,4 and with LAMC Section 12.22-A,25 Parking Option 1, which requires 1 on-site parking space for each residential unit of 0-1 bedroom, 2 on-site parking spaces for each residential unit of 2-3 bedrooms, and 2½ on-site parking spaces for each residential unit of 4 or more bedrooms.

48. **Adjustment of Parking**. In the event that the number of Restricted Affordable Units should increase, or the composition of such units should change (i.e. the number of bedrooms), or the applicant selects another Parking Option (including Bicycle Parking Ordinance) and no other Condition of Approval or incentive is affected, then no modification of this determination shall be necessary, and the number of parking spaces shall be re-calculated by the Department of Building and Safety based upon the ratios set forth above.

Site Plan Review Conditions

49. **Mechanical Equipment.** All mechanical equipment on the roof shall be screened from view.

50. **Parking and Driveway Plan.** A parking area and driveway plan shall be submitted to the Department of Transportation for approval prior to submittal of building permit plans for plan check by the Department of Building and Safety.

Administrative Conditions of Approval

51. **Use.** The use of the subject property shall be limited to the uses as permitted in the C4-1D Zone as defined in LAMC Section 12.14, except as modified by the conditions herein or subsequent action.

52. **Approval, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, reviews or approval, plans, etc., as may be required by the subject conditions, shall be provided to the Planning Department for placement in the subject file.

53. **Code Compliance.** All area, height and use regulations of the zone classification of the subject property shall be complied with, except wherein these conditions explicitly allow otherwise.

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

55. **Definition.** Any agencies, public officials or legislation referenced in these conditions shall mean those agencies, public offices, legislation or their successors, designees or amendment to any legislation.

56. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Planning Department and any designated agency, or the agency's successor and in accordance with any stated laws or regulations, or any amendments thereto.

57. **Building Plans.** Page 1 of the grant and all the conditions of approval shall be printed on the building plans submitted to the City Planning Department and the Department of Building and Safety.

58. **Corrective Conditions.** The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the City Planning Commission, or the Director pursuant to Section 12.27.1 of the Municipal Code, to impose additional corrective conditions, if, in the Commission's or Director's opinion, such conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.

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

(i) Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out, in whole or in part, of the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void, or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions, or to claim personal property damage, including from inverse condemnation or any other constitutional claim.

(ii) Reimburse the City for any and all costs incurred in defense of an action related to or arising out of, in whole or in part, the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages, and/or settlement costs.

(iii) Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the Applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than $25,000. The City's failure to notice or collect the deposit does not relieve the

Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).

(iv) Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).

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

The City shall notify the applicant within a reasonable period of time of its receipt of any action and the City shall cooperate in the defense. If the City fails to notify the applicant of any claim, action, or proceeding in a reasonable time, or if the City fails to reasonably cooperate in the defense, the applicant shall not thereafter be responsible to defend, indemnify or hold harmless the City. The City shall have the sole right to choose its counsel, including the City Attorney's office or outside counsel. At its sole discretion, the City may participate at its own expense in the defense of any action, but such participation shall not relieve the applicant of any obligation imposed by this condition. In the event the Applicant fails to comply with this condition, in whole or in part, the City may withdraw its defense of the action, void its approval of the entitlement, or take any other action. The City retains the right to make all decisions with respect to its representations in any legal proceeding, including its inherent right to abandon or settle litigation.

For purposes of this condition, the following definitions apply:

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

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

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

Environmental Conditions

60. **Mitigation Monitoring.** Section 21081.6 of the Public Resources Code requires a Lead Agency to adopt a "reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment" (Mitigation Monitoring Program, Section 15097 of the CEQA Guidelines provides additional direction on mitigation monitoring or reporting). The City of Los Angeles Department of City Planning is the Lead Agency for the proposed project.

An Environmental Impact Report has been prepared to address the potential environmental impacts of the proposed project. Where appropriate, this environmental document identified project design features or recommended mitigation measures to avoid or to reduce potentially significant environmental impacts of the project. This Mitigation Monitoring Program (MMP) is designed to monitor implementation of the mitigation measures identified for the project. The MMP was reviewed and approved by the Lead Agency as part of the certification of the EIR and adoption of project conditions

by the Advisory Agency on June 23, 2016. The required mitigation measures are listed and categorized by impact area, as identified in the EIR, with an accompanying identification of the following:

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

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

The Project Applicant shall be obligated to provide certification prior to the issuance of site or building plans that compliance with the required mitigation measures has been achieved. All departments listed below are within the City of Los Angeles unless otherwise noted. The Project Applicant shall be responsible for implementing all mitigation measures unless otherwise noted.

MITIGATION MEASURES AND PROJECT DESIGN FEATURES

Aesthetics/Visual Resources

Project Design Features

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

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

Mitigation Measures

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

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

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

Enforcement Agency: Los Angeles Department of Building and Safety
Monitoring Agency: Los Angeles Department of Building and Safety
Monitoring Phase: Construction
Monitoring Frequency: Daily field inspections during construction
Action Indicating Compliance: Field inspection sign-off; Compliance certification report by project contractor

Air Quality

Project Design Features

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

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

The contract would specify the provision of 100 percent of the project's energy from green power, carbon offsets, and/or renewable energy certificates ("RECs") during the first five years of operation. The project would commit to providing a minimum of 15 percent of the project's energy from green power, carbon offsets, and/or RECs for two years after the minimum five year period. (LEED® Energy and Atmosphere Credit 7 [v4]); and

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

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

Mitigation Measures

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

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

Cultural Resources

Archaeological and Paleontological Resources

Mitigation Measures

Mitigation Measure ARCH-1: The applicant shall retain a qualified archaeological monitor who meets the Secretary of the Interior's Professional Qualifications Standards for anarchaeologist.

The monitor shall be present during construction excavations such as grading, trenching, grubbing, or any other construction excavation activity associated with the project. The frequency of monitoring shall be determined by the monitor based on the rate of excavation activities, the materials being excavated (native versus fill sediments), and the depth of excavation, and, if found, the proximity, abundance, and type of archaeological resources encountered.

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

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

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

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

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

Mitigation Measure ARCH-4: If human remains are encountered unexpectedly during construction of the project, State Health and Safety Code Section 7050.5 requires that no

further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to Public Resources Code (PRC) Section 5097.98. If the remains are determined to be of Native American descent, the coroner has 24 hours to notify the Native American Heritage Commission ("NAHC"). The NAHC shall then identify the person(s) thought to be the Most Likely Descendent ("MLD"). The MLD may, with the permission of the applicant, inspect the site of the discovery of the Native American remains and may recommend means for treating or disposing, with appropriate dignity, the human remains and any associated grave goods. The MLD shall complete their inspection and make their recommendation within 48 hours of being granted access by the applicant to inspect the discovery. The recommendation may include the scientific removal and nondestructive analysis of human remains and items associated with Native American burials. Upon the discovery of the Native American remains, the applicant shall ensure, according to generally accepted cultural or archaeological standards or practices, that the immediate vicinity where the Native American human remains are located is not damaged or disturbed by further development activity until the applicant has discussed and conferred, as prescribed in this mitigation measure, with the MLD regarding their recommendations, if applicable, taking into account the possibility of multiple human remains. The applicant shall discuss all reasonable options with the descendants regarding the descendants' preferences for treatment. Whenever the NAHC is unable to identify a MLD, or the MLD identified fails to make a recommendation, or the applicant or his or her authorized representative rejects the recommendation of the descendants and the mediation provided for in Subdivision (k) of PRC Section 5097.94, if invoked, fails to provide measures acceptable to the applicant, the applicant or his or her authorized representative shall inter the human remains and items associated with Native American human remains with appropriate dignity on the property in a location not subject to further and future subsurface disturbance.

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

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

Enforcement Agency: Los Angeles Department of City Planning; Los Angeles Department of Building and Safety
Monitoring Agency: Los Angeles Department of Building and Safety
Monitoring Phase: Pre-Construction, Construction
Monitoring Frequency: Once prior to issuance of building permits for program approval; Periodic during excavation

Action Indicating Compliance: Issuance of grading permit and development of paleontological resources monitoring program; Compliance report by qualified paleontologist.

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

Enforcement Agency: Los Angeles Department of Building and Safety; Los Angeles Department of Building and Safety
Monitoring Agency: Los Angeles Department of Building and Safety
Monitoring Phase: Construction
Monitoring Frequency: At time of resource discovery, should it occur
Action Indicating Compliance: If no unanticipated discoveries are found and grading occurs within the older Quaternary Alluvium, compliance certification report by qualified paleontologist; if unanticipated discoveries are found, submittal of a report and mitigation plan(s) by a qualified paleontologist.

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

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

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

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

Historical Resources

Mitigation Measures

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

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

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

Enforcement Agency: Los Angeles Department of City Planning, Office of Historic Resources
Monitoring Agency: Los Angeles Department of City Planning, Office of Historic Resources
Monitoring Phase: Pre Construction, Construction, Operations

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

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

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

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

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

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

Geology and Soils

Mitigation Measures

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

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

Greenhouse Gas Emissions

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

Hazards and Hazardous Materials

Mitigation Measures

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

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

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

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

Noise

Project Design Features

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

Enforcement Agency: Los Angeles Department of Building and Safety
Monitoring Agency: Los Angeles Department of Building and Safety
Monitoring Phase: Construction
Monitoring Frequency: Periodic Field Inspections
Action Indicating Compliance: Field Inspection Sign-off within compliance report

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

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

PDF NOISE-3: Exterior amplified music from the event areas of Internal Patios and Central Plaza shall be limited to a maximum sound level of 80 dBA at approximately 10 feet from the

event area boundaries. The business operator(s) and/or event coordinators shall ensure that sound equipment is calibrated semi-annually. No live bands, PA system use, or loud amplified music shall be permitted.

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

Mitigation Measures

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

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

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

Mitigation Measure NOISE-2: Construction activities which have the potential to produce substantial vibration shall be scheduled so as to allow only one piece of such equipment to operate within 50 feet of the multi-family residential uses along the southern boundary of the project site.

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

Public Services

Fire Protection

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

Police Protection

Mitigation Measures

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

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

Schools

Mitigation Measures

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

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

Parks and Recreation

Mitigation Measures

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

Enforcement Agency: Los Angeles Department of Recreation and Parks; Los Angeles Department of Building and Safety
Monitoring Agency: Los Angeles Department of Recreation and Parks; Los Angeles Department of Building and Safety
Monitoring Phase: Pre-operations
Monitoring Frequency: Once prior to certification of occupancy
Action Indicating Compliance: Certificate of occupancy

Transportation and Circulation

Project Design Features

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

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

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

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

City.

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

Mitigation Measures

Mitigation Measure TR-1: The Los Angeles Department of Transportation (LADOT) identified that the project may result in a significant impact at the unsignalized intersection of Fountain Avenue and Havenhurst Drive south of the project site within the City of West Hollywood. LADOT proposes the installation of a new traffic signal at this intersection to off-set the potential impact, subject to review and approval by the City of West Hollywood. The applicant shall guarantee (by bond, cash or irrevocable letter of credit, subject to the approval of the City of West Hollywood) the necessary funding to enable the City of West Hollywood to design and install improvements at the intersection of Fountain Avenue and Havenhurst Drive.

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

Utilities and Service Systems

Wastewater

Project Design Features

PDF-WW-1: In order to address potential future improvements to sewage conveyance facilities within the City of West Hollywood that serve the project site, the project shall contribute fair-share payments to the City of West Hollywood commensurate with the project's incremental impact to affected facilities. Prior to the issuance of building permits, the applicant shall enter into an agreement with the City of West Hollywood determining the project's specific fair-share contribution for West Hollywood sewage system upgrades. The fair share contribution shall be calculated in the same manner used to calculate the fair share contribution for development projects within the City of West Hollywood, and the project's specific contribution shall be determined at such a time that the necessary improvements and associated capital costs are known, and shall be proportional to the project's contribution to total wastewater flows in each affected West Hollywood-owned sewer. The applicant shall guarantee (by bond, cash or irrevocable letter of credit, subject to the approval of the City of West Hollywood) the necessary funding to enable the City of West Hollywood to design and install the necessary improvements.

Enforcement Agency: Los Angeles Department of Public Works; City of West Hollywood
Monitoring Agency: Los Angeles Department of City Planning; Los Angeles Department of Public Works; City of West Hollywood

Monitoring Phase: Pre-Construction
Monitoring Frequency: Once prior to construction issuance of building permits
Action Indicating Compliance: Agreement with City of West Hollywood or documentation of fair-share payments

FINDINGS

Entitlement Findings

1. Master Conditional Use Findings

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

The applicant is requesting a Master Conditional Use Permit to allow the on-site sales, dispensing and consumption of a full line of alcoholic beverages in conjunction with four restaurants, and the off-site sales of a full line of alcoholic beverages in conjunction with a grocery store. Each future operator will be required to file a Plan Approval with the office of Zoning Administration detailing the number of seats, hours of operation, and other operational characteristics.

The project site is in a highly urbanized setting with a diverse mix of residential, commercial and entertainment uses, and is located on the eastern end of the Sunset Strip, a historic commercial corridor of entertainment uses to the west of the project site within the City of West Hollywood. Existing commercial development immediately adjacent to the project site to the east includes multiple restaurants and a Trader Joe's grocery store that currently offer alcoholic beverages for either on- and off-site consumption. There is currently one restaurant on the project site that offers beer and wine for on-site consumption.

The proposed project would redevelop an underutilized commercial site, which currently includes fast food uses, with a mix of residential and commercial uses that includes quality sit-down restaurants. The service of alcoholic beverages is a common amenity in sit-down restaurants, and is an expected amenity for many patrons. The project is located within the C4-1D zone, which allows for restaurant and retail uses. The project is located in an area in Hollywood that is characterized by compatible restaurant and retail uses that sell alcohol. Existing commercial development immediately adjacent to the project site to the east includes restaurant and grocery store uses that currently offer alcoholic beverages for either on- and off-site consumption. The proposed on- and off-site alcohol sales would be consistent with such adjacent uses. The proposed restaurants and grocery store would be located in close proximity to an array of commercial and entertainment activity along Sunset Boulevard, and moreover would be accessible to the surrounding single- and multi-family neighborhood and residents within the proposed mixed-use building itself. As such, the project would provide a desirable service and amenity that is consistent and compatible with surrounding uses. The proposed mixed-use development will enhance the built environment in the surrounding neighborhood and will provide a service that is beneficial to the community, city and region. The issuance of a Master Conditional Use permit for the sale of alcoholic beverages will enhance the services that the project brings to the community, and will be desirable to the public convenience and welfare.

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

The proposed project is a mixed-use development including 249 residential dwelling units and 65,000 square feet of commercial uses, within a 2.56-acre site (111,339 square feet). The proposed restaurant uses and grocery store use would comprise 23,158 square feet and 24,811 square feet of the total commercial area, respectively. The commercial spaces

will be accessible from Sunset Boulevard and from multiple points from within the project's 27,000-square foot central plaza.

The restaurant uses will serve a full line of alcoholic beverages incidental to food service, providing a place for residents and visitors to eat, drink, socialize and shop. The sale of alcoholic beverages is a normal part of restaurant operations and is an expected amenity. Further, customers expect that a full-service grocery store would also offer a full line of alcoholic beverages for purchase and consumption off the premises. There is currently one restaurant on site that offers beer and wine for on-site consumption. Existing commercial development immediately adjacent to the project site to the east includes multiple restaurants and a Trader Joe's grocery store that currently offer alcoholic beverages for either on- and off-site consumption. The land uses and zoning along Sunset Boulevard in the project vicinity demonstrate similar and compatible commercial uses. This commercial corridor is highly urbanized and generally built out, and is characterized by a mix of uses, including commercial, restaurant, bar, retail, and hotel uses in the C4-1D, (Q)C2-2D and CR-1D R4-1D zones to the east and west of the project site. Thus, similar nearby uses offer this service, and such uses would expand the choices available for residents and employees of, and visitors to, the area. Moreover, the alcohol sales will be incidental to the food service and grocery store retail provided by the project, and will not be detrimental to the surrounding area.

Alcoholic beverages for on-site consumption would be dispensed in a carefully controlled environment, as would the sale of alcoholic beverages for off-site consumption with relation to the proposed grocery store. In addition, each individual establishment will need to file for a Plan Approval with the Los Angeles Department of City Planning. Security plans, floor plans, seating limitations and other specific conditions will be evaluated through the Plan Approval process to ensure that the character of development in the surrounding neighborhoods is not adversely impacted.

Approval of the Master Conditional Use Permit will result in a positive addition to the community by adding sit-down restaurants and retail in an established commercial corridor, which already includes many compatible uses and establishments, and provides accessibility to such desirable services for the surrounding single- and multi-family neighborhoods, residents of the proposed mixed-use project, and to employees working within the project's 65,000 square feet of commercial space. Thus, the project's location, size, height and operations and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare and safety.

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

The Land Use Element of the City's General Plan divides the City into 35 Community Plans. The project is located within the Hollywood Community Plan area. The Hollywood Community Plan map designates the project site for Neighborhood Office Commercial land uses, with corresponding zones of C1, C2, C4, P, RAS3, and RAS4. The property comprises approximately 2.56 acres (111,339 square feet) and is zoned C4-1D. This commercial zoning designation allows for a range of residential and commercial uses, which permits the sale of alcoholic beverages with the approval of a Conditional Use Permit. The project is not located within a specific plan area.

While the Hollywood Community Plan does not contain specific provisions related to alcohol sales, the proposed on- and off-site alcohol sales would be consistent with the Hollywood Community Plan Objective 1, "To further the development of Hollywood as a major center of

population, employment, retail services, and entertainment." The proposed project is a mixed-use development that provides restaurant and retail services as well as housing, and would be located along an established commercial corridor that currently offers similar and compatible services. The approval of the requested Master Conditional Use Permit would thus further Hollywood's role as a major population, employment and entertainment center. The proposed alcohol uses are incidental to grocery and restaurant uses in which such uses are a common and expected amenity by patrons. Therefore, the project substantially conforms with the purposes, intent and provisions of the General Plan and the Hollywood Community Plan.

ADDITIONAL REQUIRED FINDINGS FOR THE SALE OF ALCOHOLIC BEVERAGES

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

The approval of the Master Conditional Use Permit to allow the sale and dispensing of a full line of alcoholic beverages for on-site consumption in conjunction with four restaurants, and for off-site consumption in conjunction with a grocery store, will not adversely affect the welfare of the community.

The area surrounding the site is a mix of commercial, retail, restaurant, bar and hotel uses along Sunset Boulevard, and single- and multi-family residential neighborhoods to the south and to the north of the project site. The request for on- and off-site alcoholic sales will be compatible with surrounding uses, because these establishments will provide a place for residents and visitors to eat, drink, socialize and shop, contributing to the continued economic vitality of the neighborhood. Approval of alcohol sales will increase the availability of desirable dining and retail for patrons who reside or work within walking distance, as well as those visiting the area. It is anticipated that the development will result in a positive contribution to the economic welfare of the community by including a grocery store and sit-down restaurant uses. The restaurants will direct noise away from existing residential uses because they would be oriented towards the interior publicly accessible plaza, and/or towards Sunset Boulevard or Crescent Heights Boulevard, both of which are designated as Major Highways by the Transportation Element and are significant thoroughfares. Further, the existing neighborhoods will be insulated from parking impacts because commercial parking in excess of LAMC requirements by 183 spaces will be provided on-site in a subterranean parking structure (which includes one semi-subterranean level), in order to ensure that no spillover parking would occur in surrounding residential neighborhoods.

Many properties within a 600-foot and 1,000-foot radius of the project site are currently developed with commercial uses, including restaurants and a Trader Joe's grocery store. The proposed uses will be conducted in accordance with the imposed conditions of approval and security measures. In addition, each establishment will be required to file a Plan Approval with the Office of Zoning Administration detailing specific operational characteristics such as number of seats and hours of operation. Therefore, as conditioned, the proposed uses will not adversely affect the welfare of the pertinent community.

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

peace and disorderly conduct), and whether revocation or nuisance proceedings have been initiated for any use in the area.

According to the California State Department of Alcoholic Beverages Control licensing, three on-site and two off-site license are allocated to the subject Census Tract No. 1942, which had a population of 3,588 as of 2010. There are currently seven active on-site licenses, one of which has been surrendered, and one active off-site license within the subject Census Tract. None of these existing licenses have a record of code violations or disciplinary action. Over-concentration can be undue when the addition of a license will negatively impact a neighborhood. Over-concentration is not undue when the approval of a license does not negatively impact an area, but rather such license benefits the public welfare and convenience. Although the census tract is numerically over-concentrated, the project will not adversely affect community welfare. The project it is located in a commercially-zoned site that permits restaurant and retail uses. The sale and dispensing of alcohol is a common and expected amenity incidental to such uses. Further, the proposed mixed-use development is located within a commercially active area along Sunset Boulevard with other similar retail, restaurant, and grocery store uses. The project proposes to add additional desirable uses in this commercial thoroughfare in close proximity to existing compatible uses and the Sunset Strip in the City of West Hollywood. The project site currently supports a restaurant use with the sale and dispensing of alcoholic beverages for on-site consumption, demonstrating its compatibility with the surrounding area.

Statistics from the Los Angeles Police Department's Vice Unit reveal that in Crime Reporting District No. 632, which has jurisdiction over the subject property, a total of 231 crimes were reported in the year 2015, compared to the citywide average of 181 crimes and the high crime reporting district average of 217 crimes (120% of the citywide average) for the same period. Crimes reported by the LAPD include Liquor Laws (1), Drunkenness (3), and Driving Under Influence (13). Although the site is located in a high crime reporting district, to ensure the project will not create detrimental impacts in the surrounding area, each establishment will be subject to the specific alcohol and conditions imposed on this project as conditions of approval. Further the specific details of each establishment will be reviewed pursuant to a Plan Approval. This will allow for a comprehensive review of each request with input from each prospective tenant, the LAPD and the LAFD. Security plans, floor plans, seating limitations and other recommended conditions, as well as the mode and character of operation, will be addressed through site-specific conditions. This extra protection will ensure that no adverse impacts could result due to alcohol sales and consumption.

Thus, the granting of the application will not result in an undue concentration of premises for the sale and dispensing of alcoholic beverages, in the area of the City involved.

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

The following sensitive uses were found within 1,000 feet of the project site:

- 1401 Crescent Heights Boulevard - Nichiren Soshu Myohoji Temple
- 1317 Crescent Heights Boulevard - Hollywood Temple Bethel / Neman Hall
- 1343 North Laurel Avenue - Laurel Park
- 1351 North Havenhurst Drive – West Hollywood Havenhurst Park

The project site is zoned C4-1D, which allows restaurant and retail uses. The sale of alcoholic beverages is an important amenity for sit-down restaurants and to grocery store retailers to offer, and their sale and service will be incidental to primary operations. The area surrounding the project site includes a wide variety of commercial and residential uses, including the above sensitive uses, and also including multiple bar, restaurant, grocery store and hotel uses that currently have alcohol available for sale. The project's restaurants and grocery store will also minimize noise impacts as a result of being oriented towards the internal, publicly accessible central plaza, and/or towards commercial areas along Sunset Boulevard and Crescent Heights Boulevard, and not the nearby residential areas.

All alcohol service will take place within a carefully controlled environment. This grant has placed numerous conditions related to the on- and off-site sale of a full line of alcoholic beverages to reduce any potential impacts, and the Plan Approval process will most likely lead to the development of additional conditions for each of the establishments which will address residential and sensitive use protection. Therefore, the Master Conditional Use permit will not detrimentally affect the neighboring residential properties or any other sensitive use in the area.

2. Density Bonus/Affordable Housing Incentives Compliance Findings

Pursuant to Section 12.22-A,25(g)(3) of the LAMC, the City Planning Commission shall approve a density bonus and requested incentive(s) unless the director finds that:

a. The incentives are <u>not required</u> to provide for affordable housing costs as defined in California Health and Safety Code Section 50052.5 or Section 50053 for rents for the affordable units.

The record does not contain substantial evidence that would allow the Director to make a finding that the requested incentives are not necessary to provide for affordable housing costs per State Law. The California Health & Safety Code Sections 50052.5 and 50053 define formulas for calculating affordable housing costs for very low, low, and moderate income households. Section 50052.5 addresses owner-occupied housing and Section 50053 addresses rental households. Affordable housing costs are a calculation of residential rent or ownership pricing not to exceed 25 percent gross income based on area median income thresholds dependent on affordability levels.

The list of on-menu incentives in 12.22-A,25 were pre-evaluated at the time the Density Bonus Ordinance was adopted to include types of relief that minimize restrictions on the size of the project. As such, the Director will always arrive at the conclusion that the density bonus on-menu incentives are required to provide for affordable housing costs because the incentives by their nature increase the scale of the project. However, the project is not requesting any on-menu incentives.

Requested Off-Menu Incentives

The applicant is requesting two off-menu incentives, as follows:

Pursuant to LAMC Section 12.22-A,25(g)(3), an Off-Menu Incentive to allow the lot area including any land to be set aside for street purposes to be included in calculating the maximum allowable floor area, in lieu of as otherwise required by LAMC Section 17.05;

Pursuant to LAMC Section 12.22-A,25(g)(3), an Off-Menu Incentive to allow a 3:1 Floor Area Ratio for a Housing Development Project located within 1,560 feet of a Transit Stop, in lieu of the 1,500 foot distance specified in LAMC Section 12.22-A,25(f)(4)(ii);

Floor Area Ratio: The project site's current zoning designation is C4-1D. The zoning designation does not restrict height. The zoning designation limits the project site to a 1.5:1 floor area ratio. However, the site's "D" limitation, pursuant to Ordinance 164,714 passed by the City Council on March 22, 1989, limits the project site to a 1:1 Floor Area Ratio (FAR).

Per LAMC Section 12.22-A,25(f)(4), a project qualifies for a 3:1 FAR provided that the site is located in a commercial zone in Height District 1 (including 1VL, 1L and 1XL), fronts on a Major Highway, the number of Restricted Affordable Units sufficient to qualify for a 35% Density Bonus, and 50% or more of the commercially zoned parcel is located in or within 1,500 feet of a Transit Stop/Major Employment Center. The project site is located in the C4-1D Zone and fronts on Sunset Boulevard and Crescent Heights Boulevard, both of which are designated Major Highways in the City's Transportation Element. The project is setting aside 11% of its units for Very Low Income Households which is eligible for the 35% Density Bonus. 50% of the project site is within 1,560 feet of a Transit Stop, defined per LAMC 12.22-A,25 to include a Metro Rapid Bus stop located along a Metro Rapid Bus route. As such, the project misses, by a matter of 60 feet, the requirement for the aforementioned On-Menu Incentive, and is therefore requesting an Off-Menu Incentive to allow a 3:1 Floor Area Ratio for a Housing Development Project located within 1,560 feet of a Transit Stop.

The requested off-menu incentives to allow the lot area including any land to be set aside for street purposes to be included in calculating the maximum allowable floor area, and to allow a 3:1 floor area ratio for a Housing Development Project located within 1,560 feet of a Transit Stop, are not expressed in the Menu of Incentives per LAMC 12.22-A,25(f) and, as such, are subject to LAMC 12.22-A,25(g)(3), which requires a pro forma or other documentation to show that the waiver or modification of any development standards are needed in order to make the Restricted Affordable Units economically feasible.

The applicant submitted a pro forma, along with an independent third-party financial analysis of the pro forma in order to evaluate the financial feasibility of the original project, attached as Exhibit C. The applicant also submitted a supplemental pro forma along with an independent third-party financial analysis of the supplemental pro forma in order to evaluate the financial feasibility of the proposed project (Alternative 9 as analyzed in the RP-DEIR), which is also included in Exhibit C.

Three scenarios were evaluated. Scenario 1 evaluated the project as proposed, a development with 191 market rate apartment units, 28 Very Low Income Housing units, 30 for-sale condominium units, 65,000 square feet of commercial space, and affordable housing incentives that achieve a 3:1 FAR. Scenario 2 evaluated the original project, a development with 221 market rate apartment units, 28 Very Low Income Household units, 110,000 square feet of commercial space, and affordable housing incentives that achieve a 3:1 FAR. Scenario 3 evaluated a development with 28 Very Low Income Household units, 85,000 square feet of commercial space, and a base 1:1 floor area ratio, without the affordable housing incentives for an increase in FAR.

The financial feasibility of the three scenarios were evaluated based on two common investment return metrics: return on total development cost, and developer profit margin. The minimum threshold for return on total development costs used in this analysis are weighted averages based on the land use characteristics of each scenario. The return on total development cost thresholds are therefore slightly different in each scenario.

Under Scenario 1, income-producing uses generate a return on total development cost that is greater than the minimum threshold (5.7% vs. 4.6%), and the entire project, including the for-sale units, generates a developer profit margin that is greater than the minimum acceptable threshold (15.9% vs. 12.5%).

Under Scenario 2, the return on total development cost is greater than the minimum threshold (6.0% vs. 5.7%), and the developer profit margin is greater than the minimum acceptable investment return threshold (21.6% vs. 12.5%).

Under Scenario 3, the return on total development cost falls below a minimum threshold for return on total development cost required to attract investment capital to the project (4.4% vs. 6.2%) and yields a negative developer profit margin, as compared with a minimum acceptable investment return threshold (-22.7% vs. 12.5%).

Of the three development scenarios analyzed, only Scenario 1 (the project as proposed and as analyzed in the RP-DEIR) and Scenario 2 (the original project analyzed in the Draft EIR) are financially feasible. As of 2008, Government Code Section 65915 no longer requires a developer to show the requested incentives are necessary to make the proposed housing units economically feasible. Nevertheless, the requested off-menu incentives here allow the developer to expand the building envelope so the additional 28 restricted affordable units can be constructed and the overall space dedicated to residential uses is increased. Thus, these incentives support the applicant's ability to set aside 28 units for Very Low Income households for a period of 55 years.

b. The Incentive <u>will have</u> a specific adverse impact upon public health and safety or the physical environment, or on any real property that is listed in the California Register of Historical Resources and for which there are no feasible method to satisfactorily mitigate or avoid the specific adverse Impact without rendering the development unaffordable to Very Low, Low and Moderate Income households. Inconsistency with the zoning ordinance or the general plan land use designation shall not constitute a specific, adverse impact upon the public health or safety.

There is no evidence that the proposed incentives will have a specific adverse impact because this project would cause identified impacts even if the project did not incorporate the requested incentives. A "specific adverse impact" is defined as "a significant, quantifiable, direct and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete" (LAMC Section 12.22-A.25(b)). The proposed project and potential impacts were analyzed in accordance with the City's Environmental Quality Act (CEQA) Guidelines and the City's L.A. CEQA Thresholds Guide. These two documents establish guidelines and thresholds of significant impact, and provide the data for determining whether or not the impacts of a proposed project reach or exceed those thresholds. Analysis of the proposed project involved the preparation of an Environmental Impact Report (EIR) (Case No. ENV-2013-2552-EIR), and it was determined that the proposed project may have an impact on the following environmental factors: Aesthetics and Visual Character (Construction); Air Quality (Construction); Cultural Resources (Archeological and Paleontological Resources, Historical Resources); Geology and Soils (Seismic Ground Shaking, Temporary Excavations Site Stability); Hazards/Hazardous Materials (Asbestos and Lead Based Paint: Transport, Use of Disposal of Hazardous Materials, Release of Hazardous Materials, Listed Hazardous Materials Site); Noise (Construction noise and vibration); Public Services (Police Protection, Fire Protection, Schools, Parks and Recreation); and Traffic and Transportation (Construction traffic during shoring and excavation phase; Intersection impacts at Havenhurst Drive and Fountain Avenue in the City of West Hollywood during project operations). Mitigation Measures and

Project Design Features will reduce impacts to a less than significant level for all but two of the impacts analyzed, and are imposed as a Condition of Approval herein (Condition No. 60).

Even with implementation of the Mitigation Measures and Project Design Features, the project would result in significant and unavoidable impacts to historical resources, construction noise and vibration, construction traffic during shoring and excavation phase; and intersection impacts at Havenhurst Drive and Fountain Avenue in the City of West Hollywood during project operations. However, the Off-Menu Density Bonus incentives would not create the significant and unavoidable impacts to construction noise and vibration and construction traffic, as those impacts would occur during construction, regardless of the FAR and height increase incentives. Moreover, those impacts would be temporary in nature during construction. In addition, although the EIR considers the on-site Bank Building as a historic resource for the purposes of CEQA analysis, its removal would be a significant and unavoidable impact under all non-preservation alternatives, regardless of the FAR increase sought by the Off-Menu Incentive. Notwithstanding, the incentives would not create an impact to historical resources. With respect to the operational traffic impact at the intersection of Havenhurst Drive and Fountain Avenue, the EIR identified Mitigation Measure TR-1, which would reduce impacts to less than significant. However, this intersection is in the City of West Hollywood, and if the City of West Hollywood were to elect not to implement Mitigation Measure TR-1 or an equivalent mitigation, impacts would remain significant and unavoidable. This mitigation measure is required to reduce operational traffic impacts for all build alternatives, including Alternative 2 (Existing Zoning Alternative), which would have a maximum FAR of 1:1 and would not involve the Off-Menu Density Bonus Incentive request. The incentive request would not in and of itself create an impact to operational traffic, but rather, any of the build alternatives would result in such an impact, including a maximum 1:1 FAR project.

Therefore, there is no substantial evidence that the incentives for the project will have a specific adverse impact on the physical environment, or on public health and safety, or on any property listed in the California Register of Historical Resources.

DENSITY BONUS LEGISLATION BACKGROUND

The California State Legislature has declared that "[t]he availability of housing is of vital statewide importance," and has determined that state and local governments have a responsibility to "make adequate provision for the housing needs of all economic segments of the community." Section §65580, subds. (a), (d). Section 65915 further provides that an applicant must agree to, and the municipality must ensure, the "continued affordability of all low and very low income units that qualified the applicant" for the density bonus. Although the State Density Bonus law has been updated to remove the requirement of a pro forma, they remain required by the LAMC. A pro forma has therefore been incorporated as Exhibit C.

NOTE: California State Assembly Bill 2222 recently went into effect January 1, 2015. It introduces rental dwelling unit replacement requirements, which pertain to cases filed (not issued) as of January 1, 2015. This determination letter does not reflect replacement requirements because the case application was submitted to the Department of City Planning on August 19, 2013, prior to the effective date of the amended Law, and moreover there were no residential units on the site. The new state law also increases covenant restrictions from 30 to 55 years for cases issued (not just filed) as of January 1, 2015. This determination letter does reflect 55 year covenant restrictions, given that the case decision, or approval, as noted on the front page, is being issued after January 1, 2015.

With Senate Bill 1818 (2004), state law created a requirement that local jurisdictions approve a density bonus and up to three "concessions or incentives" for projects that include defined levels of affordable housing in their projects. In response to this requirement, the City created an ordinance that includes a menu of incentives (referred to as "on-menu" incentives) comprised of eight zoning adjustments that meet the definition of concessions or incentives in state law (California Government Code Section 65915). The eight on-menu incentives allow for: 1) reducing setbacks; 2) reducing lot coverage; 3) reducing lot width, 4) increasing floor area ratio (FAR); 5) increasing height; 6) reducing required open space; 7) allowing for an alternative density calculation that includes streets/alley dedications; and 8) allowing for "averaging" of FAR, density, parking or open space. In order to grant approval of an on-menu incentive, the City utilizes the same findings contained in state law for the approval of incentives or concessions.

Under Government Code Section § 65915(a), § 65915(d)(2)(C) and § 65915(d)(3) the City of Los Angeles complies with the State Density Bonus law by adopting density bonus regulations and procedures as codified in Section 12.22 A.25 of the Los Angeles Municipal Code. Section 12.22 A.25 creates a procedure to waive or modify zoning code standards which may prevent, preclude or interfere with the effect of the density bonus by which the incentive or concession is granted, including legislative body review. The Ordinance must apply equally to all new residential development.

In exchange for setting aside a defined number of affordable dwelling units within a development, applicants may request up to three incentives in addition to the density bonus and parking relief which are permitted by right. The incentives are deviations from the City's development standards, thus providing greater relief from regulatory constraints. Utilization of the Density Bonus/Affordable Housing Incentives Program supersedes requirements of the Los Angeles Municipal Code and underlying ordinances relative to density, number of units, parking, and other requirements relative to incentives, if requested.

For the purpose of clarifying the Covenant Subordination Agreement between the City of Los Angeles and the United States Department of Housing and Urban Development (HUD) note that the covenant required in the Conditions of Approval herein shall prevail unless pre-empted by State or Federal law.

FINANCIAL ANALYSIS/PRO-FORMA

Pursuant to the Affordable Housing Incentive Density Bonus provisions of the LAMC (Section 12.22-A,25) proposed projects that involve on-menu incentives are required to complete the Department's Master Land Use Permit Application form, and no supplemental financial data is required. The City typically has the discretion to request additional information when it is needed to help make required findings. However, the City has determined that the level of detail provided in a pro forma is not necessary to make the findings for on-menu incentives. Although the State Density Bonus law has been updated to remove the requirement of a pro forma, the City's Density Bonus Ordinance requires "a pro forma or other documentation" with requests for off-menu incentives, and the applicant submitted a pro-forma attached as Exhibit C. However, off-menu density bonus cases do not have different findings from on-menu cases and do not require explicit financial analysis in the form of cap rates, construction costs, operating income and expenses.

3. Site Plan Review Findings

a. The project is in substantial conformance with the purposes, intent and provisions of the General Plan, applicable community plan, and does not conflict with any applicable regulations, standards, and any applicable specific plan.

The subject property is within the Hollywood Community Plan area, with a Neighborhood Office Commercial land use designation and corresponding zones of C1, C2, C4, P, RAS3, and RAS4. The proposed mix of restaurant, retail and residential uses is consistent with the Neighborhood Office Commercial land use designation and is permitted within its underlying zones.

The project site is an irregular shaped 2.56-acre lot consisting of two parcels, one with primary frontage on Sunset Boulevard and one with frontage on Havenhurst Drive. The property has frontage along Havenhurst Drive, Sunset Boulevard, and Crescent Heights Boulevard. The project site is zoned C4-1D. Pursuant to Ordinance No. 164,714, project site is subject to a "D" Limitation that restricts the site's allowable floor area ratio to 1:1. The project site is not subject to a height restriction. The project site is not within a specific plan area. The site is currently improved with two commercial buildings containing 80,000 square feet of commercial space, including a bank, fast food uses and associated parking, all of which would be removed to allow for the proposed project.

The project will be comprised of various building elements ranging in height from one to three stories at the Sunset Boulevard retail frontage to 15 stories at the Havenhurst Drive frontage. The project will include one building element along Havenhurst Drive at 15 stories in height (approximately 234 feet above grade), one building element along Crescent Height Boulevard at 11 stories (approximately 174 feet above grade), and one building element between the east and west buildings at five stories (approximately 110 feet above grade). A single-story retail structure is proposed within the project's publicly accessible central plaza. While the height of the retail building fronting Sunset Boulevard will be limited to three stories, an architectural projection at the northwest corner of this building will extend to a height of up to 7 stories, or approximately 80 feet above grade. Retail uses will be located in the one- to three- story North Building fronting Sunset Boulevard, in Level 1 of the three building elements of the South Building, and in the one-story retail structure within the interior central plaza.

The maximum building height is approximately 234 feet as measured from the lowest point of the project site. The project will have a total floor area of 334,000 square feet, with a FAR of 3:0:1. The applicant has requested an off-menu Density Bonus Incentive of 3:1 FAR under the Los Angeles Municipal Code (LAMC) Section 12.22-A,25, to exceed the 1:1 FAR limitation on the property pursuant to the "D" limitation.

There is an On-Menu Incentive in the LAMC Section 12.22-A,25(f)(4)(ii) that permits a 3:1 FAR for a project in a commercial zone in Height District 1 that fronts on a Major Highway as identified in the City's General Plan, provided that the Housing Development includes the number of Restricted Affordable Units sufficient to qualify for a 35% Density Bonus, and 50% or more of the commercially zoned parcel is located within 1,500 feet of a Transit Stop. A Transit Stop is defined in LAMC Section 12.22-A,25(B)(1) to include a "Metro Rapid Bus stop located along a Metro Rapid Bus route."

The proposed project meets all of the aforementioned conditions for the On-Menu Incentive, with the exception of having 50% or more of the commercially zoned parcel located within 1,500 feet from the nearest Transit Stop. Both Sunset Boulevard and Crescent Heights Boulevard are designated as Major Highway Class II in the Transportation Element (it should be noted that applicant filed a Vesting Tentative Tract Map preceding the adoption of the Mobility Plan 2035, and therefore the Transportation Element applies to the subject property). The project site is a commercially-zoned site in Height District 1, with the zoning designation of C4-1D. The project is setting aside 11% of its residential dwelling units for

Very Low Income households, or 28 of the total 249 units, thereby qualifying for a 35% density bonus pursuant to LAMC 12.22-A,25.

The project misses, by a matter of 60 feet, the On-Menu Incentive criteria of 50% of the project site being located within 1,500 feet of the nearest Transit Stop. Rather, 50% of the project site is located within 1,560 feet of the Metro Rapid Line 780, which stops at Sunset Boulevard and Fairfax Avenue. According to 2015 Metro ridership statistics, Metro lines 2/302, 217, 218 and 780, which serve the project vicinity, had an annual combined ridership of over 11 million passengers. These Metro bus routes provide critical access to regional activity and employment centers such as Kaiser Permanente Hospital, Children's Hospital and Hollywood Presbyterian Medical Center, and the Los Angeles County Museum of Art. While Metro Rapid Line 780 offers weekday service only, Metro Local Lines 2/302 and 217 provide weekday, weekend and late night service. The Metro Local 2/302 Line currently has a bus stop located on the existing traffic island adjacent to the project site. This bus stop is proposed to be relocated approximately 350 feet to the east of its current location, or approximately 430 feet from the northeastern property line of the project site, between Crescent Heights Boulevard and Laurel Avenue. Metro has indicated support for this proposed relocation, as documented in correspondence included in Appendix D to the Final EIR. In 2015, Metro Local Line 2/302 had an annual ridership of 5,759,913, more than double the ridership of Metro Rapid Line 780 (2,471,314). Metro Local Line 2/302 does not qualify the project for the On-Menu Incentive by virtue of it being a Metro Local Line and not a Metro Rapid Line, notwithstanding its higher level of ridership and closer proximity to the project site. However, the project meets the intent and purpose of the On-Menu Density Bonus of accessibility to public transportation and major thoroughfares, and the provision of affordable housing. Therefore, granting the requested Off-Menu Incentive would not constitute a significant departure from the purpose and intent of the established On-Menu Incentive, and is consistent with the City's implementation of the State Density Bonus requirements. Approval of the requested Off-Menu Incentive is thus consistent with the General Plan.

Development of the proposed mixed-use building will exceed the existing density of surrounding properties but it would be generally compatible with the character of the highly urbanized and built-out nature of the project vicinity. The project would follow the existing land use pattern in the vicinity, which includes higher intensity uses on commercial parcels along Sunset Boulevard with lower density residential areas to the north and south. The 249 units provided by the project is consistent with the C4-1D density applicable to the project site. The project's 111,339 square-foot site is allowed up to 278 units in the underlying C4 zone, which allows R4 densities (400 square feet per dwelling unit).

The proposed project is consistent with the following objectives of the Hollywood Community Plan:

> Objective 1: To further the development of Hollywood as a major center of population, employment, retail services, and entertainment.

The proposed project helps to achieve Objective 1 by providing 249 residential dwelling units and 65,000 square feet of ground floor retail uses, including restaurants, a grocery store, and a walk-in bank, which would create employment opportunities. As a mixed-use development with housing and a substantial retail component, the project would help achieve Objective 1 and would further development of Hollywood, and in particular the western portion of Hollywood at the eastern edge of the Sunset Strip within the City of West Hollywood, as a major center of population, employment, retail services, and entertainment.

Objective 3: To make provision for the housing required to satisfy the varying needs and desires of all economic segments of the Community, maximizing the opportunity for individual choice.

With its inclusion of 28 Very Low Income dwelling units, the proposed project helps achieve Objective 3 by creating new housing for a range of economic segments. In addition, the project allows for individual choice in housing by providing a range of unit types such as studio, 1 bedroom, 2 bedroom, 3 bedroom and 4 bedroom units. The provision of affordable housing and the range of unit types is made possible by the requested density bonus. By providing a range of housing opportunities, the project accommodates an adequate supply of housing units by type and cost, and is accessible to the City's diverse housing sizes. The Hollywood Community Plan text further states that, "Additional low and moderate-income housing is needed in all parts of this Community. Density bonuses for provision of such housing through Government Code 65915 may be granted in the Low-Medium I or less restrictive residential categories." The project site corresponds to the High Density category, which is less restrictive than Low-Medium I category cited in this passage, and therefore meets the intent of the community plan to provide additional low and moderate-income housing through the implementation of the state density bonus law.

Therefore, the mixed-use project is consistent with the objectives of the Hollywood Community Plan.

Finally, the proposed project helps achieve several policies of the 2013-2021 Housing Element of the General Plan, the City's blueprint for meeting the housing and growth needs. The objectives relevant to this project include:

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

Policy 1.1.1: Expand affordable home ownership opportunities and support current homeowners in retaining their homeowner status.

Policy 1.1.2: Expand affordable rental housing for all income groups that need assistance.

Policy 1.1.3: Facilitate new construction and preservation of a range of different housing types that address the particular needs of the city's households.

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

Objective 2.3: Promote sustainable buildings, which minimize adverse effects on the environment and minimize the use of non-renewable resources.

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

The proposed project contributes to the advancement of the Objectives, Purposes and Policies set forth in the General Plan, including the Hollywood Community Plan and the Housing Element by accommodating the growing demand for mixed-use housing near established activity centers and near transit, as well as providing diverse housing options for a range of income levels. Therefore, the project is in substantial conformance with the

purposes, intent and provisions of the General Plan, the Hollywood Community Plan and does not conflict with any applicable regulations or standards.

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

Height

The proposed project consists of a mixed-use residential/commercial building with heights ranging from one- to three stories at the Sunset Boulevard frontage to a maximum of 11 to 15 stories in the rear of the project site, for a maximum building height of 234 feet. The C4-1D Zone allows an unlimited height, but is limited to the 1.5:1 FAR. The project site is subject to a "D" limitation that further limits the FAR to 1:1. The project is setting aside 11% of its residential dwelling units for Very Low Income households, or 28 of the total 249 units, which thereby qualifies for a 35% density bonus pursuant to LAMC 12.22-A,25. The applicant has requested an Off-Menu Density Bonus Incentive of a 3:1 FAR under the Los Angeles Municipal Code (LAMC) Section 12.22-A,25. The On-Menu Incentive set forth in LAMC Section 12.22-A,25(f)(4)(ii) permits a 3:1 FAR for a project in a commercial zone in Height District 1 that fronts on a Major Highway as identified in the City's General Plan, provided that the Housing Development includes the number of Restricted Affordable Units sufficient to qualify for a 35% Density Bonus, and 50% or more of the commercially zoned parcel is located within 1,500 feet of a Transit Stop. A Transit Stop is defined in LAMC Section 12.22-A,25(B)(1) to include a "Metro Rapid Bus stop located along a Metro Rapid Bus route." The increase in available FAR allows the project to utilize more height and increase the total number of available residential units, and to vary the size and layout of the residential units in order to provide a more diverse set of housing options.

The character of the project vicinity is generally highly urbanized and built-out. The project will follow the existing land use pattern in the vicinity, which includes higher intensity uses on commercial parcels along Sunset Boulevard contrasted with lower density, low-rise residential areas to the north and south. Existing high rise elements along Sunset Boulevard are generally 10 stories at the highest in the area, and are interspersed among low-rise commercial uses. Although the maximum 234-foot height of the project will exceed the existing height of surrounding properties, the project's varied massing and deep residential setbacks will help to blend the edge of the project into the existing land use pattern of the area. Although the project is not within the City of West Hollywood and therefore is not subject to the adjacent Sunset Specific Plan or other land use regulations within that jurisdiction, it is worth noting that development along the Sunset Strip within the City of West Hollywood follows a generally similar pattern of higher intensity uses along Sunset Boulevard with lower intensity residential uses to the north and to the south. Existing mid- to high-rise buildings on and adjacent to Sunset Boulevard in the vicinity of the project site include St. James (180 feet), Hyatt Hotel (150 feet), Peterson Publishing (104 feet), Playboy Building (121 feet), Sunset Towers (102 feet), Bel Age Hotel (117 feet), 9000 Sunset (194 feet), Sunset Medical (140 feet), Luckman Building (195 feet), 9229 Sunset (144 feet), and the 31-story Sierra Towers.

Bulk/Massing

The project incorporates a stepped back design and breaks in massing to respond to the scale of the lower intensity multi-family residential uses to the south and to the west of the project site. The residential portion of the west tower provides a variable 14- to 40-foot -foot setback along Havenhurst Drive, and the residential portion of the east tower will be setback from 4 to 28 feet from the property line. Rear setbacks for the residential portions of the east

and west towers range from 15 to 30 feet from the property line. The massing and orientation of the taller building elements will open up an approximately 150-foot wide view corridor through the center of the project site, thereby softening the scale and appearance of the project as it relates to surrounding single- and multi-family residential areas. While the overall mass and scale of the east and west building components will be taller than surrounding structures, the setbacks and breaks in massing greatly limit the broad, large and flat building surfaces, in order to be responsive to the neighborhood character and the views of residences to the north and south of the project site.

The one- to three-story retail frontage along Sunset Boulevard will be oriented towards the street, is of a human scale that is conducive to the pedestrian environment, and would activate the streetscape with ground-floor retail and restaurant uses. Façade treatments and landscaping distinguish the primary entrances visually from the street and sidewalk, with sidewalk-oriented retail windows and transparent glass at ground level along the street front.

Building Design

The proposed design is a contemporary style, with articulated building facades to provide visual interest. The façade of the North Building facing Sunset Boulevard would be a one- to three-story structure contrasted by the curved features of the central plaza, and provides retail frontages and transparent building materials at ground-level to enhance the pedestrian scale. The central residential building would have the most articulation of the proposed structures, and is designed as such to draw pedestrians to the project's interior plaza. The interior plaza would provide a central gathering place with direct accessibility to the project's ground floor retail uses.

The exterior façade of the eastern residential building component, central residential building, and the lower portion of the western residential building component would feature a solid material, such as stone cladding, with punched windows to relate to existing neighborhood characteristics. The articulation of the eastern residential building component along Crescent Heights Boulevard is simpler in articulation compared to other components of the design. Its articulation and massing is intended to relate to the scale of the surrounding buildings, while the upper portion of the western residential building component would be comprised of a transparent glazed façade with a degree of transparency to allow the massing to appear lighter and better relate to its surroundings. The project would include contrasting surface orientations, overhangs, and rooftop spaces/terraces to create visual interest and minimize the appearance of large, flat building surfaces.

Setbacks

The C4 zone does not require a front yard setback and requires side and rear yard setbacks for the same as for R4 uses for the lowest residential story. Consistent with the C4-1D zone, the commercial portions of the building do not require setbacks and are generally oriented towards the property line to create a consistent streetscape in order to activate the pedestrian experience. Pursuant to LAMC Section 12.22-A,18(c)(3), side yards are not required along Sunset Boulevard, Crescent Heights Boulevard or Havenhurst Drive. Notwithstanding, the project would provide setbacks and breaks in massing to respond to the scale of the surrounding neighborhoods. The residential portion of the west tower will provide a variable 14 to 40-foot -foot side yard setback along Havenhurst Drive, and the residential portion of the east tower will be setback from 4 to 28 feet from the property line. Rear setbacks for the residential portions of the east and west towers range from 15 to 30 feet from the property line.

As such, the proposed project will comply with all yard requirements and provides more than the required rear yard setback that will provide light and air as well as a buffer for noise for adjacent uses and buildings.

Parking
The project will provide approximately 820 parking spaces within four subterranean and semi-subterranean levels. The Density Bonus Ordinance permits a reduction in required parking based on two Parking Options. The applicant has requested Parking Option 1, which allows one on-site parking space for each Residential Unit of zero to one bedrooms, two on-site parking spaces for each Residential Unit of two to three bedrooms, and two-and-one-half on-site parking spaces for each Residential Unit of four or more bedrooms. Under Parking Option 1, the project is required to provide 311 residential parking spaces. The applicant has proposed to provide 326 residential parking spaces.

Parking for commercial uses is provided pursuant to LAMC Section 12.21-A,4. The LAMC allows that Code-required automobile parking spaces may be replaced by bicycle parking at a ratio of one automobile parking space for every four bicycle spaces provided. Pursuant to this section, not more than 20 percent of the required parking for non-residential uses may be replaced. The 20 percent reduction of 78 parking spaces would result in a total of 311 automobile spaces required for commercial uses. The applicant has proposed to provide 494 commercial automobile parking spaces, which exceeds LAMC commercial parking requirements by 183 spaces, for a total of 820 parking spaces.

Vehicular access for commercial uses will be provided via ramps on Crescent Heights Boulevard (ingress and egress). No vehicular access for commercial uses will be provided from Havenhurst Drive. Commercial parking will be valet during peak hours, with self-parking available during off-peak hours. Vehicular access for residents will also be provided via the ramps on Crescent Heights Boulevard, as well as from two dedicated residential access driveways on Havenhurst Drive. Both attendant and self-parking options will be available for residents. The northernmost of the two Havenhurst Drive access points will be an ingress-egress driveway for apartment residents. In the project's Mitigation Monitoring Program (MMP), a physical barrier or equivalent improvement is proposed, subject to review and approval by LADOT, in order to ensure that vehicles exiting from the project's Havenhurst Drive driveways do not make left-turns onto southbound Havenhurst Drive. Further, a condition of approval has been included that prior to the issuance of building permits, the applicant shall finalize plans for the driveway barrier proposed in PDF-Traffic-1. The southernmost access point will be a porte cochere for condominium residents.

The project will provide a total of 622 bicycle parking spaces (249 residential long term, 25 residential short term, 32 commercial long term and 316 commercial short-term spaces). Long-term bicycle parking for residents is provided within the subterranean parking structure. Long-term bicycle parking provided for commercial uses would also be located within the subterranean parking structure. Short-term bicycle parking is provided within Basement Level 1, as well as at ground level fronting Havenhurst Drive and Crescent Heights Boulevard, and within the publicly accessible central plaza. Commercial short-term bicycle parking spaces are provided in excess of LAMC requirements by 284 spaces, in order to further encourage transportation modes that do not rely on single-occupancy vehicles.

As such, parking will be provided in full conformance with Code requirements for residential and commercial uses

Landscaping
Landscaping will be incorporated into the ground-level central plaza and within the various project terraces and street frontages. The central plaza will feature hard and soft landscaping, and will provide benches and areas for public gathering. The project will also provide a 9,134 square-foot landscaped public space through the reconfiguration of the

existing traffic island at Sunset Boulevard and Crescent Heights Boulevard. The reconfigured traffic island would be improved and maintained by the applicant under the continued ownership of the City. This public open space will be landscaped with trees, planters, and seating areas.

The north retail building will be stepped back at both ends of Sunset Boulevard, which creates second- and third-level terraces that will include potted landscaping and trees. Landscaping will also be incorporated into the third-level roof deck of the north retail building. The west and east residential towers will provide landscaped terraces as the south building steps back its horizontal massing at Level 7. Landscaping and trees are proposed, and a pool deck will be provided on the western building's Level 7 terrace. An outdoor amenity area and pool deck are also proposed on the Level 3 southern portion of the central building element. The building's south-facing massing is substantially lower as it abuts residential uses to the south in the City of West Hollywood.

The project will provide a green wall and vineyard stone cladding along the exposed podium structure on Havenhurst Drive and landscaping treatment of the exposed podium structure on the south edge of the property, as required by the project's Mitigation Monitoring Program in Project Design Feature PDF-AES-1. The project will provide 11 new trees along the Sunset Boulevard and Crescent Heights Boulevard street frontages, and would retain 6 existing trees along Havenhurst Drive. Multiple trees will also be provided on the 9,134 square-foot reconfigured traffic island, and throughout the project site on the various terraces and outdoor amenity areas.

Equipment/Trash Collection
Commercial and residential delivery vehicles, and trash trucks, would access the project site from Havenhurst Drive via a dedicated driveway directly to the north of the condominium porte cochere. All vehicle maneuvers would take place within the Basement Level 2 internal loading dock and trash sorting area. All utility lines would be buried and would not be visible from adjacent streets and sidewalks. Any rooftop utilities would be appropriately screened from view from the public right-of way.

c. That any residential project provides recreational and service amenities in order to improve habitability for the residents and minimize impacts on neighboring properties.

Pursuant to Section 12.21-G,2 of the L.A.M.C., there shall be 100 square feet of open space provided for each residential unit having less than three habitable rooms; 125 square feet of open space provided for each residential unit consisting of three habitable rooms; and 175 square feet of open space provided for each residential unit containing more than three habitable rooms. The proposed project is a mixed-used project consisting of 249 residential units and approximately 1,000 square feet of commercial space.

While approximately 27,725 square feet of open space is required by the LAMC, the proposed project will instead provide approximately 47,850 square feet of open space that is inclusive of common open areas as well as private (balcony) open spaces. Open space available to project residents includes approximately 22,100 square feet of private balcony space and terraces, 19,050 square feet of common roof deck space, and 6,700 square feet of recreation and fitness space. The project will provide 11,400 square feet of open space on Levels 2 and 3 of the commercial North Building fronting Sunset Boulevard, which would be available for outdoor dining and occasional special events. The west and east building elements provide landscaped terraces as the building steps back its horizontal massing at Level 7. The project also will provide a 27,000 square-foot publicly accessible central plaza at ground level. On-site amenities for residents include pool decks, fitness facilities and a

library. The existing traffic island at the intersection of Crescent Heights Boulevard and Sunset Boulevard is proposed to be reconfigured to adjoin the property and provide approximately 9,100 square feet of public space that would include landscaping and other amenities. The reconfigured traffic island, while maintained by the applicant, will remain under ownership of the City. The publicly accessible open space provided by the reconfigured traffic island is not considered in the calculation of open space provided by the project to meet LAMC requirements.

The project site is served by Metro bus lines 780, 2/302, 217, 218, and City of West Hollywood bus transit lines. The aforementioned Metro bus lines carry over 11 million passengers per year (according to 2015 Metro ridership statistics), and provide access to regional employment and activity centers such as Kaiser Permanente Hospital, Children's Hospital and Hollywood Presbyterian Medical Center, and the Los Angeles County Museum of Art. Therefore, the project contains adequate recreational amenities and is within close proximity to transit services which will contribute to the habitability of the residents of the 249 dwelling units and minimize the impacts on neighboring properties.

FINDINGS OF FACT (CEQA)

I. INTRODUCTION

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

To evaluate the environmental impacts of the project in accordance with the California Environmental Quality Act ("CEQA"), the City of Los Angeles ("City") prepared a Draft Environmental Impact Report ("Draft EIR" or "DEIR"). The project, as proposed in the Draft EIR, would consist of two buildings over a single podium structure with various elements ranging in height from two stories to 16 stories (approximately 42 feet above the ground elevation at the intersection of Sunset and Crescent Heights Boulevards [the "North Building"], increasing to approximately 108 feet for the nine-story portion and approximately 191 feet for the 16-story portion of the building [the "South Building"]; the overall building height would be approximately 216 feet as measured from the lowest point of the Site along Havenhurst Drive to the top of the South Building). As proposed in the Draft EIR, the North Building would include two levels with a rooftop terrace containing exclusively commercial uses. The South Building would contain commercial uses on the first two levels, residential uses on levels three through 15, and a rooftop restaurant/lounge on the top level. Collectively, these improvements are referred to herein as the original project. The Draft EIR additionally considered a No Project alternative and six other build alternatives that explored different building heights, layouts and preservation of existing structures.

During the public review period the City Planning Department received 975 written comment letters and emails on the Draft EIR from agencies, organizations, and individuals. Based on

comments received on the Draft EIR, the applicant developed a new project alternative – Alternative 9, the Enhanced View Corridor and Additional Underground Parking Alternative. Accordingly, the City made available for public comment Recirculated Portions of the Draft EIR ("Recirculated DEIR" or "RP-DEIR"), which set forth a full description and analysis of Alternative 9 and made other related changes to the Draft EIR in response to public comments.

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

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

Building heights under Alternative 9 ranges from three stories at the Sunset Boulevard retail frontage to 15 stories at the South Building, similar to the original project, though the massing of the buildings would vary from those originally proposed. Specifically, the South Building includes three tower elements, one along Havenhurst at 15 stories in height (or approximately 234 feet above grade as measured from the lowest point on the project site at the southwest corner of the property), one along Crescent Heights at 11 stories (or approximately 174 feet above grade as measured from the southwest corner of the property), and one at the central portion of the South Building between the East and West tower elements at five stories (or approximately 110 feet above grade as measured from the southwest corner of the property). This arrangement creates an approximate 150-foot-wide, north-south-oriented view corridor between the taller East and West tower elements that maintain views southward across the project site from locations to the north and vice-versa. This is a significant departure from the Original Project, which was designed in a manner that blocked this view corridor with an east-west orientation with no break in massing. The Sunset Boulevard retail frontage of the North Building would include a new retail structure varying in heights from one story to three stories, which would include an outdoor terrace over the first floor retail uses (i.e., on Level 2), as well as a smaller, single-story retail structure within the interior of the project site. Although building heights for the North Building would be limited to three stories, an architectural projection (or "marquis element") at the northwest corner of the North Building would extend up to a height of 7 stories (or approximately 80 feet) above the Sunset Boulevard grade. Outdoor semiprivate areas for the residences occur at the third and seventh floors of each of the East and West tower elements of the South Building. The rooftop bar/lounge has been eliminated to address concerns raised in the Draft EIR comment letters regarding potential noise and privacy impacts. Parking has been reconfigured such that the above-grade structured parking in the southwest portion of the

property would be eliminated, and would be provided largely underground to address concerns raised in the Draft EIR comment letters regarding potential noise and air quality impacts resulting from the above-grade and open parking structure proposed as part of the original project and other alternatives.

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

II. Environmental Documentation Background

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

In addition, a public scoping meeting was conducted on October 2, 2013 from 5:30 P.M. to 7:30 P.M. at the Will and Ariel Durant Branch Library, located at 7140 W. Sunset Boulevard, Los Angeles, California 90046. The meeting provided interested individuals, groups and public agencies the opportunity to provide oral and written comments to the Lead Agency regarding the scope and focus of the Draft EIR as described in the NOP and Initial Study. 151 written comments responding to the NOP were submitted to the City. Responses to the NOP were provided by various public agencies, including the California Governor's Office of Planning and Research, California Native Heritage Commission, South Coast Air Quality Management District, City Bureau of Engineering, Los Angeles Police Department, Los Angeles County Metropolitan Transportation Authority, and the City of West Hollywood; several private organizations, including the Los Angeles Conservancy, Laurel Canyon Association, Crescent Heights-Havenhurst Neighborhood Preservation Association, the Federation of Hillside and Canyon Associations, the Alla Nazimova Society, Granville Homeowners Association, the Stanley Hills Drive Community of Neighbors, and West Hollywood Preservation Alliance; and 102 individuals. In addition, approximately 70 individuals attended the public scoping meeting, and comments were received in writing on scope and content of the Draft EIR. The NOP letters and comments received during the comment period are included in Appendix A-2 of the Draft EIR.

In accordance with CEQA Guidelines Section 15085, the City of Los Angeles Planning Department published a Draft EIR, a Notice of Completion and Availability ("NOCA") as well as CD copies of the Draft EIR, which were submitted to the State Clearinghouse, Governor's Office of Planning and Research for distribution to State Agencies. The Draft EIR was circulated for a 62-day public review on November 20, 2014 through January 20, 2015, fulfilling (and going beyond) the requirements of Section 15105(a) of the CEQA Guidelines. As required under Section 15086 of the CEQA Guidelines, a NOCA requesting comments on the Draft EIR and CDs of the Draft EIR were distributed to approximately 54 public agencies and other interested parties. In addition, copies of the NOCA and, in some cases, CDs of the Draft EIR were mailed to approximately 133 agencies, organizations, or individuals who had previously requested

notice or expressed an interest in the project, commented on the project during the public review period, or attended the public scoping meeting conducted for preparation of the Draft EIR. Furthermore copies of the NOCA were mailed to approximately 950 property owners and/or occupants located within a 500-foot radius of the Site. In compliance with CEQA Guidelines, Section 15087 the NOCA was published in the Los Angeles Times and filed with the Los Angeles County Clerk on November 20, 2014. Copies of the Draft EIR were placed at the Will and Ariel Durant Branch Library, Fairfax Branch Library, John C. Fremont Branch Library, and Los Angeles Central Library. The Draft EIR was also available for review at the City's Planning Department, Environmental Analysis Section and on the City's website. Also available for review at the City's Planning Department was a CD of references used in preparation of the Draft EIR.

During the public review period the City Planning Department received 975 comment letters on the Draft EIR from agencies, organizations, and individuals through written correspondence and emails. Based on comments received on the Draft EIR, the applicant developed a new project alternative, Alternative 9 (the project). The City determined that recirculating portions of the Draft EIR was desirable, with the purpose being to foster further public input and informed decision-making associated with the CEQA process for the project.

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

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

Department of City Planning. Notices regarding the availability of the Final EIR were sent to those within a 500-foot radius of the project site as well as individuals who commented on the Draft EIR and RP-DEIR, attended the NOP scoping meeting, and provided comments during the NOP comment period.

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

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

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

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

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

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

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

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

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

- Project Design Features – Identified project design features or actions that are included as part of the project (numbering of the Project Design Features corresponds to the Mitigation Monitoring Program, which is included as Section 4.0 of the Final EIR).

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

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

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

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

IV. Description of the Project (Alternative 9)

A. PROJECT LOCATION AND SURROUNDING USES

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

As noted above, the project site is part of the eastern gateway to the Sunset Strip. The project vicinity is highly urbanized and generally built-out. Specifically, the project site, with frontage on Sunset Boulevard, lies in an active area of Hollywood with its mixed-use blend of commercial, restaurant, bar, studio/production, office, entertainment and multi-family residential uses.

B. Existing Conditions

1. SITE IMPROVEMENTS

The project site encompasses approximately 2.56 acres (111,339 square feet) of land area currently occupied by two commercial buildings and associated parking. The two structures on the Site were built between 1960 and 1988 and contain 80,000 square feet of retail tenancy inclusive of the following uses: fast food restaurants, check cashing facility, dry-cleaners (off-site dry cleaning), an ice cream shop, walk-in bank facility, fitness center, massage parlor, pet grooming services, a storage facility and a dental office. The main retail structure, completed in 1988, is a three-level concrete and light-gauge steel structure inclusive of a one-level, partial below-grade parking garage, three levels of above-grade retail uses, and surface parking. The second structure is a two-story building constructed in 1960 that fronts Sunset Boulevard, which is associated with the former Lytton Savings and Loan Association and is presumed to be eligible for designation as a local Historic Cultural Monument in the FEIR. In addition, there is a standard-sized billboard at the Site that until recently was digital. All existing on-site structures, parking, signage, and landscaping would be removed from the Site prior to construction of the project. The project site is generally flat, with a topography that slopes down from the north to the south. Landscaping on the Site is limited to a small number of ornamental trees.

2. LAND USE AND ZONING DESIGNATIONS

The project site is located within the Hollywood Community Plan area in the City. The project site is zoned C4-1D and has a General Plan land use designation of Neighborhood Office Commercial with corresponding zones of C1, C2, C4 and P Zones in the Hollywood Plan. The project site is not located within any Specific Plan area and is not subject to any interim control ordinances. The site's "1D" designation permits a FAR of 1:1 as the Site is subject to a "D" development condition, which provides that the total floor area of all buildings on a lot may not

exceed one (1) times the buildable area of the lot. The zoning designation does not restrict height. The Commercial Corner standards set forth in the Los Angeles Municipal Code (the "LAMC") Section 12.22-A,23, including the 45-foot height limit, are not applicable to the project, since qualified mixed-use development projects, such as the proposed project, are exempt from these provisions pursuant to LAMC Section 12.22-A,23(d)(1).

The project will include 28 very-low income units, or 11% of the total number of units in the project, which qualifies the project for a 35% density bonus. Development projects that qualify for a density bonus pursuant to California Government Code Section 65915 *et seq.* and LAMC Section 12.22-A,25 *et seq.* by providing on-site affordable housing units must be granted incentives. Specifically, under LAMC Section 12.22-A,25, a project that is eligible for a 35% density bonus may be granted an "on-menu" incentive to allow an FAR of 3:1 if the project is in a commercial zone in Height District 1, fronts on a Major Highway as identified in the City's General Plan, and 50% or more of the property is located within 1,500 feet of a Transit Stop, which is defined to include Metro Rapid Bus stops. In the case of the project site, it is commercially zoned within Height District 1, fronts on Sunset Boulevard (a Major Highway according to the City's General Plan), and 50% of the project site is located within approximately 1,560 feet of the Metro Rapid Bus stop located at the southwest corner of Sunset Boulevard and Fairfax Avenue (Metro Rapid Line 780). Because, by a matter of 60 feet the project does not satisfy the criteria that 50% of the project site be located within the 1,500-foot distance criteria for an on-menu incentive allowing a 3:1 floor area ratio, the applicant is requesting approval of an "off-menu" incentive to permit a 3:1 floor area ratio for a Housing Development Project that includes 50% of the project site within approximately 1,560 feet of a Transit Stop (LAMC Section 12.22-A,25(f)(4)(ii)).

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

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

The original project was also certified by Governor Brown as an eligible project under the Jobs and Economic Improvement through Environmental Leadership Act of 2011 (AB 900). AB 900, which is codified in Sections 21178 – 21189.3 of the California Public Resources Code, was intended to encourage California's economic recovery by providing a streamlined process for judicial review of compliance with CEQA for development projects that qualify as an Environmental Leadership Development Project ("ELDP"). On April 8, 2014, Governor Brown

certified that the original project met the criteria set forth in the statute. In certifying the original project, the Governor determined that the original project would result in a minimum investment of $100 million, would create high-wage jobs, and would not result in net additional greenhouse gas ("GHG") emissions, as determined by the California Air Resources Board ("CARB"). The Governor further determined that the original project would be located on an infill site, is designed to achieve Leadership in Energy & Environmental Design ("LEED") Silver certification, is consistent with the relevant regional sustainable communities strategy, and exceeds by at least 10 percent the transportation efficiency for comparable projects. The ELDP does not explicitly preclude a Lead Agency from considering the adoption of an alternative. To maintain status as an eligible project, such an alternative would likewise need to meet the criteria set forth in the statute, including minimum investment, high-wage jobs, LEED certification, and transportation efficiency. The project as approved by the Lead Agency (Alternative 9) is not materially different from the original project with respect to the ELDP criteria described above, and as an alternative to the original project considered under CEQA is likewise eligible for the ELDP program.

C. PROJECT CHARACTERISTICS

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

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

Building heights for the project ranges from three stories at the Sunset Boulevard retail frontage to 15 stories at the South Building, similar to the original project, though the massing of the buildings vary from that of the original project. Specifically, the South Building includes three

tower elements, one along Havenhurst Drive at 15 stories in height (or approximately 234 feet above grade as measured from the lowest point on the project site at the southwest corner of the property), one along Crescent Heights at 11 stories (or approximately 174 feet above grade as measured from the southwest corner of the property), and one at the central portion of the South Building between the East and West tower elements at five stories (or approximately 110 feet above grade as measured from the southwest corner of the property). This arrangement creates an approximately 150-foot-wide, open north-south-oriented view corridor between the East and West tower elements that provides views southward across the project site from locations to the north and vice-versa. The Sunset Boulevard retail frontage of the North Building includes a new retail structure varying in heights from one story to three stories, which includes an outdoor terrace over the first floor retail uses (i.e., on Level 2), as well as a smaller, single-story retail structure within the interior of the project site. Although building heights for the North Building are limited to three stories, an architectural projection (or "marquis element") at the northwest corner of the North Building would extend up to a height of 7 stories (or approximately 80 feet) above the Sunset Boulevard grade. Outdoor semiprivate areas for the residences are located on the third and seventh floors of each of the East and West tower elements of the South Building. In addition, the rooftop bar/lounge contained in the original project was eliminated to address concerns raised in the Draft EIR comment letters regarding potential noise and privacy impacts.

Parking under the project is provided largely underground to address concerns raised in the Draft EIR comment letters regarding potential noise and air quality impacts resulting from the above-grade and open parking structure originally proposed. The project includes 820 parking spaces (198 more spaces than required by the City's Zoning Code), and offers a substantially higher parking ratio than would originally have been provided due to the substantial reduction in commercial uses under the project, even though the total amount of parking spaces is slightly less than under the original project (i.e., 29 fewer spaces). The additional parking above and beyond the Code requirements proposed under the project addresses concerns raised in the Draft EIR comment letters regarding the sufficiency of parking provided under the original project and the potential for spillover parking effects in the surrounding area. Access to the project site on Sunset Boulevard has been eliminated, which addresses concerns raised in the Draft EIR comment letters regarding congestion along Sunset Boulevard and pedestrian safety. Moreover, Sunset Boulevard has been identified as being within the High Injury Network (HIN), under the City of Los Angeles' Vision Zero initiative, which aims to eliminate collisions that result in severe injury or death. Additionally, changes were made to the excavation plans compared to the original project to accommodate four rather than three subterranean parking levels for the increased underground capacity of the garage.

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

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

The City prepared an Initial Study for the original project that is included in Appendix A-1 of the Draft EIR. The Initial Study provides a detailed discussion of the potential environmental impacts by topic and the reasons that each topical area is or is not analyzed further in the Draft

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

A. ENVIRONMENTAL CATEGORIES THE INITIAL STUDY DETERMINED HAD NO IMPACTS

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

1. AGRICULTURAL RESOURCES

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

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

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

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

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

2. BIOLOGICAL RESOURCES

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

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

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

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

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

3. GEOLOGY AND SOILS – DISPOSAL OF WASTEWATER

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

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

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

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

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

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

6. LAND USE AND PLANNING

a) DIVIDING AN ESTABLISHED COMMUNITY

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

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

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

7. MINERAL RESOURCES

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

8. NOISE – AIRPORTS AND AIRSTRIPS

The project site is not located within an airport land use plan or within two miles of an airport or private airstrip. The closest airport to the project site is the Burbank Bob Hope Airport, which is located approximately 6.5 miles north of the project site. Therefore, the project would not expose site population in the project area to excessive noise levels from airport use. No mitigation measures are required.

9. POPULATION AND HOUSING – REPLACEMENT HOUSING

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

10. TRANSPORTATION AND CIRCULATION – AIR TRAFFIC

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

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

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

1. AIR QUALITY – ODORS

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

2. BIOLOGICAL RESOURCES - CONFLICT WITH LOCAL POLICIES OR ORDINANCES

There are decorative/ornamental trees located within the project site and along the public street frontages facing the project site. No locally protected biological resources, such as oak trees or California walnut woodlands, or other trees protected under the City of Los Angeles Protected Tree Ordinance (Chapter IV, Article 6 of the LAMC), exist on the Site. The project would incorporate a landscape plan, which would include the planting of numerous trees, as well as

new shrubs and groundcover. In addition, any street trees removed as part of the project would be replaced in accordance with the City of Los Angeles Street Tree Ordinance. Therefore, the project would not conflict with local policies or ordinances protecting biological resources.

3. HAZARDS/HAZARDOUS MATERIALS

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

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

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

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

During operation, emergency access to the project site would continue to be provided on Sunset Boulevard, Crescent Heights Boulevard, and Havenhurst Drive. Given the relatively minor change in inbound and outbound traffic flows and the proposed parking design, access or circulation issues at the project site are not anticipated to be problematic such that a measurable reduction in emergency vehicle access would occur. Emergency evacuation for the retail and residential uses would be provided via interior staircases. Exits for emergency evacuation would be clearly marked to ensure the safe evacuation of all occupants in the building. Based on the above, construction and operation of the project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.

c) RISK FROM WILDLAND FIRES

The project site is located in the highly-urbanized Sunset Strip area, but is also located in relatively close proximity to steep hillsides within the Hollywood Hills community. Although no wildlands are present within the project site boundaries, the northern portion of the Site is located within a City-designated Mountain Fire District. Although a portion of the project site is located within a designated Mountain Fire District, due to the Site's proximity to the hillside areas located immediately to the north, the urbanized nature of the project site and surrounding area to the east, south, and west, as well as the nature of the proposed development's building materials would limit the potential for wildland fire hazards. Specifically, the project would be constructed primarily of concrete, steel, and glass with little readily flammable building materials

that could create a substantial fire risk. Additionally, the proposed development, consistent with existing City Fire Code and other fire safety requirements, would include smoke/fire alarms, fully sprinklered indoor spaces, and irrigated landscaped areas, which would serve to reduce potential hazards related to structure fires (i.e., fires potentially ignited by wildland fires in the hillside areas to the north). Based on the urbanized nature of the project site and the majority of surrounding area, as well as the types of building materials and fire safety features proposed as part of the proposed development, impacts in this regard would be less than significant.

4. HYDROLOGY AND WATER QUALITY

a) WATER QUALITY STANDARDS AND WASTE DISCHARGE REQUIREMENTS

Temporary construction activities would entail demolition of existing structures, removal of existing paved areas and vegetation, site grading and excavation, and building construction. Throughout these activities, on-site soil could be exposed to water- and wind-borne erosion, which could increase siltation in stormwater flows leaving the Site. Similarly, operation of construction vehicles and equipment could also introduce pollutants to on-site soils or other surfaces that could be conveyed off-site by stormwater flows during rain events. However, the project would be required to comply with the conditions of the City's General Construction Permit, issued by the Los Angeles Regional Water Quality Control Board ("RWQCB"), including the preparation and implementation of a site-specific Stormwater Pollution Prevention Plan ("SWPPP") for construction activities. The SWPPP requires that all potential on-site stormwater pollution sources are addressed through the implementation of applicable stormwater quality Best Management Practices ("BMPs"), including BMPs to minimize erosion and sedimentation and the generation and transport of other construction-related pollutants. As such, with implementation of an approved site-specific SWPPP, short-term construction activities would not result in violation of water quality standards or waste discharge requirements.

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

b) GROUNDWATER SUPPLY DEPLETION

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

Since the project site has been previously developed and currently contains the two on-site buildings and adjacent hardscape/paved parking areas, the Site does not currently provide opportunity for recharge of groundwater. The proposed recharge on the project site would be similar to the Site's historic contribution to recharge. Furthermore, the small size of the project

site limits its potential to substantially contribute to recharge of groundwater sources. Therefore, impacts due to interference with groundwater recharge would be less than significant.

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

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

c) DRAINAGE PATTERN ALTERATION AND SURFACE RUNOFF

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

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

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

Crescent Heights Boulevard and Fountain Avenue. From there the flow is routed to an existing County of Los Angeles 30-inch RCP main storm drain line that carries the flow west within Fountain Avenue. The project would comply with the City's LID Ordinance, which requires the implementation and maintenance of project-specific BMPs that not only retain stormwater flows from a 0.75-inch storm event (or 85th percentile storm event, whichever is larger) on-site, but also capture and treat all stormwater prior to discharge to the public storm drain system. Implementation of LID requirements would ensure that there would be no increase in stormwater flow volumes leaving the Site relative to existing conditions. As such, given the adequacy of existing stormwater drainage infrastructure in the area and implementation of site-specific BMPs for water quality, the project would not exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. Impacts would be less than significant.

d) OTHER WATER QUALITY DEGRADATION

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

e) INUNDATION BY SEICHE, TSUNAMI, OR MUDFLOW

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

5. UTILITIES AND SERVICE SYSTEMS

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

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

b) OTHER UTILITIES AND SERVICE SYSTEMS

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

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

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

The Initial Study determined that the original project would have less than significant impacts given the implementation of mitigation measures in the following environmental categories. The City finds that the rationale set forth in the Initial Study is equally applicable to the project, and the project similarly will have less than significant impacts as a result of mitigation in these areas for the reasons set forth below and in the Initial Study.

1. HAZARDS/HAZARDOUS MATERIALS

a) DESCRIPTION OF EFFECTS

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

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

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

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

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

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

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

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

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

b) MITIGATION MEASURES

- **Mitigation Measure VIII-1**: Prior to demolition of the existing on-site Chase Bank building, all ACM identified on the property shall be properly removed by a licensed and Cal/OSHA-registered asbestos abatement contractor.
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- **Mitigation Measure VIII-2**: Prior to the issuance of a demolition permit for the existing Chase Bank building, a LBP survey shall be conducted in and around the structure and any LBP identified shall be abated in accordance with all applicable City, State, and Federal regulations.

c) FINDINGS

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

d) RATIONALE FOR FINDINGS

Regarding the routine use, transport, or disposal of hazardous materials, as discussed above, the project would involve the demolition and removal of all existing on-site structures, parking areas, and landscaping. Asbestos-containing material ("ACM") has been identified in the existing on-site Chase Bank building. Additionally, since this building was constructed in 1960, it

is possible that lead-based paint ("LBP") and paint residues are present in the building. If released into the environment, these materials could pose a significant hazard to construction workers or the public. However, mitigation measures provided above would require proper identification and abatement of such materials in order to minimize potential health risks associated with the handling, transport, and disposal of ACM and LBP. Therefore, impacts associated with ACM and LBP would be reduced to less than significant.

As discussed above, construction of the project would involve the temporary use of hazardous substances in the form of paint, adhesives, surface coatings and other finishing materials, and cleaning agents, fuels, and oils. All materials would be used, stored, and disposed of in accordance with applicable laws and regulations and manufacturers' instructions. Furthermore, any emissions from the use of such materials would be minimal and localized to the project site.

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

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

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

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

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

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

e) REFERENCE

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

2. SCHOOLS

(1) DESCRIPTION OF EFFECTS

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

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

(2) MITIGATION MEASURES

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

(3) FINDINGS

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

(4) RATIONALE FOR FINDINGS

- As discussed above, the project site is located within the jurisdiction of the Los Angeles Unified School District ("LAUSD"). Specifically, the project site is located in LAUSD District 4. The closest LAUSD schools to the project site are Gardner Street Elementary School located approximately 0.75 miles to the east; Fairfax High School located approximately one mile to the south; and Bancroft Middle School located approximately 1.75 miles to the southeast. Because the project would introduce new residents to the project site, as well as new employees that might move to the area, the project could generate new students attending nearby LAUSD schools. These new students would increase demand for school facilities and services. The LAUSD Developer Fee Program Office has established student generation rates for a variety of uses including multi-

family attached residential uses and retail and services uses. The original project proposed 249 dwelling units and 111,308 square feet of commercial uses, which would generate an estimated total of 30 elementary school students, 15 middle school students, and 18 high school students, as explained in the Initial Study. The project would also include 249 dwelling units, although it would include less commercial square footage, and it would have similar effects on schools.

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- Students would attend Gardner Street Elementary School, Bancroft Middle School, and Fairfax Senior High School. Project implementation, therefore, would increase the demand for seats at each of these schools beginning with the 2017-2018 school year, which could potentially exceed the available student capacity at each facility.
-
- However, as required by Mitigation Measure XIV-1, below, and in accordance with State law, including Government Code Section 65995 and Education Code Section 17620, issuance of building permits for the project would require the payment of fees at a specified rate for the funding of improvements and expansion of school facilities. In accordance with Senate Bill 50 (SB 50) enacted in 1998, payment of this fee is deemed to fully mitigate any project impacts to school facilities under CEQA. Therefore, with payment of the required fee set forth by the Government Code and Education Code, as required by the mitigation measure below, impacts to schools would be less than significant.

(5) REFERENCES

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

VI. IMPACTS THE EIR FOUND TO BE LESS THAN SIGNIFICANT

In the Initial Study for the original project, the City also identified impacts that required further study in an EIR. These topics included: Aesthetics & Views, Light & Glare, Shade/Shadow, Air Quality, Greenhouse Gas Emissions, Cultural Resources (Historic, Archaeological, Paleontological, Human Remains), Geologic and Soils, Greenhouse Gas Emissions, Land Use (Consistency with Plans and Policies), Noise, Population and Housing, Public Services (Police Protection, Fire Protection, and Emergency Medical Services), Transportation and Circulation (Construction Traffic, Neighborhood Intrusion, Intersections, Regional Transportation Systems, Transit, Access and Parking), and Utilities. The impact areas discussed in this Section VI were determined to be less than significant in the DEIR and/or the RP-DEIR.

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

A. AESTHETICS

Section 21099(d)(1) of the CEQA Statute (SB 743) provides that aesthetic impacts of a residential, mixed-use residential, or employment center project on an infill site within a transit priority area shall not be considered significant impacts on the environment. The project qualifies as an infill project as it lies on a previously developed parcel in an urban area where the entire parcel is surrounded by developed uses or improved public rights-of-way adjacent to parcels with qualified urban uses. The project site qualifies as a transit priority area as it is

located less than one-half mile from a Major Transit Stop (as defined by Public Resources Code Section 21064.3) located at the intersection of Sunset Boulevard and Fairfax Avenue. Therefore, pursuant to State Law the project's aesthetic impacts would not be significant impacts on the environment.

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

1. DESCRIPTION OF EFFECTS

a) VISUAL CHARACTER – OPERATION

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

b) VIEW IMPACTS

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

c) LIGHT AND GLARE

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

d) SHADING

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

e) CONSISTENCY WITH REGULATORY FRAMEWORK

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

f) CUMULATIVE IMPACTS

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

2. PROJECT DESIGN FEATURES

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

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

3. FINDINGS

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

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

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

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

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

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

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

4. RATIONALE FOR FINDING

With regard to visual character, the project would provide unified architecture, landscaping, and pedestrian amenities at a site currently characterized by surface parking, competing signage, fast food restaurants, and non-cohesive architectural design. Although taller than other structures in the immediate vicinity, the project would be designed to complement the surrounding environment and provide visual interest through articulated design, variations in building heights, and setbacks. The project would not damage or substantially degrade views of

valued scenic resources, such as listed historical buildings in the area, and would provide public amenities, such as the Corner Plaza and landscaping improvements. The project would also follow the existing pattern of development that juxtaposes more intense commercial uses along Sunset Boulevard to residential neighborhoods on the side streets. Because the project would not create a pattern of development that would substantially degrade or alter the existing visual character of the area, damage valued aesthetic resources, such as historical sites, or introduce elements that substantially detract from the visual character of the area, it would have a less than significant impact with respect to visual character.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

5. REFERENCE

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

B. AIR QUALITY – PLAN CONSISTENCY AND OPERATIONAL IMPACTS

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

a) DESCRIPTION OF EFFECTS

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

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

Project uses, including residential, retail, and restaurant uses, would also be consistent with adopted regulatory policies and guidance regarding air quality. The City's General Plan defines Citywide policies regarding a range of City resources and services, some of which are relevant to air quality. Table 4.B-9, Comparison of the project to Applicable Air Quality Policies of the General Plan, located in Chapter 4.B of the Draft EIR, evaluates the consistency of the original project with the applicable air quality goals, objectives, and policies in the Air Quality Element of the General Plan, and demonstrates consistency. The evaluation of consistency and rationale set forth in the Draft EIR with respect to the original project applies equally to the project. The project represents a reduction in intensity of commercial uses and makes modifications to the spacing of the tower elements. The project does not differ from the relevant air quality factors set forth in the Draft EIR, as described in Section 2.0 Alternative 9: Enhanced View Corridor and Additional Underground Parking Alternative, Subsection B.2 of the Recirculated DEIR.

b) PROJECT DESIGN FEATURES

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

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

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

qualified resources, for a minimum of five years, to be delivered at least annually. The contract would specify the provision of 100 percent of the project's energy from green power, carbon offsets, and/or renewable energy certificates ("RECs") during the first five years of operation. The project would commit to providing a minimum of 15 percent of the project's energy from green power, carbon offsets, and/or RECs for two years after the minimum five-year period. (LEED® Energy and Atmosphere Credit 7 [v4]); and,

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

c) FINDING

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

d) RATIONALE FOR FINDING

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

2. OPERATIONAL AIR QUALITY

a) DESCRIPTION OF EFFECTS

(1) Air Quality Standards

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

(2) Non-Attainment Pollutants

Operation of the project would result in the emission of criteria pollutants, including those for which the region is in nonattainment. The Los Angeles County portion of the Air Basin is designated non-attainment for the ozone and $PM_{2.5}$ National Ambient Air Quality Standards ("NAAQS") and non-attainment for the ozone, NO_2, PM_{10}, and $PM_{2.5}$ California Ambient Air Quality Standards ("CAAQS"). As shown in Table 4.B-6 of the Draft EIR and Section 2.B.2 of the Recirculated DEIR, maximum daily emissions from operation of the project would not exceed the applicable daily regional numeric indicators for criteria pollutants, including non-attainment criteria pollutants.

(3) Substantial Pollutant Concentrations

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

(4) Cumulative Impacts

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

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

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

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

b) PROJECT DESIGN FEATURES

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

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

- The project would implement a construction waste management plan to recycle and/or salvage a minimum of 75 percent of nonhazardous construction debris or minimize the generation of construction waste to 2.5 pounds per square foot of building floor area. (LEED® Materials and Resources Credit 5 [v4]9);
- The project would be designed to optimize energy performance and reduce building energy cost by 10 percent for new construction compared to ASHRAE 90.1- 2010, Appendix G and the Title 24 Building Standards Code. The energy optimization would be achieved by incorporating energy efficient designs that may include energy efficient heating, ventilation, and HVAC systems, energy efficient windows, energy efficient insulation, or other appropriate measures. Prior to building permit issuance, sufficient

proof of energy optimization shall be made available in accordance with LEED®, which may include building energy simulations, past energy simulation analyses for similar buildings, or published data from analyses for similar buildings. (LEED® Energy and Atmosphere Credit 2 [v4]);

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

c) FINDING

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

d) RATIONALE FOR FINDING

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

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

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

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

3. REFERENCE

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

C. GEOLOGY AND SOIL

1. DESCRIPTION OF EFFECTS

a) GEOLOGIC HAZARDS

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

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

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

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

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

b) SEDIMENT AND EROSION

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

c) LANDFORM ALTERATION

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

d) CUMULATIVE IMPACTS

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

2. PROJECT DESIGN FEATURES

There are no Project Design Features for this environmental issue.

3. FINDING

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

4. RATIONALE FOR FINDING

No known active or potentially active faults underlie the project site, and the potential for surface ground rupture at the project site is therefore considered low. Development of the project would not result in substantial damage to structures or infrastructure, or expose people to substantial risk of injury involving rupture of a known earthquake fault. Nonetheless, given the proximity of the project site to the Hollywood Fault Zone, all project-related habitable structures are required

to be set back from the fault trace by a minimum of 50 feet. Given compliance with this fault setback requirement, impacts regarding surface fault rupture would be less than significant, and no mitigation measures would be necessary.

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

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

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

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

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

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

5. REFERENCE

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

D. GREENHOUSE GAS EMISSIONS

1. DESCRIPTION OF EFFECTS

a) EMISSIONS

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

b) CONSISTENCY WITH GHG REDUCTION PLANS

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

c) CUMULATIVE IMPACTS

CEQA requires that lead agencies consider evaluating the cumulative impacts of GHGs from even relatively small (on a global basis) increases in GHG emissions. Small contributions to this cumulative impact (from which significant effects are occurring and are expected to worsen over time) may be potentially considerable and therefore significant. A cumulatively considerable impact is the impact of a proposed project in addition to the related projects. However, in the case of global climate change, the proximity of the project to other GHG-generating activities is not directly relevant to the determination of a cumulative impact. Although the State requires Metropolitan Planning Organizations and other planning agencies to consider how region-wide planning decisions can impact global climate change, there is currently no established non-speculative method to assess the cumulative impact of proposed independent private-party development projects.

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

2. PROJECT DESIGN FEATURES

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

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

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

3. FINDING

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

4. RATIONALE FOR FINDING

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

Construction and operation of the project would also not conflict with applicable GHG emissions reductions plans, policies, or regulations. The implementation of the Project Design Feature would incorporate water conservation, energy conservation, tree-planting, and other features

consistent with the City's Green Building Code and applicable greenhouse gas reduction strategies into the project. As a result, construction and operation of the project would not have a significant impact with respect to consistency with GHG reduction plans and impacts would be less than significant.

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

5. REFERENCE

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

E. LAND USE

1. DESCRIPTION OF EFFECTS

a) CONSISTENCY WITH APPLICABLE PLANS AND POLICIES

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

(1) City of Los Angeles General Plan Framework Element

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

(2) "Do Real Planning" Document

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

(3) Walkability Checklist

The project would be consistent with the City's Walkability Checklist in that it would link pedestrians to a landscaped plaza, extend the pedestrian environment to the retail businesses and residential access points within the project site, and include numerous design features to enhance the neighborhood character and pedestrian environment. These features specifically include the development of the Corner Plaza near the project's entrance, landscaping and new street trees along the sidewalks, pavement treatment, strong entrance; ground floor retail with glass frontages along Sunset Boulevard, wider sidewalks than under existing conditions, off-street parking and driveways, reduced signage and lighting, and ease of pedestrian movement through the reconfiguration of one of the two traffic islands in the Sunset Boulevard/Crescent Heights Boulevard intersection into a landscaped public open space, all as set forth in more detail in the EIR.

(4) Hollywood Community Plan

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

(5) Citywide Design Guidelines

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

(6) City of Los Angeles Municipal Code

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

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

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

b) LAND USE COMPATIBILITY

The project would be consistent with the existing general pattern of development on Sunset Boulevard in which residential uses are juxtaposed to commercial uses located along Sunset Boulevard in the City of Los Angeles and the adjacent City of West Hollywood. Because the project would be consistent with the existing pattern of development along Sunset Boulevard and enhance patterns of movement and activity currently occurring at the Site, it would not adversely change the relationships between existing land uses or properties in the neighborhood and community. The project would not adversely alter the neighborhood or community through ongoing disruption, division or isolation.

c) CUMULATIVE IMPACTS

Related projects that are located within a cohesive neighborhood have the potential to contribute to cumulative land use impacts including consistency with applicable plans and policies and land use compatibility. Because the land use effects of the project would be focused on the Sunset Boulevard corridor and the relationship of the uses along this street and adjoining residential neighborhoods, related projects located along Sunset Boulevard or in the proximity of Sunset Boulevard would have the greatest potential to contribute to adverse land

use impacts. There are approximately 38 related projects in the study area considered in the EIR and, of these, eight are located in proximity to the project and on Sunset Boulevard. The types of land uses associated with these projects are consistent with the existing land use pattern in the area and are not expected to result in any cumulative changes in land use patterns. Further, these related projects would be reviewed by that City and are expected to be consistent with West Hollywood's General Plan and zoning regulations. All other related projects would be farther from the project site and located in neighborhoods that are distinctly different from Sunset Boulevard.

2. PROJECT DESIGN FEATURES

There are no Project Design Features for this environmental issue.

3. FINDING

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

4. RATIONALE FOR FINDING

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

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

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

5. REFERENCE

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

F. NOISE AND VIBRATION

1. DESCRIPTION OF EFFECTS

a) CONSTRUCTION

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

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

The project's truck trips would generate noise levels of approximately 58 dBA CNEL at a distance of 25 feet along Sunset Boulevard. Based on the existing traffic noise levels, which range from 71.8 to 72.7 dBA CNEL along this roadway, traffic noise levels generated by truck trips under the project would not substantially increase traffic noise levels along Sunset Boulevard since mobile-source noise levels with the increased haul truck activity would be well below the existing traffic noise levels. Other construction-related traffic including worker vehicle trips and construction material delivery trucks would be not expected to produce any measurable impacts during travel to and from the project site.

b) OPERATION

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

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

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

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

c) CUMULATIVE IMPACTS

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

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

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

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

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

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

2. PROJECT DESIGN FEATURES

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

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

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

3. FINDING

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

4. RATIONALE FOR FINDING

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

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

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

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

Although pool-related activities would generate noise, the nearest noise-sensitive receptors south of the project site would not be exposed to adverse noise levels due to sound attenuation provided by parapet walls around the Pool Terrace and relatively high ambient noise levels, as well as the distances between the pool decks and closest residential uses. Therefore, Pool Terrace operations would not result in a substantial increase in ambient noise levels, and potential impacts would be less than significant. As such, operational noise impacts would be less than significant.

Maximum potential vibration levels from all project operational sources at the closest off-site buildings would be up to 0.01 inches per second PPV and would be less than the significance

threshold of 0.04 inches per second PPV for perceptibility. As such, vibration impacts associated with operation of the project would be below the significance threshold and the long-term operations under the project would result in a less than significant vibration impacts. No mitigation is required.

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

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

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

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

5. REFERENCE

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

G. POPULATION, HOUSING, AND EMPLOYMENT

1. DESCRIPTION OF EFFECTS

a) CONSTRUCTION

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

b) OPERATION

Project operation would not result in impacts regarding growth projections or consistency with the regulatory framework. The project would create 249 new housing units and generate a new residential population of approximately 505, as well as generate new employment opportunities.

This is consistent with SCAG's short-term and long-term growth projections for the Community Plan area and the City of Los Angeles, and helps the City meet its housing obligation under the SCAG RHNA allocation.

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

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

c) CUMULATIVE IMPACTS

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

2. PROJECT DESIGN FEATURES

There are no Project Design Features for this environmental issue.

3. FINDING

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

4. RATIONALE FOR FINDING

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

contribute to the local and regional economy. For these reasons, impacts would be less than significant, and no mitigation is required.

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

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

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

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

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

5. REFERENCE

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

H. PUBLIC SERVICES

1. DESCRIPTION OF EFFECTS

a) PARKS AND RECREATION - CONSTRUCTION

The nearest parks to the project site (i.e., within 0.5-mile) are Havenhurst Park and William S. Hart Park, both of which are located in the City of West Hollywood. Havenhurst Park is located approximately 400 feet to the south of the project site on the west side of Havenhurst Drive, and William S. Hart Park is located approximately 0.3-mile southwest of the project site on the north side of DeLongpre Avenue (immediately south of Sunset Boulevard, but the park is not

accessible from Sunset Boulevard). These parks are not located along major streets that would provide Site access for construction equipment. The distance from construction activity would avoid potential noise or conflicts related to construction worker activities. A few construction workers may visit a park to eat lunch or for recreation activity after a day of work. However, construction workers are temporary employees with high turnover associated with the various phases of construction. Such park use would be rare.

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

b) LIBRARIES

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

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

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

2. PROJECT DESIGN FEATURES

There are no Project Design Features for this environmental issue.

3. FINDING

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

4. RATIONALE FOR FINDING

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

The project would not include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment. The project has incorporated park and recreation facilities within the project itself to serve project residents, allowing residents to have access to recreational facilities without leaving the project site. This would also reduce the project's potential off-site traffic, air quality, and noise impacts during project operations. The project does not include a new off-site park facility. For these reasons, impacts regarding park expansion would be less than significant, and no mitigation is required.

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

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

5. REFERENCE

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

I. TRANSPORTATION AND CIRCULATION

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

1. DESCRIPTION OF EFFECTS

a) NEIGHBORHOOD STREETS

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

The project would restrict exits at the driveway on Havenhurst Drive to right-turn only movements. As under existing conditions, approximately five percent of the trips would travel along Fountain Avenue east of Crescent Heights Boulevard. Estimated trips on neighborhood streets under the project are summarized in Section 2.0 Alternative 9: Enhanced View Corridor and Additional Underground Parking Alternative, Subsection B.10 of the Recirculated DEIR. The project would result in an increase of 53 trips per day on Havenhurst Drive north of Fountain Avenue; a reduction of 213 trips per day on Fountain Avenue west of Havenhurst Drive; a reduction of 212 trips per day on Fountain Avenue, between Havenhurst Drive and

Crescent Heights Boulevard; and an increase of 46 trips per day on Fountain Avenue east of Crescent Heights Boulevard.

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

b) REGIONAL TRAFFIC ANALYSIS

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

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

Since the project would result in a net reduction in site-related traffic of approximately 108 trips (with reductions of 108 trips inbound and zero net outbound site-related trips) during the A.M. peak hour, the net project-generated traffic through any of the nearby CMP arterial monitoring intersections would not trigger the requirement of additional analyses during the A.M. peak period. During the P.M. peak hour, the project would result in a total of approximately 123 net new trips, which exceeds the CMP's 50-trip threshold. However, the number of net project-generated trips expected to travel outside the study area, particularly along those routes by which the nearby CMP arterial monitoring intersections can be accessed, is expected to be less than 50 total trips in all cases. As such, as explained further in the EIR, net project-generated traffic at these CMP intersections would be below the CMP's 50-trip threshold, and no additional analyses of these intersections are required.

With regard to CMP freeway segment analysis, the project would result in a net reduction in trips during the A.M. peak hour, and therefore, the project would not affect the freeway system during this time period. During the P.M. peak hour at a total of approximately 123 net trips (115 inbound, 8 outbound), it would not meet the CMP's 150 directional trip threshold during this time period. Additionally, in the evaluation of the CMP arterial monitoring intersections, only a portion of project's total of 123 net PM peak hour trips are actually expected to travel into or out of the immediate study area or to use any of the nearby freeways.

c) PUBLIC TRANSIT

The project would have a nominal increase in transit ridership. The project would result in a total of approximately 421 person trips per day on public transit facilities (bus lines), including approximately 20 person trips (6 inbound, 13 outbound) during the AM peak hour, and 37 person trips (23 inbound, 14 outbound) during the PM peak hour. After adjusting to account for existing public transit ridership associated with the existing site uses (most of which would be

removed to construct project improvements), the project is expected to result in a net increase of approximately 103 daily person trips on the public transit facilities, including a net change of 1 new rider (decrease of 5 inbound, increase of 6 outbound) during the AM peak hour, and 16 new riders (13 inbound, 3 outbound) during the PM peak hour.

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

d) ACCESS

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

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

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

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

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

Based on these operational characteristics, expected minimum driveway capacities, and the projected A.M. and P.M. peak hour driveway traffic volumes as described more fully in the EIR, the proposed Site access would provide adequate capacity to accommodate the anticipated

maximum vehicular demands for both entering and exiting traffic at each of the project site's individual driveways.

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

e) PEDESTRIAN AND BICYCLE ACCESS AND SAFETY

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

f) PARKING

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

The LAMC identifies the parking requirements for a variety of commercial and residential land uses, including the retail (both general retail and supermarket), restaurant, commercial (bank), and residential (apartment and condominium) uses provided as part of the project. The specific requirements for both vehicular and bicycle parking for the various component uses contained in the project are calculated and discussed in detail in the EIR. Regarding vehicular parking, the project is utilizing Density Bonus Parking Option 1, pursuant to LAMC 12.22-A,25, to allow one on-site parking space for each Residential Unit of zero to one bedrooms, two on-site parking spaces for each Residential Unit of two to three bedrooms, and two-and-one-half on-site parking spaces for each Residential Unit of four or more bedrooms.

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

The project would require a total of approximately 311 residential component vehicle parking spaces, along with a total of approximately 274 bicycle spaces. The project would provide 326 residential vehicle parking spaces, or approximately 15 spaces more than are required. The project would also provide the required 274 residential bicycle parking spaces. It should also be noted that, similar to the reduction for commercial uses, the LAMC allows for up to a 10 percent reduction in the amount of residential vehicular parking required, which is based on the number of bicycle parking spaces provided. However, in order to assure that an adequate amount of residential vehicular parking would be provided to accommodate the potential parking demands of the project's residents and guests, this allowable vehicle parking reduction was not applied to the project. Therefore, the project would meet (apartment and condominium components) or exceed (commercial components) the applicable LAMC vehicular and bicycle parking requirements for its individual (residential and commercial) components, as well as for the

development in its entirety. As a result, no significant off-site "spill over" parking impacts onto adjacent residential streets or nearby commercial parking areas due to inadequate on-site parking are anticipated to occur under the project.

g) CONSISTENCY WITH REGULATORY FRAMEWORK

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

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

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

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

h) CUMULATIVE IMPACTS

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

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

With regard to pedestrian/bicycle safety, the TIA incorporated forecasted traffic increases due to ambient growth and the 38 related projects near the project site. The Future (Year 2018) Without Project represents the cumulative analysis on the intersections and neighborhood street segments. Future traffic volumes would increase in and around the study area due to a

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

Cumulative impacts relative to pedestrian/bicycle safety would occur if related projects were to adversely affect the same pedestrian facilities or bicycle routes as the project. There are no bicycle routes within proximity to the project site. As with the project, it is anticipated that the related projects would be subject to review by either the City of Los Angeles or the City of West Hollywood to ensure that impacts relative to pedestrian/bicycle safety would not occur. Therefore, the project would not contribute to a cumulatively significant pedestrian/bicycle safety impact.

2. PROJECT DESIGN FEATURES

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

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

- Establish an Event Coordination Plan with affected on-site commercial tenants and residential management that may include additional measures related to events, visitor enhancements, parking, loading, etc.;
- Implement traffic and parking management measures for the project, as appropriate;
- Encourage and identify alternate travel options (ridesharing, public transit) in event-related marketing/media information;
- Deploy lane use signs, changeable message signs, etc., as may be necessary to direct traffic to designated travel routes;
- Reschedule project operating hours, activities, programs, etc., that are not related to a planned special event to a different day or non-peak periods whenever possible in order to minimize typical project-related traffic on event days;

- Contract with parking operators to provide attendants, flagmen, valets, etc., to expedite vehicle movement in or out of the project parking garage;
- Secure additional off-site parking spaces and locations, which may include round-trip shuttle service to the site for selected events;
- Assign personnel (e.g. parking monitors) to redirect traffic as needed between the on-site parking areas depending on congestion, and to direct any overflow vehicles to approved designated off-site locations; and
- Provide and promote certain designated passenger loading areas as approved by the City.

3. FINDING

The project would result in a less than significant impact on the neighborhood street segments, regional transportation system, public transit, access, pedestrian/bicycle access and safety, and parking. In addition, the project would not conflict with applicable transportation programs, plans, and policies. Mitigation measures relative to these transportation and circulation issue areas are not necessary. The incorporation of PDF-Traffic-1 and PDF-Traffic-2 will further ensure that impacts to neighborhood street segments, access, and pedestrian/bicycle access and safety remain less than significant.

4. RATIONALE FOR FINDING

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

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

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

With regard to access, based on the operational characteristics of the project, expected minimum driveway capacities, and the projected A.M. and P.M. peak hour driveway traffic volumes as described above and more fully in the EIR, the proposed Site access would provide

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

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

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

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

5. REFERENCE

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

J. UTILITIES AND SERVICE SYSTEMS

1. WATER SUPPLY

f) DESCRIPTION OF EFFECTS

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

(1) Construction

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

(2) Operation

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

(3) Cumulative Impacts

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

The City is faced with various ongoing challenges in securing its future water supplies due to, among other things, droughts, environmental restrictions, and climate change. In response to uncertainties regarding water supply, Mayor Villaraigosa and LADWP released a Water Supply Action Plan entitled "Securing L.A.'s Water Supply" dated May 2008. The plan will serve as a

blueprint for creating sustainable sources of water for the City to reduce dependence on imported supplies. The plan calls for the City to meet this future increased demand through water conservation and water recycling. LADWP is planning to achieve these goals by expanding its water conservation efforts through public education, installing high efficient water fixtures, providing incentives, and expanding the City's outdoor water conservation program. To increase recycled water use, LADWP is expanding the recycled water distribution system to provide water for irrigation, industrial use, and groundwater recharge. For these and other reasons explained in the EIR, it is anticipated that LADWP would be able to supply the demands of the project and related projects through the foreseeable future. In addition, compliance with the City's recommended water conservation measures would reduce the water consumption estimates of the project and related projects, thereby reducing the demand on City supplies.

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

g) PROJECT DESIGN FEATURES

There are no Project Design Features for this environmental issue.

h) FINDING

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

i) RATIONALE FOR FINDING

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

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

Regarding cumulative impacts, the LADWP's UWMP accounts for existing development within the City, as well as projected growth anticipated to occur through redevelopment of existing uses and development of new uses. The anticipated cumulative water demand from the development of the project and related projects would fall within the available and projected water demand of LADWP's 2010 UWMP. Therefore, LADWP would have adequate amounts of water to meet future water demands for the service area with the addition of the project and

related projects, and no significant cumulative impacts related to water demand would occur. No mitigation is required.

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

2. WASTEWATER

f) DESCRIPTION OF EFFECTS

(1) Construction

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

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

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

(2) Operation

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

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

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

(3) Cumulative Impacts

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

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

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

g) PROJECT DESIGN FEATURES

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

PDF-WW-1: In order to address potential future improvements to sewage conveyance facilities within the City of West Hollywood that serve the project site, the project shall contribute fair-share payments to the City of West Hollywood commensurate with the project's incremental impact to affected facilities. Prior to the issuance of building permits, the applicant shall enter into an agreement with the City of West Hollywood determining the project's specific fair-share contribution for West Hollywood sewage system upgrades. The fair share contribution shall be calculated in the same manner used to calculate the fair share contribution for development projects within the City of West Hollywood, and the project's specific contribution shall be determined at such a time that the necessary improvements and associated capital costs are known, and shall be proportional to the project's contribution to total wastewater flows in each affected West Hollywood-owned sewer. The applicant shall guarantee (by bond, cash or irrevocable letter of credit, subject to the approval of the City of West Hollywood) the necessary funding to enable the City of West Hollywood to design and install the necessary improvements.

h) FINDING

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

i) RATIONALE FOR FINDING

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

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

As explained in the EIR, LADWP anticipates ample wastewater treatment services to the City of Los Angeles and contracting cities through 2020. Implementation of the IRP, upgrades in the advanced treatment processes at HTP, and continual monitoring by the EMD would ensure that effluent discharged into Santa Monica Bay are within applicable limits. Thus, cumulative impacts on Santa Monica Bay water quality would be less than significant and the project's contribution to the impact would not be cumulatively considerable. As with the project, all related projects in the City of Los Angeles would be subject to LAMC Section 64.15 requiring a determination by LADWP that there is allotted sewer capacity available for each project. Therefore, cumulative impacts on the local sewer infrastructure would be addressed, with required sewer improvements, if needed, and the project would not contribute to a cumulative impact on such facilities. Therefore, cumulative impacts of the project on sewer infrastructure would be less than significant. No mitigation is required.

3. SOLID WASTE

f) DESCRIPTION OF EFFECTS

(1) Construction

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

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

(2) Operation

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

(3) Compliance with Applicable Laws and Policies

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

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

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

(4) Cumulative Impacts

Solid waste disposal is a regional issue addressed by regional agencies, in this case the County of Los Angeles. The State requires that the Siting Element show the provision of a minimum of 15-years of combined disposal capacity through existing or planned solid waste disposal and transformation facilities, or through additional strategies. Projected growth is included in the

analysis and the required Annual Report updates the disposal demand and supply each year. The County's 2012 Annual Report anticipates an 11.4 percent increase in population growth within the County of Los Angeles by 2027 and an increase of 16.4 percent in employment.

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

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

g) PROJECT DESIGN FEATURES

There are no Project Design Features for this environmental issue.

h) FINDING

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

i) RATIONALE FOR FINDING

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

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

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

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

4. REFERENCE

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

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

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

A. AESTHETICS – VISUAL CHARACTER - CONSTRUCTION

1. DESCRIPTION OF EFFECTS

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

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

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

2. PROJECT DESIGN FEATURES

There are no Project Design Features for this environmental issue.

3. Mitigation Measures

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

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

4. Findings

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

5. Rationale for Findings

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

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

6. Reference

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

B. AIR QUALITY – CONSTRUCTION IMPACTS

1. DESCRIPTION OF EFFECTS

a) AIR QUALITY STANDARDS

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

b) NON-ATTAINMENT POLLUTANTS

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

c) SUBSTANTIAL POLLUTANT CONCENTRATIONS

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

d) CUMULATIVE IMPACTS

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

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

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

2. PROJECT DESIGN FEATURES

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

3. MITIGATION MEASURES

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

4. FINDINGS

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

5. RATIONALE FOR FINDINGS

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

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

The numeric indicators of significance are based on the recognition that the Air Basin is a distinct geographic area with a critical air pollution problem for which ambient air quality standards have been promulgated to project public health including protecting the health of sensitive populations such as asthmatics, children, and the elderly, and to incorporate a reasonable margin of safety. Therefore, given that construction emissions would be mitigated to below the numeric indicators of significance, construction of the project after implementation of

Mitigation Measure AQ-1 would not conflict with the purpose of the ambient air quality standards to protect the health of sensitive populations such as asthmatics, children, and the elderly, and to incorporate a reasonable margin of safety.

Based on the analysis using CalEEMod with the use of Tier 4 construction equipment as described in Mitigation Measure AQ-1, implementation of Mitigation Measure AQ-1 would reduce regional NO_X emissions and localized PM_{10} and $PM_{2.5}$ emissions from construction to below the numeric indicators of significance. For these reasons, discussed in more detail in the below-referenced sections of the EIR, construction air quality impacts would be less than significant after mitigation.

6. REFERENCE

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

C. CULTURAL RESOURCES – ARCHAEOLOGICAL RESOURCES

1. DESCRIPTION OF EFFECTS

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

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

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

2. PROJECT DESIGN FEATURES

There are no Project Design Features for this environmental issue.

3. MITIGATION MEASURES

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

Mitigation Measure ARCH-2: In the event that archaeological resources are unearthed during ground-disturbing activities, the archaeological monitor shall be empowered to halt or redirect ground-disturbing activities away from the vicinity of the find so that the find can be evaluated. Work shall be allowed to continue outside of the vicinity of the find. All archaeological resources

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

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

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

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

4. FINDINGS

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

5. RATIONALE FOR FINDINGS

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

6. REFERENCE

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

D. CULTURAL RESOURCES – PALEONTOLOGICAL RESOURCES

1. DESCRIPTION OF EFFECTS

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

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

2. PROJECT DESIGN FEATURES

There are no Project Design Features for this environmental issue.

3. MITIGATION MEASURES

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

Mitigation Measure PALEO-2: If a potential fossil is found, the Paleontological Monitor shall be allowed to temporarily divert or redirect grading and excavation activities in the area of the exposed fossil to facilitate evaluation and, if necessary, salvage. At the Paleontologist's

discretion and to reduce any construction delay, the grading and excavation contractor shall assist in removing rock samples for initial processing.

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

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

4. FINDINGS

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

5. RATIONALE FOR FINDINGS

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

6. REFERENCE

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

E. GEOLOGY AND SOILS – GEOLOGIC HAZARDS

1. DESCRIPTION OF EFFECTS

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

2. PROJECT DESIGN FEATURES

There are no Project Design Features for this environmental issue.

3. MITIGATION MEASURES

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

4. FINDINGS

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

5. RATIONALE FOR FINDINGS

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

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

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

Project excavation would cause disturbance of existing soil conditions and result in a project site that is prone to local raveling or caving. However, the final Geotechnical Report required for the project in Mitigation Measure GS-1 would include design recommendations with regard to slope

stability and shoring, such as the use of retaining walls. Implementation of this mitigation measure would reduce impacts to less than significant levels.

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

6. Reference

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

F. PUBLIC SERVICES – FIRE PROTECTION AND EMERGENCY MEDICAL SERVICES

1. DESCRIPTION OF EFFECTS

a) CONSTRUCTION

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

b) OPERATION

The project would increase occupancy of the Site and would generate a greater demand for fire protection services than under existing conditions. The project would provide hydrants capable of delivering 9,000 gpm to meet the LAFD's fire flow requirements for the proposed high-rise development, or a combination of lesser fire flow rates, building design and other fire life safety features subject to review and approval by LAFD, and implement all LAFD requirements related to fire-resistant building materials and fire-safe building design. The project would provide one emergency and fire control elevator in each bank of elevators, an emergency smoke control system, a standby and emergency power system, and a dependable alarm system. The building

design would include stair shaft doors for fire department use and pressurized stair shafts. To comply with Fire Code requirements, smoke detectors would also be maintained in all residential units and public areas. Additionally, in compliance with Fire Code Division 33 (Section 57.33.17), stairways would be numbered on each floor, and fire safety signage on all floors would be placed in required locations. In case of fire emergencies, access to the roof would also be available. The project would also include implementation of an Emergency Plan in accordance with LAMC Section 57.33.19. The provision of adequate fire flow and fire safety design would reduce fire hazard and demand for fire safety services. The project would implement Mitigation Measure TR-1 for the provision of a traffic signal to reduce the potential service level impact at the intersection of Fountain Avenue/Havenhurst Drive. This would reduce the potential effect on emergency vehicle response times in the area. With the implementation of fire safety features and adequate fire flow, the project would have a less than significant impact on fire protection services during the operational phase.

c) CUMULATIVE IMPACTS

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

Although a cumulative demand on LAFD and LACFD services would occur, cumulative project impacts on fire protection and medical services would be reduced through regulatory compliance, similar to the project. All related projects would be subject to review by the LAFD or LACFD, as applicable, for compliance with Fire Code and Building Code regulations related to emergency response, emergency access, fire flow, and fire safety requirements. Further, project-by-project traffic mitigation, multiple fire station response, and system wide upgrades to improve response times, and other requirements imposed by the LAFD and LACFD are expected to continue to support adequate response times. Therefore, cumulative impacts on fire protection and emergency medical services would be less than significant.

2. PROJECT DESIGN FEATURES

There are no project design features for this environmental issue.

3. MITIGATION MEASURES

Mitigation Measure TR-1: The Los Angeles Department of Transportation (LADOT) identified that the project may result in a significant impact at the unsignalized intersection of Fountain Avenue and Havenhurst Drive south of the project site within the City of West Hollywood. LADOT proposes the installation of a new traffic signal at this intersection to off-set the potential impact, subject to review and approval by the City of West Hollywood. The applicant shall guarantee (by bond, cash or irrevocable letter of credit, subject to the approval of the City of West Hollywood) the necessary funding to enable the City of West Hollywood to design and install improvements at the intersection of Fountain Avenue and Havenhurst Drive.

4. FINDINGS

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

5. RATIONALE FOR FINDINGS

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

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

As concluded in Section 4.J of the Draft EIR, the Project's operational traffic impacts would be mitigated to a less than significant level with installation of a new traffic signal at the intersection of Havenhurst Drive and Fountain Avenue. However, it is still expected that the project operations would incrementally increase traffic, and such increases in traffic could delay emergency response times compared to current conditions. Furthermore, if the City of West Hollywood elects to not implement Mitigation Measure TR-1, project-related traffic impacts at the intersection of Havenhurst Drive and Fountain Avenue would remain significant and unavoidable.

As discussed on pages 4.I.2-13 and 4.I.2-14 in Section 4.I.2, Police Protection, of the Draft EIR with regard to LAPD response times, and on page 4.I.1-14 in Section 4.I.1, Fire Protection and Emergency Medical Services, with regard to LAFD response times, several factors influence emergency response times in addition to traffic, including alarm transfer time, alarm answering and processing time, mobilization time, risk appraisal, geography, distance, traffic signals, and

roadway characteristics. In response to issues that have been raised regarding emergency response times and associated reporting, the LAFD has recently been taking a number of steps to improve their related systems, processes and practices. Upgrades underway or pending include: installation of automated vehicle locating systems on all LAFD apparatus; replacement of fire station alerting systems that control fire station dispatch audio, signal lights, and other fire station alerting hardware and software; development of a new computer aided dispatch system to manage fire and emergency medical service incidents from initial report to conclusion of an incident; and, use of traffic pre-emption systems. A traffic pre-emption system allows the normal operation of traffic lights to be preempted by an emergency vehicle to improve response times by stopping conflicting traffic in advance, providing the emergency vehicle the right-of-way. In addition to these improvements being implemented by the LAFD, emergency response is also routinely facilitated, particularly for high priority calls, through use of sirens to clear a path of travel, driving in the lanes of opposing traffic, use of alternate routes, and multiple station response.

In addition, it is anticipated that emergency vehicles travelling to the Project Site would utilize major roadways with higher traffic capacity in order to minimize travel time to their destination, which in the immediate vicinity of the Project Site includes Sunset Boulevard and/or Crescent Heights Boulevard. As such, despite the potential for a significant traffic impact at the intersection of Havenhurst Drive and Fountain Avenue in the absence of recommended mitigation, it is not expected that traffic impacts at this intersection would have a material effect on emergency vehicle access and travel times to the Project Site. Further conditions expressed in LAFD's letter dated May 10, 2016 and included as Appendix C to the Final EIR will be required prior to project implementation to ensure impacts to emergency services remain less than significant. Thus, even without installation of a new traffic signal as required by Mitigation Measure TR-1, given implementation of the Project's TDM program, the other means available to LAFD and LAPD to maintain reasonable response times, impacts on emergency response times are considered less than significant.

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

6. REFERENCE

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

G. PUBLIC SERVICES – POLICE PROTECTION

1. DESCRIPTION OF EFFECTS

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

a) CONSTRUCTION

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

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

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

b) OPERATION

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

During operations, the project would incorporate a 24-hour/seven-day security program that would include monitoring entrances and exits of buildings; managing and monitoring; fire/life/safety systems; patrolling the property; lighting of entry-ways and public areas to ensure safety; and staff training to assist in situations that might otherwise require a police response. Controlled access to residential units and commercial areas after hours would further ensure the safety of site residents and guests.

The project would provide extensive security features, including provision of 24-hours video surveillance, 24-hour security personnel, controlled building and parking access, and implementation of a secure perimeter with a combination of walls and/or decorative fencing,

lighting, and landscaping to prevent loitering or unauthorized access to the project site. The on-site security personnel would provide a deterrent and an on-site first responder capability for many security issues. Together, these security features would help reduce the potential for on-site crimes, including loitering, theft, and burglaries.

c) CUMULATIVE IMPACTS

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

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

2. PROJECT DESIGN FEATURES

There are no Project Design Features for this environmental issue.

3. MITIGATION MEASURES

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

Mitigation Measure TR-1: The Los Angeles Department of Transportation (LADOT) identified that the project may result in a significant impact at the unsignalized intersection of Fountain Avenue and Havenhurst Drive south of the project site within the City of West Hollywood. LADOT proposes the installation of a new traffic signal at this intersection to off-set the potential impact, subject to review and approval by the City of West Hollywood. The applicant shall guarantee (by bond, cash or irrevocable letter of credit, subject to the approval of the City of West Hollywood) the necessary funding to enable the City of West Hollywood to design and install improvements at the intersection of Fountain Avenue and Havenhurst Drive.

In the event any improvement described above is rejected by the City of West Hollywood, the City of West Hollywood can recommend a substitute improvement. Alternatively, LADOT may also propose a substitute improvement for consideration by the City of West Hollywood.

4. FINDINGS

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

5. RATIONALE FOR FINDINGS

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

6. REFERENCE

For a complete discussion of impacts associated with police protection, please see Sections 4.I.2 and 4.J of the Draft EIR and see Section 2.0 Alternative 9: Enhanced View Corridor and Additional Underground Parking Alternative, Subsection B.9.2 of the Recirculated DEIR.

H. PUBLIC SERVICES – PARKS AND RECREATION, OPERATIONAL IMPACTS

1. DESCRIPTION OF EFFECTS

a) PROJECT IMPACTS

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

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

and long-range standards of two and four acres per 1,000 residents, respectively, the impact on parks and recreational facilities would be considered potentially significant.

b) CUMULATIVE IMPACTS

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

There are 38 related projects that have been identified in the EIR in the vicinity of the project site. Of the 38 related projects, 26 residential projects (10 in City of Los Angeles and 16 in the City of West Hollywood) would generate notable demand for park and recreation facilities. These related projects would cumulatively generate, in conjunction with the project, the need for additional parks and recreational facilities. The related projects represent a relatively substantial number of large-scale projects that typically include recreation amenities to stay current with market demands for such on-site improvements among condominium purchasers and apartment renters. Further, all related projects with residential uses would be required to comply with the requirements of LAMC Sections 12.21 and 17.12 or similar requirements of the City of West Hollywood, West Hollywood Municipal Code (WHMC) Section 19.64.020. As with the project, if new development projects do not provide sufficient recreation facilities to meet the requirements of the City of Los Angeles or of the City of West Hollywood, potentially significant impacts could result. However, implementation of Mitigation Measure PRK-1 and compliance with applicable LAMC provisions for City of Los Angeles related projects, and compliance with WHMC Section 19.64.020 for West Hollywood related projects would reduce potential cumulative impacts to less than significant.

2. PROJECT DESIGN FEATURES

There are no Project Design Features for this environmental issue.

3. MITIGATION MEASURES

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

4. FINDINGS

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

5. RATIONALE FOR FINDINGS

Potentially significant impacts related to compliance with parks and recreation standards and parkland requirements associated with the project would be reduced to a level that is less than significant via compliance with Mitigation Measure PRK-1. Implementation of Mitigation Measure PRK-1 would ensure that through the provision of on-site recreational facilities as a credit against the dedication of parkland, payment of in-lieu fees, dedication of parkland, or a

combination of these methods, the project would comply with the maximum requirements established under the Quimby Act and LAMC. As a result, and as detailed further in the sections of the EIR referenced below, impacts would be reduced to less than significant levels.

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

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

6. REFERENCE

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

VIII. SIGNIFICANT IMPACTS WHICH REMAIN SIGNIFICANT AFTER MITIGATION MEASURES

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

A. CULTURAL RESOURCES – HISTORICAL RESOURCES

1. DESCRIPTION OF EFFECTS

The project would demolish the Lytton Savings and Loan Association building ("Bank") that Chase Bank currently occupies. The analysis in the draft EIR found the Bank ineligible for treatment as a historical resource under national and state criteria, but recognized that the Bank might be eligible under local criteria for its architecture. Demolishing the Bank would render it ineligible for listing in the National Register or California Register, or as a City Monument. While the EIR discusses and includes mitigation for potential relocation of the bank building, the EIR recognizes that this may not be possible. Therefore, project impacts on the Bank structure would be significant and unavoidable.

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

2. PROJECT DESIGN FEATURES

There are no Project Design Features for this environmental issue.

3. MITIGATION MEASURES

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

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

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

implementation. In addition, a plaque describing the date of the move and the original location shall be placed in a visible location on of the Bank. Relocation shall not take place until the Bank is first recorded pursuant to Mitigation Measure HIST-1: Recordation.

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

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

4. FINDINGS

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

It is found pursuant to Public Resources Code Section 21081, subsection (a)(3), that specific economic, legal, social, technological, or other considerations make infeasible the project alternatives identified in the final EIR that would avoid the impacts. For the reasons detailed below and in sections IX.C.6.d) below, and sections IX.C.7.d) and IX.C.8.d), including considerations identified in Section XII of these Findings (Statement of Overriding Considerations), it is furthermore found that none of the historic preservation alternatives, including Alternative 6, are feasible.

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

5. RATIONALE FOR FINDINGS

The above described mitigation measures are being incorporated into the project to reduce this impact. Mitigation Measures HIST-1, HIST-2, and HIST-3 substantially reduce impacts to historic resources, but do not preserve the Bank. Mitigation Measure HIST-3, Relocation of Bank, involves a study to investigate the feasibility of relocation, and in the event relocation is determined feasible, and an interested party is found to relocate the Bank, it provides that relocation be carried out pursuant to a Rehabilitation and Relocation Plan. In the event

relocation occurs, it would remove the Bank from its original location and context, and would have the potential to substantially impair the building through the relocation process. Nonetheless, if the Bank were to be relocated to a compatible location and rehabilitated for commercial use in conformance with the Secretary of the Interior's Rehabilitation Standards, impacts on historic resources would be reduced to a less than significant level. However, because relocation may be infeasible, and an interested party may not be found to relocate the Bank, there is no guarantee that the Bank will not be demolished and the impacts are therefore considered significant and unavoidable after implementation of mitigation measures.

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

The Draft EIR determined that Alternative 6 met, or could partially meet, all of the objectives of the project. However, under CEQA, "the decision makers may reject as infeasible alternatives that were identified in the EIR as potentially feasible." (*San Diego Citizenry Group v. County of San Diego* (2013) 219 Cal.App.4th 1, 18.) The record includes numerous public comments raising concerns about the overall massing and design concept of the original project and its alternatives on the grounds that it would not enhance the quality of the neighborhood, would be visually unappealing, would obstruct views, would not be pedestrian-friendly. As shown in Draft EIR Figures 5.E-2 through 5.E-5, 5.F-2 through 5.F-5, and 5.G-2 through 5.G-5, the three bank preservation alternatives would result in a design that would concentrate development of the remaining project site and would create a large and flat monolithic design that would not allow for views through the project site, which were a primary concern from the public. Moreover, they would result in a disjointed design to sidewalks, project accessibility and would not be as visually appealing or pedestrian friendly compared to Alternative 9. The Lead Agency, in response to these concerns finds that the historic preservation alternatives would not achieve the following project Objectives:

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

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

unavoidable impact incurred from demolition of the Bank, however, Alternative 9 achieves a design that is significantly more accessible to the City in its provision of publicly accessible open space, affordable housing, green building, and iconic architecture that will significantly transform Sunset Boulevard, and which will contribute to the City's- and Hollywood's- identity as a destination City for residents and tourists alike. The record includes a letter dated March 24, 2016 from Gehry Partners, the architectural firm that developed Alternative 9, which states, "we considered whether it would be feasible to meet the design objectives and overall project objectives with a design that preserved the bank building," and concludes, "we determined it was not feasible to meet those objectives with a design that preserved the bank." The City further recognizes the design objectives that were achieved with Alternative 9, and how it was able to satisfy a majority of the Project Objectives. Furthermore, the City concurs with the project architect in finding that, with respect to the bank building:

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

6. REFERENCE

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

B. NOISE

1. DESCRIPTION OF EFFECTS

a) CONSTRUCTION

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

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

b) VIBRATION

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

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

2. PROJECT DESIGN FEATURES

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

3. MITIGATION MEASURES

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

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

Mitigation Measure Noise-2: Construction activities which have the potential to produce substantial vibration shall be scheduled so as to allow only one piece of such equipment to operate within 50 feet of the multifamily residential uses along the southern boundary of the project site.

4. FINDINGS

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

It is found pursuant to Public Resources Code Section 21081, subsection (a)(3), that specific economic, legal, social, technological, or other considerations, including considerations identified in Section XII of these Findings (Statement of Overriding Considerations), make

infeasible the project alternative (no project alternative) identified in the final EIR that would avoid the impacts since that alternative would not satisfy any of the project objectives nor provide any of the project benefits, as explained in more detail below in Section IX.C.2.

5. RATIONALE FOR FINDINGS

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

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

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

6. REFERENCE

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

C. TRANSPORTATION AND CIRCULATION - CONSTRUCTION

1. DESCRIPTION OF EFFECTS

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

a) SHORING AND EXCAVATION IMPACTS

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

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

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

b) INTERSECTION IMPACTS

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

The Future (Year 2018) With Project scenario indicates that the project would contribute to significant impacts during the P.M. peak hour at the unsignalized intersection of Fountain Avenue/Havenhurst Drive located in the City of West Hollywood. With the incorporation of

Mitigation Measure TR-1, which would require the installation of a traffic signal at the Fountain Avenue/Havenhurst Drive intersection, project impacts would be reduced to a less than significant level. However, while the signal would improve the operations of the intersection, the implementation of the mitigation measure is under the jurisdiction of the City of West Hollywood. If the City of West Hollywood were to determine that it does not wish to install a new traffic signal at this location, the project's potential impact would remain significant and unavoidable and thus, the project would contribute to a significantly cumulative impact at this intersection.

2. PROJECT DESIGN FEATURES

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

3. MITIGATION MEASURES

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

Mitigation Measure TR-1: The Los Angeles Department of Transportation (LADOT) identified that the project may result in a significant impact at the unsignalized intersection of Fountain Avenue and Havenhurst Drive south of the project site within the City of West Hollywood. LADOT proposes the installation of a new traffic signal at this intersection to off-set the potential impact, subject to review and approval by the City of West Hollywood. The applicant shall guarantee (by bond, cash or irrevocable letter of credit, subject to the approval of the City of West Hollywood) the necessary funding to enable the City of West Hollywood to design and install improvements at the intersection of Fountain Avenue and Havenhurst Drive.

4. FINDINGS

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

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

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

5. RATIONALE FOR FINDINGS

No feasible mitigation measures are available that could reduce the significance of construction-related traffic impacts during the shoring and excavation phase. The Alternatives that could reduce the significance of such impacts are discussed below, and are found to be infeasible and/or incapable of reducing potentially significant project impacts to a level of insignificance. As

such, and as explained further in the sections of the EIR referenced below, construction-related traffic impacts during the shoring and excavation phase, although temporary, would remain significant and unavoidable.

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

While the project would be required to implement a TDM program for both its residential and commercial components, the trip reductions associated with the TDM program are not expected to be sufficient to reduce the impact at Fountain Avenue and Havenhurst Drive to less-than-significant levels, absent the proposed Mitigation Measure TR-1. As such, the installation of a new traffic signal at this location remains the recommended mitigation measure to address this impact. The proposed new traffic signal will improve the operations of the intersection to better than the existing or forecast "Without Project" conditions. As discussed in the Recirculated DEIR, the Fountain Avenue/Havenhurst Drive intersection would perform at LOS F under Year 2013 and Year 2018 "Without Project" conditions. This intersection would improve to LOS A under both Year 2013 and Year 2018 "With Project" conditions with the implementation of the recommended mitigation, which would therefore fully mitigate the potential impact of the project at this location.

For these reasons, as discussed in greater detail in the below-referenced sections of the EIR, implementation of Mitigation Measure TR-1 will reduce the related impacts to less than significant levels. However, the implementation of Mitigation Measure TR-1 is under the jurisdiction of the City of West Hollywood. If the City of West Hollywood does not install, or permit the applicant to install, a new traffic signal at the Fountain Avenue/Havenhurst Drive intersection in the City of West Hollywood, the project's potential impact would remain significant. Moreover, the City of West Hollywood may determine that an alternative or substitute mitigation is more appropriate and which achieves a comparable improvement to traffic conditions (from LOS F to LOS A) resulting from the project to less than significant levels.

6. REFERENCE

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

IX. ALTERNATIVES TO THE ORIGINAL PROJECT

In addition to the original project, the Draft EIR evaluated a reasonable range of eight alternatives. These alternatives included: (1) No Project/No Build Alternative; (2) Existing Zoning Alternative; (3) Reduced Height Alternative; (4) Reduced Density Alternative; (5) Bank Preservation Alternative; (6) Reduced Height and Bank Preservation Alternative; (7) On-Menu Alternative; and (8) Residential and Hotel Alternative. In addition, the Recirculated DEIR added

and evaluated Alternative 9, the Enhanced View Corridor and Additional Underground Parking Alternative (the project). In accordance with CEQA requirements, the alternatives include a "No Project" alternative and alternatives capable of eliminating the significant adverse impacts of the project. These alternatives and their impacts are summarized below. For purposes of this section, impacts of the alternatives, including the project, are discussed with reference to the original project, and with reference to the project, as appropriate. As discussed in more detail below, with the exception of impacts to archeological and paleontological resources associated with additional excavation, which are incrementally greater (but remain less than significant) for the project than for the original project, the project will result in similar or lesser environmental impacts in all areas studied in the Draft EIR.

A. SUMMARY OF FINDINGS

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

B. PROJECT OBJECTIVES

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

- Redevelop and revitalize an aging and underutilized commercial site and surface parking lot with a more efficient and economically viable mix of residential and commercial uses.
- Provide housing to satisfy the varying needs and desires of all economic segments of the community, including very low income households, maximizing the opportunity for individual choices and contributing to Hollywood's housing stock.
- Increase the number of affordable rental housing units in the westernmost area of Hollywood.
- Capitalize on the Site's location in Hollywood by concentrating new housing density and commercial uses, thereby supporting regional mobility goals to encourage development around activity centers, promote the use of public transportation and reduce vehicle trips and infrastructure costs.
- Build upon the existing vitality and diversity of uses in Hollywood by providing a vibrant urban-living development along a major arterial and transit corridor.
- Create new living opportunities in close proximity to jobs, public transit, shops, restaurants and entertainment uses.
- Provide high-quality commercial uses to serve residents of the westernmost area of Hollywood in a manner that contributes to a synergy of uses and enhances the character of the area.
- Bring convenient neighborhood-serving commercial uses within walking distance of numerous apartments and single-family residences in the westernmost area of Hollywood.
- Create a development that complements and improves the visual character of the westernmost area of Hollywood and promotes quality living spaces that effectively connect with the surrounding urban environment through high quality architectural design and detail.
- Enhance pedestrian activity and neighborhood commercial street life in the westernmost area of Hollywood.
- Provide an attractive retail face along street frontages.

- Provide improvements that support and encourage the use of nearby public transit lines and promote the use of bicycles as well as walking.
- Improve the energy efficiency of on-site uses by creating a master planned development that meets the standards for LEED certification.
- Provide housing that supports the economic future of the region in an area in which the necessary infrastructure is already in place.
- Maintain and enhance the economic vitality of the region by providing job opportunities that attract commercial and residential tenants.

C. PROJECT ALTERNATIVES ANALYZED AND REJECTED

1. ORIGINAL PROJECT

a) DESCRIPTION OF ALTERNATIVE

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

Elements of the original project would range in height from two stories to 16 stories, with the tallest features reaching approximately 216 feet as measured from the low point of the project site along Havenhurst Drive to the top of the 16-story "South Building"). The "North Building," which will be built along Sunset Boulevard, would include two levels with a rooftop terrace containing exclusively commercial uses. The South Building would contain commercial uses on the first two levels, residential uses on levels three through 15, and a rooftop restaurant/lounge on the top level. The original project would have a maximum FAR of 3:1.

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

b) IMPACT SUMMARY OF ALTERNATIVE

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

The original project, compared to the project, would result in greater impacts associated with visual character, views, shade/shadow, operational air quality, greenhouse gas emissions during operations, land use compatibility, parks and recreation, local intersection traffic, parking, public transit impacts, water supply, wastewater, and solid waste. As with the project, however, these impacts would be less than significant with mitigation. Relative to the project, the original project would result in similar impacts regarding light and glare, construction air quality, AQMP consistency, historical resources, consistency with GHG reduction plans, land use plan consistency, construction noise and vibration, operational noise and vibration, population

growth, housing supply, employment growth, fire protection, police protection, libraries, construction-related traffic, and neighborhood roadway segment traffic. The original project, in comparison with the project, would result in incrementally less potential impacts to archaeological and paleontological resources, greenhouse gas emissions during construction, noise during construction, and geology and soils due to the incrementally less excavation.

c) FINDINGS

It is found pursuant to Public Resources Code Section 21081, subsection (a)(3), that specific economic, legal, social, technological, or other considerations, including considerations identified in Section XII of these Findings (Statement of Overriding Considerations), make infeasible the original project as described in the EIR. With the original project, the new environmental impacts projected to occur from development would be generally similar to those projected to occur from the project, although some would be slightly greater and some would be slightly reduced. However, the original project does not address public concerns regarding visual impacts and traffic to the same degree as the project. Because the original project would be inferior to the project with respect to responding to public input and would furthermore not reduce any significant impacts to a level of insignificance, this Alternative is infeasible and is less desirable than the project.

d) RATIONALE FOR FINDINGS

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

e) REFERENCE

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

2. ALTERNATIVE 1: NO PROJECT/NO BUILD ALTERNATIVE

a) DESCRIPTION OF ALTERNATIVE

Under Alternative 1, the No Project/No Build Alternative, the project site would not be improved or changed from its current condition. Existing uses, including 80,000 square feet of retail, bank, restaurants, offices, and art storage, would continue to operate as under existing conditions. Parking would remain at 222 spaces. The reconfiguration of the adjacent City-owned traffic island at the southwest corner of Sunset and Crescent Heights Boulevards to provide a 9,134-square-foot public space (i.e., the Corner Plaza) would not occur.

b) IMPACT SUMMARY OF ALTERNATIVE

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

c) FINDINGS

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

d) RATIONALE FOR FINDINGS

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

e) REFERENCE

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

3. ALTERNATIVE 2: EXISTING ZONING ALTERNATIVE

a) DESCRIPTION OF ALTERNATIVE

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

b) IMPACT SUMMARY OF ALTERNATIVE

The Existing Zoning Alternative would result in impacts similar to those of the original project with respect to visual character, historical resources, landform alteration, consistency with GHG reduction plans, land use plan consistency, and operational noise and vibration. Like the original project, these impacts would be less than significant, except for impacts to historical resources which, like the project and the original project, would be significant and unavoidable. The Existing Zoning Alternative would result in comparatively less impacts than the original project associated with views, shade/shadow, construction air quality, archaeological and paleontological resources, geologic hazards, erosion and sedimentation, land use compatibility, police protection, parks and recreation, libraries, public transit, water supply, wastewater, and solid waste. As with the original project, all of these impacts would be less than significant. The Existing Zoning Alternative would also result in comparatively less impacts than the project with regard to construction noise and vibration, although these impacts would remain significant and unavoidable. Construction traffic impacts, some of which are considered significant and unavailable under the project, would be reduced to less than significant under the Existing Zoning Alternative. Compared to the project, however, the Existing Zoning Alternative would result in comparatively greater impacts associated with light and glare, AQMP consistency, operational air quality, GHG emissions, population growth, housing supply, employment, fire protection, local intersection traffic, and neighborhood roadway segment traffic, all of which would nonetheless remain less than significant.

c) FINDINGS

With this Alternative, the new environmental impacts projected to occur from development would be generally similar to those projected to occur from the original project and the project, although some of the environmental impacts, in particular significant, unavoidable traffic impacts during construction, would be reduced. However, this Alternative cannot meet many of the objectives of the project. It is found pursuant to Public Resources Code Section 21081,

subsection (a)(3), that specific economic, legal, social, technological, or other considerations, including considerations identified in Section XII of these Findings (Statement of Overriding Considerations), make infeasible the Existing Zoning Alternative described in the EIR.

d) RATIONALE FOR FINDINGS

The Existing Zoning Alternative would result in the demolition and removal of all existing buildings on the project site and construction of 111,339 square feet of commercial uses, which would represent an additional 31,339 square feet of new commercial retail development relative to existing conditions. This Alternative would not provide for the Central Plaza or the Corner Plaza at Sunset Boulevard/Crescent Heights Boulevard. Although this Alternative would provide new commercial development, it would not meet project objectives associated with housing. The following summarizes those project objectives that this Alternative would (1) not meet, (2) only partially meet, and (3) fully meet.

(1) The Existing Zoning Alternative would not meet the following project objectives:

- Provide housing to satisfy the varying needs and desires of all economic segments of the community, including very low income households, maximizing the opportunity for individual choices, and contributing to Hollywood's housing stock.
- Increase the number of affordable rental housing units in the westernmost area of Hollywood.
- Build upon the existing vitality and diversity of uses in Hollywood by providing a vibrant urban-living development along a major arterial and transit corridor.
- Create new living opportunities in close proximity to jobs, public transit, shops, restaurants, and entertainment uses.
- Improve the energy efficiency of on-site uses by creating a master planned development that meets the standards for LEED certification.
- Provide housing that supports the economic future of the region in an area in which the necessary infrastructure is already in place.

(2) The Existing Zoning Alternative would partially meet the following project objectives:

- Redevelop and revitalize an aging and underutilized commercial site and surface parking lot with a more efficient and economically viable mix of residential and commercial uses.
- Capitalize on the Site's location in Hollywood by concentrating new housing density and commercial uses, thereby supporting regional mobility goals to encourage development around activity centers, promote the use of public transportation, and reduce vehicle trips and infrastructure costs.
- Enhance pedestrian activity and neighborhood commercial street life in the westernmost area of Hollywood.
- Provide improvements that support and encourage the use of nearby public transit lines and promote the use of bicycles as well as walking.
- Maintain and enhance the economic vitality of the region by providing job opportunities that attract commercial and residential tenants.

(3) The Existing Zoning Alternative would fully meet the following project objectives:

- Provide high-quality commercial uses to serve residents of the westernmost area of Hollywood in a manner that contributes to a synergy of uses and enhances the character of the area.

- Bring convenient neighborhood-serving commercial uses within walking distance of numerous apartments and single-family residences in the westernmost area of Hollywood.
- Create a development that complements and improves the visual character of the westernmost area of Hollywood and promotes quality living spaces that effectively connect with the surrounding urban environment through high quality architectural design and detail.
- Provide an attractive retail face along street frontages.

Overall, the Existing Zoning Alternative could not achieve the majority of project objectives. Therefore, this Alternative is infeasible and less desirable than the project and is rejected for the reasons stated above.

e) REFERENCE

For a complete discussion of impacts associated with Alternative 2, please see Section V of the Draft EIR and see Section 2.0 Alternative 9: Enhanced View Corridor and Additional Underground Parking Alternative, Subsections C and D of the Recirculated DEIR.

4. ALTERNATIVE 3: REDUCED HEIGHT ALTERNATIVE

a) DESCRIPTION OF ALTERNATIVE

Alternative 3, the Reduced Height Alternative, would include the same development intensity as the original project (and the project/Alternative 9) with a maximum FAR of 3:1, but with a 25 percent reduction in the maximum height of the original project. As with the original project, this Alternative would entail the development of 249 residential units, including 28 affordable housing units. The Reduced Height Alternative would have the same development intensity and floor area as the original project, but a lower overall building height, represented by a four-story reduction at the taller tower component of the South Building and a one-story increase at the lower component of the South Building. This alternative would also have more commercial/retail space compared to the original project and the project/Alternative 9. All other project-related improvements, facilities, and amenities, including landscaped plazas, street trees, and the conversion of the City-owned traffic island to provide a 9,134-square-foot public space, would be similar to those of the original project. Under this Alternative, all existing buildings would be removed from the project site.

b) IMPACT SUMMARY OF ALTERNATIVE

Compared with the original project, the Reduced Height Alternative would result in similar impacts associated with visual character, light and glare, AQMP consistency, construction air quality, operational air quality, historical resources, geologic hazards, erosion and sedimentation, landform alteration, GHG emissions, consistency with GHG reduction plans, land use plan consistency, construction noise and vibration, operational noise and vibration, population growth, housing supply, employment, fire protection, police protection, parks and recreation, libraries, construction traffic impacts, local intersection traffic, neighborhood roadway segment traffic, public transit, water supply, wastewater, and solid waste. The Reduced Height Alternative would result in comparatively less impacts than the original project associated with views, shade/shadow, archaeological and paleontological resources, and land use compatibility. Like the original project, however, all of these impacts would be less than significant. Accordingly, like the original project, the Reduced Height Alternative would have less impact than the project on archaeological and paleontological Resources and greater impacts on visual character, air pollutants and contaminants, GHG emissions, traffic, water and waste. As with the project, however these impacts would be less than significant, except for impacts to

historical resources, construction noise and vibration, and construction traffic, which, like the project and the original project, would be significant and unavoidable.

c) FINDINGS

With this Alternative, the new environmental impacts projected to occur from development would be generally similar to those projected to occur from the original project. Although some of the environmental impacts projected to occur from development of the original project would be reduced, this Alternative would not reduce any of the significant impacts expected under the original project or the project to a level of insignificance. It is found pursuant to Public Resources Code Section 21081, subsection (a)(3), that specific economic, legal, social, technological, or other considerations, including considerations identified in Section XII of these Findings (Statement of Overriding Considerations), make infeasible the Reduced Height Alternative as described in the EIR.

d) RATIONALE FOR FINDINGS

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

e) REFERENCE

For a complete discussion of impacts associated with Alternative 3, please see Section V of the Draft EIR and see Section 2.0 Alternative 9: Enhanced View Corridor and Additional Underground Parking Alternative, Subsections C and D of the Recirculated DEIR.

5. ALTERNATIVE 4: REDUCED DENSITY ALTERNATIVE

a) DESCRIPTION OF ALTERNATIVE

Alternative 4, the Reduced Density Alternative, would reduce overall development intensity by 25 percent relative to the project. This would allow for 187 residential units, including 21

affordable housing units, and 83,500 square feet of commercial uses, for a maximum FAR of 2.25:1. The grocery store floor area would be 18,605 square feet. Total residential floor area would be 167,585 square feet. Total floor area would be 251,377 square feet. Building heights would remain similar to the original project, ranging from two stories at the North Building to 16 stories at the South Building, compared to three stories at the North Building and up to 15 stories at the South Building. More specifically, the reduced floor area would result in similar building footprints but an overall reduction in massing by removing two floors from the lower portion of the South Building for a height of seven floors, while maintaining taller 16-story South Building tower and the two-story North Building. The project, in slight contrast, would have three tower elements of, respectively, five, eleven and fifteen stories. All other project-related improvements, facilities, and amenities, including landscaped plazas, street trees, and the conversion of the adjacent City-owned traffic island to provide a 9,134 square-foot public space, would be similar to those of the project. Under the Reduced Density Alternative, all existing buildings would be removed from the project site.

b) IMPACT SUMMARY OF ALTERNATIVE

The Reduced Density Alternative would result in similar impacts to the original project associated with light and glare, AQMP consistency, archaeological and paleontological resources, historical resources, landform alteration, consistency with GHG reduction plans, land use plan consistency, construction vibration, operational noise and vibration, population growth, housing supply, and employment. As with the project, these impacts would be less than significant, except for impacts to historical resources and construction vibration, which, like the project, would be significant and unavoidable. The Reduced Density Alternative would result in comparatively less impacts than the project associated with visual character, views, shade/shadow, construction air quality, operational air quality, geologic hazards, erosion and sedimentation, GHG emissions, land use compatibility, construction noise, fire protection, police protection, parks and recreation, libraries, construction traffic, local intersection traffic, neighborhood roadway segment traffic, public transit, water supply, wastewater, and solid waste. Like the project, all of these impacts would be less than significant, except for construction noise and construction traffic. Under the Reduced Density Alternative, although both construction noise and traffic impacts would be comparatively less than those of the project, they would remain significant and unavoidable.

c) FINDINGS

With this Alternative, the new environmental impacts projected to occur from development would be generally similar to those projected to occur from the original project, although some would be reduced. However, this Alternative does not meet the objectives of the project to the same extent as the original project or the project, in particular because it provides significantly less housing. Because the Reduced Density Alternative would be inferior to the project with respect to achieving some of project objectives and would furthermore not reduce any significant impacts to a level of insignificance, this Alternative is infeasible and is less desirable than the project. It is found pursuant to Public Resources Code Section 21081, subsection (a)(3), that specific economic, legal, social, technological, or other considerations, including considerations identified in Section XII of these Findings (Statement of Overriding Considerations), make infeasible the Reduced Density Alternative as described in the EIR.

d) RATIONALE FOR FINDINGS

The Reduced Density Alternative would reduce residential units by 25 percent. All amenities, such as landscaping and the provision of a Central Plaza and public Corner Plaza at the Sunset Boulevard/Crescent Heights Boulevard would be the same as under the original project and the project. All commercial uses associated with the project, including retail, restaurant,

supermarket, health club, and walk-in bank, would be provided, with more floor area (83,500 square feet compared to 65,000 square feet under the project). As the Reduced Density Alternative would provide the same mix of uses as under the project, and would provide housing and affordable residential units, it would at least partially meet all of the project objectives. However, because it would reduce housing density and affordable units, it would not achieve many of the project objectives to the same extent as the project. The following summarizes those project objectives that this Alternative would (1) only partially meet compared to the project and (2) fully meet compared to the project:

(1) Compared to the project, due to the reduction in housing and affordable housing, The Reduced Density Alternative would only partially meet the following project objectives:

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

(2) The Reduced Density Alternative would fully meet the following project objectives:

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

Overall, the Reduced Density Alternative would be inferior to the project with respect to achieving all of the important project objectives. It furthermore would not reduce any significant impacts to a level of insignificance. Therefore, this Alternative is infeasible and less desirable than the project and is rejected for the reasons stated above.

e) REFERENCE

For a complete discussion of impacts associated with Alternative 4, please see Section V of the Draft EIR and see Section 2.0 Alternative 9: Enhanced View Corridor and Additional Underground Parking Alternative, Subsections C and D of the Recirculated DEIR.

6. ALTERNATIVE 5: BANK PRESERVATION ALTERNATIVE

a) DESCRIPTION OF ALTERNATIVE

Alternative 5, the Bank Preservation Alternative, would include the development of a mixed-use residential/commercial project on the project site at the same overall intensity as the original project and the project/Alternative 9, which have a maximum FAR of 3:1. However, this Alternative would increase residential units and decrease commercial floor area compared to the original project and, to a lesser degree, the project/Alternative 9. The Bank Preservation Alternative would preserve the on-site Chase Bank building in its current location, but would remove all other existing buildings. Alternative 5 would comprise the development of 291 residential units, including 32 affordable housing units, and 62,231 square feet of commercial uses (inclusive of the square footage of the retained existing Chase Bank building). Total residential floor area would be 271,969 square feet. Grocery store floor area would be up to 15,000 square feet. Total development would consist of approximately 334,000 square feet. Building heights under this Alternative would range from two stories at the Sunset Boulevard retail frontage to 16 stories at the South Building, and the massing of the buildings would vary significantly from that of the project. The Sunset retail frontage would include the existing Bank, a new retail structure west of the Bank at the corner of Havenhurst Drive and Sunset Boulevard, and a new "flagship" retail building east of the Bank at the corner of Sunset Boulevard and Crescent Heights Boulevard. Given the preservation of the Bank, no rooftop activity would occur at the northwest corner of the project site. In addition, a rooftop bar/lounge would not be developed at the top of the South Building, as is also the case with the project. The excavation for the Bank Preservation Alternative would be slightly more shallow (by four feet) and would be less extensive because the project offers more parking and does not allow for any above-ground parking, in contrast to the Bank Preservation Alternative. All other project-related improvements, facilities, and amenities, such as landscaping and the conversion of the adjacent City-owned traffic island to provide a 9,134 square-foot public space would be similar to those of the project.

Under the Bank Preservation Alternative, as noted above, the Bank building would be retained and rehabilitated for commercial use in conformance with the Secretary of the Interior's Rehabilitation Standards Alterations necessary for commercial use would include replacement of the existing non-original ground floor windows and replacement of exterior ground floor walls on the south and east elevations with new compatible windows, to improve transparency and views through the building. In addition, the existing false clerestory windows would be replaced with new compatible windows to allow natural light into the upper floor and provide views through the new clerestory windows of the folded-plate roof. The double-height interior atrium space would be closed by filling in the mezzanine level with a new floor. The new second floor would be designed to be reversible, and the existing mezzanine balcony and railings would be removed and stored, so that the atrium could be reinstated at a future date. The interior would be repurposed for the new commercial use which would require relocation of Roger Darricarrere's dalle de verre stained glass Screen, either within the Bank building, elsewhere

within the project, or to another appropriate site where it would be preserved. The floating concrete stair at the Bank building's northeast corner would be retained in place or rotated 180 degrees. The alterations and additions at the west end of the Bank building would be removed. The original Bouquet Canyon stone wall would be retained on the north façade along Sunset Boulevard, and The Family, by sculptor David Green, would be retained and preserved in approximately its current location. The Sunset Boulevard frontage would be improved with compatible landscaping in keeping with the original Mid-Century Modern design intent. To ensure conformance with the Secretary of the Interior Standards, a qualified preservation consultant would be retained by the applicant to provide input during design development, review the plans for the Bank Preservation Alternative for conformance with the Standards, and conduct construction monitoring to address preservation issues that could arise during construction.

b) IMPACT SUMMARY OF ALTERNATIVE

The Bank Preservation Alternative would result in similar impacts to the original project associated with visual character, views, light and glare, AQMP consistency, construction air quality, geologic hazards, erosion and sedimentation, landform alteration, consistency with GHG reduction plans, land use plan consistency, land use compatibility, construction vibration, operational noise and vibration, population growth, housing supply, fire protection, and police protection. As with the original project and the project, these impacts would be less than significant, except for construction vibration impacts, which, as with the project, would be significant and unavoidable. The Bank Preservation Alternative would result in comparatively less impact than the original project and the project on operational air quality, GHG emissions, local intersection traffic, neighborhood roadway segment traffic, and public transit – all areas where the project would have less than significant impacts. As with the project, impacts to the intersection of Havenhurst Drive and Fountain Avenue would be reduced to less than significant with the implementation of Mitigation Measure TR-1. The Bank Preservation Alternative would also have comparatively less impacts due to construction noise, however these impacts would remain significant and unavoidable. Impacts to historical resources, a significant and unavoidable impact under the original project and the project, would be less than significant with mitigation under the Bank Preservation Alternative. The Bank Preservation Alternative would result in comparatively greater impacts than the project associated with shade/shadow, employment, parks and recreation, libraries, construction traffic, water supply, and waste water. With the exception of construction transportation impacts, which are significant and unavoidable under both the project and the Bank Preservation Alternative, all of these impacts remain less than significant (as they are with the project).

c) FINDINGS

With this Alternative, the new environmental impacts projected to occur from development would be generally similar to those expected to occur from the project, although some of the insignificant environmental impacts projected to occur from development of the project would be reduced while others would increase. This Alternative would avoid the significant impact to historical resources that would result from the project. Nevertheless, this Alternative does not meet a sufficient number of the objectives of the project to make it feasible. It is found pursuant to Public Resources Code Section 21081, subsection (a)(3), that specific economic, legal, social, technological, or other considerations, including considerations identified in Section XII of these Findings (Statement of Overriding Considerations), make infeasible the Bank Preservation Alternative described in the EIR.

d) RATIONALE FOR FINDINGS

The Draft EIR determined that Alternative 5 met, or could partially meet, the objectives of the project. However, under CEQA, "the decision makers may reject as infeasible alternatives that were identified in the EIR as potentially feasible." (*San Diego Citizenry Group v. County of San Diego* (2013) 219 Cal.App.4th 1, 18.) Moreover, "CEQA does not compel retention of old buildings in the name of historical preservation." (*Dusek v. Redevelopment Agency* (1985) 173 Cal.App.3d 1029.) Rather, and notwithstanding the identification of an environmentally superior alternative, "a public agency may approve a project even though its EIR identifies the project as having significant adverse environmental effects if specific economic, legal, social, technological, or other considerations...make infeasible the mitigation measures or project alternatives identified in the final EIR. (Guidelines 15091(a) and (b))." (*Los Angeles Conservancy v. City of West Hollywood*, Case No. BS151056, Statement of Decision (L.A. County Sup. Ct. Jan. 5, 2016)). In considering whether an alternative's avoidance of a significant adverse environmental impact is infeasible, the project decision makers may balance such considerations as the ability to meet project objectives related to having an iconic, unified, and cohesive site design, and for a "Gateway building in particular to have a signature architecture that is consistent, recognizable and attractive at the street level as an entry to the city." In considering the balance of factors, the decision makers may reject a historic preservation alternative that will result in a "discordant architectural appearance," constrain the project's benefits to the pedestrian environment, and "reduce the benefits, social, environmental and economic, that are anticipated from the project." (*Los Angeles Conservancy v. City of West Hollywood*, Case No. BS151056, Statement of Decision (L.A. County Sup. Ct. Jan. 5, 2016)).

The record includes numerous public comments raising well-founded concerns about the overall massing and design concept of the original project and its alternatives on the grounds that it would not enhance the quality of the neighborhood, would be visually unappealing, would obstruct views, and would not be pedestrian-friendly. Moreover, Alternative 5 would result in a disjointed design to sidewalks, project accessibility and would not be as visually appealing or pedestrian friendly compared to Alternative 9. The retention of the Bank building would impede on the quality of the proposed pedestrian-level amenities, including the plaza entries proposed at the northwest and northeast corners of the project site. Conversely, Alternative 9 incorporates strong pedestrian scale elements by orienting the lower-scale commercial uses to the street front along Sunset Boulevard and locating the taller structural elements to the rear of the project site. Alternative 9 provides an active street front with direct access from the sidewalks of all three adjoining streets, and would also incorporate a Central Plaza, providing a continuous street-to-street pedestrian linkage across the site.

As shown in Draft EIR Figures 5.E-2 through 5.E-5, Alternative 5 would result in a design that would concentrate development of the remaining project site and would create a large and flat monolithic design that would not allow for views through the project site, which was a primary concern from the public. Alternative 5 would result in similar impacts to the original project associated with visual character and views, and would not provide the varied massing or the 150-foot wide view corridor associated with Alternative 9.

Preservation of the Bank Building would increase the depth of excavation necessary to construct below-grade parking since the area under the Bank Building would not be used for parking, as it would under the proposed project. Similar to the original project, Alternative 5 would have a parking podium with three subterranean levels. The parking podium would extend 3 levels above ground (as measured from grade at Sunset Boulevard), a point of contention in comments received because of concerns with the air quality implications of open parking lots near residences. In contrast, the proposed project's enclosed parking structure is entirely

subterranean or semi-subterranean, providing an aesthetic benefit that is especially pronounced given the project's proximity to multi-family residential uses to the south and to the west, and improving the pedestrian experience in the surrounding area.

The Lead Agency, in response to these concerns finds that Alternative 5 would not achieve the following project Objectives:

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

The Lead Agency hereby approves Alternative 9 as the project because it addresses these concerns and achieves the above-listed Project Objectives. Alternative 9 would not be feasible if it incorporated a preserved bank building. The Lead Agency acknowledges the significant and unavoidable impact incurred from demolition of the Bank, however, Alternative 9 achieves a design that is significantly more accessible to the City in its provision of publicly accessible open space, affordable housing, green building, and iconic architecture that will significantly transform Sunset Boulevard, and which will contribute to the City's- and Hollywood's- identity as a destination City for residents and tourists alike. The record includes a letter dated March 24, 2016 from Gehry Partners, the architectural firm that developed Alternative 9, which states, "we considered whether it would be feasible to meet the design objectives and overall project objectives with a design that preserved the bank building," and concludes, "we determined it was not feasible to meet those objectives with a design that preserved the bank." The City further recognizes the design objectives that were achieved with Alternative 9, and how it was able to satisfy a majority of the Project Objectives. Furthermore, the City concurs with the project architect in finding that, with respect to the bank building:

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

In light of these considerations, and notwithstanding the conclusions reached in the EIR, with respect to the ability of the Bank Preservation Alternative to (1) not meet, (2) only partially meet, and (3) fully meet the project objectives, the City finds as follows:

(1) The Bank Preservation Alternative would not meet the following project objectives:

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

- Provide an attractive retail face along street frontages.

(2) The Bank Preservation Alternative would partially meet the following project objectives:

- Maintain and enhance the economic vitality of the region by providing job opportunities that attract commercial and residential tenants
- Bring convenient neighborhood-serving commercial uses within walking distance of numerous apartments and single-family residences in the westernmost area of Hollywood.
- Capitalize on the site's location in Hollywood by concentrating new housing density and commercial uses, thereby supporting regional mobility goals to encourage development around activity centers, promote the use of public transportation, and reduce vehicle trips and infrastructure costs.

(3) The Bank Preservation Alternative would fully meet the following project objectives:

- Provide housing to satisfy the varying needs and desires of all economic segments of the community, including very low income households, maximizing the opportunity for individual choices, and contributing to Hollywood's housing stock.
- Increase the number of affordable rental housing units in the westernmost area of Hollywood.
- Create new living opportunities in close proximity to jobs, public transit, shops, restaurants, and entertainment uses.
- Provide improvements that support and encourage the use of nearby public transit lines and promote the use of bicycles as well as walking.
- Improve the energy efficiency of on-site uses by creating a master planned development that meets the standards for Leadership in Energy and Environmental Design (LEED) certification.
- Provide housing that supports the economic future of the region in an area in which the necessary infrastructure is already in place.

Overall, the Bank Preservation Alternative could not achieve the majority of project objectives. Therefore, this Alternative is infeasible and less desirable than the project and is rejected for the reasons stated above.

e) REFERENCE

For a complete discussion of impacts associated with Alternative 5, please see Section V of the Draft EIR and see Section 2.0 Alternative 9: Enhanced View Corridor and Additional Underground Parking Alternative, Subsections C and D of the Recirculated DEIR.

7. ALTERNATIVE 6: REDUCED HEIGHT AND BANK PRESERVATION ALTERNATIVE

a) DESCRIPTION OF ALTERNATIVE

Alternative 6, the Reduced Height and Bank Preservation Alternative, would include the development of a mixed-use residential/commercial project on the project site at the same overall intensity as the project (maximum FAR of 3:1), but would increase residential units and decrease commercial floor area. This Alternative would also preserve the on-site Chase Bank building in its current location. Specifically, this Alternative would entail the removal of all existing buildings on the project site except the Bank. Total development would consist of 291 residential units, including 32 affordable housing units, and 62,231 square feet of commercial uses (inclusive of the square footage of the retained existing Chase Bank building), including a reduced grocery store use of up to 15,000 square feet. Building heights under this Alternative would range from two stories at the Sunset Boulevard retail frontage to 14 stories at the South Building. The Sunset retail frontage would include the existing Bank building, a new retail structure west of the Bank Building at the corner of Havenhurst Drive and Sunset Boulevard, and a new "flagship" retail building east of the Bank building at the corner of Sunset Boulevard and Crescent Heights Boulevard. Due to the preservation of the Bank, no rooftop activity would occur at the northwest corner of the project site. In addition, the rooftop bar/lounge would not be developed at the top of the South Building, as is also the case with the project. The excavation for the Bank Preservation Alternative would be slightly more shallow (by four feet) and would be less extensive because the project offers more parking and does not allow for any above-ground parking. All other project-related improvements, facilities, and amenities such as landscaping and the conversion of the adjacent City-owned traffic island to provide a 9,134 square-foot public space would be similar to those of the project.

Under the Reduced Height and Bank Preservation Alternative, as noted above, the Bank building would be retained and rehabilitated for commercial use in conformance with the Standards and in the same manner as described for Alternative 5.

b) IMPACT SUMMARY OF ALTERNATIVE

The Reduced Height and Bank Preservation Alternative would result in similar impacts to the original project associated with visual character, light and glare, AQMP consistency, construction air quality, geologic hazards, erosion and sedimentation, landform alteration, consistency with GHG reduction plans, land use plan consistency, construction vibration, operational noise and vibration, population growth, fire protection, and police protection. As with the project, these impacts would be less than significant, except for construction vibration impacts, which, as with the original project and the project/Alternative 9, would be significant and unavoidable. The Reduced Height and Bank Preservation Alternative would result in different but comparable impacts compared to the project associated with views, as the Reduced Height and Bank Preservation Alternative would reduce the overall height of the development, while the project would break of the massing of the project to allow for views through the development. The Reduced Height and Bank Preservation Alternative would result in comparatively less impacts than the project associated with operational air quality, shade/shadows, historical resources, GHG emissions, land use compatibility, construction noise, local intersection traffic, neighborhood roadway segment traffic, public transit, and solid

waste. As with the project, impacts to the intersection of Havenhurst Drive and Fountain Avenue would be reduced to less than significant with the implementation of Mitigation Measure TR-1. Similar to the original project (and the project), all of these impacts would be less than significant, except for construction noise, which would be significant and unavoidable under any alternative. In contrast to the original project and the project, impacts to historical resources would be less than significant with mitigation under the Reduced Height and Bank Preservation Alternative. However, because of its greater residential capacity, the Reduced Height and Bank Preservation Alternative would result in comparatively greater impacts than the original project and the project associated with employment, parks and recreation, libraries, construction traffic, water supply, and waste water. With the exception of construction transportation impacts, which are significant and unavoidable under the original project, the project, and the Reduced Height and Bank Preservation Alternative, all of these impacts would be less than significant.

c) FINDINGS

With this Alternative, the new environmental impacts projected to occur from development would be generally similar to those insignificant impacts projected to occur from the project, with a few notable exceptions. In particular, Alternative 6 would avoid the significant impact to historical resources that would result from the project. However, Alternative 6 does not meet a sufficient number of the objectives of the project. It is found pursuant to Public Resources Code Section 21081, subsection (a)(3), that specific economic, legal, social, technological, or other considerations, including considerations identified in Section XII of these Findings (Statement of Overriding Considerations), make infeasible the Bank Preservation Alternative described in the Draft EIR.

d) RATIONALE FOR FINDINGS

The Draft EIR determined that Alternative 6 met, or could partially meet, the objectives of the project. However, under CEQA, "the decision makers may reject as infeasible alternatives that were identified in the EIR as potentially feasible." (*San Diego Citizenry Group v. County of San Diego* (2013) 219 Cal.App.4th 1, 18.) Moreover, "CEQA does not compel retention of old buildings in the name of historical preservation." (*Dusek v. Redevelopment Agency* (1985) 173 Cal.App.3d 1029.) Rather, and notwithstanding the identification of an environmentally superior alternative, "a public agency may approve a project even though its EIR identifies the project as having significant adverse environmental effects if specific economic, legal, social, technological, or other considerations...make infeasible the mitigation measures or project alternatives identified in the final EIR. (Guidelines 15091(a) and (b))." (*Los Angeles Conservancy v. City of West Hollywood*, Case No. BS151056, Statement of Decision (L.A. County Sup. Ct. Jan. 5, 2016)). In considering whether an alternative's avoidance of a significant adverse environmental impact is infeasible, the project decision makers may balance such considerations as the ability to meet project objectives related to having an iconic, unified, and cohesive site design, and for a "Gateway building in particular to have a signature architecture that is consistent, recognizable and attractive at the street level as an entry to the city." In considering the balance of factors, the decision makers may reject a historic preservation alternative that will result in a "discordant architectural appearance," constrain the project's benefits to the pedestrian environment, and "reduce the benefits, social, environmental and economic, that are anticipated from the project." (*Los Angeles Conservancy v. City of West Hollywood*, Case No. BS151056, Statement of Decision (L.A. County Sup. Ct. Jan. 5, 2016)).

The record includes numerous public comments raising well-founded concerns about the overall design concept of the original project and its alternatives on the grounds that it would not enhance the quality of the neighborhood, would be visually unappealing, by virtue of massing and obstruction of views, and would not achieve a comparable pedestrian-friendly design.

Moreover Alternative 6 would result in a disjointed design to sidewalks, project accessibility, and would not be as visually appealing or pedestrian friendly compared to the proposed project. The retention of the Bank building would impede on the quality of the proposed pedestrian-level amenities, including the plaza entries proposed at the northwest and northeast corners of the project site. Conversely, Alternative 9 incorporates strong pedestrian scale elements by orienting the lower-scale commercial uses to the street front along Sunset Boulevard and locating the taller structural elements to the rear of the project site. Alternative 9 provides an active street front with direct access from the sidewalks of all three adjoining streets, and also incorporates a Central Plaza, providing a continuous street-to-street pedestrian linkage across the site.

Under Alternative 6, the South Building would have tower components of 12 and 14 stories, compared to 9 and 16 stories under the original project, and 11 and 15 stories under Alternative 9. Given that Alternative 6 would have nearly the same floor area as the original project, but a lower building height (two-story overall reduction) for the South Building western tower component, the bulk of other building components would be increased relative to both the original project and to the proposed project/Alternative 9. Most notably, the eastern tower component of South Building would be increased in height to 12 stories. The footprint of the South Building tower would also be slightly increased in a north-south dimension and setbacks of the 14-story component from Havenhurst Drive and the south boundary would be reduced. As shown in Draft EIR Figures 5.F-2 through 5.F-5, Alternative 6 would result in a design that would concentrate development of the remaining project site and would create a large and flat monolithic design that would not allow for views through the project site, which was a primary concern from the public. Alternative 6 would result in similar impacts to the original project associated with setbacks and massing and would not provide the varied massing or the 150-foot wide view corridor associated with the proposed project.

Preservation of the Bank Building would increase the depth of excavation necessary to construct below-grade parking since the area under the Bank Building would not be used for parking, as it would under the proposed project/Alternative 9. Similar to the original project, Alternative 6 would have a parking podium with three subterranean levels, and would extend 3 levels above ground (as measured from grade at Sunset Boulevard), a point of contention in comments received, which took issue with the air quality implications of open parking lots near residences. In contrast, the proposed project's enclosed parking structure is entirely subterranean or semi-subterranean, providing an aesthetic benefit that is especially pronounced given the project's proximity to multi-family residential uses to the south and to the west, and improving the pedestrian experience in the surrounding area.

The Lead Agency, in response to these concerns finds that the historic preservation alternatives would not achieve the following project Objectives:

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

- Enhance pedestrian activity and neighborhood commercial street life in the westernmost area of Hollywood.

The Lead Agency hereby approves Alternative 9 as the project because it addresses these concerns and achieves the above-listed Project Objectives. Alternative 9 would not be feasible if it incorporated a preserved bank building. The Lead Agency acknowledges the significant and unavoidable impact incurred from demolition of the Bank, however, Alternative 9 achieves a design that is significantly more accessible to the City in its provision of publicly accessible open space, affordable housing, green building, and iconic architecture that will significantly transform Sunset Boulevard, and which will contribute to the City's- and Hollywood's- identity as a destination City for residents and tourists alike. The record includes a letter dated March 24, 2016 from Gehry Partners, the architectural firm that developed Alternative 9, which states, "we considered whether it would be feasible to meet the design objectives and overall project objectives with a design that preserved the bank building," and concludes, "we determined it was not feasible to meet those objectives with a design that preserved the bank." The City further recognizes the design objectives that were achieved with Alternative 9, and how it was able to satisfy a majority of the Project Objectives. Furthermore, the City concurs with the project architect in finding that, with respect to the bank building:

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

In light of these considerations, and notwithstanding the conclusions reached in the EIR, with respect to the ability of the Reduced Height and Bank Preservation Alternative to (1) not meet, (2) only partially meet, and (3) fully meet the project objectives, the City finds as follows:

(1) The Reduced Height and Bank Preservation Alternative would not meet the following project objectives:

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

(2) The Reduced Height and Bank Preservation Alternative would partially meet the following project objectives:

- Maintain and enhance the economic vitality of the region by providing job opportunities that attract commercial and residential tenants
- Bring convenient neighborhood-serving commercial uses within walking distance of numerous apartments and single-family residences in the westernmost area of Hollywood.
- Capitalize on the site's location in Hollywood by concentrating new housing density and commercial uses, thereby supporting regional mobility goals to encourage development around activity centers, promote the use of public transportation, and reduce vehicle trips and infrastructure costs.

(3) The Reduced Height and Bank Preservation Alternative would fully meet the following project objectives:

- Provide housing to satisfy the varying needs and desires of all economic segments of the community, including very low income households, maximizing the opportunity for individual choices, and contributing to Hollywood's housing stock.
- Increase the number of affordable rental housing units in the westernmost area of Hollywood.
- Create new living opportunities in close proximity to jobs, public transit, shops, restaurants, and entertainment uses.
- Provide improvements that support and encourage the use of nearby public transit lines and promote the use of bicycles as well as walking.
- Improve the energy efficiency of on-site uses by creating a master planned development that meets the standards for Leadership in Energy and Environmental Design (LEED) certification.
- Provide housing that supports the economic future of the region in an area in which the necessary infrastructure is already in place.

Overall, the Reduced Height and Bank Preservation Alternative could not achieve the majority of project objectives. Therefore, this Alternative is infeasible and less desirable than the project and is rejected for the reasons stated above.

e) REFERENCE

For a complete discussion of impacts associated with Alternative 6, please see Section V of the Draft EIR and see Section 2.0 Alternative 9: Enhanced View Corridor and Additional Underground Parking Alternative, Subsections C and D of the Recirculated DEIR.

8. ALTERNATIVE 7: ON-MENU ALTERNATIVE

a) DESCRIPTION OF ALTERNATIVE

Alternative 7, the On-Menu Alternative, would involve the construction of a new 28-story residential condominium tower over retail uses and structured parking levels, but would retain a number of existing uses on the project site, including the existing Chase Bank building and fast food drive-thru restaurant. Under Alternative 7, the Bank building would be retained and rehabilitated for commercial use in conformance with the Secretary of the Interior's Rehabilitation Standards (Standards), as under Alternatives 5 and 6 described above. The On-Menu Alternative would qualify for a 3:1 FAR for a portion of the project site pursuant to LAMC Section 12.22-A,25(f)(4)(ii) and a 1.35 FAR for the balance of the project site pursuant to LAMC

Section 12.22-A,25(f)(4)(i). The Alternative would have an overall FAR of approximately 2.5:1. This Alternative would provide 146 residential units including 30 affordable housing units. Commercial uses, including existing uses to be retained and new retail construction, would comprise approximately 47,500 square feet of floor area, a reduction of approximately 28-percent compared to the project. Total residential floor area would be 228,032 square feet, which includes resident-only amenities such as a pool/pool deck, recreation room, resident bar/lounge, fitness room, business center/library, changing rooms, and private terraces. Total floor area would be 278,032 square feet, which represents a 17-percent reduction compared to the project. The residential component would include 116 market rate units (31 one-bedroom, 50 two-bedroom, 23 three-bedroom, and 12 four-bedroom units) and 30 affordable one-bedroom units in 23 stories over five levels of structured above- and below-grade parking. Commercial uses would include retail space, sit-down restaurants, fast-food restaurants (existing), and a walk-in bank (existing). Building heights under this Alternative would reach a maximum of 28 stories. Because commercial floor area would be substantially reduced and retail uses, such as the grocery store proposed under the project would not be provided, parking requirements for the On-Menu Alternative would be substantially reduced compared to the project. Thus, the subterranean parking would be reduced to one level and a sizeable reduction in project-related grading and excavation volumes would be achieved. On-site amenities would include public and private open space, such as the Corner Plaza, Central Plaza, roof terraces, and pool deck, as well as landscaping and the conversion of the adjacent City-owned traffic island to provide a 9,134 square-foot public space would be similar to those of the project.

b) IMPACT SUMMARY OF ALTERNATIVE

The On-Menu Alternative would result in similar impact to the project associated with light and glare, AQMP consistency, landform alteration, consistency with GHG reduction plans, operational noise and vibration, fire protection, and police protection. As with the project, all such impacts would be less than significant. The On-Menu Alternative would result in comparatively less impacts than the project associated with construction air quality, operational air quality, archaeological and paleontological resources, historical resources, geologic hazards, erosion and sedimentation, GHG emissions, construction noise and vibration, population growth, parks and recreation, libraries, construction traffic, local intersection traffic, neighborhood roadway segment traffic, public transit, water supply, wastewater, and solid waste. As with the project, all of these impacts would be less than significant, except for construction noise, construction vibration, and construction traffic. But although construction noise, vibration, and traffic impacts would be comparatively less than those of the project, they would remain significant and unavoidable under Alternative 7. Impacts to historical resources would be reduced to less than significant with mitigation under the On-Menu Alternative. The On-Menu Alternative would result in comparatively greater impacts than the project associated with visual character, views, shade/shadow, land use plan consistency, land use compatibility, housing supply, and employment. Although these impacts would be comparatively greater than those of the project, they would remain less than significant under the On-Menu Alternative.

c) FINDINGS

With this Alternative, the new environmental impacts projected to occur from development would be generally similar to those projected to occur from the project, with some impacts being greater and others being less impactful – but all less than significant. This Alternative would, however, avoid the significant impact to historical resources that would result from the project. However, this Alternative does not meet a sufficient number of the objectives of the project. It is found pursuant to Public Resources Code Section 21081, subsection (a)(3), that specific economic, legal, social, technological, or other considerations, including considerations

identified in Section XII of these Findings (Statement of Overriding Considerations), make infeasible the On-Menu Alternative described in the EIR.

d) RATIONALE FOR FINDINGS

The On-Menu Alternative would provide substantially fewer residential units than the project. Commercial uses associated with the project, including retail, restaurants, and walk-in bank, would be provided but with substantially less floor area, and a supermarket would not be included. All other amenities, such as landscaping and the provision of a Central Plaza and Corner Plaza at Sunset Boulevard/Crescent Heights Boulevard would be similar to the project. The On-Menu Alternative would also offer similar residential and commercial land uses, as anticipated under the project, and, as such, it would at least partially meet most of the project objectives. However, because it would provide fewer residences, reduced commercial uses and no supermarket, and because it would maintain mismatched existing structures, it would not meet the majority of the project objectives.

The record includes numerous public comments raising well-founded concerns about the overall design concept of the original project and its alternatives on the grounds that it would not enhance the quality of the neighborhood, would be visually unappealing, would obstruct views, would not be pedestrian-friendly. Moreover, the On-Menu Alternative would result in a disjointed design to sidewalks, project accessibility and would not be as visually appealing or pedestrian friendly compared to Alternative 9. The retention of the Bank building would impede on the quality of the proposed pedestrian-level amenities, including the plaza entries proposed at the northwest and northeast corners of the project site. Conversely, Alternative 9 incorporates strong pedestrian scale elements by orienting the lower-scale commercial uses to the street front along Sunset Boulevard and locating the taller structural elements to the rear of the project site. The project provides an active street front with direct access from the sidewalks of all three adjoining streets, and also incorporates a Central Plaza, providing a continuous street-to-street pedestrian linkage across the site.

As shown in Draft EIR Figures 5.G-2 through 5.G-5, the On-Menu Alternative would result in a design that would concentrate development of the remaining project site and would create a large and flat monolithic design, at 28 stories in height, which would not allow for views through the project site, which was a primary concern from the public.

The On-Menu Alternative would have an above-ground parking podium (5 levels as measured from grade at Sunset Boulevard), a point of contention in comments received, which took issue with the air quality implications of open parking lots near residences. In contrast, the proposed project's enclosed parking structure is entirely subterranean or semi-subterranean, providing an aesthetic benefit that is especially pronounced given the project's proximity to multi-family residential uses to the south and to the west, and improving the pedestrian experience in the surrounding area.

The Lead Agency concurs with these concerns and therefore finds that the historic preservation alternatives would not achieve the following project Objectives:

- Provide an attractive retail face along street frontages;
- Redevelop and revitalize an aging, and underutilized commercial site
- Build upon the existing vitality and diversity of uses in Hollywood by providing a vibrant urban living development along a major arterial and transit corridor;
- Provide high-quality commercial uses to serve residents of the westernmost area of Hollywood in a manner that contributes to a synergy of uses and enhances the character of the area;

- Create a development that complements and improves the visual character of the westernmost area of Hollywood and promotes quality living spaces that effectively connect with the surrounding urban environment through high quality architectural design and detail; and
- Enhance pedestrian activity and neighborhood commercial street life in the westernmost area of Hollywood.

The Lead Agency hereby approves Alternative 9 as the project because it addresses these concerns and achieves the above-listed Project Objectives. Alternative 9 would not be feasible if it incorporated a preserved bank building. The Lead Agency acknowledges the significant and unavoidable impact incurred from demolition of the Bank, however, Alternative 9 achieves a design that is significantly more accessible to the City in its provision of publicly accessible open space, affordable housing, green building, and iconic architecture that will significantly transform Sunset Boulevard, and which will contribute to the City's- and Hollywood's- identity as a destination City for residents and tourists alike. The record includes a letter dated March 24, 2016 from Gehry Partners, the architectural firm that developed Alternative 9, which states, "we considered whether it would be feasible to meet the design objectives and overall project objectives with a design that preserved the bank building," and concludes, "we determined it was not feasible to meet those objectives with a design that preserved the bank." The City further recognizes the design objectives that were achieved with Alternative 9, and how it was able to satisfy a majority of the Project Objectives. Furthermore, the City concurs with the project architect in finding that, with respect to the bank building:

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

In light of these considerations and notwithstanding the conclusions reached in the EIR, with respect to the ability of the On-Menu Alternative to (1) not meet, (2) only partially meet, and (3) fully meet the project objectives, the City finds as follows:

(1) The On-Menu Alternative would not meet the following project objectives:

- Redevelop and revitalize an aging and underutilized commercial site and surface parking lot with a more efficient and economically viable mix of residential and commercial uses.
- Build upon the existing vitality and diversity of uses in Hollywood by providing a vibrant urban living development along a major arterial and transit corridor.
- Create a development that complements and improves the visual character of the westernmost area of Hollywood and promotes quality living spaces that effectively connect with the surrounding urban environment through high quality architectural design and detail.
- Provide high-quality commercial uses to serve residents of the westernmost area of Hollywood in a manner that contributes to a synergy of uses and enhances the character of the area.

- Enhance pedestrian activity and neighborhood commercial street life in the westernmost area of Hollywood.
- Provide an attractive retail face along street frontages.

(2) The On-Menu Alternative would partially meet the following project objectives:

- Maintain and enhance the economic vitality of the region by providing job opportunities that attract commercial and residential tenants
- Bring convenient neighborhood-serving commercial uses within walking distance of numerous apartments and single-family residences in the westernmost area of Hollywood.
- Capitalize on the site's location in Hollywood by concentrating new housing density and commercial uses, thereby supporting regional mobility goals to encourage development around activity centers, promote the use of public transportation, and reduce vehicle trips and infrastructure costs.

(3) The On-Menu Alternative would fully meet the following project objectives:

- Provide housing to satisfy the varying needs and desires of all economic segments of the community, including very low income households, maximizing the opportunity for individual choices, and contributing to Hollywood's housing stock.
- Increase the number of affordable rental housing units in the westernmost area of Hollywood.
- Create new living opportunities in close proximity to jobs, public transit, shops, restaurants, and entertainment uses.
- Provide improvements that support and encourage the use of nearby public transit lines and promote the use of bicycles as well as walking.
- Improve the energy efficiency of on-site uses by creating a master planned development that meets the standards for Leadership in Energy and Environmental Design (LEED) certification.
- Provide housing that supports the economic future of the region in an area in which the necessary infrastructure is already in place.

Overall, the On-Menu Alternative could not achieve the majority of project objectives. Therefore, this Alternative is infeasible and less desirable than the project and is rejected for the reasons stated above.

e) REFERENCE

For a complete discussion of impacts associated with Alternative 7, please see Section V of the Draft EIR and see Section 2.0 Alternative 9: Enhanced View Corridor and Additional Underground Parking Alternative, Subsections C and D of the Recirculated DEIR.

9. ALTERNATIVE 8: RESIDENTIAL AND HOTEL ALTERNATIVE

a) DESCRIPTION OF ALTERNATIVE

Alternative 8, the Residential and Hotel Alternative, would remove all existing buildings from the project site for the construction of residential condominiums, a full-service, 180-room hotel, and restaurant space within the hotel. The Alternative would have an FAR of approximately 3:1, and would, similar to the project, have a 9- to 16-story South Building containing hotel and residential uses and a two-story North Building containing hotel accessory uses. This Alternative would provide 115 residential units including 13 affordable housing units. The hotel and related

accessory uses would comprise approximately 153,381 square feet of floor area. Total residential floor area would be 179,888 square feet. Total floor area would be 333,269 square feet, which represents a small reduction compared to the project, which has a total developed floor area of 334,000 square feet. The hotel use would comprise 135 standard rooms and 45 suites in the 9-story portion of the South Building over structured above- and below grade parking. Hotel accessory uses would include a restaurant, bar/lounge, fitness center, and meeting rooms. Because commercial floor area would be substantially reduced and retail uses, such as the grocery store proposed under the project, would not be provided, parking requirements for the Residential and Hotel Alternative would be somewhat reduced compared to the project. Thus, the project's subterranean parking Level B2 would be reduced in area by over 50 percent, and thus a sizeable reduction in project-related grading and excavation volumes would be achieved. On-site amenities, which would include public and private open space, Central Plaza, roof terraces, pool deck, and rooftop restaurant/lounge, landscaping, and the conversion of the adjacent City-owned traffic island to provide the 9,134 square-foot public Corner Plaza would be similar to those of the original project. Alternative 9 (the project), however, eliminated some of those amenities, including the rooftop restaurant/lounge.

b) IMPACT SUMMARY OF ALTERNATIVE

The Residential and Hotel Alternative would result in similar impact to the project associated with views, light and glare, shade/shadow, AQMP consistency, construction air quality, historical resources, landform alteration, consistency with GHG reduction plans, land use plan consistency, land use compatibility, operational noise and vibration, fire protection, and police protection. As with the project, these impacts would be less than significant, except for impacts to historical resources, which, as with the project, would be significant and unavoidable. The Residential and Hotel Alternative would result in comparatively less impact than the project associated with visual character, operational air quality, archaeological and paleontological resources, geologic hazards, erosion and sedimentation, GHG emissions, construction noise and vibration, population growth, parks and recreation, libraries, construction traffic, local intersection traffic, neighborhood roadway segment traffic, public transit, and solid waste. As with the project, all of these impacts would be less than significant, except for construction noise, construction vibration, and construction traffic. Under the Residential and Hotel Alternative, although construction noise, vibration, and traffic impacts would be comparatively less than those of the project, they would remain significant and unavoidable. The Residential and Hotel Alternative would result in comparatively greater impacts than the project associated with housing supply, employment, water supply, and wastewater. Although these impacts would be comparatively greater than those of the project, they would remain less than significant under the Residential and Hotel Alternative.

c) FINDINGS

With this Alternative, the new environmental impacts projected to occur from development would be generally similar to those projected to occur from the project. However, although some of the environmental impacts projected to occur from development of the project would be reduced, no significant impacts would be reduced to a level of insignificance. Moreover, this Alternative does not meet the objectives of the project to the same extent as the project. Because the Residential and Hotel Alternative would be inferior to the project with respect to achieving some of project objectives and would furthermore not reduce any significant impacts to a level of insignificance, this Alternative is infeasible and is less desirable than the project. It is found pursuant to Public Resources Code Section 21081, subsection (a)(3), that specific economic, legal, social, technological, or other considerations, including considerations identified in Section XII of these Findings (Statement of Overriding Considerations), make infeasible the Residential and Hotel Alternative as described in the EIR.

d) RATIONALE FOR FINDINGS

The Residential and Hotel Alternative would provide substantially fewer residential units than the project. Specifically, it includes 13 affordable units compared to the project's 28 affordable units. The Residential and Hotel Alternative would provide a hotel use in place of the project's retail, supermarket, and walk-in bank. Landscaping, a Central Plaza at the project site's interior, and a public plaza at the southwest corner of the Sunset Boulevard/Crescent Heights Boulevard would all be provided as under the original project. Although the Residential and Hotel Alternative would not offer the same amount of residential development and public-oriented commercial uses, such as a supermarket, as the project, it would partially meet most of the project objectives. However, because this Alternative would not provide as many housing units (including affordable units) or as much commercial square footage as the project, it would not achieve the project objectives related to residential and commercial development to the extent the project would. The following summarizes those project objectives that this Alternative would (1) not meet, (2) only partially meet compared to the project, and (3) fully meet.

(1) The Residential and Hotel Alternative would not meet the following project objectives:

- Provide high-quality commercial uses to serve residents of the westernmost area of Hollywood in a manner that contributes to a synergy of uses and enhances the character of the area.
- Bring convenient neighborhood-serving commercial uses within walking distance of numerous apartments and single-family residences in the westernmost area of Hollywood.

(2) The Residential and Hotel Alternative would only partially meet the following project objectives:

- Redevelop and revitalize an aging and underutilized commercial site and surface parking lot with a more efficient and economically viable mix of residential and commercial uses.
- Provide housing to satisfy the varying needs and desires of all economic segments of the community, including very low income households, maximizing the opportunity for individual choices, and contributing to Hollywood's housing stock.
- Increase the number of affordable rental housing units in the westernmost area of Hollywood.
- Capitalize on the Site's location in Hollywood by concentrating new housing density and commercial uses, thereby supporting regional mobility goals to encourage development around activity centers, promote the use of public transportation, and reduce vehicle trips and infrastructure costs.
- Create new living opportunities in close proximity to jobs, public transit, shops, restaurants, and entertainment uses.
- Provide an attractive retail face along street frontages.
- Provide housing that supports the economic future of the region in an area in which the necessary infrastructure is already in place.
- Maintain and enhance the economic vitality of the region by providing job opportunities that attract commercial and residential tenants.
- Create a development that complements and improves the visual character of the westernmost area of Hollywood and promotes quality living spaces that effectively connect with the surrounding urban environment through high quality architectural design and detail.
- Enhance pedestrian activity and neighborhood commercial street life the westernmost area of Hollywood.

(3) The Residential and Hotel Alternative would fully meet the following project objectives:

- Build upon the existing vitality and diversity of uses in Hollywood by providing a vibrant urban living development along a major arterial and transit corridor.
- Provide improvements that support and encourage the use of nearby public transit lines and promote the use of bicycles as well as walking.
- Improve the energy efficiency of on-site uses by creating a master planned development that meets the standards for LEED certification.

Overall, the Residential and Hotel Alternative would be inferior to the project with respect to achieving all of the important project objectives. Therefore, this Alternative is infeasible and less desirable than the project and is rejected for the reasons stated above.

e) REFERENCE

For a complete discussion of impacts associated with Alternative 8, please see Section V of the Draft EIR and see Section 2.0 Alternative 9: Enhanced View Corridor and Additional Underground Parking Alternative, Subsections C and D of the Recirculated DEIR.

10. ENVIRONMENTALLY SUPERIOR ALTERNATIVE

Section 15126.6(e)(2) of the State CEQA Guidelines indicates that an analysis of alternatives to an original project shall identify an environmentally superior alternative among the alternatives evaluated in an EIR and that if the "no project" alternative is the environmentally superior alternative, the EIR shall identify another environmentally superior alternative among the remaining alternatives. With respect to identifying an Environmentally Superior Alternative among those analyzed in the Draft EIR and this RP-DEIR, the range of feasible Alternatives includes the No Project/No Build Alternative, Existing Zoning Alternative, Reduced Height Alternative, Reduced Density Alternative, Bank Preservation Alternative, Reduced Height and Bank Preservation Alternative, On-Menu Alternative, Residential and Hotel Alternative, and Enhanced View Corridor and Additional Underground Parking Alternative.

The No Project/No Build Alternative is considered the overall environmentally superior Alternative as it would avoid nearly all of the impacts that would occur under the project. It should be noted however, that although most impacts would be avoided under the No Project/No Build Alternative, beneficial aspects of the project, such as the upgrading of the property with distinctive architecture and landscaping and the fulfillment of numerous regional and City plan and policy goals for the area would not occur. As indicated above, without development of a mixed-use residential and commercial project at the project site, the No Project/No Build Alternative would only partially meet one of the project's 15 objectives.

Recognizing that maintaining the status quo will often be the environmentally superior alternative when an agency considers a new project, the State CEQA Guidelines require that lead agencies identify an alternative that would result in the fewest adverse environmental impacts other than the No Project/No Build Alternative when that alternative is identified as the environmentally superior alternative. None of the build Alternatives would reduce unavoidable temporary impacts related to construction noise and vibration to an insignificant level, and only the Existing Zoning Alternative would reduce the temporary construction traffic impact to less than significant. Three of the Alternatives would preserve and reuse the existing Bank building (Bank Preservation Alternative, Reduced Height and Bank Preservation Alternative, and On-Menu Alternative), thus eliminating a significant unavoidable impact to a potentially historical resource. The analysis in the EIR determined that, among these alternatives, the Reduced Height and Bank Preservation Alternative would be the environmentally superior Alternative. In addition to eliminating a significant unavoidable impact to historical resources through

preservation and reuse of the Bank building, that Alternative would also (1) reduce, but not eliminate, a significant unavoidable temporary impact associated with construction-related noise and (2) otherwise reduce the majority of project-related impacts to some degree.

As discussed in more detail above, and contrary to the conclusions reached in the EIR, the City finds that none of the Bank preservation alternatives is a feasible alternative, because all three alternatives fail to meet or partially meet a substantial number of the project objectives.

D. ALTERNATIVES CONSIDERED BUT REJECTED: OFF-SITE LOCATION ALTERNATIVE

The City considered whether any feasible alternative locations exist. Development under the Off-Site Location Alternative would be similar to the project but at a different location than the project site. This Alternative would include development of a mixed-use commercial and residential development with a comparable mix of land uses, amenities, open space, and design features, to the extent another property would allow for a similar design. However, the project was designed to take advantage of the specific conditions at the project site, including its unique location at the western edge of the City of Los Angeles portion of the Sunset Strip, its existing subterranean space which reduces the need for excavation for parking levels, its location adjacent to a City-owned traffic island that would be converted to a usable public open space amenity, and direct accessibility to streets and sidewalks on three sides of the property. Very few, if any available properties with similar characteristics exist in the project area, a circumstance which presents a significant challenge to locating a suitable alternative site to construct the proposed uses. Moreover, development of the project at an alternative location (if one were available and controlled by the project applicant) would likely result in environmental impacts similar to those identified for the project, including significant and unavoidable impacts associated with traffic, construction noise and vibration impacts, and construction-related traffic impacts. Additionally, the project applicant owns the entirety of the project site, and, as such, the costs associated with purchasing another comparable property in the Hollywood area, if such a property could be located, would be financially prohibitive. As such, the City finds that an Off-Site Location Alternative is infeasible and in accordance with Section 15126.6(f) of the CEQA Guidelines this Alternative was eliminated from in-depth evaluation in the EIR.

X. FINDINGS REGARDING GENERAL IMPACT CATEGORIES

A. GROWTH-INDUCING IMPACTS

Section 15126.2(d) of the CEQA Guidelines requires a discussion of the ways in which an original project could induce growth. This includes ways in which a project would foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment. Section 15126.2(d) of the CEQA Guidelines states:

> Discuss the ways in which the original project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment. Included in this are projects which would remove obstacles to population growth (a major expansion of a waste water treatment plant might, for example, allow for more construction in service areas). Increases in the population may tax existing community service facilities, requiring construction of new facilities that could cause significant environmental effects. Also discuss the characteristic of some projects which may encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively. It must not be

> assumed that growth in any area is necessarily beneficial, detrimental, or of little significance to the environment.

The project would provide a mixed-use development with 65,000 square feet of commercial uses, 30 residential condominium units and 219 rental apartment units. The commercial uses would add approximate 48 (net) new employees and 505 residents to the Hollywood Community Plan area and City of Los Angeles. The projected population growth would represent approximately 2.5 percent of the Hollywood Community Plan area's 2014-2035 planning horizon provided in the 2012 SCAG RTP and 0.11-percent of the City of Los Angeles 2014-2035 planning horizon. The projected employment growth would represent approximately 0.7 percent of the Hollywood Community Plan area's 2014-2035 planning horizon provided in the 2012 SCAG RTP and 0.03-percent of the City of Los Angeles 2014-2035 planning horizon. Increases in population, housing, and employment associated with the project are therefore consistent with SCAG's growth projections for the period between 2013 and 2017, the project build out year, for the Community Plan area and the City as a whole.

Although the vast majority of employees for future on-site uses would likely already live in the project area, it is possible that some would relocate from areas outside the Hollywood Community Plan area or to the City of Los Angeles. To the degree that some new employees may move into the area to be closer to their workplace, the number would be limited, and not enough demand would be generated to trigger the need for construction of additional housing in light of the new housing that would be part of the project.

The project site is well served by a network of regional transportation facilities. The vicinity surrounding the project is highly urbanized, served by current infrastructure (e.g., roads and utilities) and generally built-out. The project's only off-site infrastructure improvements would consist of tie-ins to the existing utility main-lines already serving the project area. The project would not require the construction of off-site infrastructure that would provide additional infrastructure capacity for other future development. It would not open inaccessible sites to new development other than existing opportunities for development that are already available. Consequently, the City finds that the project would not foster growth-inducing impacts.

B. SIGNIFICANT IRREVERSIBLE IMPACTS

CEQA Guidelines Section 15126.2(c) indicates that:

> Uses of nonrenewable resources during the initial and continued phases of the project may be irreversible since a large commitment of such resources makes removal or nonuse thereafter unlikely. Primary impacts and, particularly, secondary impacts (such as highway improvement which provides access to a previously inaccessible area) generally commit future generations to similar uses. Also irreversible damage can result from environmental accidents associated with the project. Irretrievable commitments of resources should be evaluated to assure that such current consumption is justified.

The construction of the project would necessarily consume limited, slowly renewable, and non-renewable resources. This consumption would occur during the construction phase of the project and would continue throughout its operational lifetime. Project development would require a commitment of resources that would include: (1) building materials, (2) fuel and operational materials/resources, and (3) the transportation of goods and people to and from the project site. Project construction would require the consumption of resources that are non-replenishable or may renew so slowly as to be considered non-renewable. These resources

would include the following construction supplies: certain types of lumber and other forest products; aggregate materials used in concrete and asphalt such as sand, gravel and stone; metals such as steel, copper, and lead; petrochemical construction materials such as plastics; and water. Furthermore, nonrenewable fossil fuels such as gasoline and oil would also be consumed in the use of construction vehicles and equipment, as well as the transportation of goods and people to and from the project site.

Project operation would continue to expend nonrenewable resources that are currently consumed within the City. These include energy resources such as electricity and natural gas, petroleum-based fuels required for vehicle-trips, fossil fuels, and water. Fossil fuels would represent the primary energy source associated with both construction and ongoing operation of the Project, and the existing, finite supplies of these natural resources would be incrementally reduced. Project operation would occur in accordance with Title 24, Part 6 of the California Code of Regulations, as well as numerous local regulations and original project design features which establish conservation practices that would limit the amount of energy consumed by the Project. However, the energy requirements associated with the Project would still represent a long-term commitment of essentially nonrenewable resources.

At the same time, the project would contribute to a land use pattern that would reduce reliance on private automobiles and the consumption of non-renewable resources when considered in a larger context. Most notably, the project would provide high density housing within a mixed-use center containing retail, restaurant, supermarket, and walk-in bank uses. As discussed in Section 4.F, Land Use, of the Draft EIR, project implementation would make use of density bonuses and increase density at the outside edge of the SCAG Compass Blueprint 2% Strategy area; along a mixed-use corridor, served by three bus routes connecting with the Metro regional transportation system. As such, it contributes to the general intent of the 2% Strategy area, while leaving sites directly within that area available for higher density development.

Further, the project would include design features and be subject to building regulations that would reduce the demands for energy resources needed to support project operation. The project would be designed to meet the standards for LEED "Silver" level certification by the U.S. Green Building Council or its equivalent through the incorporation of green building techniques and other sustainability features. A sustainability program would be prepared and monitored by an accredited design consultant to provide guidance in project design, construction and operations, and to provide performance monitoring during project operations to reconcile design and energy performance and enhance energy savings. It would also be designed to comply with the Los Angeles Green Building Code and the 2013 CalGreen Code; and would in some cases exceed those standards and provide green features not otherwise required. The analysis of project impacts on greenhouse gas emissions in Section 4.E, Greenhouse Gas Emissions, of the Draft EIR provides a discussion of State efforts to reduce greenhouse gas emissions, such reduction requiring concurrent reductions in the consumption of non-renewable resources.

Continued use of such non-renewable resources would be on a relatively small scale and consistent with regional and local growth forecasts in the area, as well as state and local goals for reductions in the consumption of such resources. Further, the project would not affect access to existing resources, nor interfere with the production or delivery of such resources. The project site contains no energy resources that would be precluded from future use through project implementation.

The project would be located nearby existing and potential future planned public transportation, provide access to on-site uses from existing pedestrian pathways, and provide bicycle parking facilities. With LEED® Silver Certificate or equivalent building design; use of renewable resources and recycling; and efficiencies of location, land use diversity, destination accessibility

and transit accessibility; the City finds that the project's irreversible changes to the environment related to the consumption of the nonrenewable resources would not be significant.

C. ENERGY USE

Section 21100(b) of the State CEQA Guidelines requires that an EIR include a detailed statement setting forth mitigation measures proposed to minimize a project's significant effects on the environment, including but not limited to measures to reduce the wasteful, inefficient, and unnecessary consumption of energy. Appendix F of the State CEQA Guidelines states that, in order to ensure that energy implications are considered in project decisions, the potential energy implications of a project shall be considered in an EIR, to the extent relevant and applicable to the project. Appendix F further states that a project's energy consumption and proposed conservation measures may be addressed, as relevant and applicable, in the Project Description, Environmental Setting and Impact Analysis portions of technical sections, as well as through mitigation measures and alternatives.

In accordance with Appendix F of the State CEQA Guidelines, the EIR includes relevant information and analyses that address the energy implications of the project.

1. CONSTRUCTION-RELATED ENERGY CONSUMPTION

The project would entail an approximately 24-month construction period. Anticipated construction phases include: demolition; site shoring, excavation, and grading; building construction; sitework and closeout; and architectural coating. The project, which includes the construction of a 4-level underground parking garage, would require the excavation and export of some 136,500 cubic yards of soil from roughly 2.56 acres. Construction of the project would generate roughly 6,500 cubic yards of demolition debris, resulting in a total of approximately 143,000 cubic yards of material requiring off-site removal.

a) ESTIMATED ENERGY CONSUMPTION

The demolition phase would last for approximately 2 months, resulting in an estimated 3,250 tons of demolition debris. Heavy-duty, diesel-powered equipment and vehicles including industrial saws, excavators, loaders, and haulers would be involved in demolition work. Demolition trucks would make about 320 one-way trips to haul this debris to off-site recycling and disposal facilities.

Site shoring, excavation, and grading would take approximately 3 months, to begin immediately following the completion of the demolition phase. Heavy-duty, diesel-powered equipment and vehicles including bore/drill rigs, dozers, excavators, backhoes, loaders, and haulers would be involved in demolition work Hauling trucks would make some 21,000 one-way trips to transport the roughly 136,500 cubic yards of excavated materials to off-site recycling and disposal facilities.

Construction of the new retail building and residential towers would last approximately 18 months, to begin immediately following the completion of the shoring, grading, and excavation phase. Heavy-duty construction equipment and vehicles in this phase would include aerial lifts, cranes, generator sets, pumps, and welders. Most of these vehicles will be diesel-fueled, although smaller equipment may be powered by electricity, gasoline, or natural gas.

The sitework/closeout and the architectural coating phases will take approximately 9 months and 6 months, respectively, and will run concurrently with the construction phase. These activities will require the use of heavy-duty equipment and vehicles including off-highway trucks, paving equipment, pumps, and air compressors.

Construction equipment fuels—including diesel, gasoline, and natural gas—would be acquired from local or regional suppliers and vendors. When needed, the Los Angeles Department of Water and Power will provide electricity by way of existing on-site connections. The Department of Water and Power would also provide a temporary water supply when needed for suppressing fugitive dust and for street sweeping. The use of electricity and water for construction purposes should not result in a net increase in consumption over the existing uses on the Site, which will be terminated during the demolition phase.

The project site should provide adequate space for parking for construction workers. In addition, the Site should accommodate the simultaneous staging of construction equipment and materials. The number of construction workers on-site would vary depending on the phase of the project, up to 200 during the construction phase. Workers and vendors will make roughly 500 one-way trips per day during the concurrent building construction, sitework, and architectural coating construction phases.

b) ENERGY CONSERVATION: REGULATORY COMPLIANCE

The project would require that construction contractors demonstrate compliance with applicable CARB regulations governing the accelerated retrofitting, repowering, or replacement of heavy duty diesel on- and off-road equipment. In addition, CARB has adopted an ATCM to limit heavy-duty diesel motor vehicle idling in order to reduce public exposure to diesel particulate matter and other Toxic Air Contaminants. This measure prohibits diesel-fueled commercial vehicles greater than 10,000 pounds from idling for more than five minutes at any given time. CARB has also approved the Truck and Bus regulation (CARB Rules Division 3, Chapter 1, Section 2025, subsection (h)) to reduce NO_X, PM_{10}, and $PM_{2.5}$ emissions from existing diesel vehicles operating in California; this regulation will be phased in with full implementation by 2023. CARB also recently promulgated emission standards for off-road diesel construction equipment of greater than 25 horsepower. The regulation aims to reduce emissions by requiring the installation of diesel soot filters and encouraging the retirement, replacement, or repower of older, dirtier engines with newer emission-controlled models. Implementation began January 1, 2014 and the compliance schedule requires that best available control technology turnovers or retrofits be fully implemented by 2023 for large and medium equipment fleets and by 2028 for small fleets. Complying with these anti-idling regulations would reduce emissions and construction-related energy use by equipment and vehicles.

With respect to solid waste, the City of Los Angeles Solid Waste Management Policy Plan, a long-range policy plan adopted in 1993, promotes source reduction or recycling for a minimum of 50 percent of the City's waste by 2000 and 70 percent of the waste by 2020. The RENEW LA Plan, adopted by the City in 2006 to decrease dependency on landfills and to incentivize local recycling and re-manufacturing industries, is intended to achieve a zero waste goal through reducing, reusing, recycling, or converting the resources currently going to disposal, and calls for obtaining a minimum 90 percent diversion level by 2025. The City's Bureau of Sanitation has established the Solid Waste Integrated Resources Plan ("SWIRP") planning process to implement RENEW LA and directives of the Mayor and City Council to achieve a 70 percent recycling rate by 2015 and a 90 percent rate by 2025. A Final Environmental Impact Report for the City's SWIRP was released in late 2014.

Additionally, in the City, the Waste Hauler Permit Program (Ordinance 181519), effective January 1, 2011, requires that all private waste haulers collecting solid waste within the City, including construction and demolition waste, to obtain AB 939 Compliance Permits and to transport construction and demolition waste to City certified construction and demolition processing facilities. These facilities process materials for reuse and have recycling rates that vary from 70 percent to 94 percent, which exceeds the 70 percent reclamation standard. The project would involve contracts with construction and demolition waste haulers in compliance

with Ordinance 181519. Through compliance with applicable City regulations and contracting with approved waste haulers, the project would achieve, at a minimum, the required 70 percent source reduction and recycling rate.

c) ENERGY CONSERVATION: PROJECT DESIGN FEATURES AND MITIGATION MEASURES

The project would incorporate certain features to minimize travel by construction workers and to ensure efficient construction deliveries, reducing associated fuel consumption. In particular, the project would mitigate any construction-related traffic impacts by implementing a thorough worksite Construction Traffic Management Plan ("CTMP") approved by the Los Angeles Department of Transportation. The CTMP will include information about street closures, detour plans, haul routes, and staging plans, and it will point to specific steps to reduce effects on the neighboring community. Among other elements, the CTMP may include:

- Designating haul routes for vehicles transporting solid waste from the Site to solid waste facilities in Sun Valley, Irwindale, and Wilmington;
- Providing for temporary traffic control (e.g., flag men) when needed to improve traffic flow during construction;
- Scheduling construction to reduce the effect on traffic flow;
- Directing construction trucks to travel on uncongested streets to the extent feasible;
- To the extent feasible, providing on-site parking for construction-related vehicles to minimize the use of public parking spaces on surrounding streets;
- Taking safety precautions for pedestrians and bicyclists (e.g., alternate routing and protection barriers);
- Scheduling construction-related deliveries outside of commuter peak hours; and
- Obtaining any required permits for truck haul routes from the City.

Equipment and materials generally would be staged within the project's boundaries, but some staging, concrete pouring, and crane siting would occur on the parking lanes of Sunset Boulevard, as necessary. Construction workers would park at an off-site location, with shuttle service to the construction site. Although traffic impacts related to construction would be minimized to the extent feasible through the steps listed above and would be only temporary in duration, traffic impacts could remain significant and unavoidable during the off-peak hours in the middle of the day.

2. OPERATION AND MAINTENANCE ENERGY CONSUMPTION

The project proposes to replace the existing uses on the Site—two commercial retail buildings and associated parking—with a commercial retail building and two residential buildings providing 249 residential units, including 28 affordable housing units. Anticipated commercial uses include a grocery store, restaurant(s), a walk-in bank, and additional retail. The project would provide 820 parking spaces, mostly in an underground parking garage that will be built. The project will achieve certain energy-efficiency standards to optimize energy use and reduce energy costs.

a) ANTICIPATED ENERGY CONSUMPTION

Once completed, the project would generate demand for electricity, natural gas, and water supply, as well as generating wastewater requiring conveyance, treatment and disposal off-site, and solid waste requiring disposal off-site. Residents and commercial visitors also would consume transportation fuels when traveling to and from the Site.

The Department of Water and Power provides electricity and water to the project site and the Southern California Gas Company provides natural gas. The project's consumption of these resources would be minimal compared to overall supplies, and the net change in energy use will be even less because the existing commercial uses would terminate. Solid waste collection services are provided by the City of Los Angeles Bureau of Sanitation, and the project's annual solid waste generation would be a negligible portion of the County's annual waste generation and would account for a minor percentage of the remaining capacity in available landfills.

In the fiscal year ending June 2013, the Department of Water and Power clients consumed 23.5 billion kilowatt-hours ("kWh") with an end-use sector breakdown of: 12.8 billion kWh for the commercial sector, 8.4 billion kWh for residential, 1.9 billion for industrial, and 0.4 billion for other sectors. In 2012, the Department of Water and Power could call upon 7,300 megawatts of electric capacity. The mix of resources providing power to Los Angeles included 20% eligible renewables, 21% natural gas, 10% nuclear, 4% large hydroelectric, 33% coal, and 12% other.

The use of energy provided by alternative (i.e., renewable) resources, off-site and on-site, to meet the project's operation demands is constrained by the energy portfolio mix managed by the Department of Water and Power, the service provider for the Site, and limitations on the availability or feasibility of on-site energy generation.

The Department of Water and Power is required to commit to the use of renewable energy sources for compliance with the California Renewable Energy Resources Act, as defined in its 2013 Renewables Portfolio Standard Policy and Enforcement Program. The Department of Water and Power has committed to meeting the requirement to procure at least 33 percent of their energy portfolio from renewable sources by 2020 through the procurement of energy from eligible renewable resources, to be implemented as fiscal constraints, renewable energy pricing, system integration limits, and transmission constraints permit. Eligible renewable resources are defined in the 2013 Renewable Portfolio Standard to include biodiesel; biomass; hydroelectric and small hydro (30 Mega Watts ["MW"] or less); Los Angeles Aqueduct hydro power plants; digester gas; fuel cells; geothermal; landfill gas; municipal solid waste; ocean thermal, ocean wave, and tidal current technologies; renewable derived biogas; multi-fuel facilities using renewable fuels; solar photovoltaic; solar thermal electric; wind; and "other renewables that may be defined later".

The Department of Water and Power's target procurement of energy from renewable resources is 25% by the end of 2016. As of 2012, the most recent year for which data is available, eligible renewables accounted for 20% its overall power resources. This represents the available off-site renewable sources of energy that would meet project demand.

With respect to on-site renewable energy sources, because of the project's location, there are no local sources of energy from the following sources: geothermal, biodiesel, biomass hydroelectric and small hydro, digester gas, fuel cells, landfill gas, municipal solid waste, ocean thermal, ocean wave, and tidal current technologies, or multi-fuel facilities using renewable fuels.

With respect to solar and wind, these sources are infeasible on site for several reasons. First, these sources provide only intermittent power and thus require other forms of generation (such as natural-gas fired generation) that can run constantly to meet demand. Second, the California Energy Commission has concluded that there is insufficient wind resource potential in the Los Angeles basin, and moreover, there is not a suitable location on-site for a wind turbine. Finally, there is insufficient solar energy capacity on site to generate an appreciable percentage of the electricity that the project would demand.

b) ENERGY CONSERVATION: REGULATORY COMPLIANCE

The California Energy Commission first adopted the Energy Efficiency Standards for Residential and Nonresidential Buildings (California Code of Regulations, Title 24, Part 6) in 1978 in response to a legislative mandate to reduce energy consumption in the state. Part 11 of the Title 24 Building Standards Code is referred to as the California Green Building Standards Code. The purpose of the California Green Building Standards Code is to "improve public health, safety and general welfare by enhancing the design and construction of buildings through the use of building concepts having a positive environmental impact and encouraging sustainable construction practices in the following categories: (1) Planning and design; (2) Energy efficiency; (3) Water efficiency and conservation; (4) Material conservation and resource efficiency; and (5) Environmental air quality." As of January 1, 2011, the California Green Building Standards Code is mandatory for all new buildings constructed in the state. The California Green Building Standards Code establishes mandatory measures for new residential and non-residential buildings. Such mandatory measures include energy efficiency, water conservation, material conservation, planning and design and overall environmental quality. The California Green Building Standards Code was most recently updated in 2013 to include new mandatory measures for residential as well as nonresidential uses; the new measures took effect on January 1, 2014. The project would comply with the applicable provisions of Title 24 and the California Green Buildings Standards.

With respect to solid waste, the project would be required to comply with applicable regulations, including those pertaining to waste reduction and recycling. In accordance with the City's Space Allocation Ordinance (Ordinance No. 171,687), which requires that all new development projects provide an adequate recycling area or room for collecting and loading recyclable materials, the project would provide on-site recycling collection facilities. Additionally, the project would promote compliance with the California Integrated Waste Management Act of 1989 (AB 939) through source reduction and recycling programs.

c) ENERGY CONSERVATION: PROJECT DESIGN FEATURES AND MITIGATION MEASURES

The project incorporates numerous sustainability features designed not only to satisfy the requirements of the California Green Building Standards Code, but also to achieve United States Green Building Council LEED Silver Certification. A LEED-accredited design consultant will provide guidance in project design and construction and will monitor operations of the project so as to ensure design and energy performance and enhanced energy savings. The project would incorporate design features to optimize energy performance and reduce building energy costs by 10 percent or more as compared to ASHRAE 90.1-2010, Appendix G, and the California Building Standards Code. In addition, the project commits to sourcing power from renewable energy providers, including a contract specifying the provision of 100 percent of the project's energy from green power, carbon offsets, and/or renewable energy certificates during the first 5 years of the project's development. Prior to receiving building permits, the project developers would provide adequate proof of energy optimization through such measures as energy simulations, energy-simulation analyses for similar buildings, and published data about similar buildings.

ENERGY CONSERVATION: MATERIALS

The project incorporates numerous sustainability features, the benefits of which would include reduced energy use from building materials. Among other measures, the project would include a construction waste management plan to minimize the use and waste of construction materials; high-efficiency lighting fixtures and appliances to minimize energy use; locally-sourced

materials, where feasible, to reduce transportation-related energy use; and, responsibly sourced wood products to minimize impacts on forests.

3. OPERATIONAL TRANSPORTATION ENERGY CONSUMPTION

The mixed uses of the project would garner benefits that would reduce vehicle trips and result in corresponding reductions in transportation-related energy demand. By siting the project next to existing residential and commercial land uses, project residents and neighbors would be able to reduce vehicle trips and vehicle miles travelled. By comparison, walking, biking, and other forms of non-automotive transit would be more feasible. Regarding bicycling, the project would provide over 620 bike parking places, in compliance with the City's Bicycle Parking Ordinance.

Transportation fuels, primarily gasoline and diesel, would be provided by local or regional suppliers and vendors. In 2012, California consumed a total of 337,666 thousand barrels of gasoline for transportation, which is equivalent to a total annual consumption of 14.1 billion gallons by the transportation sector. For diesel, California consumed a total of 72,945 thousand barrels for transportation, which equivalent to a total annual consumption of 3 billion gallons by the transportation sector. Project-related vehicles would require a fraction of a percent of the total state's transportation fuel consumption. A 2009 study by Caltrans found that the statewide average fuel economy for all vehicle types (automobiles, trucks, and motorcycles) was 18.133 miles per gallon. Based on the project's estimated vehicle miles traveled of 10.54 million miles per year, and assuming the project's mix of vehicle types (automobiles, trucks, and motorcycles) have an average fuel economy of 18.133, approximately 581,000 gallons of fuel would be required in a year. Assuming 82 percent of the fuel is gasoline, this would represent roughly 0.004 percent of the statewide annual gasoline consumption.

Section 21100(b) of the State CEQA Guidelines requires that an EIR include a detailed statement setting forth mitigation measures proposed to minimize a project's significant effects on the environment, including but not limited to measures to reduce the wasteful, inefficient, and unnecessary consumption of energy. Appendix F of the State CEQA Guidelines states that, in order to ensure that energy implications are considered in project decisions, the potential energy implications of a project shall be considered in an EIR, to the extent relevant and applicable to the project. Appendix F further states that a project's energy consumption and proposed conservation measures may be addressed, as relevant and applicable, in the Project Description, Environmental Setting and Impact Analysis portions of technical sections, as well as through mitigation measures and alternatives. The EIR discusses the project's compliance with these requirements on pages 6-6 to 6-22 of the Draft EIR, as well as in Chapter 2, Project Description, and Sections 4.E (Greenhouse Gas Emissions) and 4.J (Transportation and Circulation) of the Draft EIR.

XI. OTHER CEQA CONSIDERATIONS

1. The City, acting through the Department of City Planning, is the "Lead Agency" for the project evaluated in the EIR. The City finds that the EIR was prepared in compliance with CEQA and the CEQA Guidelines. The City finds that it has independently reviewed and analyzed the EIR for the project, that the Draft EIR and the Recirculated Draft EIR which was circulated for public review reflected its independent judgment and that the Final EIR reflects the independent judgment of the City.

2. The EIR evaluated the following potential project and cumulative environmental impacts: Aesthetics/Visual Impacts, Air Quality, Geology and Soil (Geotechnical), Greenhouse Gas Emissions, Land Use, Transportation and Circulation, Noise and Vibration, Visual Resources, Light and Glare, Geotechnical, Water Resources, Air Quality, Cultural Resources, Public Services, Utilities, and Population, Housing and Employment.

Additionally, the EIR considered, in separate sections, Significant Irreversible Environmental Changes, Growth Inducing Impacts of the project and Energy. The significant environmental impacts of the project and the alternatives were identified in the EIR.

3. The City finds that the EIR provides objective information to assist the decision makers and the public at large in their consideration of the environmental consequences of the project. The public review periods provided all interested jurisdictions, agencies, private organizations, and individuals the opportunity to submit comments regarding both the Draft EIR and Recirculated DEIR. The Final EIR was prepared after the review periods and responds to comments made during the public review periods.

4. The Department of City Planning evaluated comments on environmental issues received from persons who reviewed the Draft EIR. In accordance with CEQA, the Department of City Planning prepared written responses describing the disposition of significant environmental issues raised. The Final EIR provides adequate, good faith and reasoned responses to the comments. The Department of City Planning reviewed the comments received and responses thereto and has determined that neither the comments received nor the responses to such comments add significant new information regarding environmental impacts to the Draft EIR except to the extent that those comments were addressed in the recirculated portions of the Draft EIR. Similarly, the Department of City Planning reviewed the comments received on the recirculated portions of the Draft EIR and responses thereto and has determined that neither the comments received nor the responses to such comments add significant new information regarding environmental impacts. The Lead Agency has based its actions on full appraisal of all viewpoints, including all comments received up to the date of adoption of these findings, concerning the environmental impacts identified and analyzed in the EIR.

5. The Final EIR documents changes to the Draft EIR and the RP-DEIR and accordingly provides additional information that was not included in the Draft EIR or the RP-DEIR. Having reviewed the information contained in the Draft EIR, the RP-DEIR, and the Final EIR and the administrative record, as well as the requirements of CEQA and the CEQA Guidelines regarding recirculation of Draft EIRs, the City finds that there is no new significant impact, substantial increase in the severity of a previously disclosed impact, significant information in the record of proceedings or other criteria under CEQA that would require additional recirculation of the Draft EIR, or that would require preparation of a supplemental or subsequent EIR. Specifically, the City finds that:

    - The Responses to Comments contained in the Final EIR fully considered and responded to comments claiming that the project would have significant impacts or more severe impacts not disclosed in the Draft EIR or recirculated portions of the Draft EIR and include substantial evidence that none of these comments provided substantial evidence that the project would result in changed circumstances, significant new information, considerably different mitigation measures, or new or more severe significant impacts than were discussed in the Draft EIR.

    - The City has thoroughly reviewed the public comments received regarding the project and the Final EIR as it relates to the project to determine whether under the requirements of CEQA, any of the public comments provide substantial evidence that would require recirculation of the EIR prior to its adoption and has determined that recirculation of the EIR is not required.

    - None of the information submitted after publication of the Final EIR, including testimony at the public hearings on the project, constitutes significant new

information or otherwise requires preparation of a supplemental or subsequent EIR. The City does not find this information and testimony to be credible evidence of a significant impact, a substantial increase in the severity of an impact disclosed in the Final EIR, or feasible a feasible mitigation measure or alterative not included in the Final EIR.

6. The mitigation measures identified for the original project were included in the Draft EIR, Recirculated DEIR, and Final EIR. As revised, the final mitigation measures for the project are described in the Mitigation Monitoring Program ("MMP"). Each of the mitigation measures identified in the MMP is incorporated into the project. The City finds that the impacts of the project have been mitigated to the extent feasible by the mitigation measures identified in the MMP.

7. CEQA requires the Lead Agency approving a project to adopt a Mitigation Monitoring Program ("MMP") or the changes to the project which it has adopted or made a condition of project approval in order to ensure compliance with the mitigation measures during project implementation. The mitigation measures included in the EIR as certified by the City and revised in the MMP as adopted by the City serve that function. The MMP includes all of the mitigation measures and project design features adopted by the City in connection with the approval of the project and has been designed to ensure compliance with such measures during implementation of the project. In accordance with CEQA, the MMP provides the means to ensure that the mitigation measures are fully enforceable. In accordance with the requirements of Public Resources Code § 21081.6, the City hereby adopts the MMP.

8. In accordance with the requirements of Public Resources Code § 21081.6, the City hereby adopts each of the mitigation measures expressly set forth herein as conditions of approval for the project.

9. The custodian of the documents or other material which constitute the record of proceedings upon which the City decision is based is the City of Los Angeles, Department of City Planning.

10. The City finds and declares that substantial evidence for each and every finding made herein is contained in the EIR, which is incorporated herein by this reference, or is in the record of proceedings in the matter.

11. The City is certifying an EIR for, and is approving and adopting findings for, the entirety of the actions described in these Findings and in the EIR as comprising the project.

12. The EIR is a Project EIR for purposes of environmental analysis of the project. A Project EIR examines the environmental effects of a specific project. The EIR serves as the primary environmental compliance document for entitlement decisions regarding the project by the City and the other regulatory jurisdictions.

XII. STATEMENT OF OVERRIDING CONSIDERATIONS

The Findings and this Statement of Overriding Considerations are based on substantial evidence in the record, including but not limited to the EIR, the references included in the EIR, and documents and materials that constitute the record of proceedings.

The EIR has identified significant unavoidable impacts that would result from implementation of the proposed project. Section 21081 of the California Public Resources Code and Section 15093(b) of the CEQA Guidelines provide that when the decision of the public agency allows the occurrence of significant impacts that are identified in the EIR but are not at least

substantially mitigated, the agency must state in writing the reasons to support its action based on the completed EIR and/or other information in the record. Specifically, pursuant to CEQA Guidelines Section 15093(b), the decision maker must adopt a Statement of Overriding Considerations at the time of approval of a project if it finds that significant adverse environmental effects have been identified in the EIR which cannot be substantially mitigated to an insignificant level or be eliminated. To adopt a Statement of Overriding Considerations, the decision-maker must balance the economic, legal, social, technological, or other benefits of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered "acceptable."

The project would result in significant unavoidable impacts to historical resources, noise and transportation and circulation (traffic) during construction. The project would also result in a cumulatively considerable contribution to significant impacts on transportation and circulation during operations with respect to one intersection.

To summarize, the EIR disclosed the following unavoidable project impacts:

Historic Resources

The analysis in the EIR presumed that demolition of the Lytton Savings and Loan Association building (Bank), which has not yet been ruled out for eligibility as a Los Angeles Historic-Cultural Monument, would have a significant impact on cultural/historic resources. In light of this uncertainty, and notwithstanding the fact that the Bank is conclusively ineligible for listing on the National or California Registers for Historic Places, the EIR concludes that all alternatives that would demolish the Bank, including the project, would have a significant, unavoidable impact on historic resources.

Mitigation measures were provided to address this impact on pages 4.C.2-26 through 4.C.2-28, of the Draft EIR. These measures include Mitigation Measure HIST-1: Recordation, Mitigation Measure HIST-2: Relocation of Two Artworks, and Mitigation Measure HIST-3: Relocation of Bank. Mitigation Measure HIST-3, Relocation of Bank, involves a study to investigate the feasibility of relocation, and in the event relocation is determined feasible, and an interested party is found to relocate the Bank, it provides that it be carried out pursuant to a Rehabilitation and Relocation Plan. In the event relocation occurs, it would remove the Bank from its original location and context, and would have the potential to substantially impair the building through the relocation process. Nonetheless, if the Bank were to be relocated to a compatible location and rehabilitated in conformance with the Standards, impacts on historical resources would be reduced to a less than significant level. However, because relocation may be infeasible, and an interested party may not be found to relocate the Bank, the EIR conservatively concludes that impacts due to demolition of the Bank, would remain significant and unavoidable after implementation of mitigation measures.

In addition to prescribing mitigation measures to reduce the impacts of the project on historical resources, the Draft EIR also evaluated three alternatives that included preservation of the Bank building to further explore means for reducing impacts on historical resources. Alternatives to the project were evaluated in Chapter 5, Alternatives, of the Draft EIR. The alternatives that retained the Bank building included Alternative 5, Bank Preservation Alternative, evaluated on pages 5-111 through 5-148, Alternative 6, Reduced Height and Bank Preservation Alternative, evaluated on pages 5-149 through 5-182, and Alternative 7, On-Menu Alternative, evaluated on pages 5-183 through 5-217, of the Draft EIR. Alternatives 5 and 6 would entail the removal of all existing buildings on the project site with the exception of the on-

site Bank building, which would be retained in its current location. Alternative 7, would retain a number of existing uses on the project site, including the Bank building and a fast food drive-through restaurant. Under each of these alternatives the Bank building would be rehabilitated for commercial use, as described in more detail in the EIR. These Bank preservation alternatives could thus avoid the presumably significant and unavoidable impact to historic resources (significant and unavoidable impacts due to noise, vibration and traffic would, however, remain similar to the project). For the reasons set forth above in Sections VIII.A.5, IX.C.6.d, IX.C.7.d, and IX.C.8.d, the City finds that these bank preservation alternatives are infeasible.

Noise

All of the build alternatives would cause two unavoidable significant noise impacts. Specifically, during heavy construction, the development would result in periodic noise and construction-related ground vibration impacts.

Ground vibration would be below the 1.0 inches per second PPV significance threshold for the nearest residential buildings. With respect to human perception, however, the ground vibration levels due to construction activities would exceed the significance threshold for human annoyance at the nearest residential uses, R4. This translates to a potentially significant and unmitigatable noise impact during construction that would be a consequence of any of the build alternatives.

Transportation and Circulation

The project would result in significant unavoidable impacts to Transportation and Circulation during construction even with the adoption and implementation of mitigation measures. As recognized in the EIR, temporary significant impacts could occur along Sunset Boulevard between the project site (Crescent Heights Boulevard) and the US-101 Freeway during off-peak periods (9:00 A.M. to 4:00 P.M.) during the shoring and excavation phase. These impacts would not extend, however, to the Hollywood Freeway or any of the other haul route freeway facilities. This impact would remain significant and unavoidable, except under the Existing Zoning Alternative, which would eliminate the temporary construction traffic impact.

In addition, the EIR concluded that the project could have a significant cumulative traffic impact on the unsignalized intersection of Fountain Avenue/Havenhurst Drive in the City of West Hollywood. With the installation of a traffic signal at the Fountain Avenue/Havenhurst Drive intersection (as required by Mitigation Measure TR-1), project impacts would be reduced to a less than significant level. However, while the signal would improve the operations of the intersection, the implementation of the mitigation measure is under the jurisdiction of the City of West Hollywood. If the City of West Hollywood were to determine that it does not wish to install a new traffic signal at this location, the project's potential impact would remain significant and unavoidable and thus, the project would contribute to a significantly cumulative impact at this intersection.

Accordingly, the City adopts the following Statement of Overriding Considerations, recognizing that significant and unavoidable impacts would result from implementation of the project. Having (i) adopted all feasible mitigation measures, (ii) rejected alternatives to the project described above, (iii) recognized all significant, unavoidable impacts, and (iv) balanced the benefits of the project against the project's significant and unavoidable impacts, the City hereby finds that the benefits outweigh and override the significant unavoidable impacts for the reasons discussed below.

These stated reasons summarize the benefits, goals and objectives of the proposed project, and provide, in addition to the findings made above, the detailed rational for the benefits of the project. These overriding considerations of economic, social, aesthetic, and environmental benefits for the project justify adoption of the project and certification of the completed EIR, notwithstanding certain significant and unavoidable impacts. Many of these overriding considerations individually would be sufficient to outweigh the adverse environmental impacts of the project and justify adoption of the project and certification of the completed EIR. In particular, achieving the underlying purpose for the project would be sufficient to override the significant environmental impacts of the project.

1. The project will replace an outdated commercial strip mall and large surface parking lot with a high-quality, iconic and architecturally distinctive design at the western gateway of Hollywood, and the Sunset Strip in particular, with a pedestrian-friendly retail, dining and entertainment destination designed to serve residents, the surrounding neighborhood, visitors, and the larger community.

2. The project includes several publicly accessible amenities, including the reconfiguration of an underutilized traffic island at the northeast corner of the project site, to be constructed and maintained by the applicant on City-owned property, as a 9,100 square-foot landscaped area for public use. The project also includes a 27,000 square-foot central public plaza at the interior of the site as well as garden areas along Sunset Boulevard that will also be publicly accessible despite being located on private property.

3. The project will provide iconic and distinctive architecture to provide visual interest with articulated design and variations in building heights and setbacks. It will connect with the surrounding urban environment to enhance pedestrian activity and commercial street life. Similar to other iconic architecture in the City by Frank Gehry, the design is intended to create a new and unique destination at the project site, adding to the City's growing inventory of creative and innovative architecture accessible to the broader public.

4. The project is an urban infill development locating approximately 505 residents near several commercial and entertainment amenities along the Sunset Strip, thereby reducing vehicle dependency associated with vehicle trips otherwise generated by accessing these uses.

5. Recognizing the significant and unavoidable traffic impacts at the intersection of Fountain/Havenhurst, the project nevertheless locates jobs and housing near extensive public transit options, including Metro Lines 2/302 along Sunset Boulevard, Metro Line 218 along Laurel Canyon and Sunset Boulevards, and Metro Line 217 and Metro Rapid Bus Line 780 operate along Fairfax Avenue, all located within 1,560 feet from the subject site, and which served a total of 11,379,992 riders in 2015 alone.

5. The construction of the project will result in approximately 200 construction jobs at prevailing wages at any one time over the course of project construction (Public Resources Code section 21183(b)). During operations, approximately 192 full- and part time positions will result from the mixed-use project.

6. The project design enhances the pedestrian environment along Sunset Boulevard, providing a publicly accessible internal pedestrian network linking and expanding pedestrian connectivity from Havenhurst Drive through the project site to Crescent Heights Boulevard. Access to the central plaza occurs via pedestrian-only entrances at the northwest and northeast corners of the project site, providing access from Crescent Heights Boulevard, Sunset Boulevard, and Havenhurst Drive, and making the site

permeable to pedestrians from all directions. The project would include expanded 12-foot sidewalks on Sunset Boulevard, a 9,100-square-foot pocket park, and community gathering areas to further encourage exploration on foot.

7. The project includes 28 units for Very Low Income households (approximately 11 percent of the total number of dwelling units), satisfying the Hollywood Community Plan's objective of providing "housing required to satisfy the varying needs and desires of all economic segments of the community, maximizing the opportunity for individual choice." The provision of housing, and low income housing in particular ensures the City can meet its housing obligation under the SCAG's Regional Housing Needs Assessment ("RHNA") allocation.

8. The project is an Environmental Leadership Development Project, (ELDP), as certified by Governor Jerry Brown, the project will result in a minimum investment of one hundred million ($100,000,000) in California upon completion of construction, creates high wage, highly-skilled jobs paying prevailing and living wages, and does not result in any net additional emission of greenhouse gasses.

9. The project has been designed to conserve energy and resources, both during construction and operation, utilizing project sustainability measures that begin with an aggressive construction waste management plan to salvage or recycle at least 75% of non-hazardous construction debris.

10. During operation, the LEED® Silver-certified project will optimize energy performance and reduce building energy cost by 10 percent more than comparable projects applying the latest California and industry construction building standards. The project will incorporate features consistent with the California Green Building Code and City of Los Angeles Green Plan, including water conservation, energy conservation and tree-planting. The project has committed to minimum green power usage over the first 10 years of operations. During the first 5 years of operation, 100 percent of the energy used by the project will be obtained from green power, carbon offsets and/or renewable energy certificates. The project will obtain at least 15 percent of the energy used during the second 5 years of operation from green energy sources. Indoor water use will be reduced by a minimum of 35 percent by installing high-efficiency water fixtures.

11. Recognizing that the project will result in a significant and unavoidable impact to historic resources, the project will greatly benefit the City by significantly improving upon the architectural integrity of the project site by replacing an outdated commercial strip mall and surface parking lot with a cohesive, iconic, and distinctive design at the City's western gateway in Hollywood. The City finds that the original significant and unavoidable loss to historic resources at the project site occurred when the Garden of Allah was demolished to make way for the construction of the existing bank building and surface parking lot. Similar to the Garden of Allah, the proposed project locates lower-scaled buildings along Sunset Boulevard with taller elements to the rear, and reintroduces a significant amount of landscaping, gardens, and courtyards in areas of the project site which today are largely occupied by surface parking. Moreover, the project contributes to, and is representative of, Hollywood's recent development resurgence, establishing a high standard for investment and design.

The City recognizes that significant and unavoidable impacts would result from implementation of the project. Having (i) adopted all feasible mitigation measures, (ii) rejected certain alternatives to the project (as analyzed in the EIR), (iii) recognized all significant, unavoidable impacts, and (iv) balanced the benefits of the project against the project's significant and

unavoidable impacts, the City hereby finds that the benefits outweigh and override the significant unavoidable impacts for the reasons stated above.

The City further finds that none of the public comments to the Draft EIR or subsequent public comments or other evidence in the record, including the changes in the project in response to input from the community and the Council Office, include or constitute substantial evidence that would require recirculation of the Final EIR prior to its certification and that there is no substantial evidence elsewhere in the record of proceedings that would require substantial revision of the Final EIR prior to its certification, and that the Final EIR need not be further recirculated prior to its certification.

PUBLIC HEARING AND COMMUNICATIONS

The Public Hearing on this matter was held at Los Angeles City Hall in Downtown Los Angeles, Room 350, 3rd Floor, on May 24, 2016 at 9:00 A.M.

1. Present: Approximately 90 people were in attendance, including the applicant, applicant's architect, representative, and team members, residents and neighbors, representatives of the City of West Hollywood, and representatives for Council Office District 4.

2 Public Speakers: 73 public speakers. 46 spoke in support of the project; 25 in opposition to the project; and 2 with general comments and concerns.

3. The applicant, the applicant's representative, and a representative of the project's architectural firm made the following statements:

   - A summary of the proposed project and requested entitlements.
   - A summary of significant and unavoidable impacts acknowledged in the project's Final Environmental Impact Report.
   - An overview of the project's amenities.
   - Description of the architectural features of the project. The project is an ensemble of buildings that provide for a view corridor through the project site, and is designed to relate to the surrounding area. The project would provide an architecturally significant design by architect Frank Gehry.
   - The project would provide needed affordable housing.
   - The project as proposed has responded to previously expressed public concerns by providing on-site parking beyond code requirements, reducing the project's retail space, eliminating driveway access from Sunset Boulevard, and eliminating the previously proposed rooftop bar.

4. Speakers at the hearing consisted of area residents, and property and business owners.

Below is a summary of comments from speakers in support of the project:

- The project provides needed affordable housing.
- Los Angeles is undergoing a housing and homelessness crisis. The City needs more housing.
- The developer has worked with the community and made improvements to the originally proposed project.
- The project has a unique design and iconic architecture by a renowned architect, and would become a destination and amenity for the community.
- Most impacts are during construction and are short-term in nature.
- The existing strip mall and fast food use is outdated, is an eyesore, and the parking lot is unsafe.
- The City needs to build more housing, especially affordable housing.
- The City needs more housing and jobs near transit.
- Mixed-use and higher-density projects are good for the long-term growth of Los Angeles.

- The project would improve the pedestrian environment and walkability.
- Changing the traffic island would improve pedestrian safety and would provide public space.
- The project would provide open space and amenities.
- The project would provide needed jobs and economic development.

Below is a summary of comments from speakers in opposition to the project:

- The existing bank building is historic and should not be demolished.
- The existing bank building retains its integrity at local, state and national levels.
- Adaptive reuse alternatives should be considered and adopted.
- The Sunset Boulevard / Crescent Heights Boulevard intersection is at capacity and cannot handle more traffic.
- The project is too tall and too big, and is incompatible with the surrounding neighborhood.
- The project's height should be reduced.
- Projects of this size belong in Downtown Los Angeles.
- Emergency response times would be impacted.
- The project should not incorporate the traffic island, which is property of the City and is needed for traffic flow on Sunset Boulevard.
- The project's open space and FAR calculations should not include the City-owned traffic island.
- The project would increase traffic in the area and result in traffic impacts.
- The project should not be granted the off-menu incentive because it is beyond the 1,500-foot distance to a transit stop.
- The project would cause neighborhood cut-through traffic impacts.
- The project would cause impacts during construction.
- The closest transit is a bus stop and is not rail. Project residents will not take transit.

The City of West Hollywood made the following statements, and provided a letter for the record dated May 23, 2016.

- Mitigation Measure TR-1 cannot be enforced because it is within the City of West Hollywood.
- The traffic signal proposed by the mitigation will result in cut-through traffic.
- The City of West Hollywood is requesting fair-share contributions from the applicant for project-related wastewater impacts.

A representative for Council Office District 4 made the following statements, and provided a letter for the record dated May 3, 2016:

- Concerns about the height and scale of the project.
- Concerns about the proposed traffic island reconfiguration and how this would affect right turns from Sunset Boulevard to southbound Crescent Heights Boulevard.

- Concerns about the distance from transit associated with the project's Off-Menu Incentive Density Bonus entitlement request.

5. Communications Received.

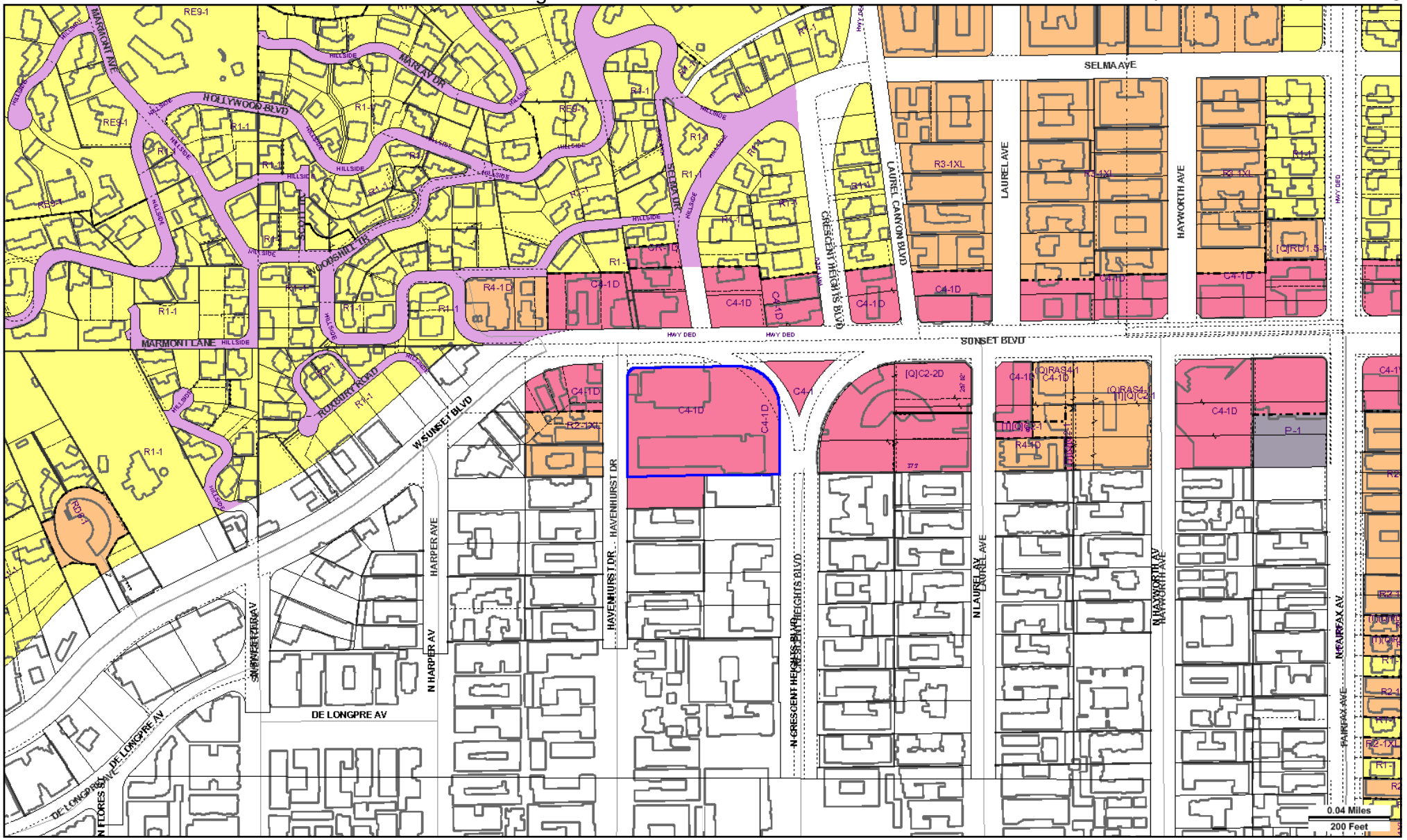
- Public comments are in the case file located at City Hall. Public comments have also been continuously uploaded to the Department of City Planning website (www.planning.lacity.org) in accordance with the requirements of the project's ELDP designation.

ZIMAS PUBLIC

Generalized Zoning

07/19/2016

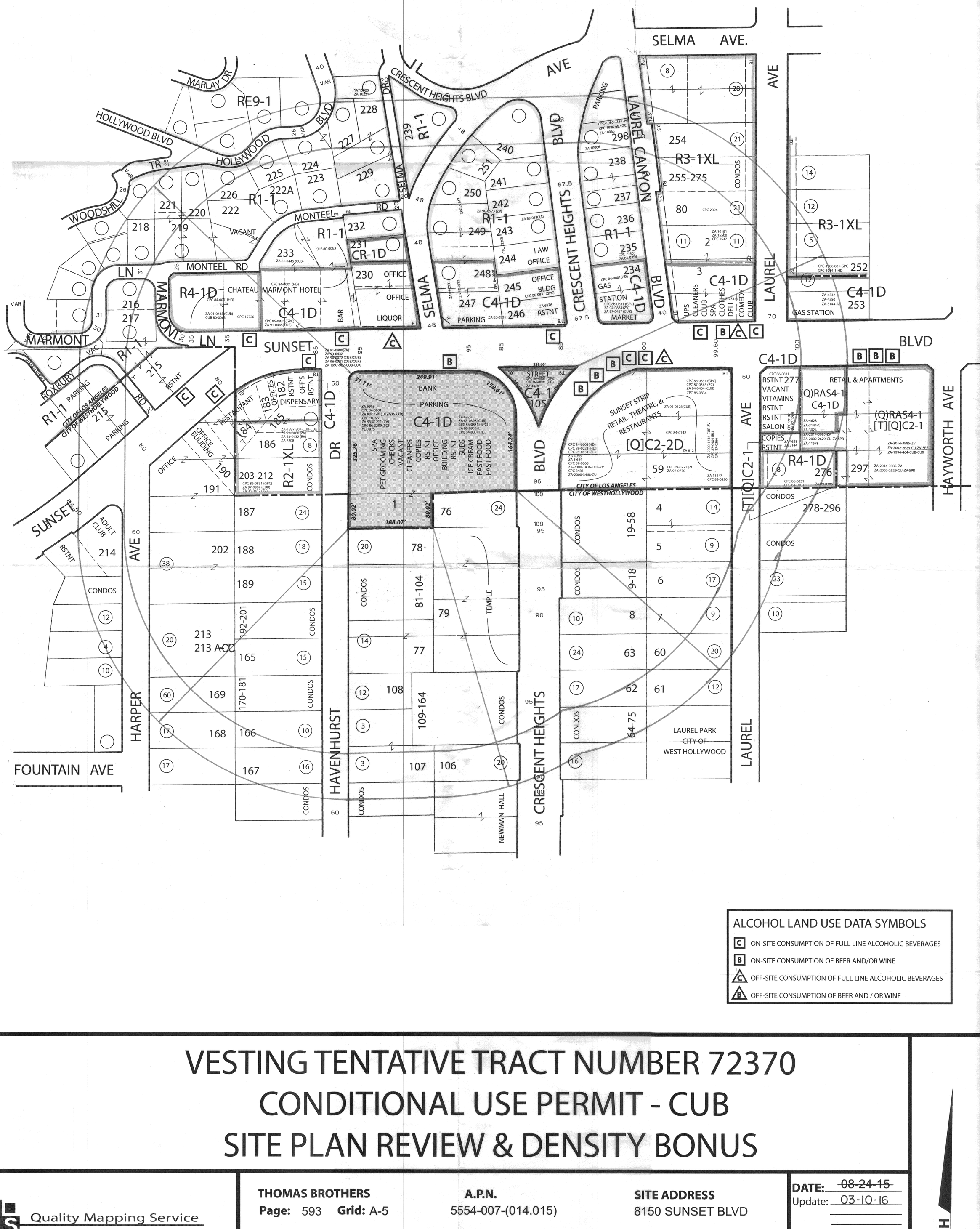
City of Los Angeles
Department of City Planning



Address: 8150 W SUNSET BLVD
APN: 5554007014
PIN #: 147B173 327

Tract: TR 31173
Block: None
Lot: LT 1
Arb: None

Zoning: C4-1D
General Plan: Neighborhood Office Commercial



ALCOHOL LAND USE DATA SYMBOLS

- C — ON-SITE CONSUMPTION OF FULL LINE ALCOHOLIC BEVERAGES
- B — ON-SITE CONSUMPTION OF BEER AND/OR WINE
- C — OFF-SITE CONSUMPTION OF FULL LINE ALCOHOLIC BEVERAGES
- B — OFF-SITE CONSUMPTION OF BEER AND / OR WINE

VESTING TENTATIVE TRACT NUMBER 72370
CONDITIONAL USE PERMIT - CUB
SITE PLAN REVIEW & DENSITY BONUS

QMS Quality Mapping Service

14549 Archwood St. Suite 301
Van Nuys, California 91405
Phone (818) 997-7949 - Fax (818) 997-0351
qmapping@qesqms.com

DRAWN BY: ELIZABETH LIEBERMAN

THOMAS BROTHERS
Page: 593 **Grid:** A-5

LEGAL

LOT: 1

TRACT: TR 31173
M B 860-26-27

CONTACT: PAUL, HASTINGS LLP

A.P.N.
5554-007-(014,015)

CD: 4

CT: 1942.00

PA: 107 - HOLLYWOOD

USES: FIELD

SITE ADDRESS
8150 SUNSET BLVD

CASE NO:

SCALE: 1"=100'

D.M.: 147B173, 147B177

PHONE: 213-996-3003

DATE: ~~08-24-15~~
Update: 03-10-16

NET AC: 2.77 +/-

NORTH

QMS: 15-265 A

HR&A Analyze. Advise. Act.

March 1, 2016

Tyler Siegel
AG-SCH 8150 Sunset Boulevard Associates, L.P.
Suite 702
8899 Beverly Blvd.
West Hollywood, CA 90048

Re: 8150 Sunset Blvd. Project Financial Feasibility Analysis

Dear Mr. Siegel:

Per your request, HR&A Advisors, Inc. (HR&A) has completed financial feasibility analyses of two development programs you provided to us for a mixed-use development located at 8150 Sunset Boulevard in the City of Los Angeles ("City"), the location of which is shown in Attachment A. As we understand it, the approval of Affordable Housing Incentives has been requested from the City. The primary Affordable Housing Incentive requested is an off-menu incentive to allow an increase in floor area in consideration of providing affordable housing units for very low-income households, per Section 12.22-A,25(f)(4) of the Los Angeles Municipal Code.

AG-SCH 8150 Sunset Boulevard Associates, L.P. ("AG-SCH") provided us the basic development program for both development scenarios, as well as the 2012 land acquisition cost and a conceptual estimate of development costs (which we independently reviewed). AG-SCH also provided us the costs associated with the buy-out of eight existing tenants on the site, and certain legal and environmental consulting. We used AG-SCH's development programs, land cost, buy-out cost, and consultant costs in our analyses, but applied our own independent calculations of development costs, net operating income and investment returns. Our analysis utilizes a number of real estate industry data sources for the Los Angeles area, which are noted in the detailed development pro formas in Attachment D to this memo.

We evaluated the project's financial feasibility based on two common investment return metrics. First, we evaluated the return on total development cost (i.e., Net Operating Income (NOI) divided by total development cost), for which we assumed a minimum threshold of one percentage point more than the applicable income capitalization (or "cap") rate for new development at this location, to account for investment risk.[1] Second, after using that cap rate to estimate the value of this development at stabilized operation, and then deducting costs of sale and total development costs, the ratio of the resulting developer profit to the net after-sale value, was compared with a minimum developer profit margin threshold of 12.5 percent, which in our experience is a typical return threshold for Los Angeles development projects (i.e., midpoint of a 10-15 percent range). Both of these return metrics are conservative, considering the significant entitlement and litigation risk associated with a large project in the Hollywood Community Plan area.

[1] Cap rates used in this analysis are weighted averages, based on the shares of floor area in each scenario that is assumed to be occupied by retail versus residential uses, and multiplied by the applicable cap rate for each land use. For example, the weighted average cap rate of 5.2% for the base case development scenario is tilted in the direction of the retail cap rate, because this scenario includes 85,000 square feet of retail space and roughly 22,000 square feet of residential space (i.e., 28 affordable units). On the other hand, the development scenario with 110,000 square feet of retail space and 190,000 square feet of residential space (i.e., 221 market rate units and 28 affordable units), is more heavily tilted toward the applicable residential cap rate, resulting in a weighted average of 4.7%.

Using this approach and based on the analysis summarized below, and supported by the calculation detail in Attachment D to this letter, we conclude that:

- **The development scenario with 28 affordable units for very low income households, 85,000 square feet of commercial space, and a base 1.0 Floor Area Ratio (FAR), without Affordable Housing Incentives which could achieve a 3.0 FAR, would not be financially feasible.** This is because: (1) the return on total development cost falls below a minimum threshold for return on total development cost that we believe would be required to attract investment capital to the project (i.e., 4.4% vs. 6.2%); and (2) it yields a negative developer profit margin, as compared with a minimum acceptable investment return threshold (i.e., -22.7% vs. 12.5%); and
- **The development scenario with 221 market rate units, 28 affordable units for very low-income households, 110,000 square feet of commercial space, and Affordable Housing Incentives that achieve a 3.0 FAR would be financially feasible.** This is because it would produce a return on total development cost that is greater than the minimum threshold (i.e., 6.0% vs. 5.7%) and a developer profit margin that is greater than the minimum acceptable threshold (i.e., 21.6 vs. 12.5%).

The basis for the above conclusions is summarized below. Sources and notes for the assumptions used in these analyses are included with more detailed pro formas in Attachment D to this letter.

The 1.0 FAR Development Scenario with Affordable Housing and Retail, but no Affordable Housing Incentives

As shown in Table 1, for the 1.0 FAR development scenario, development costs total $108.5 million and NOI totals $4.8 million. The resulting return on total development cost is 4.4 percent as compared with a minimum threshold of 6.2 percent. The minimum threshold was set at one percentage point more than a weighted average of the applicable cap rates for each land use (i.e., 5.4% for retail and 4.2% for multi-family residential, resulting in a weighted average cap rate of 5.2%). After using that cap rate to estimate the value of this development at stabilized operation, and then deducting imputed costs of sale and total development costs, the ratio of the resulting developer profit was compared with the net after-sale value, which produced a loss of $20 million and a negative profit margin of -22.7 percent, as compared with a minimum threshold of 12.5 percent that is typical for this type and scale of development. Therefore, this development scenario is not financially feasible.

Tyler Siegel
AG-SCH 8150 Sunset Boulevard Associates, L.P.
March 1, 2016

Table 1: 1.0 FAR Development Scenario with Affordable Housing and Retail, but no Affordable Housing Incentives

	Without Affordable Housing Incentives	
	Per Unit	Total
Development Program		
Land Area (sf)	3,976	111,339
Gross Building Area (GSF)	3,929	110,000
FAR (based on GSF)		1.0
Rentable Area - Residential (NSF)	802	22,450
Rentable Area - Commercial (NSF) - 1 Space		85,056
Building Efficiency		97.7%
Apartments		
Market Rate		
Affordable		28
Total Units		28
Subterranean Parking		250
Levels		1
Structured Parking		160
Residential & Commercial Spaces		1
Total Residential & Commercial Parking		410

Development Costs	Total
Land Acquisition	$ 34,000,000
Hard Construction	$ 48,490,776
Soft Costs	$ 17,387,895
Financing Costs	$ 8,629,517
Total Development Cost (TDC)	**$ 108,508,189**

Net Operating Income	Per NSF/Unit/Mo.	Annual
Net Apartment Income	$ 0.43	$ 108,002
Net Commercial Income	$ 3.66	$ 4,702,722
Net Operating Income (NOI)	**$ 3.64**	**$ 4,810,724**

Feasibility	
Return on Cost (NOI / TDC)	4.4%
Feasible?	NO
(Minimum = Cap Rate + 1.00% = 6.2%)	

Developer Profit Margin	
Net Project Sale Value	$ 88,444,188
Less: Total Development Cost (from above)	$ (108,508,189)
Developer Profit	**$ (20,064,000)**
Developer Profit Margin	-22.7%
Feasible?	NO
(Minimum = 12.5%)	

Tyler Siegel
AG-SCH 8150 Sunset Boulevard Associates, L.P.
March 1, 2016

The 3.0 FAR Development Scenario with Market Rate and Affordable Housing and Retail, Flexible Parking Incentives, and On- and Off-Menu FAR Incentives

As shown in Table 2, for the 3.0 FAR scenario that also includes flexible parking allowances, development costs total $238.4 million and Net Operating Income totals $14.4 million. As stated above, the minimum threshold was set at one percentage point more than a weighted average of the applicable cap rates for each land use (i.e., 5.4% for retail and 4.2% for multi-family residential, resulting in a weighted average cap rate of 4.7%).The resulting return on total development cost is 6.0 percent, as compared with a minimum threshold of 5.7 percent and the ratio of developer profit to net after-sale value produces a profit margin of 21.6 percent, as compared with a minimum threshold of 12.5 percent. Therefore this development scenario is financially feasible.

Table 2: The 3.0 FAR Development Scenario with Market Rate and Affordable Housing and Retail, Flexible Parking Incentives, and On- and Off-Menu FAR Incentives

	With Affordable Housing Incentives	
	Per Unit	Total
Development Program		
Land Area (sf)	447	111,339
Gross Building Area (GSF)	1,341	333,903
FAR (based on GSF)		3.0
Rentable Area - Residential (NSF)	768	191,324
Rentable Area - Commercial (NSF) - 1 Space		110,000
Building Efficiency		90.2%
Apartments		
Market Rate		221
Affordable		28
Total Units		249
Subterranean Parking		649
Levels		4
Structured Parking		200
Residential & Commercial Spaces		849
Total Residential & Commercial Parking		849

Development Costs	**Total**
Land Acquisition	$ 34,000,000
Hard Construction	$ 143,484,270
Soft Costs	$ 41,267,153
Financing Costs	$ 19,600,127
Total Development Cost (TDC)	**$ 238,351,550**

Net Operating Income	Annual
Net Apartment Income	$ 7,710,540
Net Commercial Income	$ 6,690,090
Net Operating Income (NOI)	**$ 14,400,630**

Feasibility	
Return on Cost (NOI / TDC)	**6.0%**
Feasible?	**YES**
(Minimum = Cap Rate + 1.00% = 5.7%)	
Developer Profit Margin	
Net Project Sale Value	$ 303,947,501
Less: Total Development Cost (from above)	$ (238,351,550)
Developer Profit	**$ 65,595,952**
Developer Profit Margin	**21.6%**
Feasible?	**YES**
(Minimum = 12.5%)	

Tyler Siegel
AG-SCH 8150 Sunset Boulevard Associates, L.P.
March 1, 2016

The details of our analysis of project feasibility under these development scenarios are included in Attachment D to this memo. As noted above, AG-SCH provided us the basic development program for both scenarios, the 2012 land acquisition cost (which we reviewed against comparable sales for that period) and a conceptual estimate of development costs prepared by Suffolk Construction (which we reviewed against Marshall & Swift cost estimations for the Los Angeles area). AG-SCH also provided us the costs associated with the buy-out of eight existing tenants on the site, including two major national/regional fast food chains, and other environmental, legal and outreach (collectively "consultant") costs in consideration of the high degree of litigation risk associated with major projects within the Hollywood Community Plan area. As also noted above, we used the development programs, land, buy-out and consultant costs, but applied our own independent calculations of development costs, net operating income and investment returns.

Development costs for the 3.0 FAR Development Scenario reflect both an elevated level of finishes as well as extensive subterranean parking, which will require major excavation and export of soil. In addition, the extensive retail component of the project will require broker involvement to ensure rapid lease-up, commissions for which are included in total development costs. The elevated levels of finishes are expected to support residential and retail pricing at the highest end of current offerings in the Los Angeles area, which will be consistent with retail and residential products along the Sunset Strip portion of Sunset Boulevard in West Hollywood and Los Angeles.

The market rate apartment rents used to calculate NOI for the 3.0 FAR Development Scenario, which average about $6.00 per square foot are based on a review of market comparables for high-end, new construction apartments with retail in prime submarket areas and an analysis of rent premiums associated with highly-amenitized, luxury buildings. There are few directly comparable buildings in the Los Angeles region and as such, the rents used in this analysis are conservative estimates. The closest comparable is 8500 Burton Way, where apartment rents are reported to average about $8.00 per square foot. Our analysis assumes that, unlike many apartment buildings, rents for larger units are higher on a per-square-foot basis than smaller units, as larger units will be located on higher floors with desirable views. Rents for 8500 Burton and two additional comparable buildings, as well as estimated cap rates for recent nearby sales are included in Attachment B of this memo.

In determining the above-mentioned development costs, net operating income, project value and investor returns, HR&A relied on generally accepted third party and other data sources (sources for all assumptions are included in Attachment D) and our own expertise. HR&A is a national economic development, real estate advisory and public policy consulting firm. We have extensive experience analyzing the financial feasibility of many different kinds of development products and planning initiatives, including extensive experience in the Los Angeles metro area. Our clients include a wide range of private and public sector organizations, including various departments of the City of Los Angeles. A summary of HR&A's qualifications is included in Attachment C.

Tyler Siegel
AG-SCH 8150 Sunset Boulevard Associates, L.P.
March 1, 2016

Please contact me if you or the City of Los Angeles Department of City Planning has any questions about our analysis and conclusions.

Sincerely,

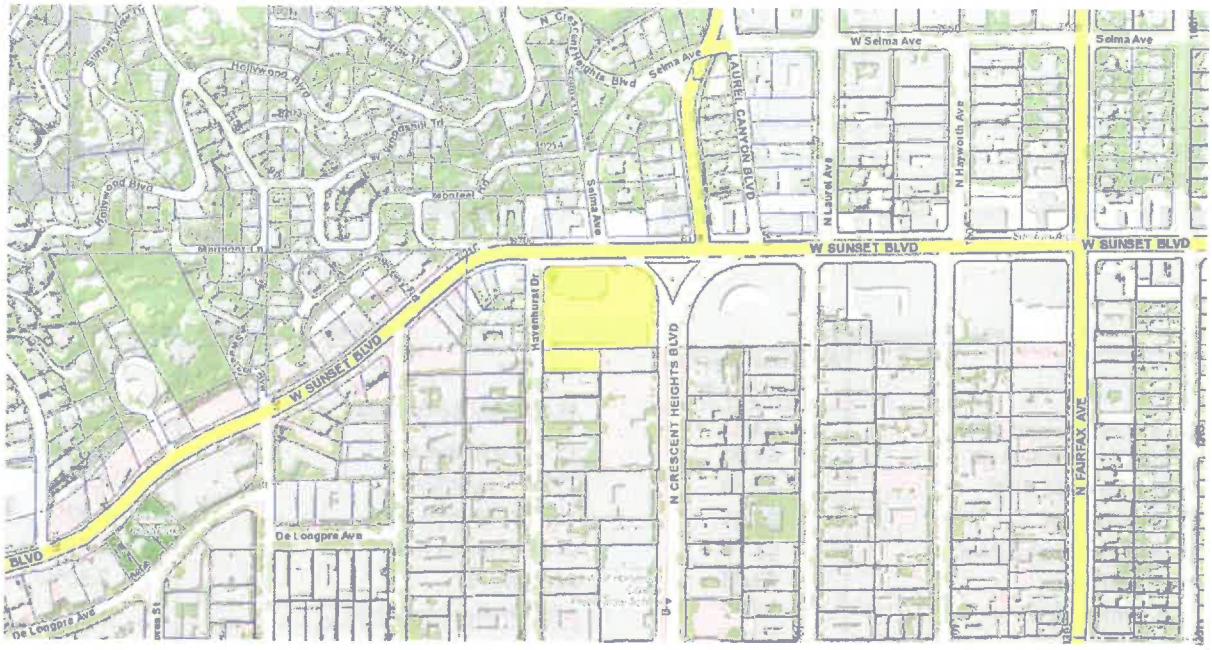
Paul J. Silvern
Vice President

Attachment A: 8150 Sunset Blvd. Parcel Map
Attachment B: 8150 Sunset Blvd. Rent and Cap Rate Comparables
Attachment C: Summary of Qualifications of HR&A Advisors, Inc.
Attachment D: 8150 Sunset Blvd. Financial Feasibility Analysis Without and With Proposed Affordable Housing Incentives for Increased Floor Area

HR&A Analyze. Advise. Act.

ATTACHMENT A

8150 Sunset Blvd. Parcel Map



HR&A Analyze. Advise. Act.

ATTACHMENT B
8150 Sunset Blvd. Rent and Cap Rate Comparables

Apartment Rent Comparables[1]

Address	Average Unit Size (SF)		Average Rents		Average Rents Per SF	
	1 BR	2 BR	1 BR	2 BR	1 BR	2 BR
8500 Burton Way	991	1,448	$6,964	$14,500	$7.03	$10.01
375 N. La Cienega Blvd	707	1,254	$3,290	$6,945	$4.65	$5.54
10700 Wishire Blvd	1,234	1,809	$5,680	$9,672	$4.60	$5.35
Average	**977**	**1,504**	**$5,311**	**$10,372**	**$5.43**	**$6.97**

Source: CoStar Group

[1] Includes large, very high-end new construction apartment buildings with retail in the Los Angeles area.

Retail Rent Comparables[1]

	Average Monthly Rent Per SF
6410-6412 Hollywood Blvd	$3.75
300-306 N Robertson Bvd	$9.00
8969 Santa Monica Blvd	$7.50
1050-1062 Vine St	$3.95
6338-6344 Hollywood Blvd	$5.70
1253 Vine Street	$3.55
6660 W Sunset Blvd	$2.52
1619 N La Brea Ave	$4.00
Average	**$5.00**

Source: CoStar Group

[1] Includes retail spaces over 1,500 SF within the West Hollywood and Hollywood submarkets, with NNN lease initiation dates after June 2015.

Cap Rate Comparables[1]

Address	Cap Rate
Multifamily Residential[2]	
1724 Highland Ave	3.75%
7950 Sunset Blvd	4.25%
10700 Wilshire Blvd	3.30%
6138 Franklin Ave	3.40%
5659 8th St	3.50%
6300 Hollywood Blvd	7.00%
Average	**4.20%**
RERC - Apartment	4.80%
Retail[3]	
8000 W Sunset Blvd	6.00%
6904-6912 Hollywood Blvd	6.75%
11817-11819 Wilshire Blvd	3.50%
Average	**5.42%**
RERC - Retail	5.80%

Source: CoStar Group; Real Estate Research Corp 2015 Q4 data

[1] Within the Bel Air, Beverly Hills, Brentwood, Century City, Hollywood Hills, Hollywood, Melrose, Mid-City West, Mid-Wilshire, West Hollywood, West Los Angeles and Westwood submarket areas.

[2] Includes properties that were built after 2000, have 50 or more residential units and were sold after January 2012.

[3] Includes properties with 30,000 or more square feet of retail space that were sold after January 2012.

HR&A Analyze. Advise. Act.

ATTACHMENT C

Summary of Qualifications of HR&A Advisors, Inc.

Over more than 35 years, HR&A Advisors, Inc. (HR&A) has built a distinguished track record solving complex real estate and economic development challenges.

HR&A Advisors, Inc. (HR&A) is an industry-leading development advisor with over three decades of experience working in collaboration with government agencies, private developers, architects, engineers, and other specialists. We bring a wealth of national experience in corridor redevelopment projects through place making and mixed-use development including transit-oriented development. Our work has been recognized with numerous prestigious real estate industry awards, including:

- 2014 **American Planning Association National Planning Achievement Award in Environmental Planning,** Arlington Count's Community Energy Plan, Arlington, VA
- 2014 **American Road & Transportation Builders Association Globe Award, First Place in Public Transit,** New York Rising Community Construction Program, NY
- 2013 **American Planning Association New York, Meritorious Achievement Award,** Brooklyn Tech Triangle Strategic Plan, Brooklyn, NY
- 2013 **American Planning Association Missouri, Outstanding Planning Award,** St. Louis Zoo Expansion Framework Plan, St. Louis, MO
- 2012 **American Institute of Architects Honor Award for Regional and Urban** Design, Master Plan for the Central Delaware Riverfront, Philadelphia, PA
- 2010 **International Economic Development Council Neighborhood Development Prize,** High Line Park Transformation, New York, NY
- 2009 **International Economic Development Council Public Private Partnership Award,** Cincinnati Center City Development Corporation (3CDC) Creation, Cincinnati, OH

HR&A was founded in 1976 (our predecessor corporation was Hamilton, Rabinovitz & Alschuler, Inc.) and has maintained an office in Los Angeles for 35 years. The firm's four offices in New York, Los Angeles, Dallas and Washington, D.C. enable us to serve clients around the U.S. and the world.

Strategic Positioning and Project Management. Complex redevelopment projects require strategic positioning and focused messaging to secure public land use approvals. HR&A has a successful track record spearheading large scale master plans and mixed-use projects through the public review processes, often in tandem with our other services including project management, economic impact and financial feasibility analyses, and master plan support. HR&A has been retained by developers and public agencies to perform a variety of management assignments ranging from project conceptualization to management of the technical team responsible for project development. In addition to a thorough understanding of the development business, our clients particularly value our ability to think strategically about their projects. This has propelled the firm into the forefront of reuse planning for closed military bases and development of downtown and urban waterfront revitalization strategies. HR&A has been awarded multiple assignments to manage the interdisciplinary teams of architects, urban designers, engineers and others to develop market-sensitive urban development and redevelopment strategies such projects require.

Market Analysis and Financial Feasibility Analysis. HR&A provides objective assessments of market and financial feasibility for public and private investments in real estate developments, open space, infrastructure and mass transit. The firm provides robust analysis of real estate market conditions – for the residential, commercial, retail, industrial, cultural and hotel sectors – to inform development strategies and programs for master plans and development projects, and support repositioning of existing real estate and infrastructure to anchor new development, including historic train stations, elevated highways, and industrial waterfronts. We also create retail redevelopment and revitalization strategies including development of marketing materials and tenant outreach strategies. HR&A is frequently retained to provide specialized analytic services in all areas of real estate market analysis and feasibility analysis. This includes pro forma development and review, cash flow modeling, investment return analysis, deal structuring, and the identification of equity, debt and subsidy resources and development capital structures. We have led and/or been key participants in negotiating many different kinds of real estate transactions on behalf of private and public clients, including experience with public ground lease deals.

Economic and Fiscal Impact Analysis. HR&A's economic and fiscal impact analyses help clients secure project approvals and public-private financing by providing clear rationales for action. HR&A regularly prepares analyses of the impacts development projects and planning proposals may have on the revenues and expenditures of local public agencies, and/or the regional economies in which they are situated. The firm is an expert user of static equilibrium models, including IMPLAN, and computable general equilibrium models, including REMI. HR&A has analyzed the impacts of film studio campus expansions, hotels, high-rise office buildings, shopping centers, hospital complexes, performing arts centers, convention centers, industrial parks, international hub and general aviation airports, for-sale and rental residential developments and large-scale, mixed-use, and transit-oriented developments.

Other Socio-Economic Impacts Analyses. HR&A has a long history of experience in all aspects of population, housing, and employment forecasting and analysis and public school impacts analysis. The firm's population and public school enrollment forecasting has been relied on by several school districts in making long-term facilities decisions, and was cited in a state appellate court case which determined that the Santa Barbara campus of the University of California was exempt from school impact fees. HR&A also has extensive experience with all aspects of developer fees and exactions. Beginning in the early 1980s, HR&A was retained by jurisdictions to design exaction systems in which the firm followed the basic principles of nexus and "fair share" later codified in the *Nollan*

and *Dolan* decisions by the U.S. Supreme Court, the *Ehrlich* decision by the California Supreme Court and California Government Code Section 66000, *et seq*. HR&A has also been retained by a number of developers and developer/owner organizations to evaluate, critique and participate in seeking changes to adopted and proposed developer fee programs. The firm's technical rigor and thoughtfulness about these issues are respected by all sides in the continuing debate about this method of infrastructure financing.

Developer Negotiations. All of HR&A's principals and senior staff are very experienced negotiators, and the firm has particular expertise in negotiating real estate transactions, often in the context of public private development projects. These services have been performed on behalf of both private and public real estate clients, owing to our keen understanding of each party's interests and needs. HR&A has been involved in all aspects of the formal real estate negotiations process, from structuring the process through direct participation on behalf of clients and/or acting as technical advisor during the negotiation process. HR&A has participated in drafting exclusive negotiating agreements, memoranda of understanding, owner-participation agreements and development agreements, particularly with respect to financial terms and conditions.

Affordable Housing Strategies and Development. For over 30 years, HR&A has guided the design and implementation of the innovative programs that produce and preserve affordable housing. HR&A works with public and private sector clients across North America to formulate affordable housing strategies redevelop public housing projects and assist with the implementation of affordable housing policies and programs. HR&A has worked with jurisdictions to prepare affordable housing development financing plans, including the design of public-private real estate partnerships and the issuance of tax-exempt financing and tax-advantaged equity investments. The firm has a long history of consulting for a variety of parties in the housing development industry including: The Department of Housing and Urban Development (HUD); private lenders; public lenders; national intermediaries (e.g., NEF, CEF, LISC, Enterprise Foundation); local public agencies; community-based, non-profit developers; affordable housing developers; and some of the nation's leading private residential development organizations.

Energy Efficiency Solutions. HR&A is one of the few national consulting firms able to blend its practices in real estate and economic development advisory services into energy efficiency program development for our clients' benefit. Our work achieves environmental benefits while maximizing the opportunities for job creation and workforce development. In the past decade, we have emerged as a leader in economic feasibility assessment and management of large-scale energy efficiency initiatives for existing buildings, helping clients advance environmental responsibility through innovative strategies grounded in market pragmatism. We work with government clients to design meaningful public policy that adequately addresses private risk and advances public energy efficiency objectives. As experienced project leaders, we bring together the brightest minds in multidisciplinary fields and fuse their efforts into a cohesive whole. We also work with property owners and managers to project the accrual of energy savings given current lease structures and investment objectives, and quantify the combined impact of the investments on net operating income and overall asset value. HR&A carried out this practice area through ***G.Works***, a unique partnership with global leader Buro Happold Engineers to provide a single source for energy efficiency projects from planning through implementation.

Attachment D
8150 Sunset Blvd. Project
Financial Feasibility, Without Affordable Housing Incentives
with Affordable Housing and Retail

	Without Affordable Housing Incentives	
	Per Unit	Total
Development Program[1]		
Land Area (sf)	3,976	111,339
Gross Building Area (GSF)	3,929	110,000
FAR (based on GSF)		1.0
Rentable Area - Residential (NSF)	802	22,450
Rentable Area - Commercial (NSF)		85,056
Building Efficiency		97.7%
Apartments		
Market Rate		-
Affordable		28
Total Units		28
Subterranean Parking		250
Levels		1
Structured Parking		160
Residential & Commercial Spaces		1
Total Residential & Commercial Parking	14.64	410

Unit Mix[1]	Number	Net Rentable SF	Mo. Rent/NRSF	Mo. Rent	Total Mo. Rent
Market Rate[2]					
Studio	-	-	$ -	$ -	$ -
1 Bedroom	-	-	$ -	$ -	$ -
2 Bedroom	-	-	$ -	$ -	$ -
3 Bedroom	-	-	$ -	$ -	$ -
	-				$ -
Affordable[3]					
Studio	8	650	$0.71	$463	$ 3,704
1 Bedroom	15	750	$0.69	$520	$ 7,800
2 Bedroom	4	1,150	$0.50	$576	$ 2,304
3 Bedroom	1	1,400	$0.45	$634	$ 634
	28				$ 14,442

Land	Per Land SF	Per Unit	Total
Land Acquisition[4]	$ 305	$ 1,214,286	$ 34,000,000
Subtotal Land	$ 305	$ 1,214,286	**$ 34,000,000**

Construction[5]		Per Bldg. GSF	Per Unit/Space	Total
Hard Construc ion-Buildings (weighted average for all components)		$ 231	$ 908,823	$ 25,447,039
Hard Construc ion-Structured Parking (per space)[6]			$29,750	$ 4,760,000
Hard Construc ion-Subt. Parking (per space)[6]			$42,500	$ 10,625,000
Hard Construc ion-Sitework (x Excavation Cu. Yard)[7]	$75			$ 1,096,875
Tenant Improvements Allowance (x Retail NSF)[8]	$50	$ 39		$ 4,252,778
Hard Cost Con ingency (x Subtotal)[7]	5%	$ 21	$ 82,467	$ 2,309,085
Subtotal Construction		$ 441	$ 1,731,813	**$ 48,490,776**

Soft Costs[7]				
Design, Engineering & Consulting Services (x Hard Costs)	8.0%	$ 35.27	$ 138,545	$ 3,879,262
Permits & Fees (x Hard Costs)	4.0%	$ 17.63	$ 69,273	$ 1,939,631
Taxes, Insurance, & Accounting (x Hard Costs)	3.0%	$ 13.22	$ 51,954	$ 1,454,723
Development Management (x Hard Costs)	4.0%	$ 17.63	$ 69,273	$ 1,939,631
Tenant Buyouts[9]		$ 46.36	$ 182,143	$ 5,100,000
EIR, Legal, & Public Outreach[10]		$ 15.00	$ 58,929	$ 1,650,000
Leasing Commisions[11]		$ 10.44	$ 41,009	$ 1,148,250
Soft Cost Contingency (x Subtotal)	3.0%	$ 2.51	$ 9,871	$ 276,397
Subtotal Soft Costs	35.9%	$ 158.07	$ 620,996	**$ 17,387,895**

Construction Financing Costs[8]		Per GSF	Per Unit	Total
Land + Hard Costs + Soft Costs	$ 99,878,671			
Loan to Cost Ra io	80%			
Construction Loan Principal	$ 79,902,937			
Loan Fees (%)	2.5%	$ 18.16	$ 71,342	$ 1,997,573
Interest Rate	7.0%			
Outstanding Principal Balance	60%			
Term (years)	2			
Construction Period (months)	18			
Construction Loan Interest		$ 45.76	$ 179,782	$ 5,033,885
Permanent Loan Points	2.0%	$ 14.53	$ 57,074	$ 1,598,059
Subtotal Construction Loan		$ 78.45	$ 308,197	**$ 8,629,517**
Total Development Cost (TDC)		$ 986.44	$ 3,875,292	**$ 108,508,189**

Net Operating Income		Per Unit/Mo.	Per NSF/Unit/Mo.	Annual
Gross Apartment Rental Income				
Market Rate Apartments[2]		$ -	$ -	$ -
Affordable Apartments (Very Low-Income)[3]		$ 516	$ 0.64	$ 173,304
Miscellaneous Revenue[8]		$ 25	$ 0.03	$ 8,400
Gross Income		$ 541	$ 0.67	$ 181,704
Less: Vacancy Allowance[8]	5.0%	$ (27)	$ (0.03)	$ (9,085)
Effective Gross Income (EGI)		$ 514	$ 0.64	$ 172,619
Less: Annual Operating Expenses (x EGI)[8]	35.0%	$ (180)	$ (0.22)	$ (60,417)
Less: Replacement Reserve (per unit/year)[8]	$150	$ (13)	$ (0.02)	$ (4,200)
Net Apartment Income		$ 321	$ 0.40	$ 108,002

		Per NSF//Mo	Annual
Gross Retail Rental Income (NNN)[2]		$ 5.00	$ 5,103,333
Less: Vacancy Allowance (x Gross Income)[8]	5%	$ (0.25)	$ (255,166.67)
Effective Gross Income (EGI)		$ 4.75	$ 4,848,167
Less: Management Fee (x EGI)[8]	3%	$ (0.14)	$ (145,445)
Net Commercial Income		$ 4.61	$ 4,702,722
Net Operating Income (NOI)		**$ 3.64**	**$ 4,810,724**

Feasibility		
Return on Total Development Cost		
Net Operating Income (from above)		$ 4,810,724
Total Development Cost (from above)		$ 108,508,189
Return on Cost (NOI / TDC)		4.4%
Feasible?		**NO**
(Minimum = Weighted Average Cap Rate + 1 00% = 6.2%)[9]		
Developer Profit Margin		
Net Operating Income (from above)		$ 4,810,724
Weighted Average Cap Rate[12]	5.2%	
Project Value (NOI x Cap Rate)		$ 89,337,564
Less: Cost of Sale[8]	1.0%	$ (893,376)
Net Project Sale Value		$ 88,444,188
Less: Total Development Cost (from above)		$ (108,508,189)
Developer Profit Margin		**$ (20,064,000)**
% x Net Project Sale Value		-22.7%
Feasible?		**NO**
(Minimum = 12.5%)[8]		

SOURCES & NOTES:

[1] Townscape Partners.

[2] HR&A, based on a review of market comps for high-end retail on prime commercial corridors within relevant, nearby submarkets.

[3] LA Housing & Community Investment Dept. affordable rent schedule for Density Bonus program (Schedule VI), August 1, 2015, net of utility allowances, per Housing Authority of the City of Los Angeles.

[4] Townscape Partners-reported 2012 sale price. HR&A's review of comparable land sales for that period finds a range of prices between $400 and $600 PSF, suggesting that his price is reasonable and likely significantly below current market value.

[5] HR&A estimate of weighted retail and residential costs based on Marshall & Swift Cost Estimator software, June 2015 data for LA area. Includes demolition, some site work, and assumes an above-average quality, but factored to remove soft costs listed separately.

[6] HR&A estimate of parking costs based on Marshall & Swift Cost Es imator software, June 2015 data for LA area. Assumes subterranean parking at $100 per GSF, structured parking at $70 per GSF and 425 square feet per space.

[7] HR&A estimate of additional site work costs due to the significant amount of soil to be excavated and exported to Irwindale, CA, based on Marshall & Swift Cost Estimator software, June 2015 data for LA area.

[8] HR&A assumptions typical for this type of project and/or calculations.

[9] Townscape Partners. Includes buyout of 8 tenants, including 2 major na ional/regional fast food chains and miscellaneous other retail.

[10] Townscape Partners. Includes consideration of entitlement uncertainties and the high degree of litiga ion risk associated with major developments within he Hollywood Community Plan area.

[11] HR&A. Assumes a 3% broker commission on 5-year term commercial leases and 1.5% commission on 5-year lease renewals and marketing costs for both residential units and commercial space.

[12] Blended 5.4% retail and 4.2% multifamily cap rate, based on HR&A review of third party data sources (e.g., CoStar data for sale of similar buildings within relevant, nearby submarkets since 2012).

Prepared by: HR&A Advisors, Inc.

Attachment D
8150 Sunset Blvd. Project
Financial Feasibility, With Affordable Housing Incentives with Off-Menu FAR Incentive and Retail

	With Affordable Housing Incentives	
	Per Unit	Total
Development Program[1]		
Land Area (sf)	447	111,339
Gross Building Area (GSF)	1,341	333,903
FAR (based on GSF)		3.0
Rentable Area - Residential (NSF)	768	191,324
Rentable Area - Commercial (NSF)		110,000
Building Efficiency		90 2%
Apartments		
Market Rate		221
Affordable		28
Total Units		249
Subterranean Parking		649
Levels		4
Structured Parking		200
Residential & Commercial Spaces		849
Total Residential & Commercial Parking	3.41	849

Unit Mix[1]	Number	Net Rentable SF	Mo. Rent/NRSF	Mo. Rent	Total Mo. Rent
Market Rate[2]					
Studio	64	610	$5.75	$3,508	$ 224,480
1 Bedroom	115	725	$6.00	$4,350	$ 500,250
2 Bedroom	34	1,075	$6.25	$6,719	$ 228,438
3 Bedroom	8	1,325	$6.50	$8,613	$ 68,900
	221				$ 1,022,068
Affordable[3]					
Studio	8	610	$0.76	$463	$ 3,704
1 Bedroom	15	725	$0.72	$520	$ 7,800
2 Bedroom	4	1,075	$0.54	$576	$ 2,304
3 Bedroom	1	1,325	$0.48	$634	$ 634
	28				$ 14,442

Land	Per Land SF	Per Unit	Total
Land Acquisition[4]	$ 305	$ 136,546	$ 34,000,000
Subtotal Land	$ 305	$ 136,546	**$ 34,000,000**

Construction[5]		Per Bldg./GSF	Per Unit/Space	Total
Hard Construction-Buildings (weighted average for all components)		$ 267	$ 357,667	$ 89,059,035
Hard Construction-Structured Parking (per space)[6]			$29,750	$ 5,950,000
Hard Construction-Subt. Parking (per space)[6]			$42,500	$ 27,582,500
Hard Construction-Sitework (x Excavation Cu. Yard)[7]	$75			$ 4,387,500
Hard Construction-Site Improvements (x Open Area SF)	$50			$ 4,172,650
Tenant Improvements Allowance (x Retail NSF)[8]	$50	$ 16		$ 5,500,000
Hard Cost Contingency (x Subtotal)[7]	5%	$ 20	$ 27,440	$ 6,832,584
Subtotal Construction		$ 430	$ 576,242	**$ 143,484,270**

Soft Costs[8]				
Design, Engineering & Consulting Services (x Hard Costs)	10.0%	$ 42.97	$ 57,624	$ 14,348,427
Permits & Fees (x Hard Costs)	4.0%	$ 17.19	$ 23,050	$ 5,739,371
Taxes, Insurance, & Accounting (x Hard Costs)	2.0%	$ 8.59	$ 11,525	$ 2,869,685
Development Management (x Hard Costs)	5.0%	$ 21.49	$ 28,812	$ 7,174,213
Tenant Buyouts[9]		$ 15.27	$ 20,482	$ 5,100,000
EIR, Legal, & Public Outreach[10]		$ 8.09	$ 10,843	$ 2,700,000
Leasing Commisions[11]		$ 6.39	$ 8,568	$ 2,133,500
Soft Cost Contingency (x Subtotal)	3.0%	$ 3.60	$ 4,827	$ 1,201,956
Subtotal Soft Costs	28.8%	$ 123.59	$ 165,732	**$ 41,267,153**

Construction Financing Costs[8]		Per GSF	Per Unit	Total
Land + Hard Costs + Soft Costs	$ 218,751,422			
Loan to Cost Ratio	80%			
Construction Loan Principal	$ 175,001,138			
Loan Fees (%)	2.0%	$ 10.48	$ 14,056	$ 3,500,023
Interest Rate	6.00%			
Outstanding Principal Balance	60%			
Term (years)	2			
Construction Period (months)	24			
Construction Loan Interest		$ 37.74	$ 50,603	$ 12,600,082
Permanent Loan Points	2.0%	$ 10.48	$ 14,056	$ 3,500,023
Subtotal Construction Loan		$ 58.70	$ 78,715	**$ 19,600,127**
Total Development Cost (TDC)		$ 713.83	$ 957,235	**$ 238,351,550**

Net Operating Income		Per Unit/Mo.	Per NSF/Unit/Mo.	Annual
Gross Apartment Rental Income				
Market Rate Apartments[2]		$ 4,625	$ 6.03	$ 12,264,810
Affordable Apartments (Very Low-Income)[3]		$ 516	$ 0.68	$ 173,304
Miscellaneous Revenue[8]		$ 50	$ 0.07	$ 149,400
Gross Income		$ 4,213	$ 5.48	$ 12,587,514
Less: Vacancy Allowance[8]	5.0%	$ (211)	$ (0.27)	$ (629,376)
Effective Gross Income (EGI)		$ 4,002	$ 5.21	$ 11,958,138
Less: Annual Operating Expenses (x EGI)[8]	35.0%	$ (1,401)	$ (1.82)	$ (4,185,348)
Less: Replacement Reserve (per unit/year)[8]	$250	$ (21)	$ (0.03)	$ (62,250)
Net Apartment Income		$ 2,581	$ 3.36	$ 7,710,540
			Per NSF//Mo	Annual
Gross Retail Rental Income (NNN)[2]			$ 5.50	$ 7,260,000
Less: Vacancy Allowance (x Gross Income)[8]	5%		$ (0.28)	$ (363,000)
Effective Gross Income (EGI)			$ 5.23	$ 6,897,000
Less: Management Fee (x EGI)[8]	3%		$ (0.16)	$ (206,910)
Net Commercial Income			$ 5.07	$ 6,690,090
Net Operating Income (NOI)			$ 3.59	**$ 14,400,630**

Feasibility

Return on Total Development Cost		
Net Operating Income (from above)		$ 14,400,630
Total Development Cost (from above)		$ 238,351,550
Return on Cost (NOI / TDC)		**6.0%**
Feasible?		**YES**
(Minimum = Weighted Average Cap Rate + 1.00% = 5.7%)[9]		
Developer Profit Margin		
Net Operating Income (from above)		$ 14,400,630
Weighted Average Cap Rate[12]	4.7%	
Project Value (NOI x Cap Rate)		$ 307,017,678
Less: Cost of Sale[8]	1.0%	$ (3,070,177)
Net Project Sale Value		$ 303,947,501
Less: Total Development Cost (from above)		$ (238,351,550)
Developer Profit Margin		**$ 65,595,952**
% x Net Project Sale Value		**21.6%**
Feasible?		**YES**
(Minimum = 12.5%)[8]		

SOURCES & NOTES

[1] Townscape Partners.

[2] HR&A, based on a review of market comps for large, very high-end new construction apartment buildings and retail in the Los Angeles area and an analysis of rent premiums associated with highly-amenitized, luxury buildings.

[3] LA Housing & Community Investment Dept. affordable rent schedule for Density Bonus program (Schedule VI), August 1, 2015, net of utility allowances, per Housing Authority of the City of Los Angeles.

[4] Townscape Partners-reported 2012 sale price. HR&A's review of comparable land sales for that period finds a range of prices between $400 and $600 PSF, suggesting that this price is reasonable and likely significantly below current market value.

[5] HR&A estimate of weighted retail and residential costs based on Marshall & Swift Cost Estimator software, June 2015 data for LA area. Includes demolition, some site work, and assumes an above-average quality, but factored to remove soft costs listed separately.

[6] HR&A estimate of parking costs based on Marshall & Swift Cost Estimator software, June 2015 data for LA area. Assumes subterranean parking at $100 per GSF, structured parking at $70 per GSF and 425 square feet per space.

[7] HR&A estimate of additional site work costs due to the significant amount of soil to be excavated and exported to Irwindale, CA, based on Marshall & Swift Cost Estimator software, June 2015 data for LA area.

[8] HR&A assumptions typical for this type of project and/or calculations.

[9] Townscape Partners. Includes buyout of 8 tenants, including 2 major national/regional fast food chains and miscellaneous other retail.

[10] Townscape Partners. Includes consideration of entitlement uncertainties and the high degree of litigation risk associated with major developments within the Hollywood Community Plan area.

[11] HR&A. Assumes a 3% broker commission on 5-year term commercial leases and 1.5% commission on 5-year lease renewals and marketing costs for both residential units and commercial space.

[12] Blended 5.4% retail and 4.2% multifamily cap rate, based on HR&A review of third party data sources (e.g., CoStar data for sale of similar buildings within relevant, nearby submarkets since 2012).

Prepared by: HR&A Advisors, Inc.

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Via Electronic Mail

Date: April 21, 2016

To: Tyler Siegel
AG-SCH 8150 SUNSET BOULEVARD OWNER, L.P.

From: Jim Simon, Principal
Dominique Clark, Associate
RSG, INC.

SUBJECT: 8150 SUNSET BLVD. PROJECT FINANCIAL FEASIBILITY ANALYSIS PEER REVIEW

Per your request, RSG, Inc. ("RSG") reviewed HR&A Advisors, Inc.'s (HR&A) financial feasibility analysis of a mixed-use density bonus project ("Project") proposed by AG-SCH 8150 Sunset Boulevard Owner, L.P. ("Developer"). The Project site consists of two parcels totaling 2.6 acres located at 8142-8148 West Sunset Boulevard in the City of Los Angeles ("City"). The parcels are currently improved with commercial buildings. The proposed development program entails the following components:

- 249 multi-family rental units, including 28 units restricted to very low-income households;
- 110,000 leasable square feet of retail;
- 649 spaces in a four-level subterranean parking garage;
- 200 spaces in an above-grade parking garage; and
- Various on-site amenities, including an event terrace, a roof garden, open space, private terraces, a pool, and a spa.

Our understanding is that the Developer will submit a request to the City's Department of City Planning ("Planning Department") for an "off-menu" incentive allowing a 3.0 floor area ratio (FAR), in lieu of the allowable 1.0 FAR. To comply with the City's requirements for density bonus applicants requesting off-menu incentives, the Developer will provide the Planning Department (1) HR&A's analysis, which demonstrates that the off-menu 3.0 FAR incentive is necessary for the inclusion of the 28 affordable housing units to be economically feasible, and (2) this memo summarizing the findings of RSG's peer review of HR&A's analysis.

Executive Summary

Based on our peer review of HR&A's analysis, our conclusions are as follows:

- **We concur with HR&A's finding that the Project is financially feasible with the requested off-menu 3.0 FAR incentive**, because it would yield a return on total development cost and a developer profit margin that we believe are sufficiently high to attract market investment.

- **We concur with HR&A's finding that the Project is not financially feasible without the requested off-menu 3.0 FAR incentive**, because it would not yield either a return on total development cost or a developer profit margin that we believe are acceptable in the market.

Analysis

Development Programming Scenarios With and Without 3.0 FAR Off-Menu Incentive

Summary of HR&A Assumptions. HR&A used the Developer's current development program as the development programming scenario with the requested off-menu 3.0 FAR incentive. The Developer proposes to develop 333,903 square feet of new floor area, including 249 residential apartment units averaging 768 square feet each and 110,000 square feet of retail. Of the 249 residential units, 28 would be restricted to very low-income households. The Project would also include 849 spaces in a subterranean parking garage and an above-grade parking garage, as well as various on-site amenities.

Without the requested off-menu incentive, the developer would be limited to constructing a significantly smaller project. The gross building area would be reduced from 333,903 square feet to 110,000 square feet in order to comply with the 1.0 FAR limit. In this scenario, HR&A's analysis assumes that retail would be the highest and best use for the site, and thus eliminates all of the residential units with the exception of the 28 very low-income units averaging 802 square feet each. Additionally, the retail square footage is reduced from 110,000 to 85,056. Because the number of required parking spaces is directly correlated to the number of bedrooms and square footage of retail in the Project, the number of parking spaces provided in the parking garages is also decreased in this scenario – from 649 to 250 in the subterranean garage and from 200 to 160 in the above-grade garage.

Findings of RSG's Peer Review. RSG believes that HR&A's development programming assumptions for each scenario are reasonable, given that (1) the City requires the analysis to assume that the same number of affordable units (in this case, 28) are included in each scenario and (2) retail is the highest and best use for the site under by-right zoning, as HR&A concludes. We did note that the analysis assumes that the development programming scenario without the

requested off-menu 3.0 FAR incentive would also omit the Developer's requested on-menu flexible parking incentive; we believe this is defensible given the details of the Project. It is our understanding that the City generally expects the analysis to compare the feasibility of the Project with the requested off-menu incentives to the feasibility of the Project without the requested off-menu incentives and that any requested on-menu incentives should be assumed in both scenarios. For this project however, the development programming scenario with the requested off-menu incentive relies so heavily on the off-menu 3.0 FAR incentive that the on-menu flexible parking incentive does not have much value without the 3.0 FAR incentive. Furthermore, the flexible parking allowance incentive does not apply to retail uses, which is the primary use in the scenario with a 1.0 FAR.

Development Costs

Summary of HR&A Assumptions. HR&A's development cost estimates incorporate the following assumptions:

- Land Acquisition Costs: $305 per square foot of land, which was the 2012 sale price as reported by the Developer
- Hard Construction Building Costs: $200 per square foot of retail and $300 per square foot residential
- Hard Construction Parking Costs: $42,500 per space in the subterranean garage and $29,750 per space in the above-grade garage
- Excavation and Exportation of Soil: $75 per cubic yard of soil excavated
- Site Improvements: $50 per square foot of open area
- Tenant Improvements Allowance: $50 per net square foot of retail
- Hard Cost Contingency: 5% of other hard costs
- Soft Costs: Either calculated by line item as a percentage of total hard costs or provided by the Developer, with the exception of the leasing commissions, which HR&A estimated based on an assumption of a 3% broker commission on 5-year term commercial leases and 1.5% commission on 5-year lease renewals and marketing costs for both residential units and commercial space
- Soft Cost Contingency: 3% of other soft costs

- Construction Financing Costs Assumptions:
    - 3.0 FAR Scenario: 2.0% loan fees, 6% interest rate, 24-month construction period
    - 1.0 FAR Scenario: 2.5 loan fees, 7% interest rate, 18-month construction period
    - Both Scenarios: 80% loan-to-cost ratio, 60% outstanding principal balance, and a two-year loan term

Findings of RSG's Peer Review. RSG believes that HR&A's development cost estimates and assumptions are reasonable. Our review included an analysis of HR&A's methodology of differentiating between the hard and soft costs inherent in the residential and retail hard cost estimates sourced from Marshall & Swift Cost Estimate software ("Marshall and Swift"). In order to estimate soft costs independently from Marshall and Swift while preventing double counting, HR&A assumed that about 20% of Marshall & Swift's estimates are attributed to softs costs and then deducted this 20%. RSG believes that this approach yields development cost estimates that are reasonable.

Net Operating Income

Summary of HR&A Assumptions. HR&A's net operating income estimates incorporate the following assumptions:

- Market-Rate Apartment Rents: $5.75 - $6.50 per square foot
- Very Low-Income Apartment Rents: Based on the City Housing and Community Investment Department's affordable rent limits schedule for density bonus projects (effective August 1, 2015) and net of select utility allowances per the City's Housing Authority utility allowance schedule for multi-family residential housing (effective December 1, 2015)
- Residential Miscellaneous Income: $50 per unit per month with 3.0 FAR and $25 per unit per month with 1.0 FAR
- Residential Vacancy Allowance: 5% of gross rental income
- Residential Operating Expenses: 35% of effective gross income
- Residential Replacement Reserve: $250 per unit per year with 3.0 FAR and $150 per unit per year with 1.0 FAR

- Retail Income: $5.50 per net square foot with 3.0 FAR and $5.00 per net square foot with 1.0 FAR

- Retail Vacancy Allowance: 5% of gross income

- Retail Management Fee: 3% of effective gross income

Findings of RSG's Peer Review. RSG believes that HR&A's net operating income estimates are generally reasonable. Three details worth noting, none of which are material to our conclusion that the Project is financially feasible with 3.0 FAR and financially infeasible with 1.0 FAR, are as follows:

1. As explained in HR&A's memo, the assumptions regarding the market-rate rents are heavily weighted on the rents at one luxury property, 8500 Burton Way. Based on RSG's research, the rents at 8500 Burton Way are significantly higher than other apartments built since 2014 in the Hollywood submarket. Per RSG's conversations with HR&A, HR&A's rent assumptions are based on the Developer's belief that 8500 Burton Way is the only true comparable to the Project in terms of location and the level of amenities and services. If overstated, lower market rents would result in diminishing the feasibility of both scenarios, and not unfairly understate the viability of the Project without the off-menu incentive.

2. Because the residential operating expenses are calculated as 35% of effective gross income, which varies dramatically between the scenario with 3.0 FAR and 221 market-rate units and the scenario with 1.0 FAR and no market-rate units, the total residential operating expenses on a per unit basis vary dramatically between the scenarios - $16,800 per unit with 3.0 FAR and $2,200 per unit with 1.0 FAR. Overall, we believe that the actual operating expenses would be lower on the scenario with the off-menu incentive, but much higher in the scenario without the off-menu incentive. Adjusting these operating expenses would actually widen the gap between the two scenarios, making the Project less feasible without the off-menu incentives.

3. The analysis does not include revenue from the retail parking spaces, based on the assumption that 100% of the retail parking will be validated by the associated businesses. This assumption may be understating some parking revenue for patrons that visit longer than a typical two to three-hour validation window, but would only generate a modest amount of additional income and not affect the overall feasibility findings.

Financial Feasibility Analysis

Summary of HR&A Assumptions. HR&A's financial feasibility analysis incorporates the following assumptions:

- Threshold for Return on Total Development Cost: 5.7% with 3.0 FAR, 6.2% with 1.0 FAR
- Threshold for Development Profit Margin: 12.5%
- Cap Rate: 4.7% with 3.0 FAR, 5.2% with 1.0 FAR
- Cost of Sale: 1% of project value

Findings of RSG's Peer Review. RSG believes that the assumptions incorporated in HR&A's financial feasibility analysis are reasonable. RSG confirmed that these assumptions align with current market realities.

HR&A Analyze. Advise. Act.

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June 29, 2016
Tyler Siegel
AG-SCH 8150 Sunset Boulevard Associates, L.P.
Suite 702
8899 Beverly Blvd.
West Hollywood, CA 90048

Re: Financial Feasibility Analysis for the Gehry Partners-Designed 8150 Sunset Blvd. Project (Alternative 9)

Dear Mr. Siegel:

Per your request, HR&A Advisors, Inc. (HR&A) has completed financial feasibility analyses of a development program you provided to us for a mixed-use development located at 8150 Sunset Boulevard in the City of Los Angeles ("City").[1] As we understand it, approval of a Density Bonus and Affordable Housing Incentives has been requested from the City. The Affordable Housing Incentive requested is an off-menu incentive to allow an increase in floor area in order to render the project financially feasible with 28 affordable housing units for very low-income households, per Section 12.22-A,25(f)(4) of the Los Angeles Municipal Code.

AG-SCH 8150 Sunset Boulevard Associates, L.P. ("AG-SCH") provided us the basic development program for the development with a Density Bonus and Affordable Housing Incentives, as well as the 2012 land acquisition cost and a conceptual estimate of development costs (which we independently reviewed). AG-SCH also provided us the costs associated with the buy-out of eight existing tenants on the site, and estimates for certain professional fees, legal and environmental consulting costs, which are above-average due to the particulars of this project. We used AG-SCH's development programs, land cost, buy-out cost, and certain consultant costs in our analyses, but applied our own independent calculations of all other development costs, net operating income and investment returns. Our analysis utilizes HR&A's extensive real estate analysis experience as well as a number of well-established third-party real estate industry data sources for the Los Angeles area, which are noted in the detailed development pro formas in Attachment B to this letter.

We evaluated the project's financial feasibility based on two investment return metrics commonly used in the real estate industry. First, for the income-producing apartment and retail uses, we evaluated the return on total development cost (i.e., Net Operating Income (NOI) divided by total development cost), for which we assumed a minimum threshold of one percentage point more than the applicable weighted average income capitalization (or "cap") rate for new development at this location, to account for investment risk.[2]

[1] This Financial Feasibility Analysis is for Alternative 9 (Gehry Partners Design), and supplements our March 1, 2016 Financial Feasibility Analysis for the 1:1 FAR development scenario and the original project 3:1 FAR development scenario.

[2] The cap rate used for the feasibility determination in this analysis is a weighted average, based on the share of Net Operating Income (NOI) generated by retail versus residential uses, which is then multiplied by the cap rate for each respective land use. For example, with approximately $4.0 million in retail NOI and approximately $7.1 million in residential NOI (i.e., generated by 191 market rate apartments and 28 affordable units), the resulting weighted average cap rate 4.6% includes a larger contribution from the residential cap rate than the retail cap rate.

Second, we evaluated the developer profit margin that would be generated by the project. This involved dividing the NOI from the project's rental components (retail and apartments) by the weighted average cap rate to estimate the sale value of the rental component of the development at stabilized operation. We then added estimated sale proceeds for the project's for-sale condominium units, and deducted costs of sale and total development costs. The ratio of the resulting developer profit to the net after-sale value of the project as a whole was then compared with a minimum developer profit margin threshold of 12.5 percent, which in our experience is a typical return threshold for Los Angeles development projects (i.e., midpoint of a 10-15 percent range). Both of these return metrics are viewed as conservative (i.e., relatively low), considering the significant entitlement and litigation risk associated with a large project in the Hollywood Community Plan area.

Using this approach and based on the analysis summarized below, and supported by the calculation detail in Attachment B to this letter, we conclude that:

- **The development designed by Gehry Partners with 191 market rate rental units, 28 affordable rental units for very low-income households, 30 market rate for-sale units, 65,000 square feet of commercial space, and Affordable Housing Incentives that achieve a 3.0 FAR would be financially feasible.** This is because the income-producing uses would generate a return on total development cost that is greater than the minimum threshold (i.e., 5.7% vs. 4.6%), and the entire project including the for-sale units, would generate a developer profit margin that is greater than the minimum acceptable threshold (i.e., 15.9% vs. 12.5%).

The basis for this conclusion is summarized below. Sources and notes for the assumptions used in the analysis are included with more detailed pro formas in Attachment B to this letter.

As shown in Table 1, the project's development costs total $276.5 million, Net Operating Income totals $11 million and Net Sales Revenue totals $89.4 million. As stated above, the minimum return on cost feasibility threshold for the income-producing uses was set at one percentage point more than a weighted average of the applicable cap rates for each rental land use (i.e., 5.4% for retail and 4.2% for multi-family residential, resulting in a weighted average cap rate for this development scenario of 4.6%). In order to appropriately reflect the return on cost of the NOI generated by the rental uses, both the condominium sales and the cost of constructing the condominiums were excluded from this calculation. The resulting return on total development cost, less the condominium construction cost, is 5.7 percent, as compared with a minimum threshold of 5.6 percent. For the project as a whole, which includes the sale value of the condos and the cost of construction for all product types, the ratio of developer profit to net after-sale value produces a profit margin of 15.9 percent, as compared with a minimum threshold of 12.5 percent. Therefore, this development scenario is financially feasible.

Table 1: The 3.0 FAR Development Scenario designed by Gehry Partners with Market Rate and Affordable Housing and Retail, Density Bonus, Flexible Parking Incentives, and Off-Menu FAR Incentives

	With Affordable Housing Incentives	
	Per Unit	**Total**
Development Program		
Land Area (sf)	447	111,339
Gross Building Area (GSF)	1,341	333,903
FAR (based on GSF)		3
Rentable Area - Residential (NSF)	675	168,170
Rentable Area - Commercial (NSF)		65,000
Sellable Area - Residential (NSF)		61,144
Building Efficiency		88.1%
Apartments		
Market Rate		191
Affordable		28
Condominium		30
Total Units		249
Subterranean Parking		
Levels		4
Total Residential & Commercial Parking		820

Development Costs	**Total**
Land Acquisition	$ 34,000,000
Hard Construction	$ 165,150,949
Soft Costs	$ 52,291,619
Financing Costs	$ 25,084,398
Total Development Cost (TDC)	**$ 276,526,966**
Sales - Residential	
Net Sales Revenue	**$ 89,478,660**
Net Operating Income	Annual
Net Apartment Income	$ 7,073,527
Net Commercial Income	$ 3,953,235
Net Operating Income (NOI)	**$ 11,026,762**
Feasibility	
Return on Cost (NOI / TDC)	**5.7%**
Feasible?	**YES**
(Minimum = Cap Rate + 1.00% = 5.6%)	
Developer Profit Margin	
Net Project Sale Value	$ 328,687,766
Less: Total Development Cost (from above)	$ (276,526,966)
Developer Profit	**$ 52,160,800**
Developer Profit Margin	**15.9%**
Feasible?	**YES**
(Minimum = 12.5%)	

The details of our analysis of project feasibility are included in Attachment B to this letter. As noted above, AG-SCH provided us the basic development program for both scenarios, the 2012 land acquisition cost (which we reviewed against comparable sales for that period) and a conceptual estimate of development costs prepared by Suffolk Construction (which we reviewed against Marshall & Swift cost estimations for the Los Angeles area). AG-SCH also provided us the costs associated with the buy-out of eight existing tenants on the site, including two major national/regional fast food chains, and other design, environmental, legal and outreach (collectively "consultant") costs in consideration of the unique character of the proposed project design and the high degree of litigation risk associated with major projects within the Hollywood Community Plan area. As also noted above, we used the development programs, land, buy-out and consultant costs, but applied our own independent calculations of development costs, net operating income and investment returns.

Development costs for the 3.0 FAR Development Scenario designed by Gehry Partners reflect both an elevated level of interior and exterior finishes as well as extensive subterranean parking, which will require major excavation and export of soil. In addition, the retail component of the project will require broker involvement to ensure rapid lease-up, commissions for which are included in total development costs. The elevated levels of finishes are expected to support residential and retail pricing at the highest end of current offerings in the Los Angeles area, which will be consistent with retail and residential products along the Sunset Strip portion of Sunset Boulevard in West Hollywood and Los Angeles.

The market rate apartment rents used to calculate NOI for the project, which average about $6.30 per square foot are based on a review of market comparables for high-end, new construction apartments with retail in prime submarket areas and an analysis of rent premiums associated with highly-amenitized, luxury buildings as well as rent premiums associated with buildings designed by high-profile architects such as Frank Gehry. There are few directly comparable buildings in the Los Angeles region and as such, the rents used in this analysis are conservative estimates. The closest comparable is 8500 Burton Way, where apartment rents are reported to average about $7.00 per square foot. Our analysis assumes that, unlike many apartment buildings, rents for larger units are slightly higher on a per-square-foot basis than smaller units, as larger units will be located on higher floors with premium views. Reported rents for 8500 Burton and two additional comparable buildings, as well as estimated cap rates for recent nearby sales are included in Attachment A of this memo.

The condominium sale prices used to calculate the project's net sales revenue, which average about $1,770 per square foot, are based on a review of market comparables for the highest-end of newly constructed condominiums in prime submarket areas. Reported sales for these properties are also included in Attachment A of this memo. It assumed that the comparable properties already include a premium associated with either a high-profile architect, superior level of services or location, and as such, there is no additional premium incorporated into the analysis.

In determining the above-mentioned development costs, net operating income, project value and investor returns, HR&A relied on generally accepted third party and other data sources (sources for all assumptions are included in Attachment B) and our own expertise. HR&A is a national economic development, real estate advisory and public policy consulting firm. We have extensive experience analyzing the financial feasibility of many different kinds of development products and

planning initiatives, including extensive experience in the Los Angeles metro area. Our clients include a wide range of private and public sector organizations, including various departments of the City of Los Angeles.

Please contact me if you or the City of Los Angeles Department of City Planning has any questions about our analysis and conclusions.

Sincerely,

Paul J. Silvern
Vice President

Attachment A: 8150 Sunset Blvd. Rent and Cap Rate Comparables
Attachment B: 8150 Sunset Blvd. Financial Feasibility Analysis Without and With Proposed Density Bonus and Affordable Housing Incentives for Increased Floor Area

HR&A Analyze. Advise. Act.

ATTACHMENT A

8150 Sunset Blvd. Rent, Sale, and Cap Rate Comparables

Apartment Rent Comparables[1]

	Average Unit Size (SF)		Average Rents		Average Rents Per SF	
Address	**1 BR**	**2+ BR**	**1 BR**	**2+ BR**	**1 BR**	**2+ BR**
8500 Burton Way	991	1,448	$6,469	$9,005	$6.53	$6.22
375 N. La Cienega Blvd	707	1,254	$3,176	$5,247	$4.49	$4.18
10700 Wilshire Blvd	1,234	1,809	$6,200	$9,672	$5.02	$5.35
Average	**977**	**1,504**	**$5,282**	**$7,975**	**$5.35**	**$5.25**
Average w/ 15% High-Profile Architect Premium			**$6,074**	**$9,171**	**$6.15**	**$6.04**

Source: CoStar Group

[1] Includes large, very high-end new construction

Condominium Sale Comparables

	Average Unit Size		Average Sale Prices		Average Sale Prices PSF	
Address	**2BR**	**3+BR/PH**	**2BR**	**3+BR/PH**	**2BR**	**3+BR/PH**
1 Century Drive	2,683	5,336	$3,402,885	$8,833,030	$1,268	$1,655
1200 Club View Dive	3,398	3,888	$5,458,000	$9,512,118	$1,606	$2,447
1705 Ocean Ave	1,579	2,195	$2,140,272	$4,950,000	$1,355	$2,255
1755 Ocean Ave	1,666	2,405	$2,434,690	$5,100,167	$1,461	$2,121
225 N Canyon Drive		4,091		$9,306,269		$2,275
Average	**2,332**	**3,583**	**$3,358,962**	**$7,540,317**	**$1,423**	**$2,151**

Source: Redfin

Retail Rent Comparables[1]

Address	**Average Monthly Rent Per SF**
6410-6412 Hollywood Blvd	$3.75
300-306 N Robertson Blvd	$7.00
8969 Santa Monica Blvd	$5.50
1050-1062 Vine St	$3.95
6338-6344 Hollywood Blvd	$5.70
6660 W Sunset Blvd	$3.50
8250-8254 Melrose Ave	$5.95
8101 Melrose Ave	$10.00
8373 Melrose Ave	$6.00
1619 N La Brea Ave	$4.00
Average	**$5.54**

Source: CoStar Group

[1] Includes retail spaces over 1,500 SF within the West Hollywood and Hollywood submarkets, with NNN lease initiation dates after June 2015.

Cap Rate Comparables[1]

Address	**Cap Rate**
Multifamily Residential[2]	
1724 Highland Ave	3.88%
7950 Sunset Blvd	4.25%
10700 Wilshire Blvd	3.30%
6138 Franklin Ave	3.40%
5659 8th St	3.50%
6300 Hollywood Blvd	7.00%
Average	**4.22%**
RERC - Apartment	4.80%
Retail[3]	
8000 W Sunset Blvd	6.00%
6904-6912 Hollywood Blvd	6.75%
11817-11819 Wilshire Blvd	3.50%
Average	**5.42%**
RERC - Retail	5.80%

Source: CoStar Group; Real Estate Research Corp 2015 Q4 data

[1] Within the Bel Air, Beverly Hills, Brentwood, Century City, Hollywood Hills,

[2] Includes properties that were built after 2000, have 50 or more residential

[3] Includes properties with 30,000 or more square feet of retail space that were sold after January 2012.

Attachment B

8150 Sunset Blvd. Project

Financial Feasibility, With Density Bonus, 3.0 FAR Development Scenario Designed by Gehry Partners with Off-Menu FAR Incentive, Parking Reduction and Side Yard Reduction

	With Density Bonus	
	Per Unit	**Total**
Development Program[1]		
Land Area (sf)	447	111,339
Gross Building Area (GSF)	1,341	333,903
FAR (based on GSF)		3.0
Rentable Area - Residential (NSF)	675	168,170
Rentable Area - Commercial (NSF)		65,000
Sellable Area - Residential (NSF)		61,144
Building Efficiency		88.1%
Apartments		
Market Rate		191
Affordable		28
Condominium		30
Total Residential Units		249
Subterranean Parking		
Levels		4
Total Residential & Commercial Parking		820

Unit Mix[1]	Number	Net Rentable SF	Mo. Rent/NRSF	Mo. Rent	Total Mo. Rent
Market Rate[2]					
Studio	48	480	$6.40	$3,072	$ 147,456
1 Bedroom	116	775	$6.25	$4,844	$ 561,875
2 Bedroom	17	1,150	$6.10	$7,015	$ 119,255
3 Bedroom	10	1,400	$6.50	$9,100	$ 91,000
	191				$ 919,586
Affordable[3]					
Studio	6	480	$0.96	$463	$ 2,778
1 Bedroom	18	775	$0.67	$520	$ 9,360
2 Bedroom	3	1,150	$0.50	$576	$ 1,728
3 Bedroom	1	1,400	$0.45	$634	$ 634
	28				$ 14,500

	Number	Net SF	Sale Price/NSF	Total Sale Price	Total Sales
Condominium[4]					
2 Bedroom	15	1,500	$1,650	$2,475,000	$ 37,125,000
3 Bedroom	13	2,200	$1,450	$3,190,000	$ 41,470,000
4 Bedroom	2	5,022	$2,100	$10,546,200	$ 21,092,400
	30				$ 99,687,400

Land	Per Land SF	Per Unit	**Total**
Land Acquisition[5]	$ 305	$ 136,546	$ 34,000,000
Subtotal Land	$ 305	$ 136,546	**$ 34,000,000**

Construction[6]		Per Bldg. GSF	Per Unit/Space	**Total**
Hard Construction-Buildings (weighted average for all components)		$ 331	$ 444,283	$ 110,626,468
Hard Construction-Subt. Parking (per space)[7]	820		$ 42,500	$ 34,850,000
Hard Construction-Sitework (x Excavation Cu. Yard)[8]	$75			$ 4,387,500
Hard Construction-Site Improvements (x Open Area SF)	$50			$ 4,172,650
Tenant Improvements Allowance (x Retail NSF)[8]	$50	$ 10		$ 3,250,000
Hard Cost Contingency (x Subtotal)[7]	5%	$ 24	$ 31,584	$ 7,864,331
Subtotal Construction		$ 495	$ 663,257	**$ 165,150,949**

Soft Costs[9]				
Design, Engineering & Consulting Services (x Hard Costs)	14.0%	$ 69.25	$ 92,856	$ 23,121,133
Permits & Fees (x Hard Costs)	4.0%	$ 19.78	$ 26,530	$ 6,606,038
Taxes, Insurance, Legal & Accounting (x Hard Costs)	3.0%	$ 14.84	$ 19,898	$ 4,954,528
Development Management (x Hard Costs)	4.0%	$ 19.78	$ 26,530	$ 6,606,038
Tenant Buyouts[10]		$ 15.27	$ 20,482	$ 5,100,000
EIR, Legal, & Public Outreach[11]		$ 8.09	$ 10,843	$ 2,700,000
Leasing Commissions[12]		$ 5.89	$ 7,893	$ 1,965,250
Soft Cost Contingency (x Subtotal)	3.0%	$ 3.71	$ 4,974	$ 1,238,632
Subtotal Soft Costs	31.7%	$ 156.61	$ 210,007	**$ 52,291,619**

Construction Financing Costs[9]		Per GSF	Per Unit	**Total**
Land + Hard Costs + Soft Costs	$ 251,442,568			
Loan to Cost Ratio	80%			
Construction Loan Principal	$ 201,154,054			
Loan Fees (%)	2.0%	$ 12.05	$ 16,157	$ 4,023,081
Interest Rate	6.0%			
Outstanding Principal Balance	60%			
Term (years)	2			
Construction Period (months)	30			
Construction Loan Interest		$ 54.22	$ 72,706	$ 18,103,865
Permanent Loan Points	2.0%	$ 8.86	$ 11 877	$ 2 957 452
Subtotal Construction Loan		$ 75.12	$ 100,741	**$ 25,084,398**
Total Development Cost (TDC)		$ 828.17	$ 1,110,550	**$ 276,526,966**

Sales - Residential

		Number	Net SF	Sales Price/NSF	Sales Price/ Unit	Total Sales Price
Total Units		30				
2 Bedroom		15	1,500	$ 1,650	$ 2,475,000	$ 37,125,000
3 Bedroom		13	2,200	$ 1,450	$ 3,190,000	$ 41,470,000
4 Bedroom		2	5,022	$ 2,100	$ 10,546,200	$ 21,092,400
Total Unit Sales Price						$ 99,687,400
Less: Marketing and Cost of Sale[9]	10%					$ (9,968,740)
Less: HOA Fees Through Full Building Absorption[13]					$ (18,000)	$ (270,000)
Less: Warranties [3]		30			$ 1,000	$ 30,000
Net Sales Revenue				$ 1,463		**$ 89,478,660**

Net Operating Income		Net SF	Per Unit/Mo.	Per NSF/Unit/Mo.	Annual
Gross Apartment Rental Income					
Market Rate Apartments[2]	191		$ 4,891	$ 6.38	$ 11,209,032
Affordable Apartments (Very Low-Income)[3]	28		$ 518	$ 0.67	$ 174,000
Miscellaneous Revenue[9]			$ 50	$ 0.07	$ 149 400
Gross Income			$ 3,860	$ 5.71	$ 11,532,432
Less: Vacancy Allowance[9]	5 0%		$ (193)	$ (0.29)	$ (576,622)
Effective Gross Income (EGI)			$ 3,667	$ 5.43	$ 10,955,810
Less: Annual Operating Expenses (x EGI)[9]	35 0%		$ (1,283)	$ (1.90)	$ (3,834,534)
Less: Replacement Reserve (per unit/year)[9]	$250		$ (16)	$ (0.02)	$ (47,750)
Net Apartment Income			$ 2,367	$ 3.51	$ 7,073,527

		Net SF	Per NSF//Mo	Annual
Gross Retail Rental Income (NNN)[2]		65,000	$ 5.50	$ 4,290,000
Less: Vacancy Allowance (x Gross Income)[9]	5%		$ (0.28)	$ (214 500)
Effective Gross Income (EGI)			$ 5.23	$ 4,075,500
Less: Management Fee (x EGI)[9]	3%		$ (0.16)	$ (122,265)
Net Commercial Income			$ 5.07	$ 3,953,235
Net Operating Income (NOI)			$ 2.75	**$ 11,026,762**

Feasibility

Return on Total Development Cost	TDC	Annual NOI
Net Operating Income (from above)		$ 11,026,762
Subtotal Development Cost (from above)	$ 276,526,966	
Less: Condominium Development Cost[14]	$ (82,352,890)	
Total Development Cost		$ 194,174,077
Return on Cost (NOI / TDC)		**5.7%**
Feasible?		**YES**
(Minimum = Weighted Average Cap Rate + 1.00% = 5 6%)[9]		

Developer Profit Margin		
Net Operating Income (from above)		$ 11,026,762
Weighted Average Cap Rate[15]	4.6%	
Apartment and Retail Value (NOI x Cap Rate)		$ 241,625,359
Less: Cost of Sale[9]	1.0%	$ (2,416,254)
Plus: Condominium Sales		$ 89 478 660
Net Project Sale Value		$ 328,687,766
Less: Total Development Cost (from above)		$ (276,526,966)
Developer Profit Margin		**$ 52,160,800**
% x Net Project Sale Value		**15.9%**
Feasible?		**YES**
(Minimum = 12.5%)[9]		

SOURCES & NOTES

[1] Townscape Partners.

[2] HR&A, based on a review of market comps for high-end new construction apartments with retail in prime submarket areas and an analysis of rent premiums associated with highly-amenitized, luxury buildings.

[3] LA Housing & Community Investment Dept. affordable rent schedule for Density Bonus program (Schedule VI), August 1, 2015, net of utility allowances, per Housing Authority of the City of Los Angeles.

[4] HR&A, based on a review of market comps for high-end new construction condominiums with retail in prime submarket areas and an analysis of rent premiums associated with highly-amenitized, luxury buildings.

[5] Townscape Partners-reported 2012 sale price. HR&A's review of comparable land sales for that period finds a range of prices between $400 and $600 PSF, suggesting that this price is reasonable and likely significantly below current market value.

[6] HR&A estimate of weighted retail ($238 psf) and residential ($351 psf apartments; $458 psf condominiums) based on Marshall & Swift Cost Estimator software, January 2016 data for LA area. Includes demolition, some site work, but factored to remove soft costs listed separately. Assumes an above-average quality, higher ceiling heights and adjustments for unusual facade/perimeter conditions. Additional supporting documentation from HR&A is available upon request.

[7] HR&A estimate of parking costs based on Marshall & Swift Cost Estimator software, January 2016 data for LA area. Assumes subterranean parking at $100 per GSF and 425 square feet per space.

[8] HR&A estimate of additional site work costs due to the significant amount of soil to be excavated and exported to Irwindale, CA, based on Marshall & Swift Cost Estimator software, January 2016 data for LA area.

[9] HR&A assumptions typical for this type of project and/or calculations.

[10] Townscape Partners. Includes buyout of 8 tenants, including 2 major national/regional fast food chains and miscellaneous other retail.

[11] Townscape Partners. Includes consideration of entitlement uncertainties and the high degree of litigation risk associated with major developments within the Hollywood Community Plan area.

[12] HR&A. Assumes a 3% broker commission on 5-year term commercial leases and 1.5% commission on 5-year lease renewals and marketing costs for both residential units and commercial space.

[13] HR&A. Assumes average Homeowners Association (HOA) fees of $1,500 per month, and that 50% of units are pre-sold, with the remainder absorbed over a two-year period.

[14] Share of total development cost based on ratio of building hard construction costs associated with the condomium component of the project and associated circulation and amenity space to overall building hard construction costs..

[15] Blended 5.4% retail and 4.2% multifamily cap rate, based on HR&A review of third party data sources (e.g., CoStar data for sale of similar buildings within relevant, nearby submarkets since 2012).

Prepared by: HR&A Advisors, Inc.

RSG
BETTER COMMUNITIES. BOLDER FUTURES.

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Via Electronic Mail

Date: July 1, 2016

To: Tyler Siegel
AG-SCH 8150 SUNSET BOULEVARD OWNER, L.P.

From: Jim Simon, Principal
Dominique Clark, Associate
RSG, INC.

SUBJECT: 8150 SUNSET BLVD. PROJECT FINANCIAL FEASIBILITY ANALYSIS PEER REVIEW – ALTERNATIVE 9 (GEHRY PARTNERS DESIGN)

Per your request, RSG, Inc. ("RSG") reviewed HR&A Advisors, Inc.'s ("HR&A") supplemental financial feasibility analysis of a mixed-use density bonus project ("Project") proposed by AG-SCH 8150 Sunset Boulevard Owner, L.P. ("Developer"). HR&A's supplemental analysis evaluates "Alternative 9", the Gehry Partners-designed alternative of the Project which incorporates a 3.0 floor area ratio (FAR) ("Project Alternative 9"). This analysis supplements HR&A's March 1, 2016 comparative analysis of (1) a 1.0 FAR development scenario and (2) a 3.0 FAR development scenario not designed by Gehry Partners ("Original Project"). In addition to the architect, Project Alternative 9 differs from the Original Project primarily in that it includes for-sale condominiums as well as rental apartments, the projected apartment rents per square foot are slightly higher, and the retail square footage is reduced from 110,000 to 65,000 square feet. Our understanding is that the Developer has submitted proposals for both Project alternatives to the Los Angeles Department of City Planning ("Planning Department").

The Project site consists of two parcels totaling 2.6 acres located at 8142-8148 West Sunset Boulevard in the City of Los Angeles ("City"). The parcels are currently improved with commercial buildings. The proposed development program entails the following components:

- 219 multi-family rental units, including 28 units restricted to very low-income households;
- 30 for-sale condominiums;
- 65,000 leasable square feet of commercial space;
- 820 parking spaces in a four-level subterranean garage;
- Various on-site amenities, including 4,000 square feet of recreation rooms for residents' use and a 2,700-square-foot fitness center.

Our understanding is that the Developer has submitted a request to the Planning Department for an "off-menu" incentive allowing a 3.0 FAR, in lieu of the allowable 1.0 FAR. To comply with the City's requirements for density bonus applicants requesting off-menu incentives, the Developer will provide the Planning Department (1) HR&A's original and supplemental analyses, which demonstrate that the off-menu 3.0 FAR incentive is necessary for the inclusion of the 28 affordable housing units to be economically feasible, and (2) RSG's memos summarizing the findings of our peer review of HR&A's analyses.

Executive Summary

Based on our peer review of HR&A's analysis, our conclusions are as follows:

- **We concur with HR&A's finding that Project Alternative 9 is financially feasible with the requested off-menu 3.0 FAR incentive**, because it would yield a return on total development cost and a developer profit margin that we believe are sufficiently high to attract market investment.

Analysis

Development Programming

Summary of HR&A Assumptions. Project Alternative 9 consists of 333,903 square feet of new floor area, including 219 rental apartment units averaging 768 square feet each, 30 for-sale condominium units averaging 2,038 square feet each, and 65,000 square feet of retail. Of the 219 apartment units, 28 would be restricted to very low-income households. Project Alternative 9 would also include 820 parking spaces in a four-level subterranean garage, as well as various on-site amenities.

Findings of RSG's Peer Review. RSG believes that the development programming assumptions are reasonable.

Development Costs

Summary of HR&A Assumptions. HR&A's development cost estimates incorporate the following assumptions:

- Land Acquisition Costs: $305 per square foot of land, which was the 2012 sale price as reported by the Developer

- Hard Construction – Building Costs: $331 per square foot

- Hard Construction – Subterranean Parking Costs: $42,500 per parking space

- Excavation and Exportation of Soil: $75 per cubic yard of soil excavated
- Site Improvements: $50 per square foot of open area
- Tenant Improvements Allowance: $50 per net square foot of retail
- Hard Cost Contingency: 5% of other hard costs
- Soft Costs: Either calculated by line item as a percentage of total hard costs or provided by the Developer, with the exception of the leasing commissions, which HR&A estimated based on an assumption of a 3% broker commission on 5-year term commercial leases and 1.5% commission on 5-year lease renewals and marketing costs for both residential units and commercial space
- Soft Cost Contingency: 3% of other soft costs
- Construction Financing Costs Assumptions:
    - Construction Loan Principal: 80% loan-to-cost ratio
    - Construction Loan Fees: 2.0% of loan principal, 6.0% interest rate, 60% outstanding principal balance, two-year loan term, and 30-month construction period
    - Permanent Loan Points: 2.0%

Findings of RSG's Peer Review. RSG believes that HR&A's development cost estimates and assumptions are reasonable. HR&A assumes that the hard building costs per square foot would be 24% higher for Project Alternative 9 than the Original Project. Gehry Partners' fee amount is unknown to RSG, but we believe that this cost increase assumption is reasonable, because the design of Project Alternative 9 requires more complicated and costly construction than the Original Project.

Additionally, our review included an analysis of HR&A's methodology of differentiating between the hard and soft costs inherent in the residential and retail hard cost estimates sourced from Marshall & Swift Cost Estimate software ("Marshall and Swift"). In order to estimate soft costs independently from Marshall and Swift while preventing double counting, HR&A assumed that about 20% of Marshall & Swift's estimates are attributed to softs costs and then deducted this 20%. RSG believes that this approach yields development cost estimates that are reasonable.

Condominium Net Sales Revenue

Summary of HR&A Assumptions. HR&A's net sales revenue estimates for the condominiums incorporate the following assumptions:

- Sales Prices: $1,450 - $2,100 per square foot
- Marketing and Cost of Sale: 10% of total unit sales price
- Homeowners Association (HOA) Fees through Full Building Absorption: Based on assumption of average HOA fees of $1,500 per month and pre-selling of 50% of units, with the remainder absorbed over a two-year period
- Warranties: $1,000 per unit

Findings of RSG's Peer Review. RSG believes that HR&A's condominium net sales revenue estimates are generally reasonable. As explained in HR&A's memo, the projected condominium sale prices are based on their review of market comparables for the highest-end of newly constructed condominiums in prime submarket areas.

Net Operating Income

Summary of HR&A Assumptions. HR&A's net operating income estimates incorporate the following assumptions:

- Market-Rate Apartment Rents: $6.10 - $6.50 per square foot
- Very Low-Income Apartment Rents: Based on the City Housing and Community Investment Department's affordable rent limits schedule for density bonus projects (effective August 1, 2015) and net of select utility allowances per the City's Housing Authority utility allowance schedule for multi-family residential housing (effective December 1, 2015)
- Residential Miscellaneous Income: $50 per unit per month
- Residential Vacancy Allowance: 5% of gross rental income
- Residential Operating Expenses: 35% of effective gross income
- Residential Replacement Reserve: $250 per unit per year

- Retail Income: $5.50 per triple net per rentable square foot per month
- Retail Vacancy Allowance: 5% of gross income
- Retail Management Fee: 3% of effective gross income

Findings of RSG's Peer Review. RSG believes that HR&A's net operating income estimates are generally reasonable. Two details worth noting, none of which are material to our conclusion that the Project is financially feasible, are as follows:

1. As explained in HR&A's memo, the assumptions regarding the market-rate rents are heavily weighted on the rents at one luxury property, 8500 Burton Way. Based on RSG's research, the rents at 8500 Burton Way are significantly higher than other apartments built since 2014 in the Hollywood submarket, but RSG believes that relying heavily on this comparable is defensible, given the rent premiums associated with buildings designed by high-profile architects like Gehry Partners.

2. The analysis does not include revenue from the retail parking spaces, based on the assumption that 100% of the retail parking will be validated by the associated businesses. This assumption may be understating some parking revenue for patrons that visit longer than a typical two to three-hour validation window, but this revenue would be modest and not affect the overall feasibility findings.

Financial Feasibility Analysis

Summary of HR&A Assumptions. HR&A's financial feasibility analysis incorporates the following assumptions:

- Threshold for Return on Total Development Cost: 5.6%
- Threshold for Development Profit Margin: 12.5%
- Cap Rate: 4.6%
- Cost of Sale: 1% of project value

Findings of RSG's Peer Review. RSG believes that the assumptions incorporated in HR&A's financial feasibility analysis are reasonable. RSG confirmed that these assumptions align with current market realities.

8150 SUNSET BOULEVARD

8150 SUNSET BLVD., LOS ANGELES, CA 90046

ALTERNATIVE 9 DRAWING SET

MAY 13, 2016

SHEET #	SHEET TITLE	SCALE	ISSUE AND DATE MAY 13, 2016
A000 SERIES	GENERAL INFORMATION, SITE INFORMATION		
A001	DRAWING INDEX	NTS	●
A002	VICINITY MAP, EXISTING SITE PHOTOGRAPHS	NTS	●
A005	PLOT PLAN	1/16" = 1'-0"	●
A100 SERIES	ARCHITECTURAL INFORMATION		
A101	EIR ALTERNATIVE 9 BASEMENT 04 FLOOR PLAN	1/16" = 1'-0"	●
A102	EIR ALTERNATIVE 9 BASEMENT 04 FLOOR PLAN	1/16" = 1'-0"	●
A103	EIR ALTERNATIVE 9 BASEMENT 04 FLOOR PLAN	1/16" = 1'-0"	●
A104	EIR ALTERNATIVE 9 BASEMENT 04 FLOOR PLAN	1/16" = 1'-0"	●
A105	EIR ALTERNATIVE 9 LEVEL 01 FLOOR PLAN	1/16" = 1'-0"	●
A106	EIR ALTERNATIVE 9 LEVEL 02 FLOOR PLAN	1/16" = 1'-0"	●
A107	EIR ALTERNATIVE 9 LEVEL 03 FLOOR PLAN	1/16" = 1'-0"	●
A108	EIR ALTERNATIVE 9 LEVEL 04-05 FLOOR PLAN	1/16" = 1'-0"	●
A109	EIR ALTERNATIVE 9 LEVEL 06 FLOOR PLAN	1/16" = 1'-0"	●
A110	EIR ALTERNATIVE 9 LEVEL 07 FLOOR PLAN	1/16" = 1'-0"	●
A111	EIR ALTERNATIVE 9 LEVEL 08 FLOOR PLAN	1/16" = 1'-0"	●
A112	EIR ALTERNATIVE 9 LEVEL 09-10 FLOOR PLAN	1/16" = 1'-0"	●
A113	EIR ALTERNATIVE 9 LEVEL 11 FLOOR PLAN	1/16" = 1'-0"	●
A114	EIR ALTERNATIVE 9 LEVEL 12 FLOOR PLAN	1/16" = 1'-0"	●
A115	EIR ALTERNATIVE 9 LEVEL 13 FLOOR PLAN	1/16" = 1'-0"	●
A116	EIR ALTERNATIVE 9 LEVEL 14 FLOOR PLAN	1/16" = 1'-0"	●
A117	EIR ALTERNATIVE 9 LEVEL 15 FLOOR PLAN	1/16" = 1'-0"	●
A118	EIR ALTERNATIVE 9 LEVEL 16 FLOOR PLAN	1/16" = 1'-0"	●
A120	EIR ALTERNATIVE 9 NORTH ELEVATION	1/16" = 1'-0"	●
A121	EIR ALTERNATIVE 9 WEST ELEVATION	1/16" = 1'-0"	●
A122	EIR ALTERNATIVE 9 SOUTH ELEVATION	1/16" = 1'-0"	●
A123	EIR ALTERNATIVE 9 EAST ELEVATION	1/16" = 1'-0"	●
A124	EIR ALTERNATIVE 9 SECTION LOOKING NORTH	1/16" = 1'-0"	●
A125	EIR ALTERNATIVE 9 SECTION LOOKING WEST	1/16" = 1'-0"	●

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NOTES

TITLE
ENVIRONMENTAL IMPACT REPORT
ALTERNATIVE 9
DRAWING INDEX

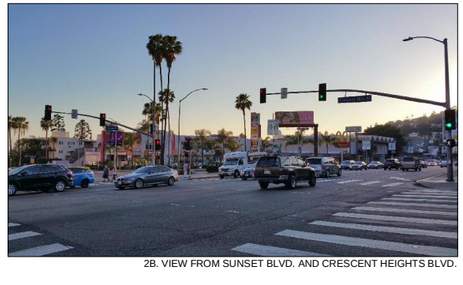
PROJECT NUMBER
2015-005
SCALE
DRAWN BY
DATE
2016-05-13
ORIGINAL SHEET SIZE:
36" x 48"

SHEET NUMBER
A001

2E. EXISTING STRUCTURE, LOOKING WEST

2C. EXISTING STRUCTURE, LOOKING EAST

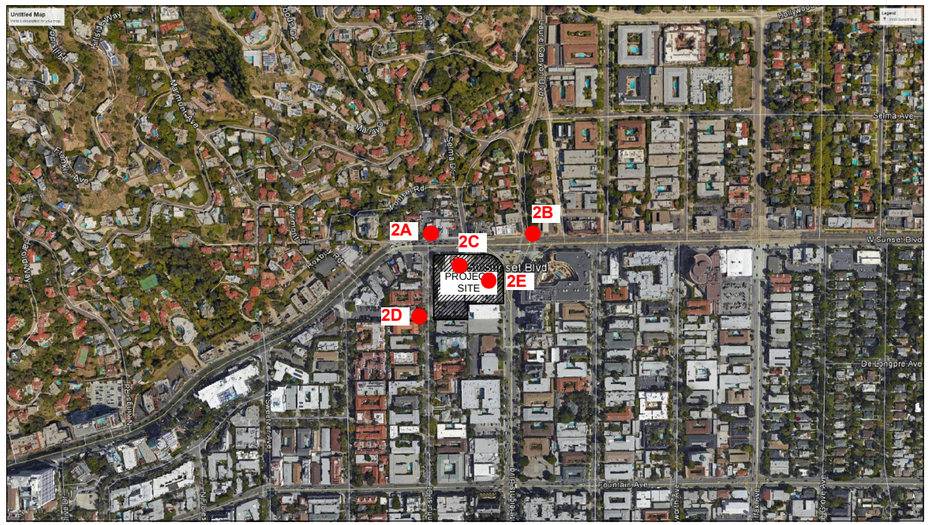
2D. VIEW FROM SOUTHWEST CORNER OF THE SITE



2B. VIEW FROM SUNSET BLVD. AND CRESCENT HEIGHTS BLVD.

2A. VIEW FROM SUNSET BLVD. AND HAVENHURST DR.

2 EXISTING SITE PHOTOGRAPHS
NTS



1 VICINITY MAP
NTS

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TITLE
ENVIRONMENTAL IMPACT REPORT
ALTERNATIVE 9
VICINITY MAP AND
EXISTING SITE PHOTOGRPAHS

PROJECT NUMBER
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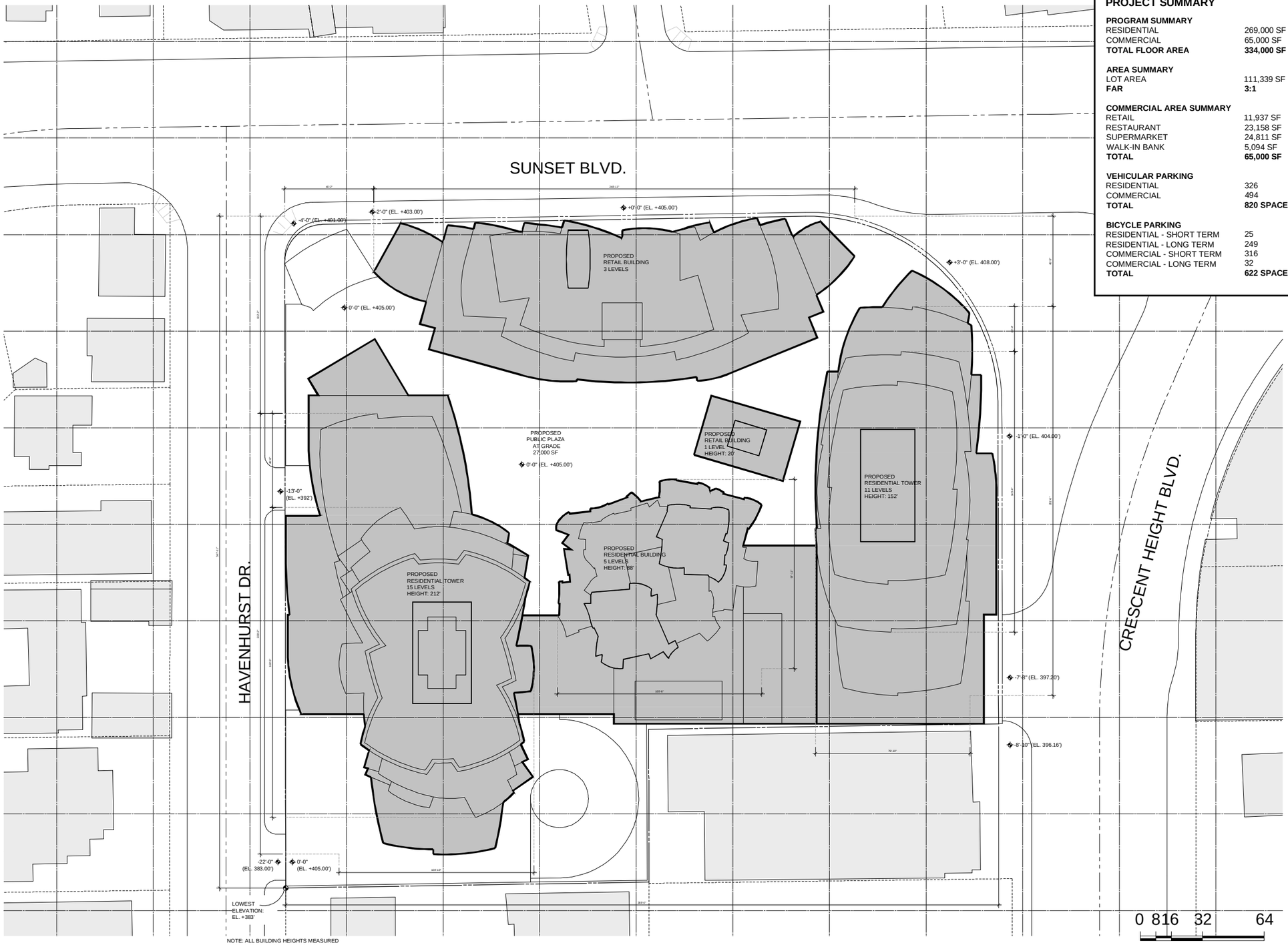
SCALE
DRAWN BY
DATE
2016-05-13
ORIGINAL SHEET SIZE:
36" x 48"

SHEET NUMBER
A002



NOTE: ALL BUILDING HEIGHTS MEASURED FROM THE LOWEST ELEVATION OF THE PROPERTY. (+383')

PROJECT SUMMARY

PROGRAM SUMMARY	
RESIDENTIAL	269,000 SF
COMMERCIAL	65,000 SF
TOTAL FLOOR AREA	**334,000 SF**
AREA SUMMARY	
LOT AREA	111,339 SF
FAR	**3:1**
COMMERCIAL AREA SUMMARY	
RETAIL	11,937 SF
RESTAURANT	23,158 SF
SUPERMARKET	24,811 SF
WALK-IN BANK	5,094 SF
TOTAL	**65,000 SF**
VEHICULAR PARKING	
RESIDENTIAL	326
COMMERCIAL	494
TOTAL	**820 SPACES**
BICYCLE PARKING	
RESIDENTIAL - SHORT TERM	25
RESIDENTIAL - LONG TERM	249
COMMERCIAL - SHORT TERM	316
COMMERCIAL - LONG TERM	32
TOTAL	**622 SPACES**

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TITLE
ENVIRONMENTAL IMPACT REPORT
ALTERNATIVE 9
PLOT PLAN

PROJECT NUMBER
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DATE
2016-05-13
ORIGINAL SHEET SIZE: 36" x 48"

SHEET NUMBER
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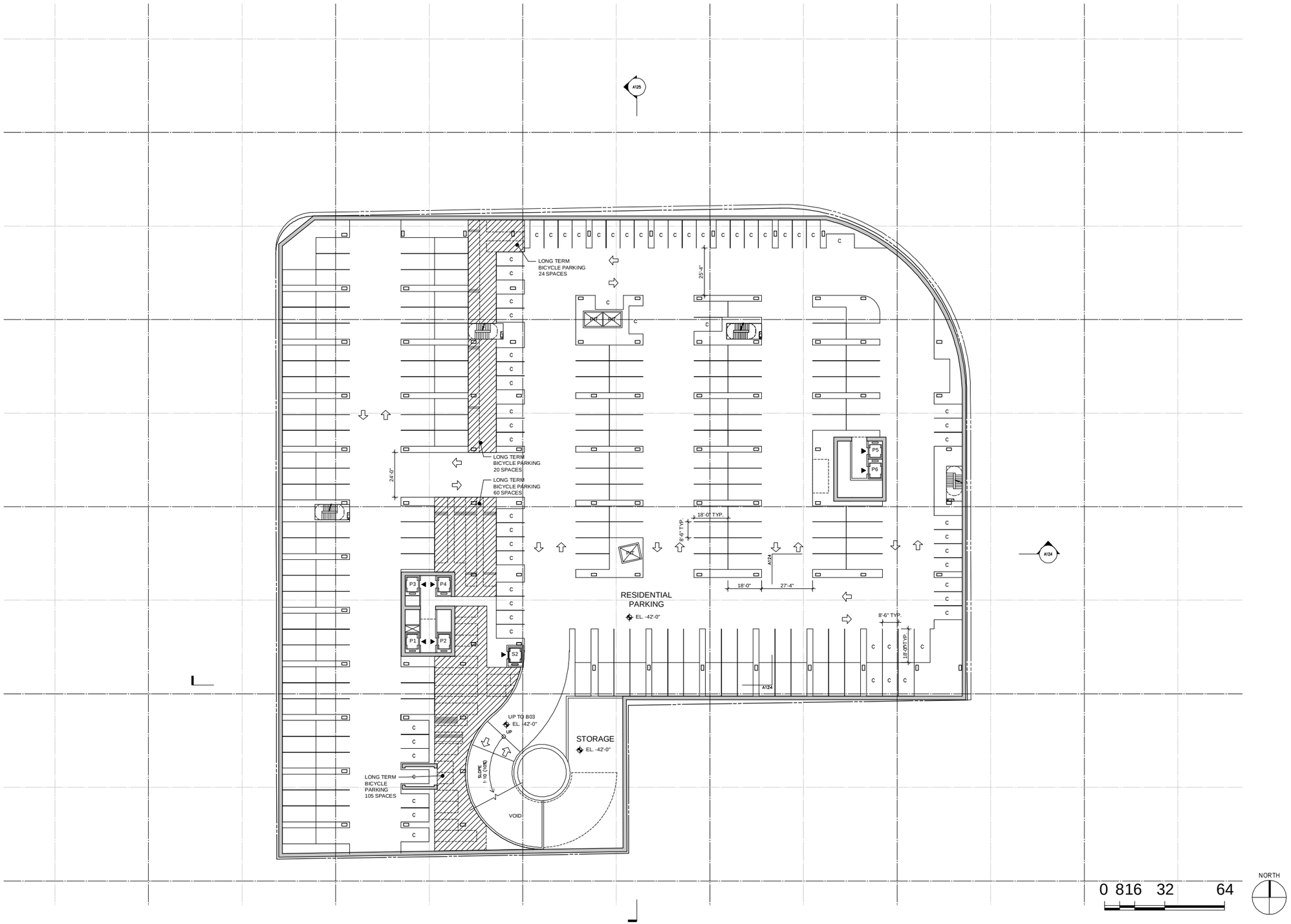

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TITLE
ENVIRONMENTAL IMPACT REPORT
ALTERNATIVE 9
BASEMENT 04 FLOOR PLAN

PROJECT NUMBER
2015-005
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SHEET NUMBER
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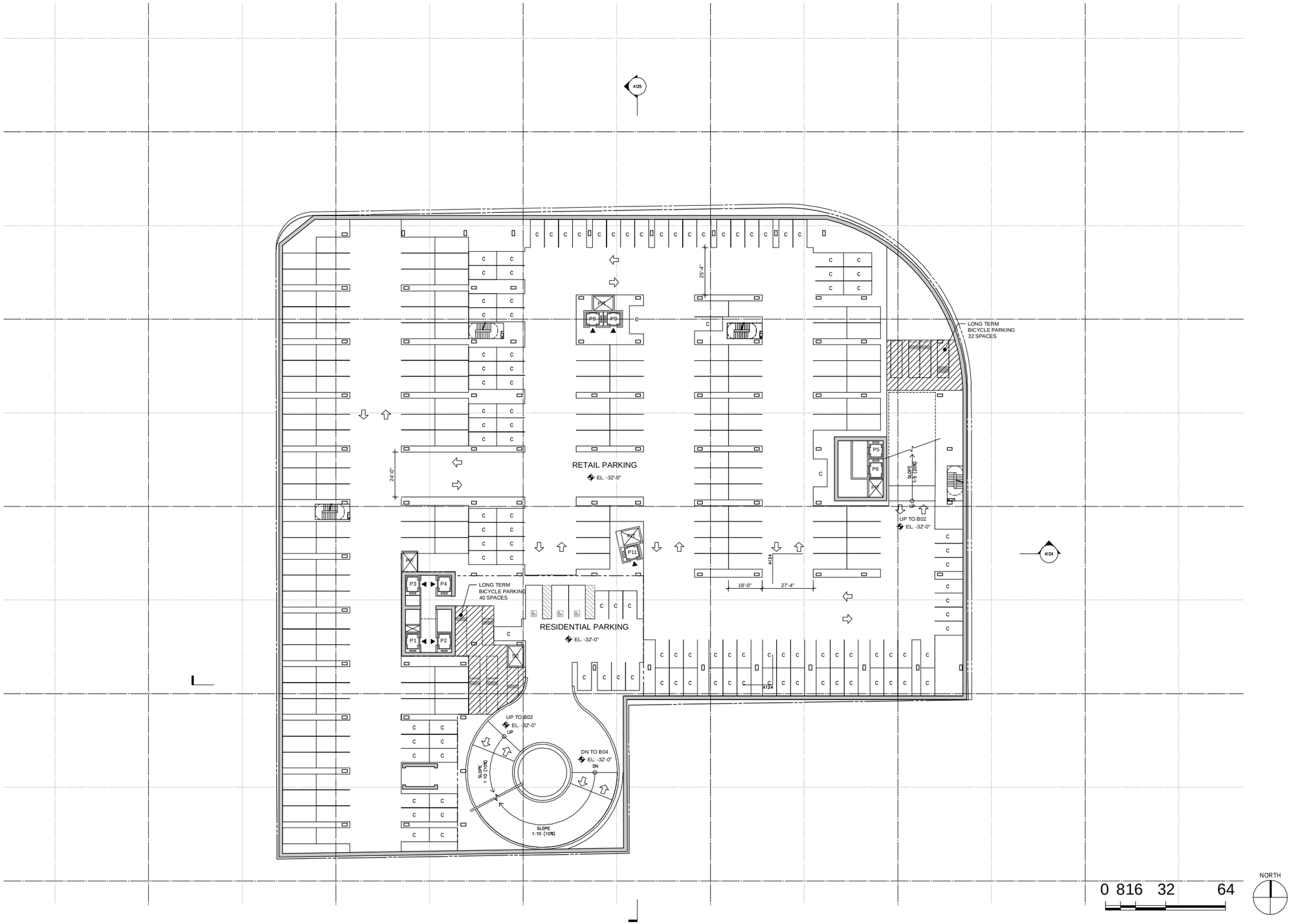

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ENVIRONMENTAL IMPACT REPORT
ALTERNATIVE 9
BASEMENT 03 FLOOR PLAN

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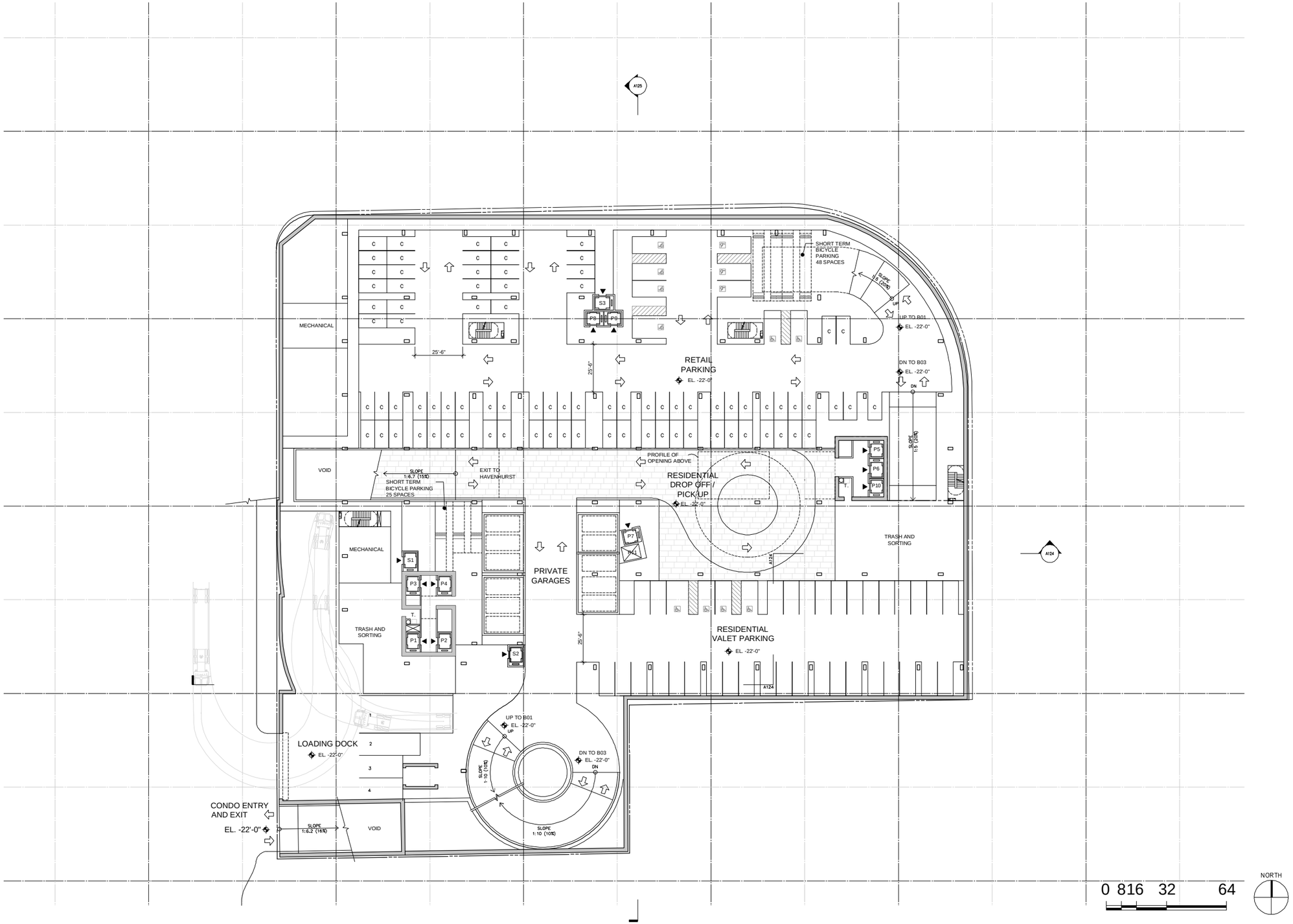

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TITLE
ENVIRONMENTAL IMPACT REPORT
ALTERNATIVE 9
BASEMENT 02 FLOOR PLAN

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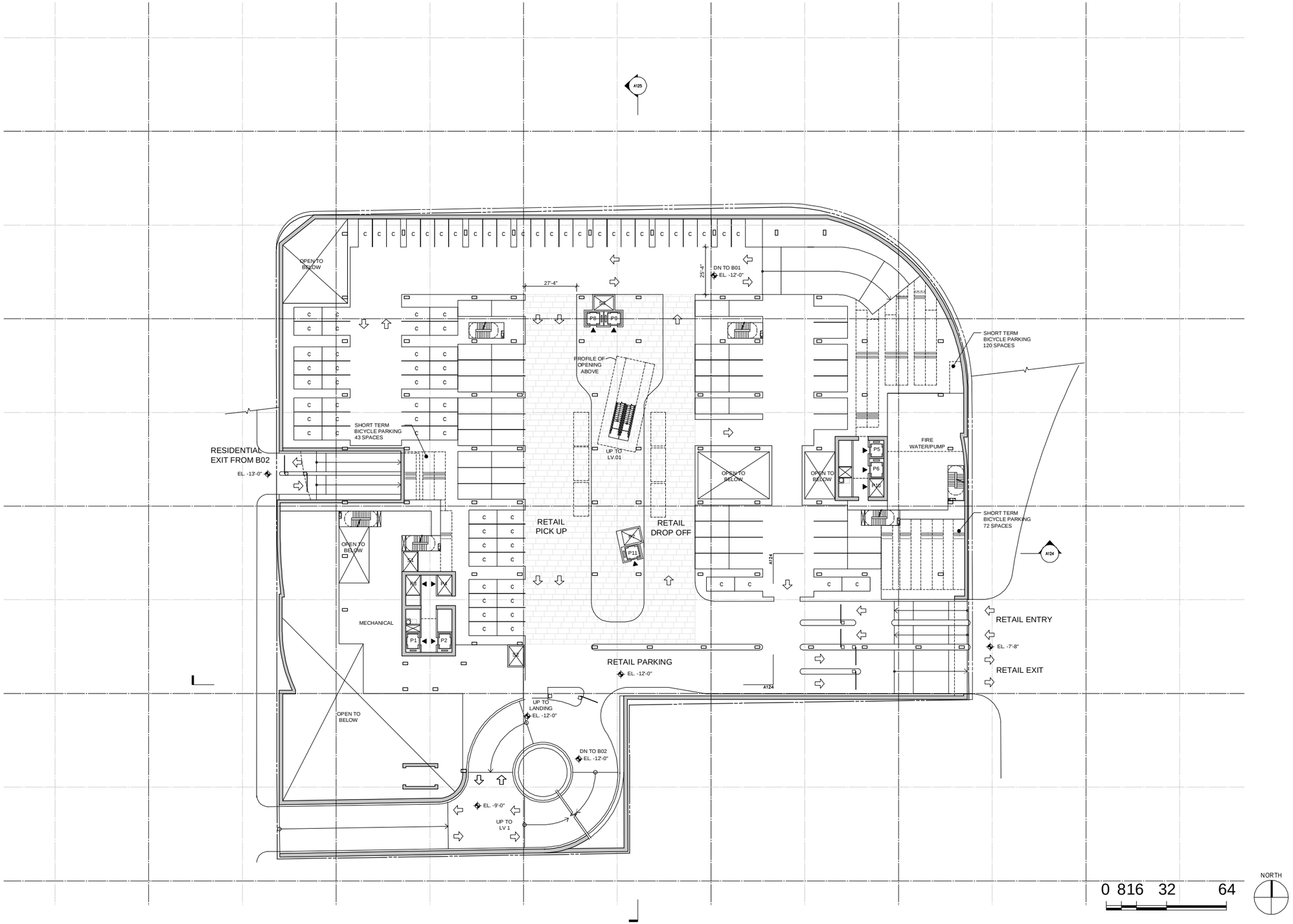

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TITLE
ENVIRONMENTAL IMPACT REPORT
ALTERNATIVE 9
BASEMENT 01 FLOOR PLAN

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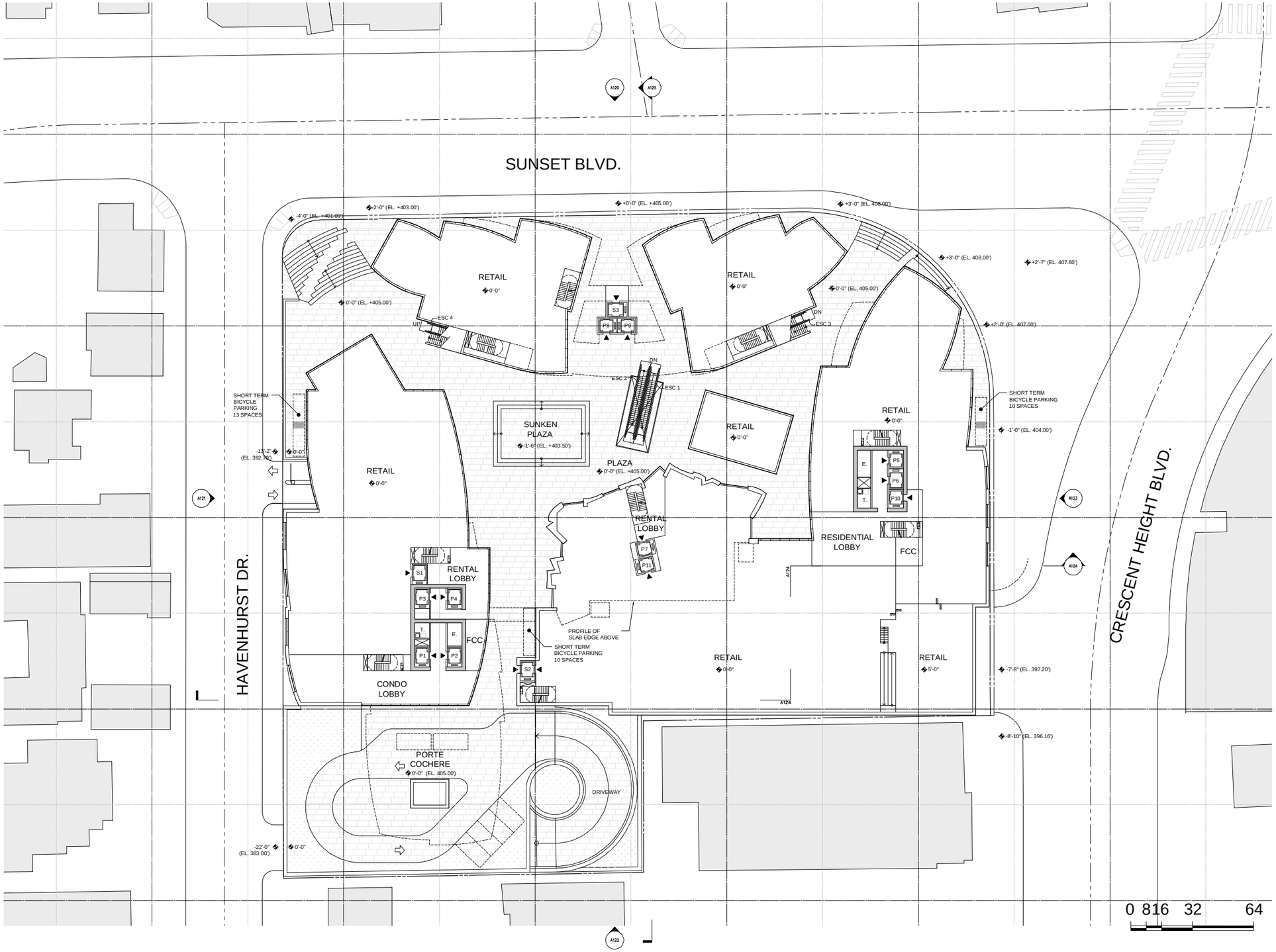

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ALTERNATIVE 9
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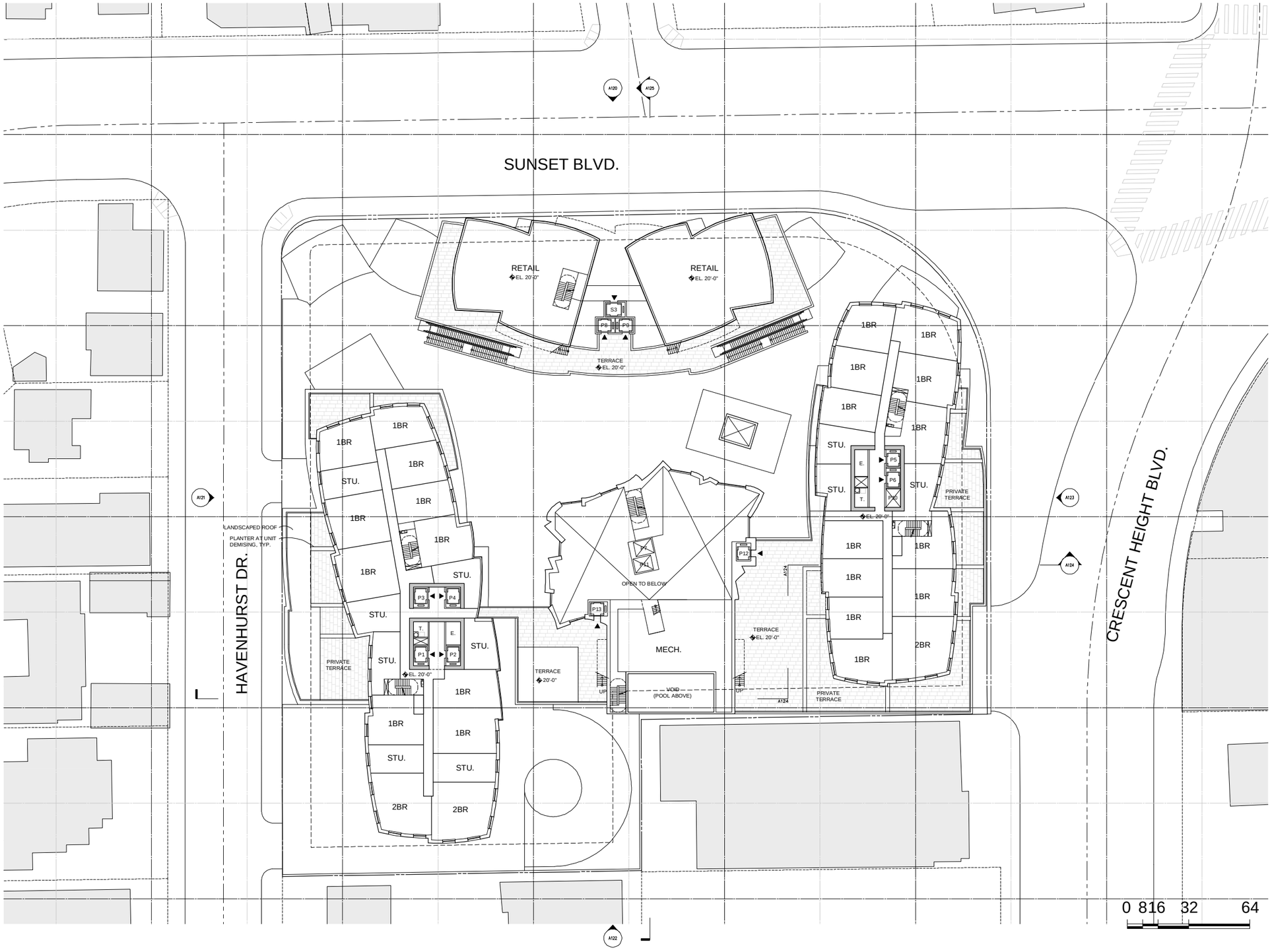

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ALTERNATIVE 9
LEVEL 02 FLOOR PLAN

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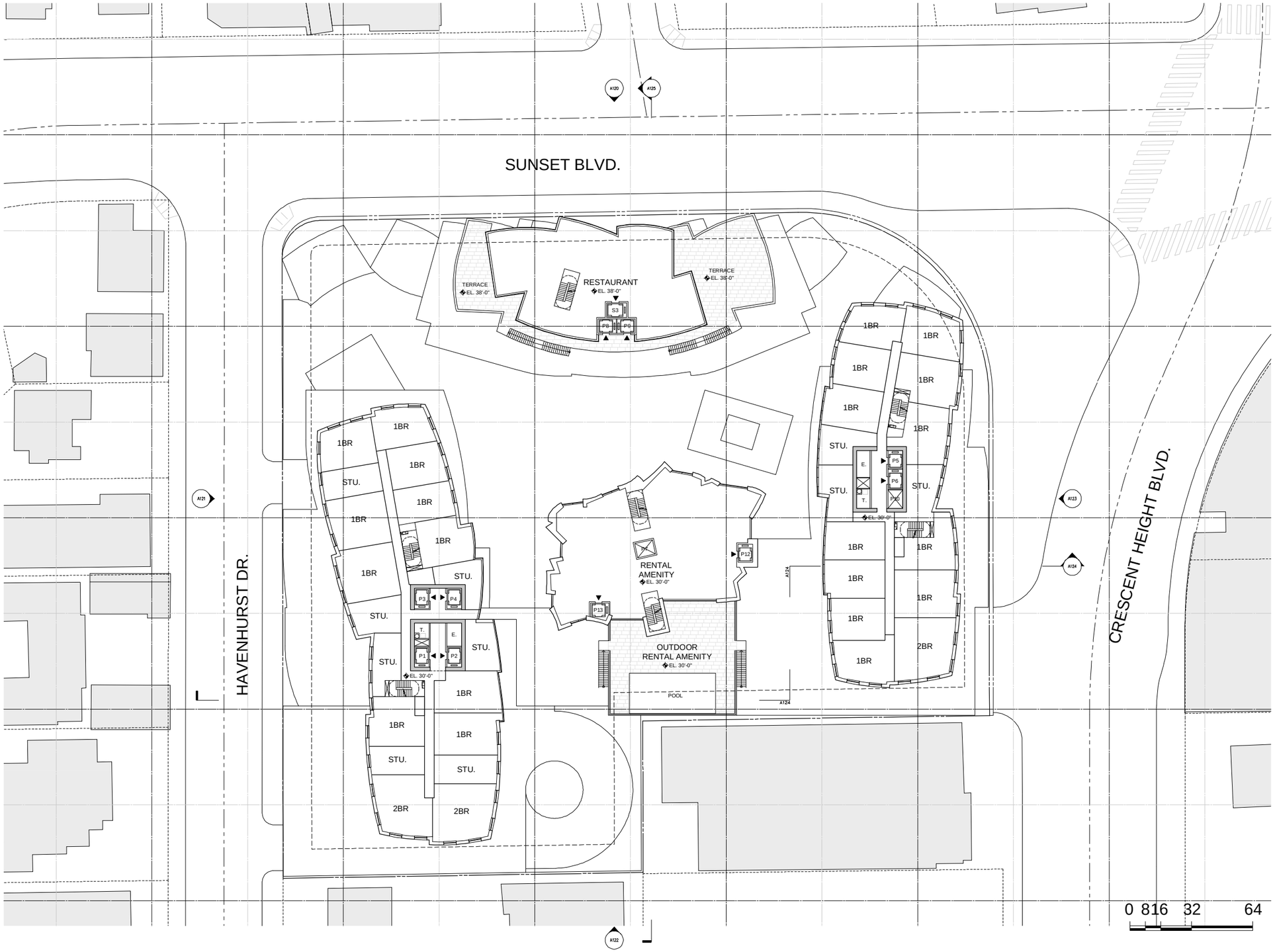

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ENVIRONMENTAL IMPACT REPORT
ALTERNATIVE 9
LEVEL 03 FLOOR PLAN

PROJECT NUMBER
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SHEET NUMBER
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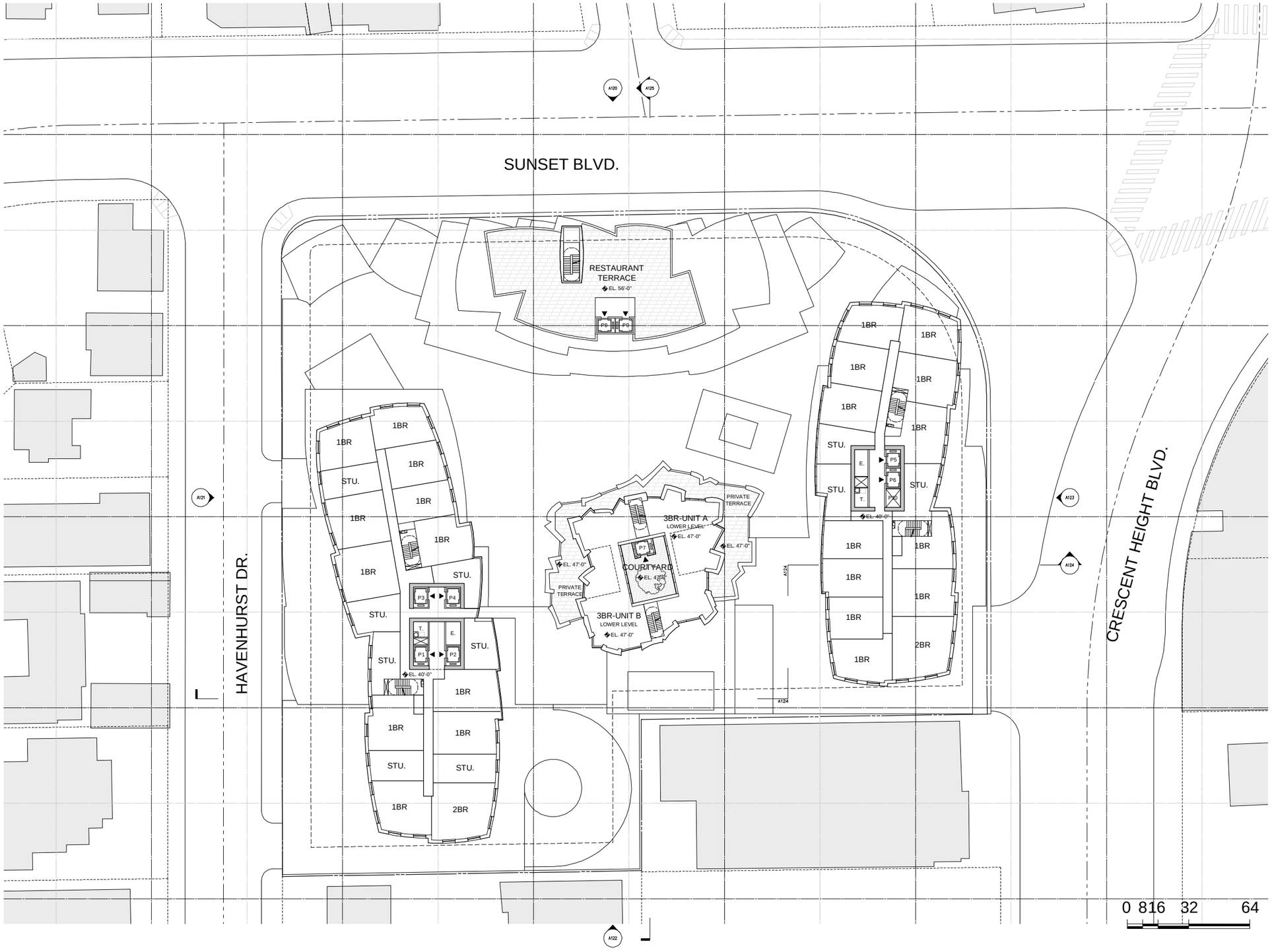

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TITLE
ENVIRONMENTAL IMPACT REPORT
ALTERNATIVE 9
LEVEL 04-05 FLOOR PLAN

PROJECT NUMBER
2015-005
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SHEET NUMBER
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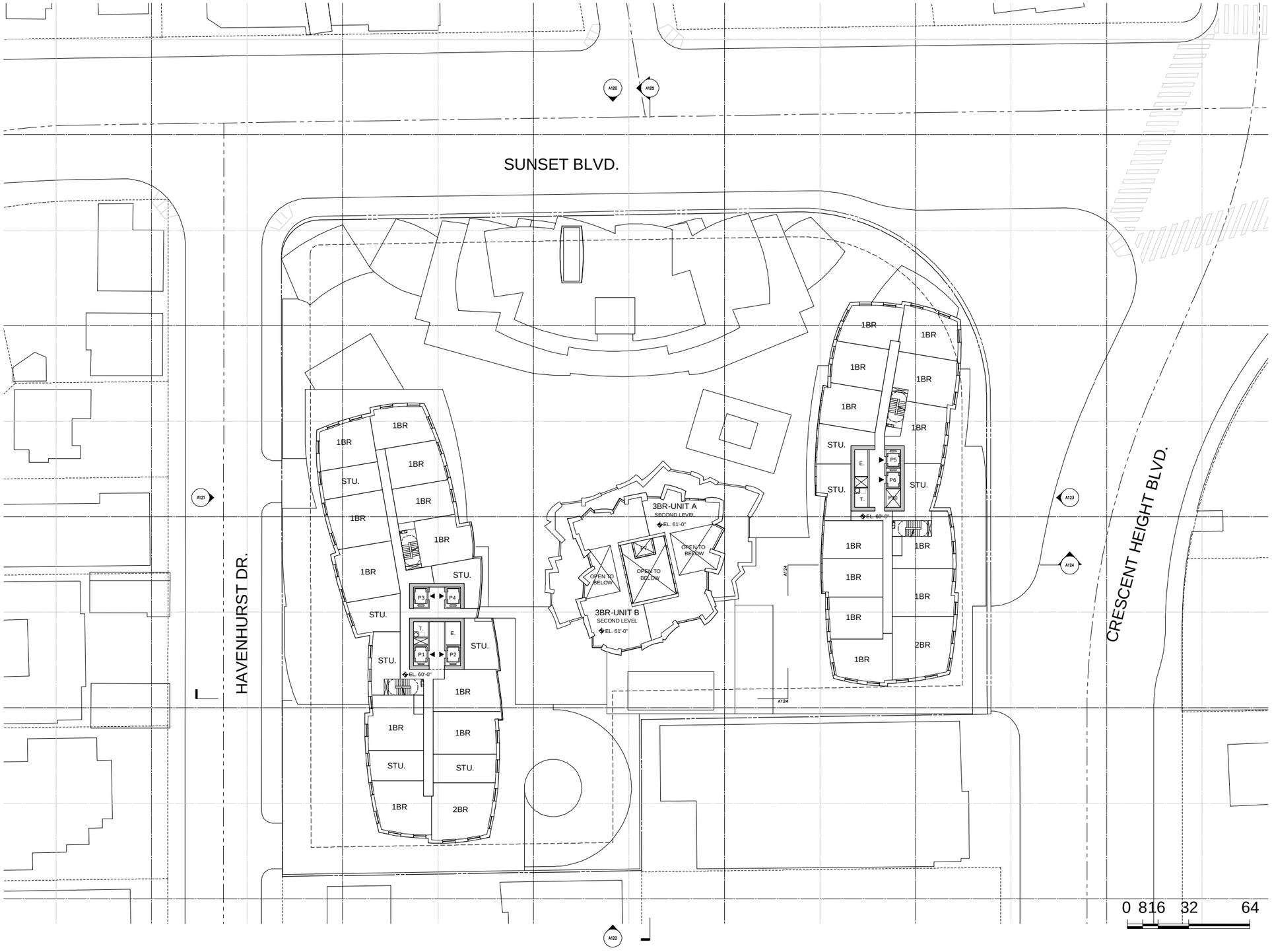

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ALTERNATIVE 9
LEVEL 06 FLOOR PLAN

PROJECT NUMBER
2015-005
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SHEET NUMBER
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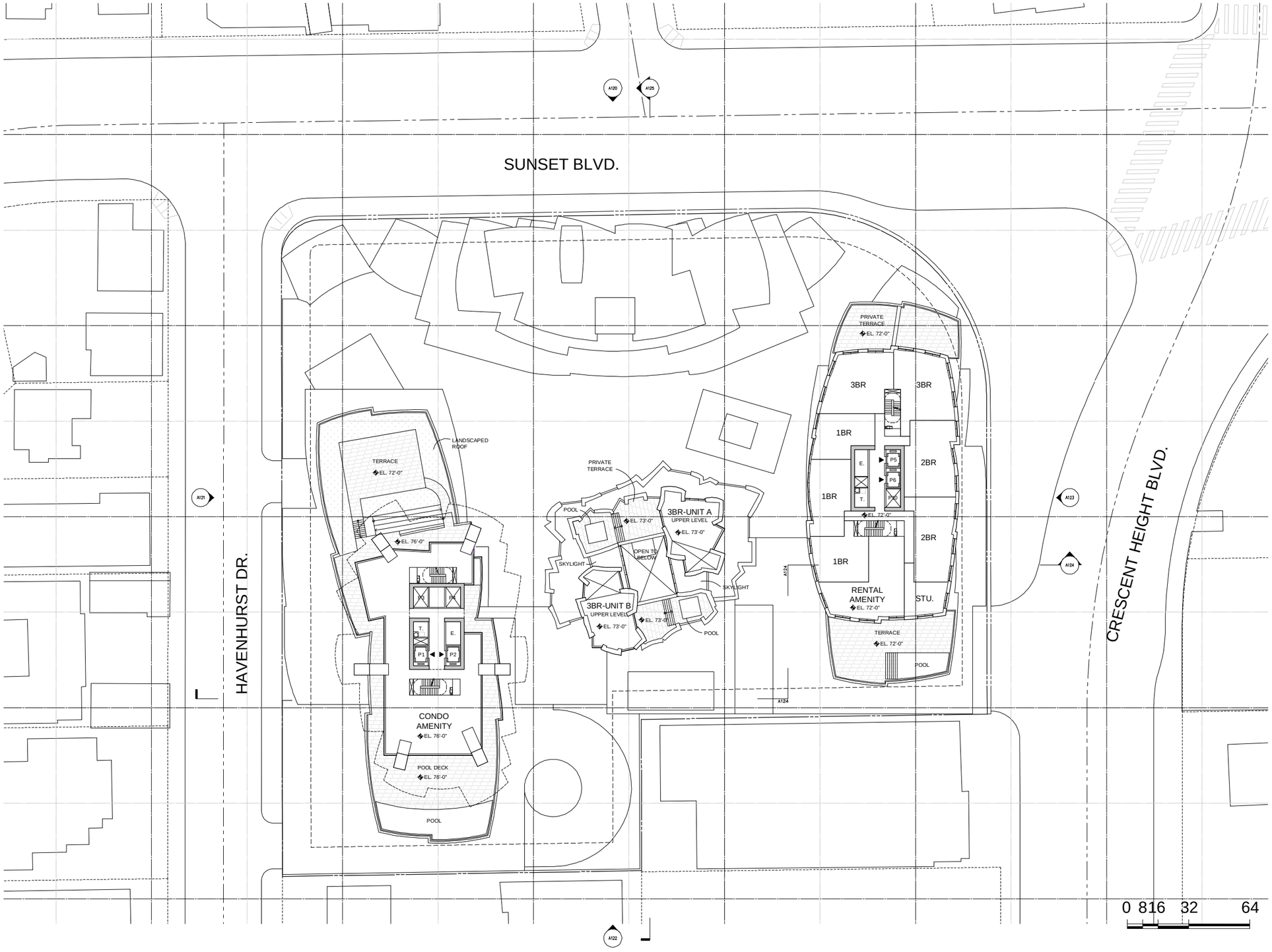

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ENVIRONMENTAL IMPACT REPORT
ALTERNATIVE 9
LEVEL 07 FLOOR PLAN

PROJECT NUMBER
2015-005
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DATE
2016-05-13
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SHEET NUMBER
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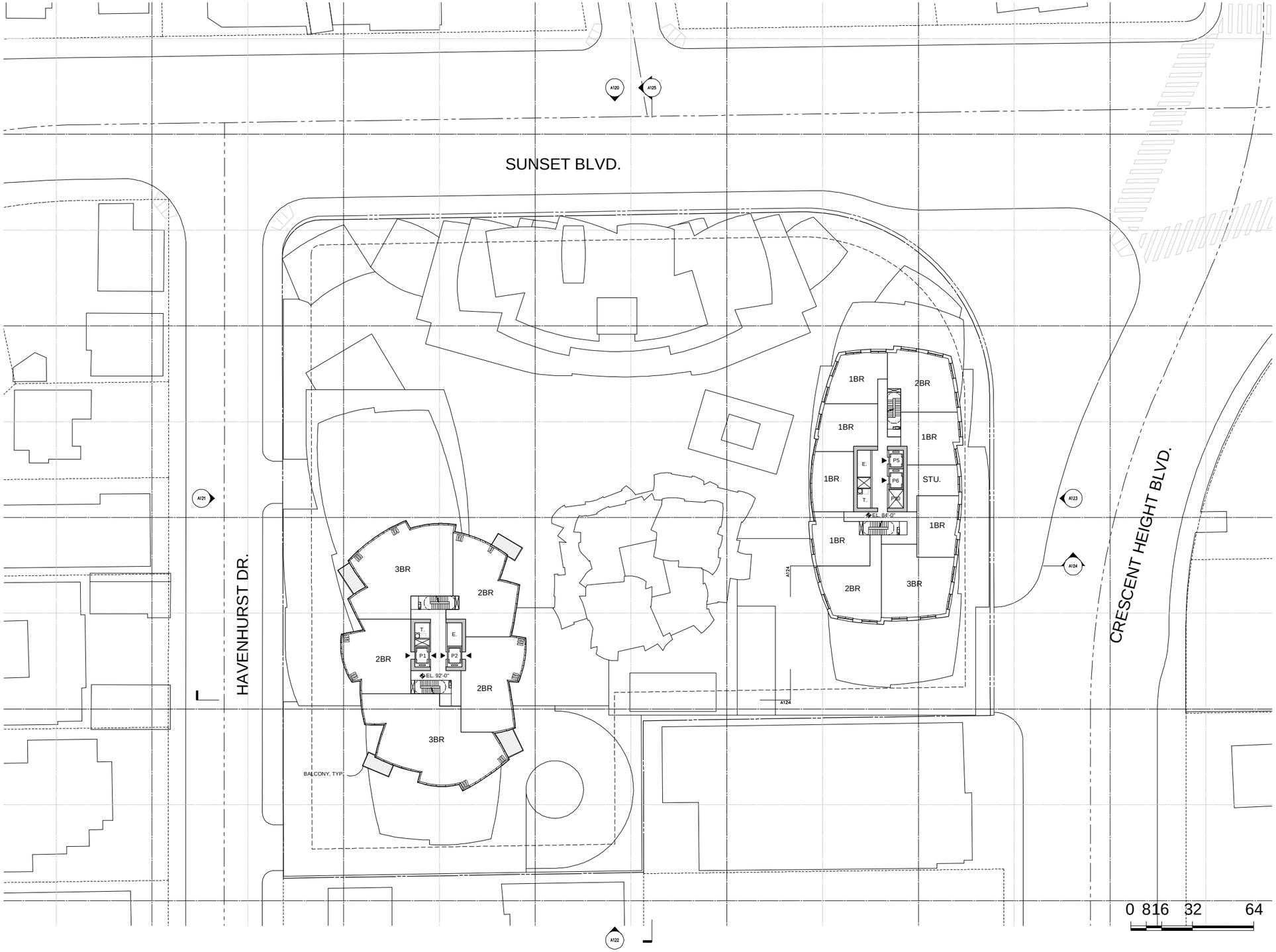

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ENVIRONMENTAL IMPACT REPORT
ALTERNATIVE 9
LEVEL 08 FLOOR PLAN

PROJECT NUMBER
2015-005
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DATE
2016-05-13
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SHEET NUMBER
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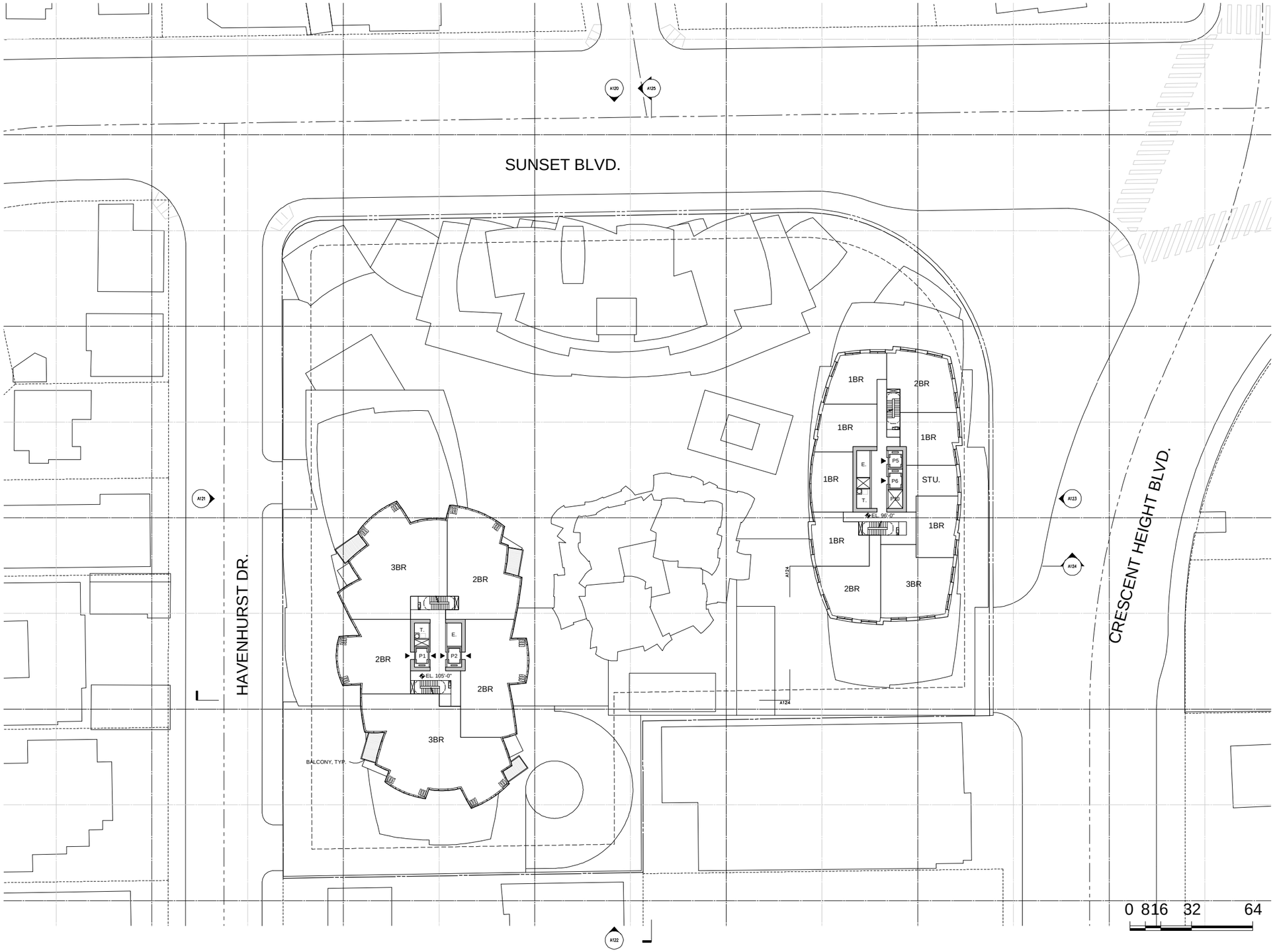

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TITLE
ENVIRONMENTAL IMPACT REPORT
ALTERNATIVE 9
LEVEL 09-10 FLOOR PLAN

PROJECT NUMBER
2015-005
SCALE
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DRAWN BY
DATE
2016-05-13
ORIGINAL SHEET SIZE:
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SHEET NUMBER
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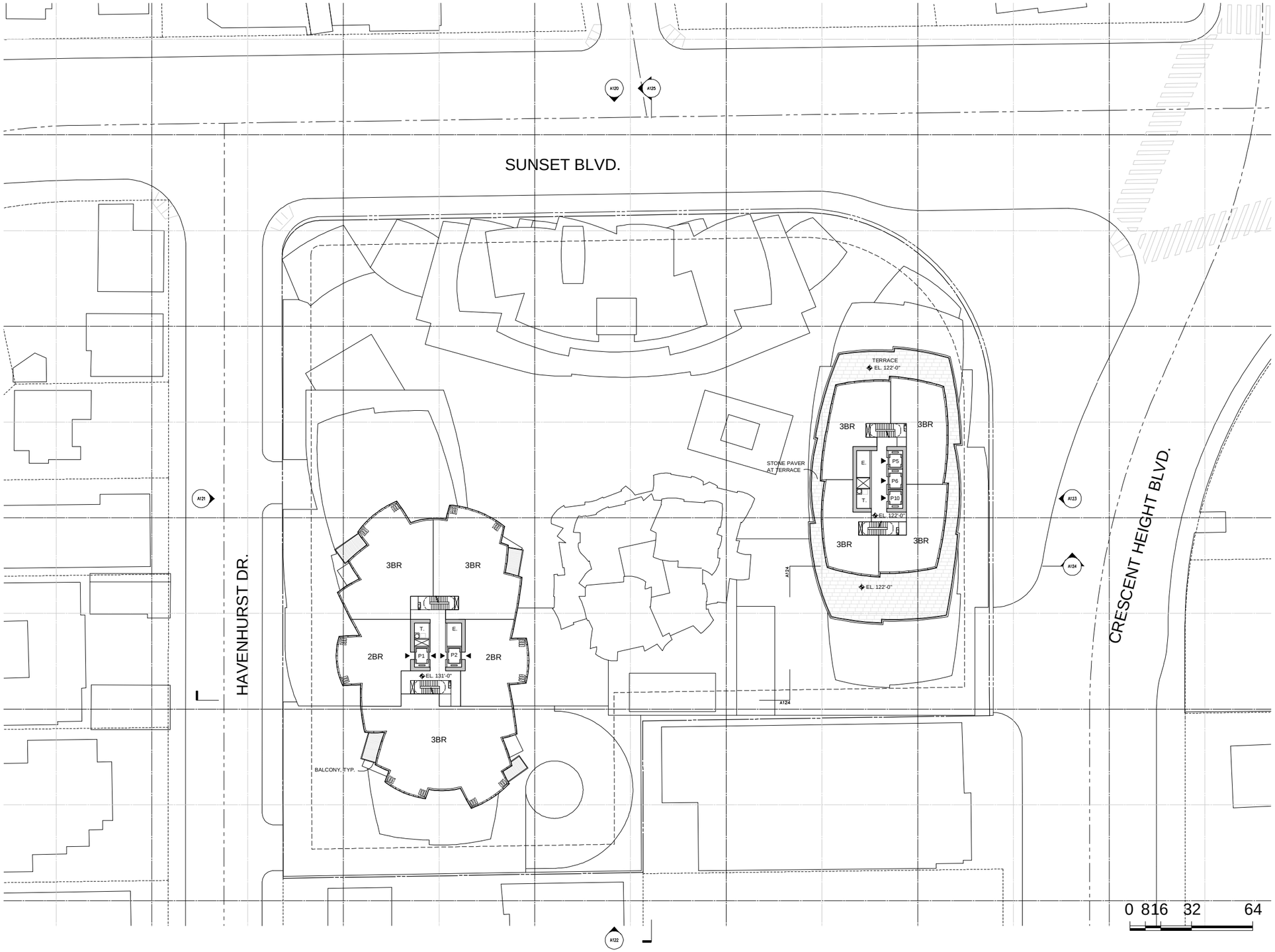

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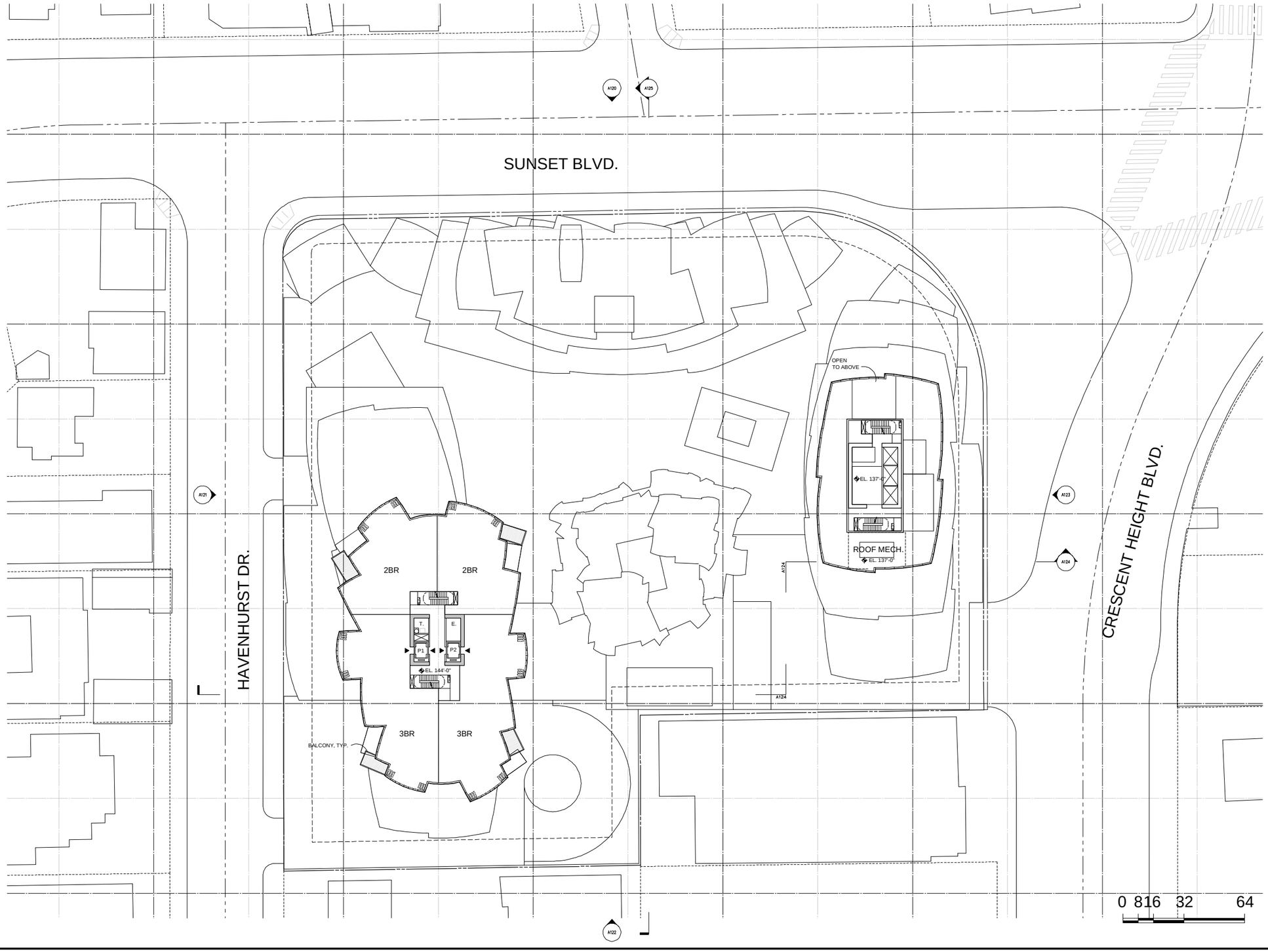
TITLE
ENVIRONMENTAL IMPACT REPORT
ALTERNATIVE 9
LEVEL 11 FLOOR PLAN

PROJECT NUMBER
2015-005
SCALE
1/16" = 1'-0"
DRAWN BY
DATE
2016-05-13
ORIGINAL SHEET SIZE:
36" x 48"

SHEET NUMBER
A113



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12541 BEATRICE STREET
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(310) 482-3000

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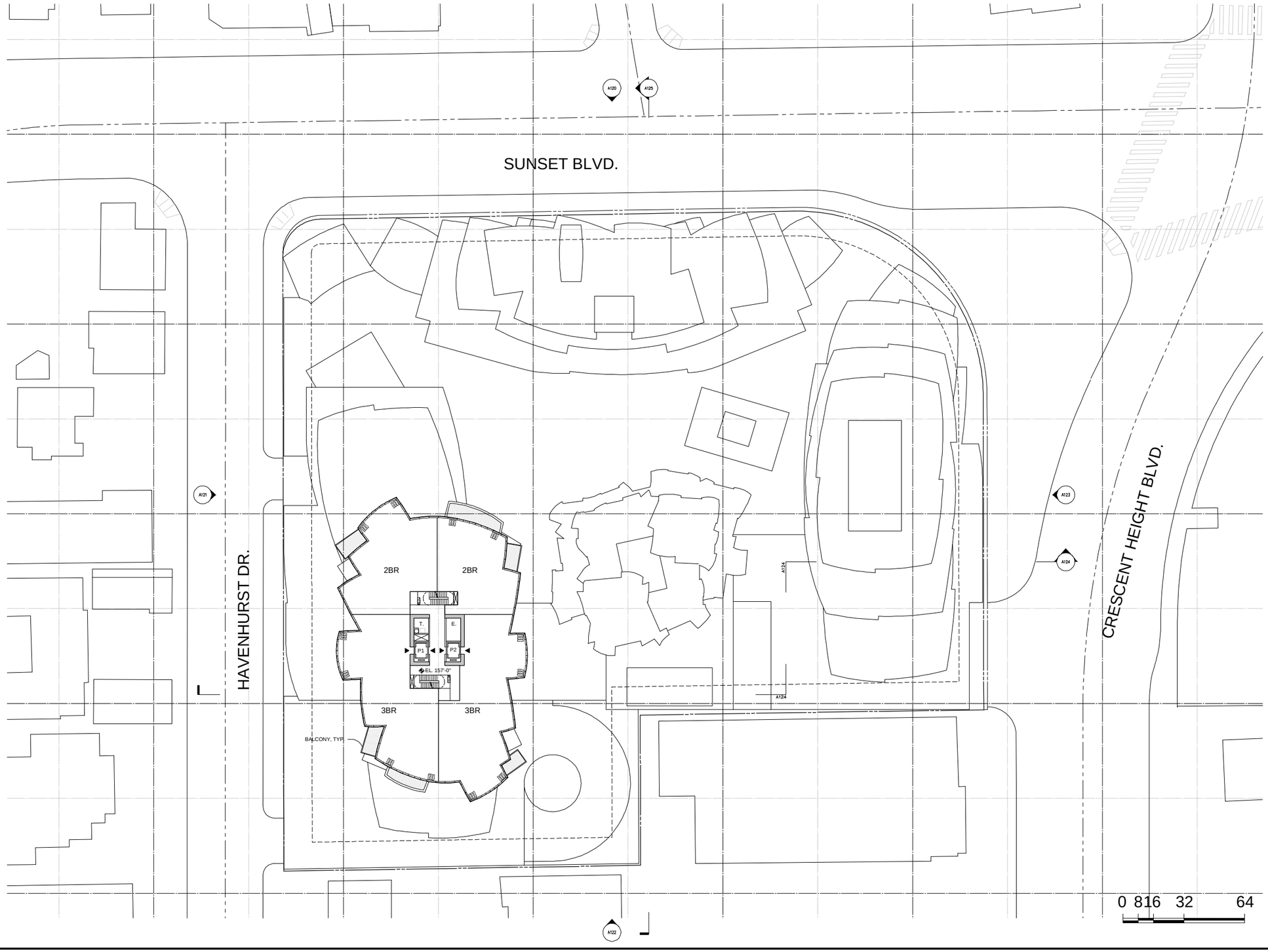
8150 SUNSET BLVD, LOS ANGELES, CALIFORNIA

NOTES

TITLE
ENVIRONMENTAL IMPACT REPORT
ALTERNATIVE 9
LEVEL 12 FLOOR PLAN

PROJECT NUMBER
2015-005
SCALE
1/16" = 1'-0"
DRAWN BY
DATE
2016-05-13
ORIGINAL SHEET SIZE:
36" x 48"

SHEET NUMBER
A114



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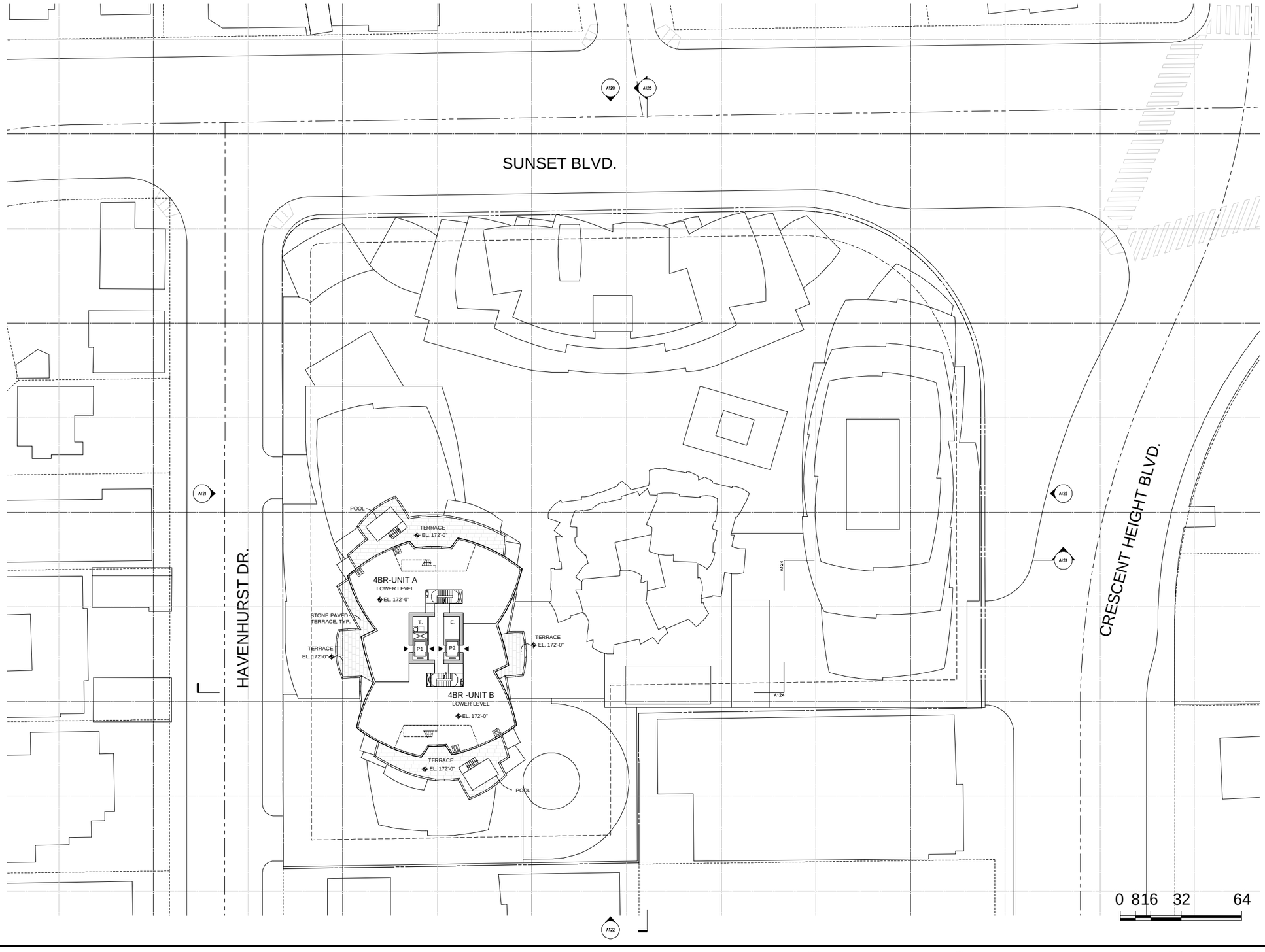
8150 SUNSET BLVD, LOS ANGELES, CALIFORNIA

NOTES

TITLE
ENVIRONMENTAL IMPACT REPORT
ALTERNATIVE 9
LEVEL 13 FLOOR PLAN

PROJECT NUMBER
2015-005
SCALE
1/16" = 1'-0"
DRAWN BY
DATE
2016-05-13
ORIGINAL SHEET SIZE:
36" x 48"

SHEET NUMBER
A115



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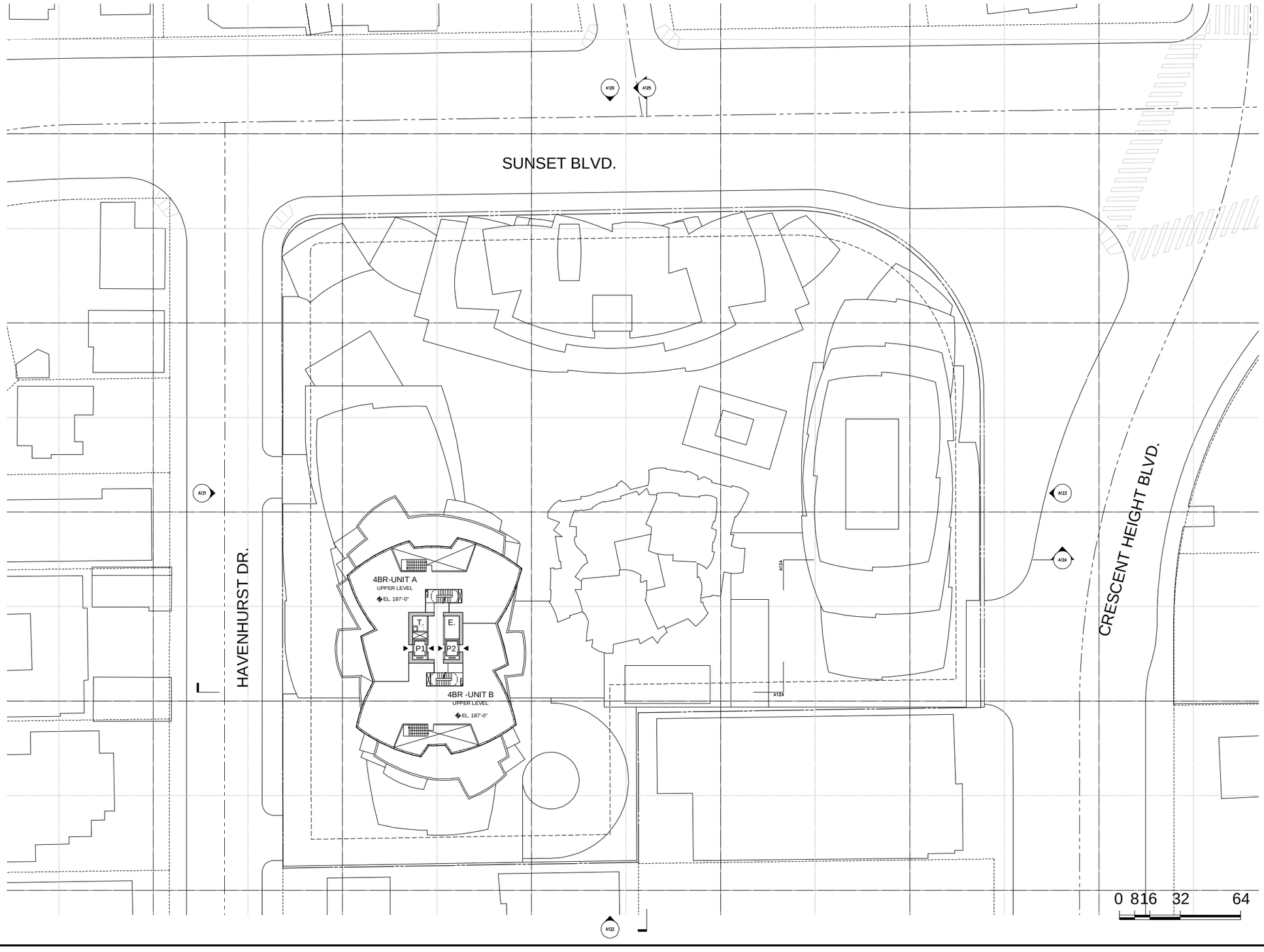
NOTES

TITLE
ENVIRONMENTAL IMPACT REPORT
ALTERNATIVE 9
LEVEL 14 FLOOR PLAN

PROJECT NUMBER
2015-005
SCALE
1/16" = 1'-0"
DRAWN BY
DATE
2016-05-13
ORIGINAL SHEET SIZE:
36" x 48"

SHEET NUMBER
A116



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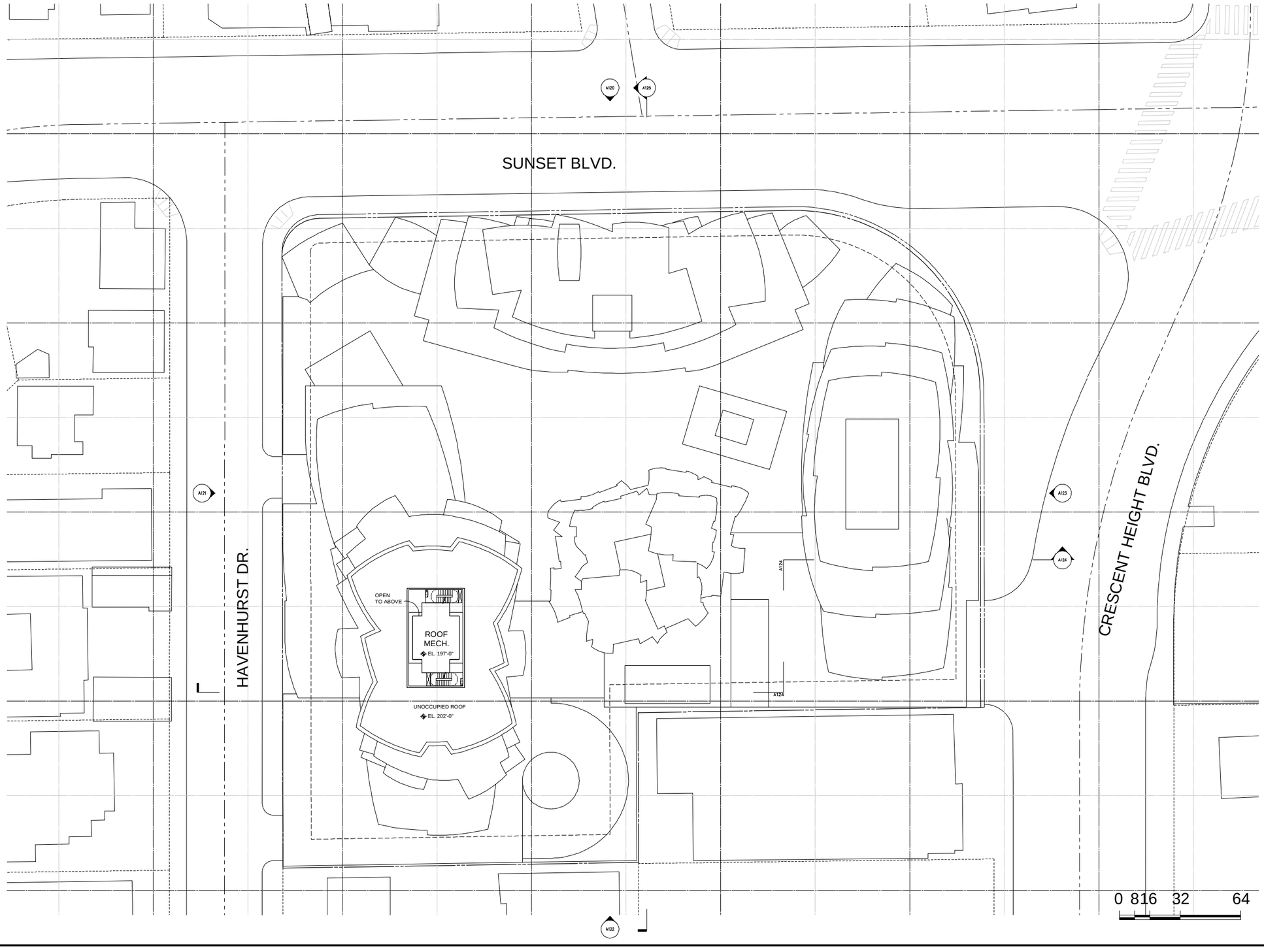
8150 SUNSET BLVD. LOS ANGELES, CALIFORNIA

NOTES

TITLE
ENVIRONMENTAL IMPACT REPORT
ALTERNATIVE 9
LEVEL 15 FLOOR PLAN

PROJECT NUMBER
2015-005
SCALE
1/16" = 1'-0"
DRAWN BY
DATE
2016-05-13
ORIGINAL SHEET SIZE:
36" x 48"

SHEET NUMBER
A117



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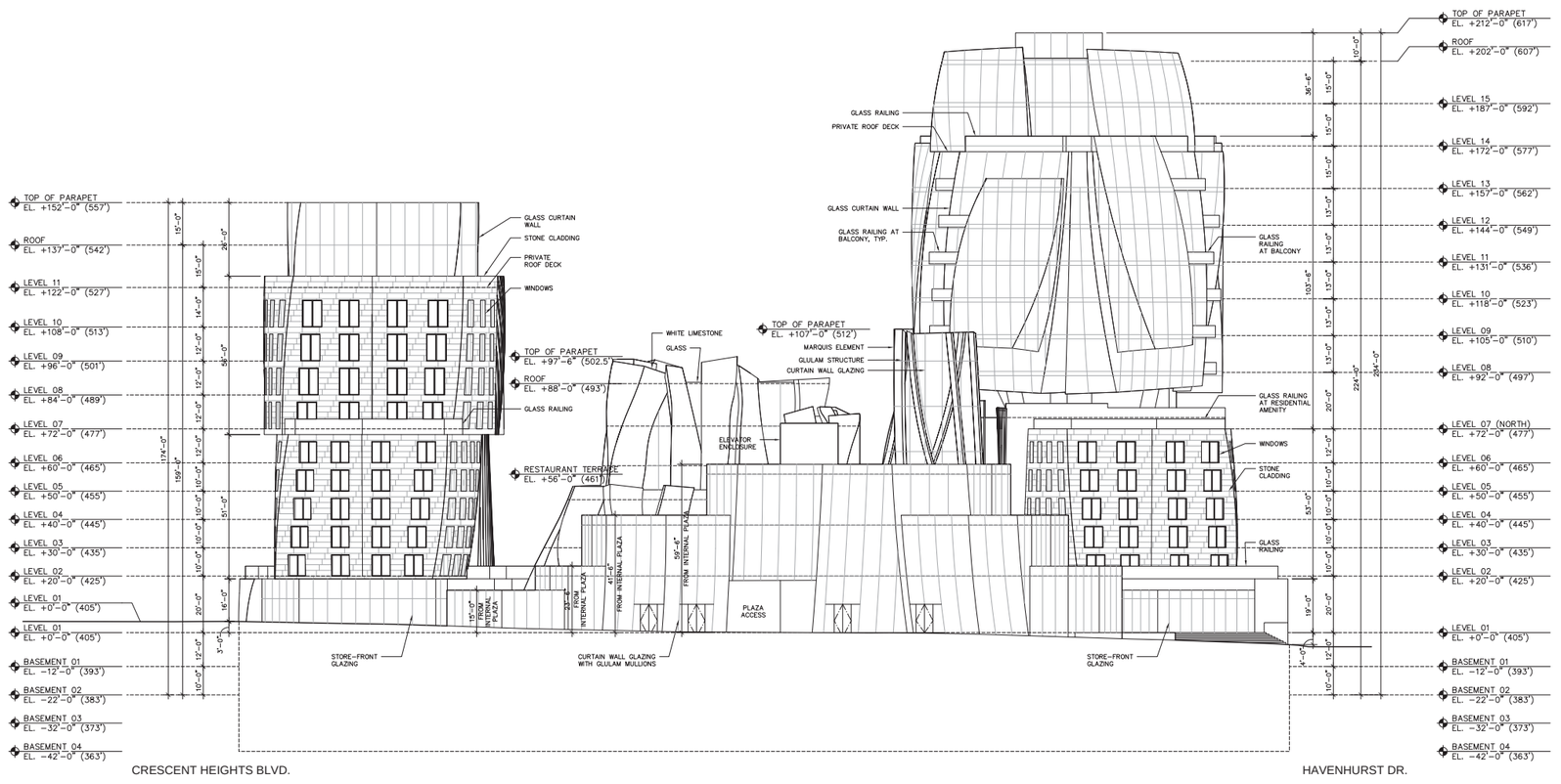
NOTES

TITLE
ENVIRONMENTAL IMPACT REPORT
ALTERNATIVE 9
ROOF PLAN

PROJECT NUMBER
2015-005
SCALE
1/16" = 1'-0"
DRAWN BY
DATE
2016-05-13
ORIGINAL SHEET SIZE:
36" x 48"

SHEET NUMBER
A118



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NOTES

TITLE

ENVIRONMENTAL IMPACT REPORT
ALTERNATIVE 9
NORTH ELEVATION

PROJECT NUMBER
2015-005

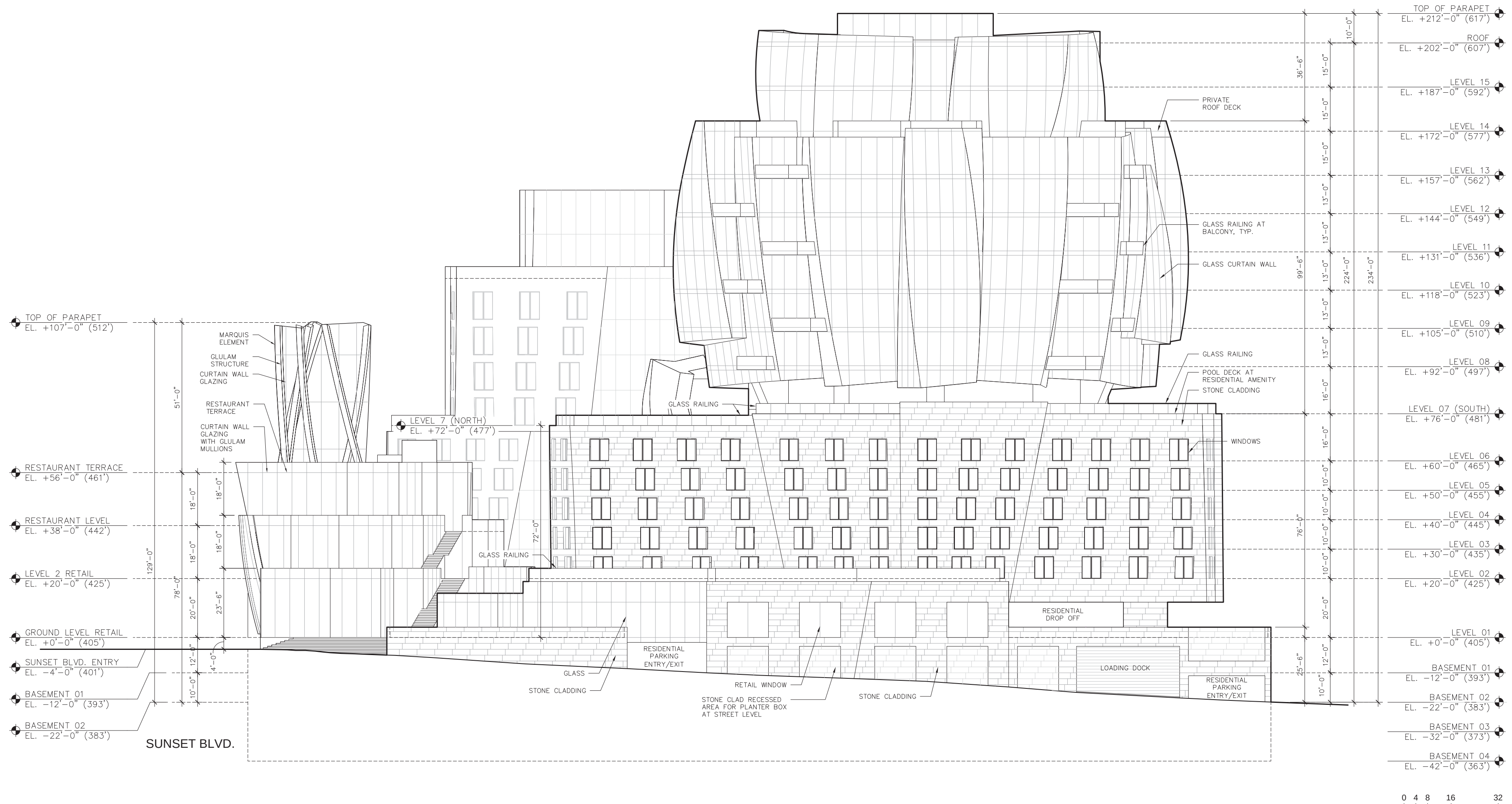
SCALE
1/16" = 1'-0"

DRAWN BY

DATE
2016-07-12

ORIGINAL SHEET SIZE:
36" x 48"

SHEET NUMBER
A119



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NOTES

TITLE

ENVIRONMENTAL IMPACT REPORT
ALTERNATIVE 9
WEST ELEVATION

PROJECT NUMBER
2015-005

SCALE
1/16" = 1'-0"

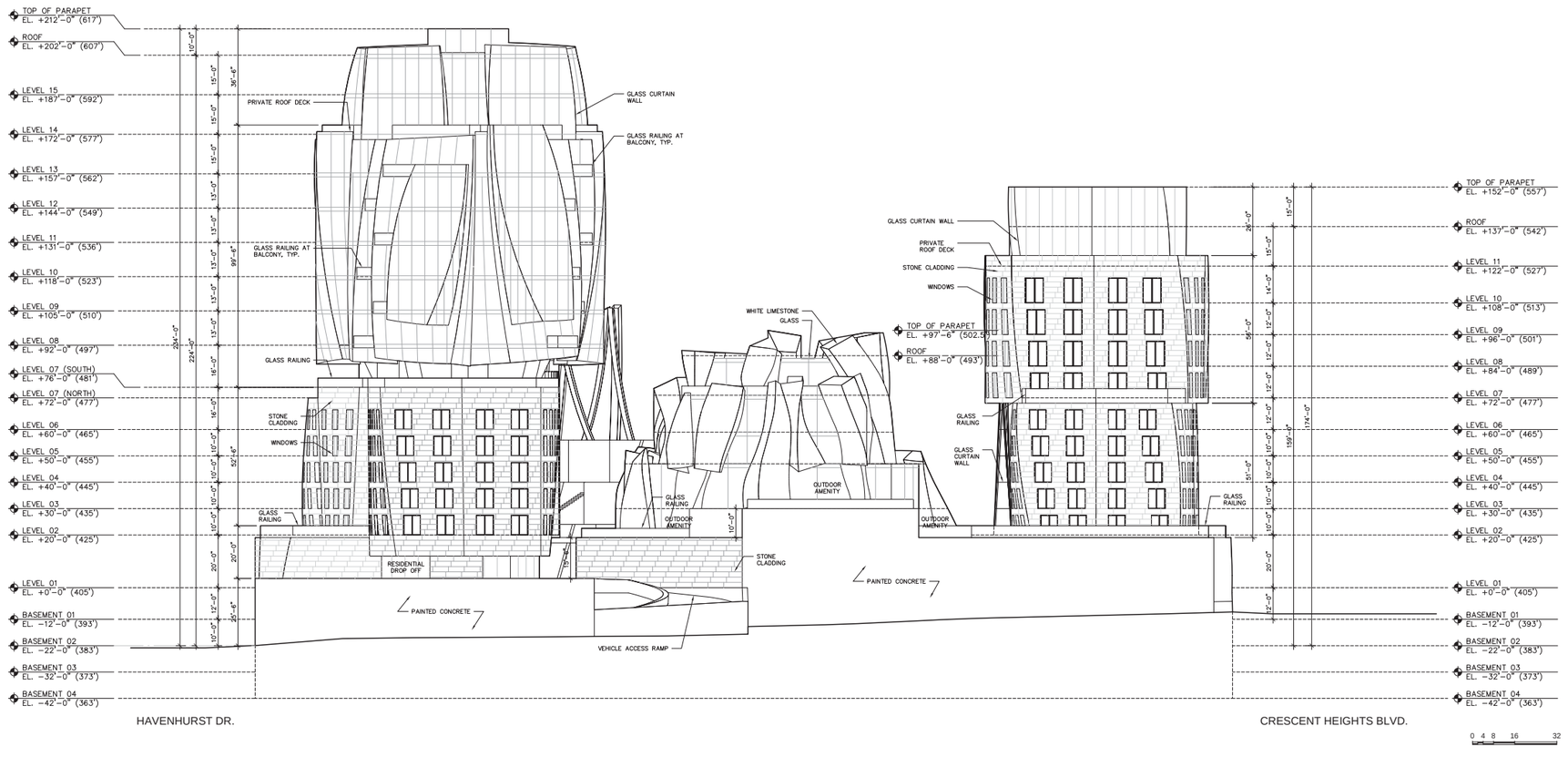
DRAWN BY

DATE
2016-07-12

ORIGINAL SHEET SIZE:
36" x 48"

SHEET NUMBER

A120



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8150 SUNSET BLVD. LOS ANGELES, CALIFORNIA

NOTES

TITLE

ENVIRONMENTAL IMPACT REPORT
ALTERNATIVE 9
SOUTH ELEVATION

PROJECT NUMBER
2015-005

SCALE
1/16" = 1'-0"

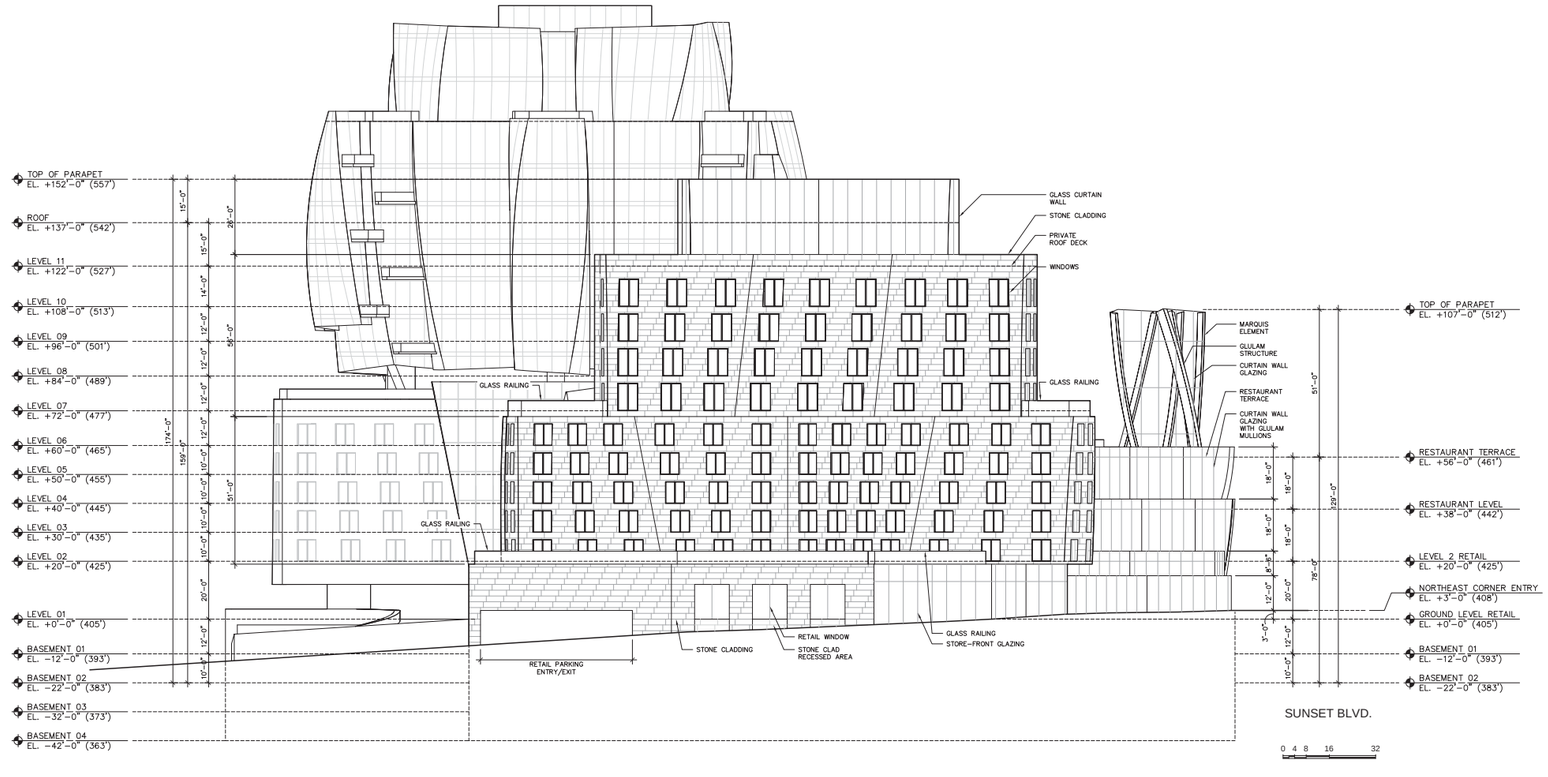
DRAWN BY

DATE
2016-07-12

ORIGINAL SHEET SIZE:
36" x 48"

SHEET NUMBER

A121



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NOTES

TITLE

ENVIRONMENTAL IMPACT REPORT
ALTERNATIVE 9
EAST ELEVATION

PROJECT NUMBER
2015-005

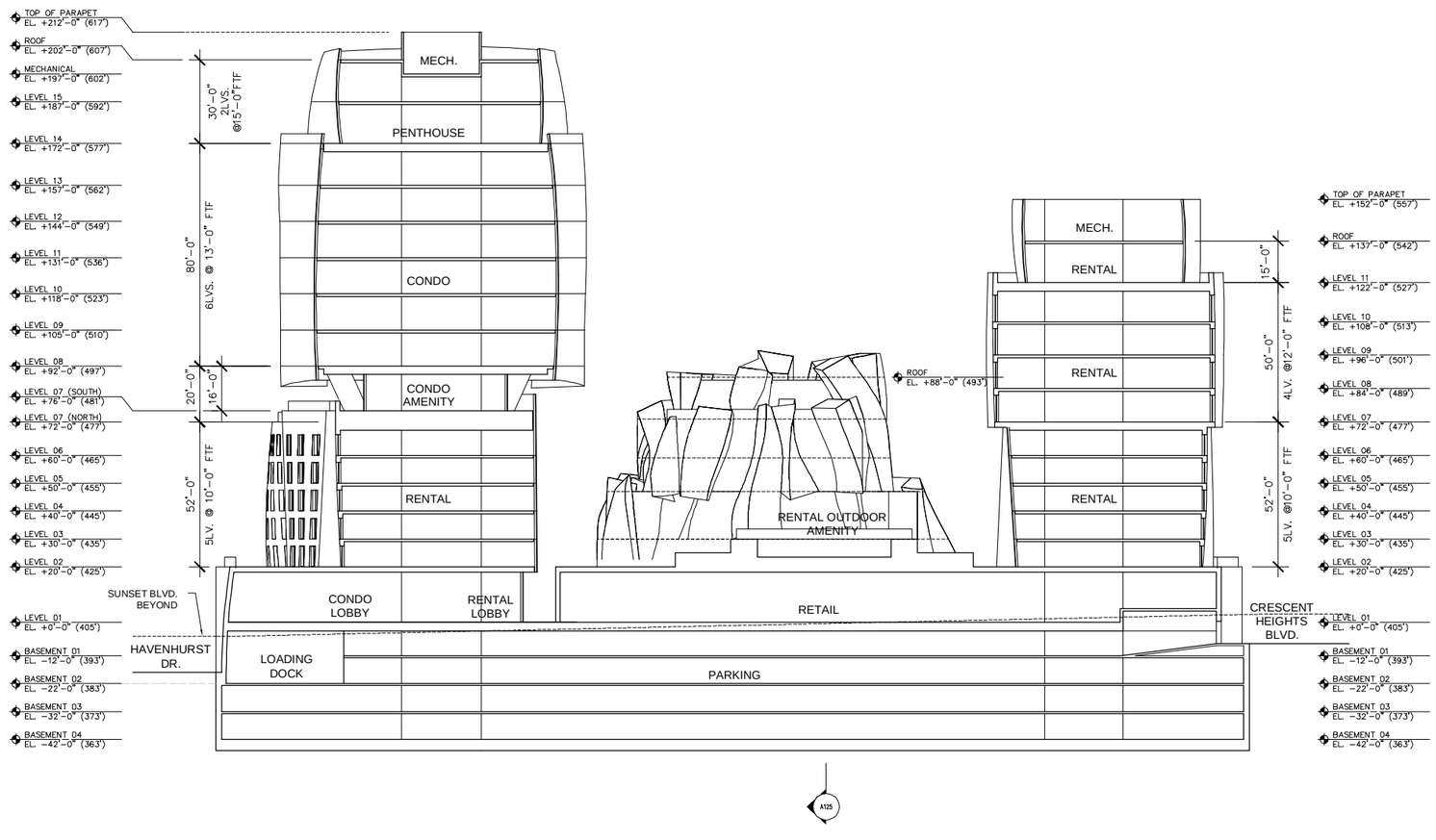
SCALE
1/16" = 1'-0"

DRAWN BY

DATE
2016-07-12

ORIGINAL SHEET SIZE:
36" x 48"

SHEET NUMBER
A122



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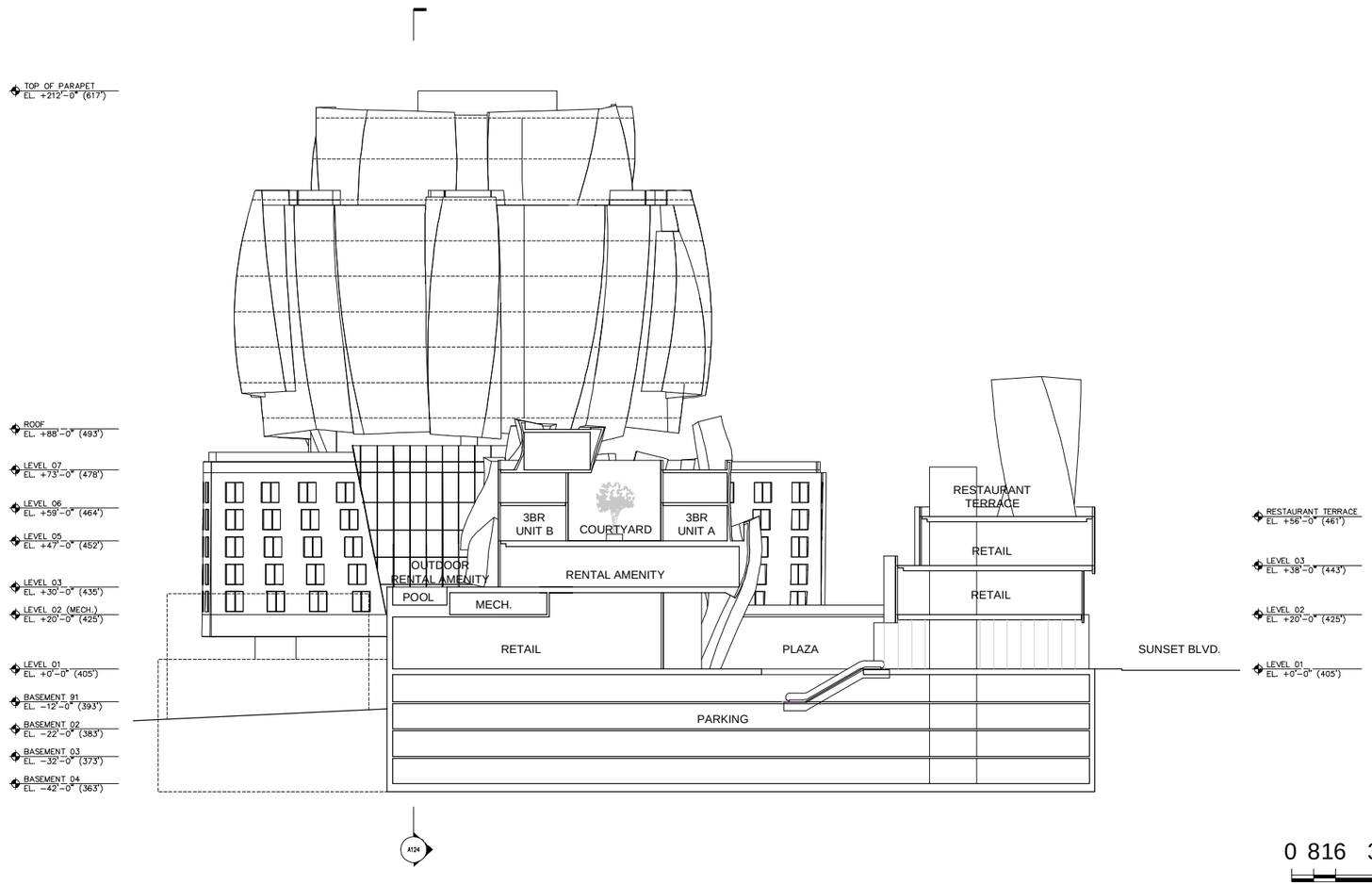
NOTES

TITLE
ENVIRONMENTAL IMPACT REPORT
ALTERNATIVE 9
SECTION LOOKING NORTH

PROJECT NUMBER
2015-005
SCALE
1/16" = 1'-0"
DRAWN BY
DATE
2016-05-13
ORIGINAL SHEET SIZE:
36" x 48"

SHEET NUMBER
A 124



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8150 SUNSET BLVD. LOS ANGELES, CALIFORNIA

NOTES

TITLE
ENVIRONMENTAL IMPACT REPORT
ALTERNATIVE 9
SECTION LOOKING WEST

PROJECT NUMBER
2015-005
SCALE
1/16" = 1'-0"
DRAWN BY
DATE
2016-05-13
ORIGINAL SHEET SIZE:
36" x 48"

SHEET NUMBER
A 125

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8150 SUNSET BLVD. LOS ANGELES, CALIFORNIA

NOTES

TITLE

ENVIRONMENTAL IMPACT REPORT
ALTERNATIVE 9
PLAZA LEVEL LANDSCAPE PLAN

PROJECT NUMBER
2015-005

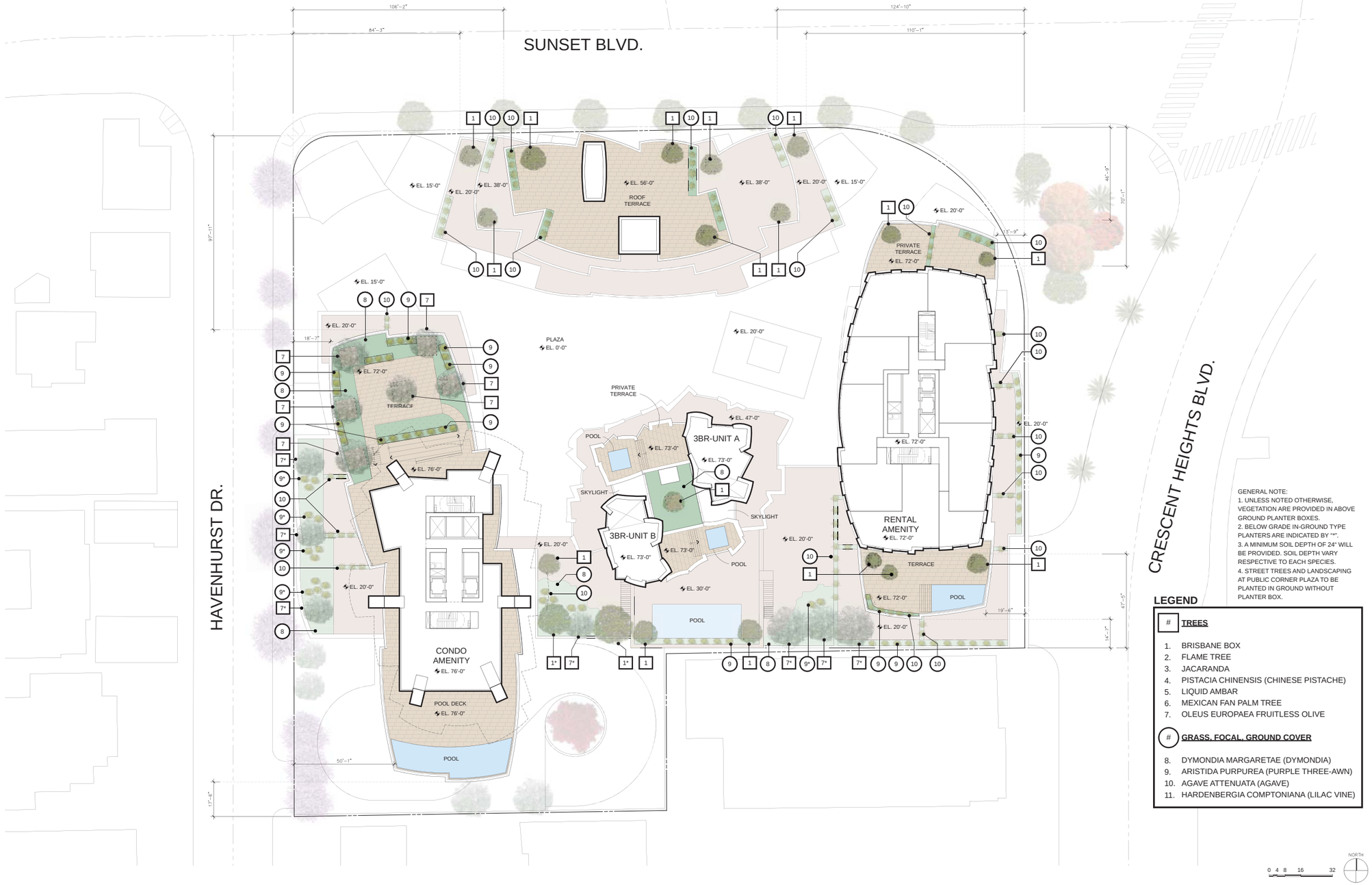
SCALE
1/16" = 1'-0"

DRAWN BY

DATE
2016-07-12

ORIGINAL SHEET SIZE:
36" x 48"

SHEET NUMBER
L-001



GENERAL NOTE:
1. UNLESS NOTED OTHERWISE, VEGETATION ARE PROVIDED IN ABOVE GROUND PLANTER BOXES.
2. BELOW GRADE IN-GROUND TYPE PLANTERS ARE INDICATED BY "*".
3. A MINIMUM SOIL DEPTH OF 24" WILL BE PROVIDED. SOIL DEPTH VARY RESPECTIVE TO EACH SPECIES.
4. STREET TREES AND LANDSCAPING AT PUBLIC CORNER PLAZA TO BE PLANTED IN GROUND WITHOUT PLANTER BOX.

LEGEND

(#) TREES

1. BRISBANE BOX
2. FLAME TREE
3. JACARANDA
4. PISTACIA CHINENSIS (CHINESE PISTACHE)
5. LIQUID AMBAR
6. MEXICAN FAN PALM TREE
7. OLEUS EUROPAEA FRUITLESS OLIVE

(#) GRASS, FOCAL, GROUND COVER

8. DYMONDIA MARGARETAE (DYMONDIA)
9. ARISTIDA PURPUREA (PURPLE THREE-AWN)
10. AGAVE ATTENUATA (AGAVE)
11. HARDENBERGIA COMPTONIANA (LILAC VINE)

0 4 8 16 32

NORTH

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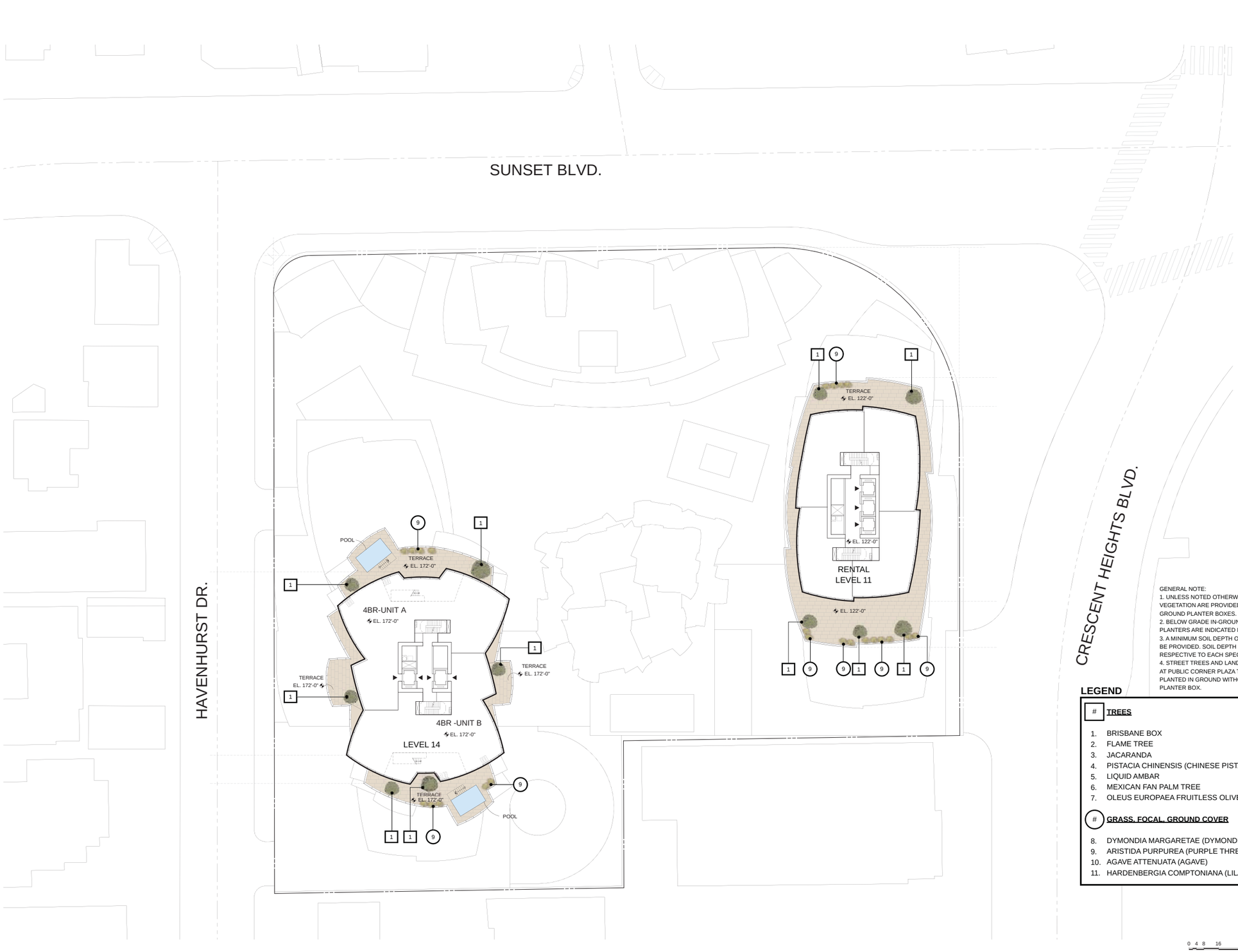
8150 SUNSET BLVD. LOS ANGELES, CALIFORNIA

NOTES

TITLE
ENVIRONMENTAL IMPACT REPORT
ALTERNATIVE 9
AMENITY LEVEL LANDSCAPE PLAN

PROJECT NUMBER 2015-005
SCALE 1/16" = 1'-0"
DRAWN BY
DATE 2016-07-12
ORIGINAL SHEET SIZE: 36" x 48"

SHEET NUMBER L-002



GENERAL NOTE:
1. UNLESS NOTED OTHERWISE, VEGETATION ARE PROVIDED IN ABOVE GROUND PLANTER BOXES.
2. BELOW GRADE IN-GROUND TYPE PLANTERS ARE INDICATED BY "*".
3. A MINIMUM SOIL DEPTH OF 24" WILL BE PROVIDED. SOIL DEPTH VARY RESPECTIVE TO EACH SPECIES.
4. STREET TREES AND LANDSCAPING AT PUBLIC CORNER PLAZA TO BE PLANTED IN GROUND WITHOUT PLANTER BOX.

LEGEND

[#] TREES

1. BRISBANE BOX
2. FLAME TREE
3. JACARANDA
4. PISTACIA CHINENSIS (CHINESE PISTACHE)
5. LIQUID AMBAR
6. MEXICAN FAN PALM TREE
7. OLEUS EUROPAEA FRUITLESS OLIVE

(#) GRASS, FOCAL, GROUND COVER

8. DYMONDIA MARGARETAE (DYMONDIA)
9. ARISTIDA PURPUREA (PURPLE THREE-AWN)
10. AGAVE ATTENUATA (AGAVE)
11. HARDENBERGIA COMPTONIANA (LILAC VINE)

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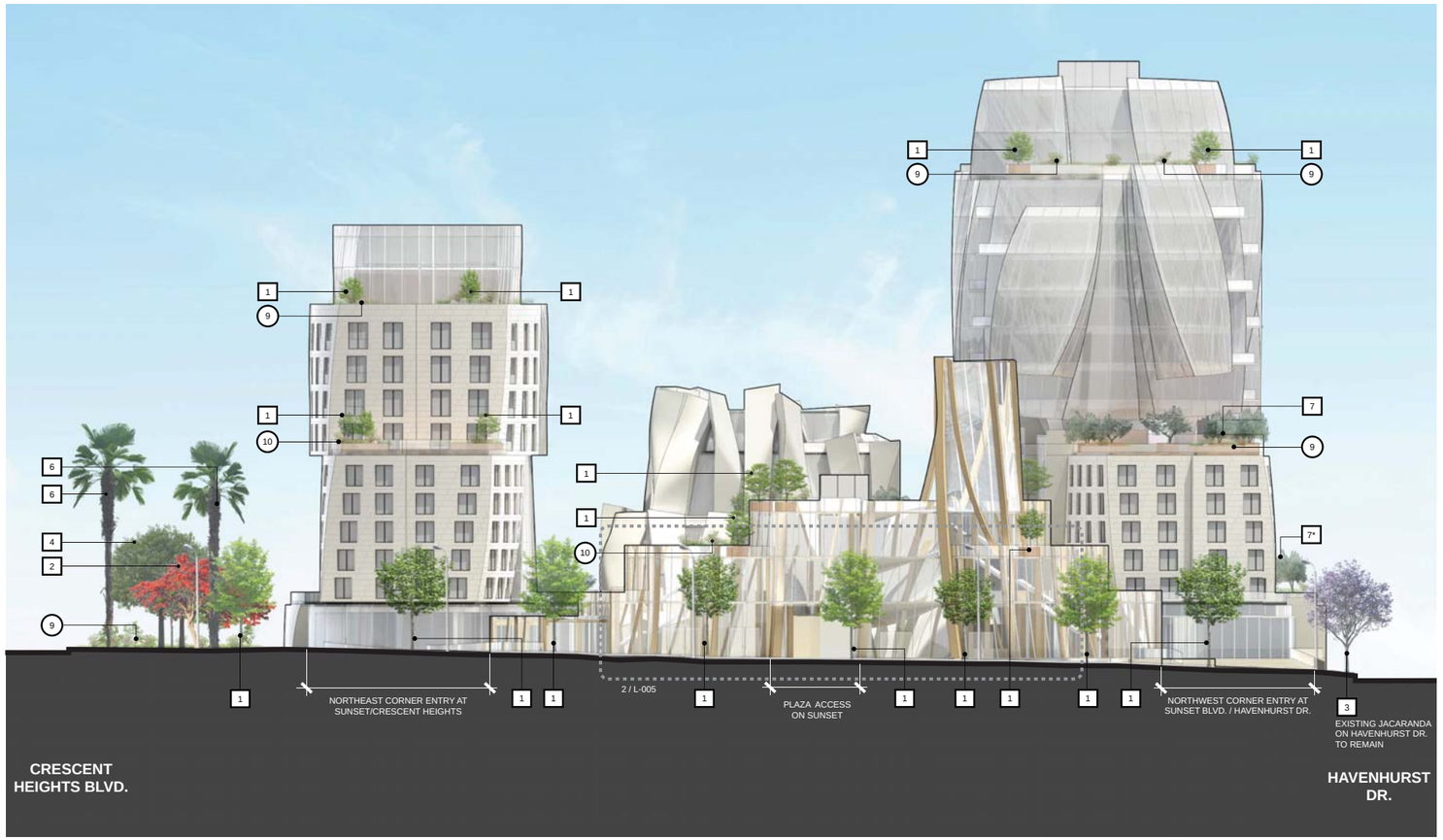
NOTES

TITLE
ENVIRONMENTAL IMPACT REPORT
ALTERNATIVE 9
UPPER LEVEL LANDSCAPE PLAN

PROJECT NUMBER
2015-005
SCALE
1/16" = 1'-0"
DRAWN BY
DATE
2016-07-12
ORIGINAL SHEET SIZE:
36" x 48"

SHEET NUMBER
L-003

2 ENLARGED NORTH ELEVATION
SCALE: NTS



1 NORTH ELEVATION RENDERING
SCALE: 1/16" = 1'-0"

GENERAL NOTE:
1. UNLESS NOTED OTHERWISE, VEGETATION ARE PROVIDED IN ABOVE GROUND PLANTER BOXES.
2. BELOW GRADE IN-GROUND TYPE PLANTERS ARE INDICATED BY "*".
3. A MINIMUM SOIL DEPTH OF 24" WILL BE PROVIDED. SOIL DEPTH VARY RESPECTIVE TO EACH SPECIES.
4. STREET TREES AND LANDSCAPING AT PUBLIC CORNER PLAZA TO BE PLANTED IN GROUND WITHOUT PLANTER BOX.

LEGEND

 # TREES

1. BRISBANE BOX
2. FLAME TREE
3. JACARANDA
4. PISTACIA CHINENSIS (CHINESE PISTACHE)
5. LIQUID AMBAR
6. MEXICAN FAN PALM TREE
7. OLEUS EUROPAEA FRUITLESS OLIVE

 # GRASS, FOCAL, GROUND COVER

8. DYMONDIA MARGARETAE (DYMONDIA)
9. ARISTIDA PURPUREA (PURPLE THREE-AWN)
10. AGAVE ATTENUATA (AGAVE)
11. HARDENBERGIA COMPTONIANA (LILAC VINE)

0 4 8 16 32

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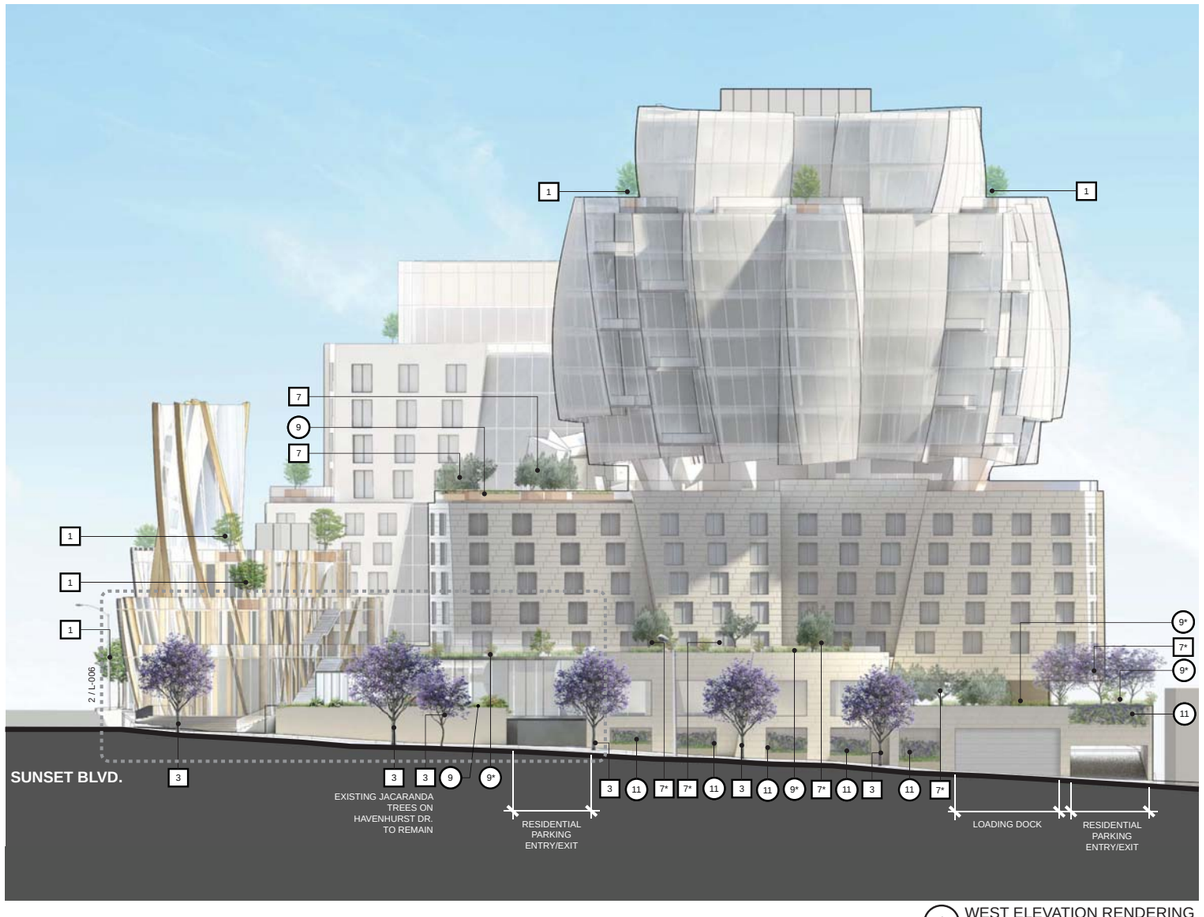
NOTES

TITLE
ENVIRONMENTAL IMPACT REPORT
ALTERNATIVE 9
RENDERED BUILDING ELEVATION - NORTH

PROJECT NUMBER
2015-005
SCALE
1/16" = 1'-0"
DRAWN BY
DATE
2016-07-12
ORIGINAL SHEET SIZE:
36" x 48"

SHEET NUMBER
L-005

2 ENLARGED WEST ELEVATION
SCALE: NTS



1 WEST ELEVATION RENDERING
SCALE: 1/16" = 1'-0"

GENERAL NOTE:
1. UNLESS NOTED OTHERWISE, VEGETATION ARE PROVIDED IN ABOVE GROUND PLANTER BOXES.
2. BELOW GRADE IN-GROUND TYPE PLANTERS ARE INDICATED BY "*".
3. A MINIMUM SOIL DEPTH OF 24" WILL BE PROVIDED. SOIL DEPTH VARY RESPECTIVE TO EACH SPECIES.
4. STREET TREES AND LANDSCAPING AT PUBLIC CORNER PLAZA TO BE PLANTED IN GROUND WITHOUT PLANTER BOX.

LEGEND

 # TREES

1. BRISBANE BOX
2. FLAME TREE
3. JACARANDA
4. PISTACIA CHINENSIS (CHINESE PISTACHE)
5. LIQUID AMBAR
6. MEXICAN FAN PALM TREE
7. OLEUS EUROPAEA FRUITLESS OLIVE

 # GRASS, FOCAL, GROUND COVER

8. DYMONDIA MARGARETAE (DYMONDIA)
9. ARISTIDA PURPUREA (PURPLE THREE-AWN)
10. AGAVE ATTENUATA (AGAVE)
11. HARDENBERGIA COMPTONIANA (LILAC VINE)

0 4 8 16 32

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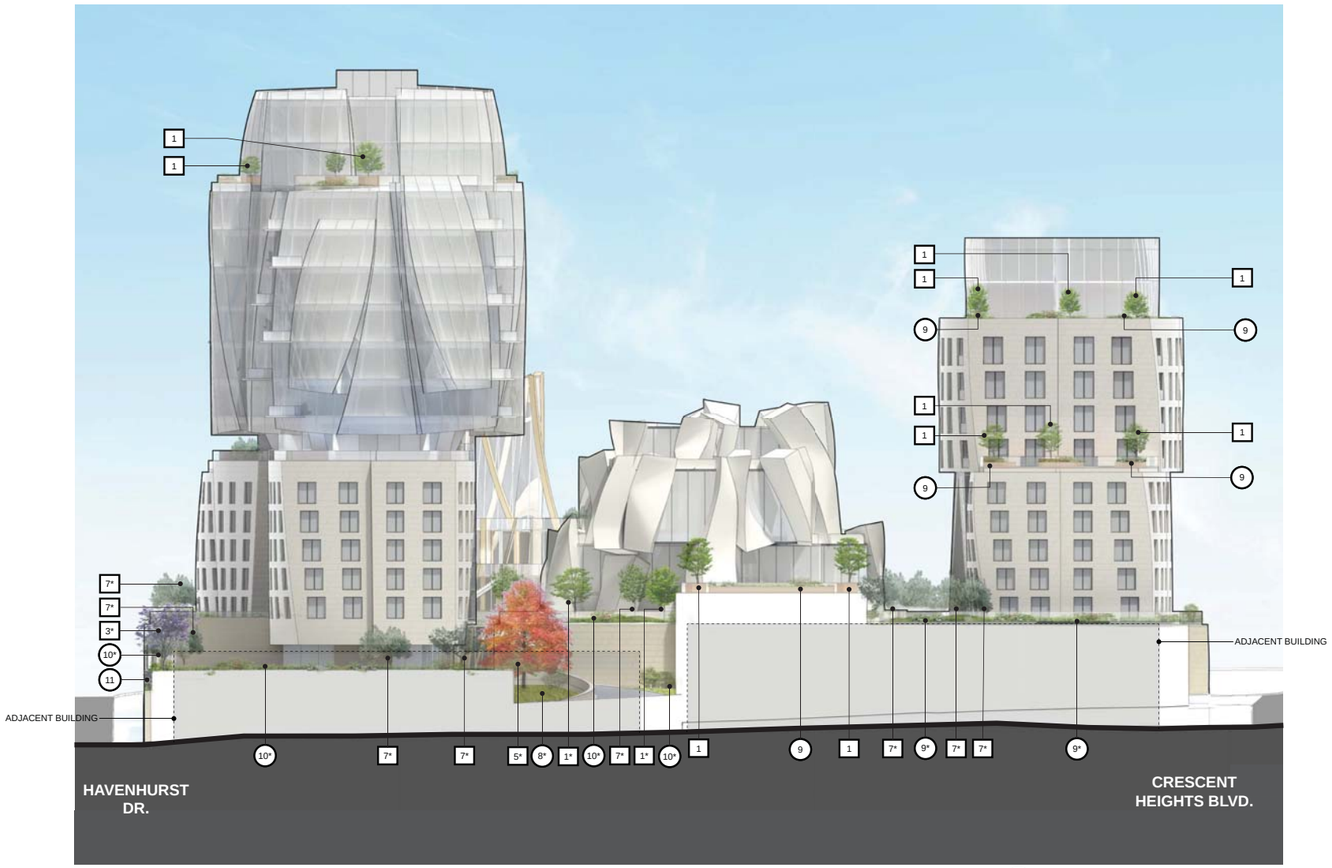
NOTES

TITLE
ENVIRONMENTAL IMPACT REPORT
ALTERNATIVE 9
RENDERED BUILDING ELEVATION - WEST

PROJECT NUMBER
2015-005
SCALE
1/16" = 1'-0"
DRAWN BY
DATE
2016-07-12
ORIGINAL SHEET SIZE: 36" x 48"

SHEET NUMBER
L-006



1 SOUTH ELEVATION RENDERING
SCALE: 1/16" = 1'-0"

GENERAL NOTE:
1. UNLESS NOTED OTHERWISE, VEGETATION ARE PROVIDED IN ABOVE GROUND PLANTER BOXES.
2. BELOW GRADE IN-GROUND TYPE PLANTERS ARE INDICATED BY "*".
3. A MINIMUM SOIL DEPTH OF 24" WILL BE PROVIDED. SOIL DEPTH VARY RESPECTIVE TO EACH SPECIES.
4. STREET TREES AND LANDSCAPING AT PUBLIC CORNER PLAZA TO BE PLANTED IN GROUND WITHOUT PLANTER BOX.

LEGEND

 # TREES

1. BRISBANE BOX
2. FLAME TREE
3. JACARANDA
4. PISTACIA CHINENSIS (CHINESE PISTACHE)
5. LIQUID AMBAR
6. MEXICAN FAN PALM TREE
7. OLEUS EUROPAEA FRUITLESS OLIVE

 # GRASS, FOCAL, GROUND COVER

8. DYMONDIA MARGARETAE (DYMONDIA)
9. ARISTIDA PURPUREA (PURPLE THREE-AWN)
10. AGAVE ATTENUATA (AGAVE)
11. HARDENBERGIA COMPTONIANA (LILAC VINE)

0 4 8 16 32

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NOTES

TITLE
ENVIRONMENTAL IMPACT REPORT
ALTERNATIVE 9
RENDERED BUILDING ELEVATION - SOUTH

PROJECT NUMBER 2015-005
SCALE 1/16" = 1'-0"
DRAWN BY
DATE 2016-07-12
ORIGINAL SHEET SIZE: 30" x 42"

SHEET NUMBER L-007

2 ENLARGED EAST ELEVATION
SCALE: NTS

1 EAST ELEVATION RENDERING
SCALE: 1/16" = 1'-0"

GENERAL NOTE:
1. UNLESS NOTED OTHERWISE, VEGETATION ARE PROVIDED IN ABOVE GROUND PLANTER BOXES.
2. BELOW GRADE IN-GROUND TYPE PLANTERS ARE INDICATED BY "*".
3. A MINIMUM SOIL DEPTH OF 24" WILL BE PROVIDED. SOIL DEPTH VARY RESPECTIVE TO EACH SPECIES.
4. STREET TREES AND LANDSCAPING AT PUBLIC CORNER PLAZA TO BE PLANTED IN GROUND WITHOUT PLANTER BOX.

LEGEND

#	**TREES**
1.	BRISBANE BOX
2.	FLAME TREE
3.	JACARANDA
4.	PISTACIA CHINENSIS (CHINESE PISTACHE)
5.	LIQUID AMBAR
6.	MEXICAN FAN PALM TREE
7.	OLEUS EUROPAEA FRUITLESS OLIVE

#	**GRASS, FOCAL, GROUND COVER**
8.	DYMONDIA MARGARETAE (DYMONDIA)
9.	ARISTIDA PURPUREA (PURPLE THREE-AWN)
10.	AGAVE ATTENUATA (AGAVE)
11.	HARDENBERGIA COMPTONIANA (LILAC VINE)

0 4 8 16 32

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(310) 482-3000

8150 SUNSET
8150 SUNSET BLVD. LOS ANGELES, CALIFORNIA

NOTES

TITLE
ENVIRONMENTAL IMPACT REPORT
ALTERNATIVE 9
RENDERED BUILDING ELEVATION - EAST

PROJECT NUMBER
2015-005
SCALE
1/16" = 1'-0"
DRAWN BY
DATE
2016-07-12
ORIGINAL SHEET SIZE:
36" x 48"

SHEET NUMBER
L-008

TREES


OLEUS EUROPAEA FRUITLESS OLIVE


MEXICAN FAN PALM TREE


LIQUID AMBAR


PISTACIA CHINENSIS (CHINESE PISTACHE)


JACARANDA


FLAME TREE

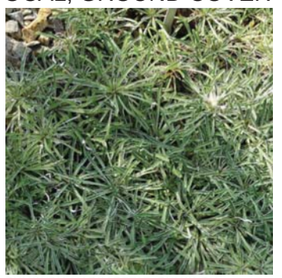

BRISBANE BOX

GRASS, FOCAL, GROUND COVER


HARDENBERGIA COMPTONIANA (LILAC VINE)


AGAVE ATTENUATA (AGAVE)

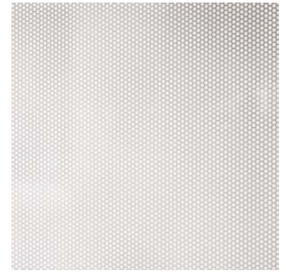

ARISTIDA PURPUREA (PURPLE THREE-AWN)


DYMONDIA MARGARETAE (DYMONDIA)

PLAZA PAVING


PLAZA PAVING

GLAZING WITH FRIT


GLAZING WITH FRIT


REFERENCE | IAC BUILDING, NEW YORK

CURTAINWALL GLAZING WITH WOOD MULLIONS


GLULAM


GLAZING WITH GLASS MULLION REFERENCE | SERPENTINE PAVILLION

STONE CLADDING ENCLOSURE


WHITE STONE


WHITE STONE PANELS

GEHRY PARTNERS, LLP

ARCHITECT
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8150 SUNSET BLVD. LOS ANGELES, CALIFORNIA

NOTES

TITLE

ENVIRONMENTAL IMPACT REPORT
ALTERNATIVE 9
BUILDING MATERIALS AND
PLANT PALETTE

PROJECT NUMBER
2015-005

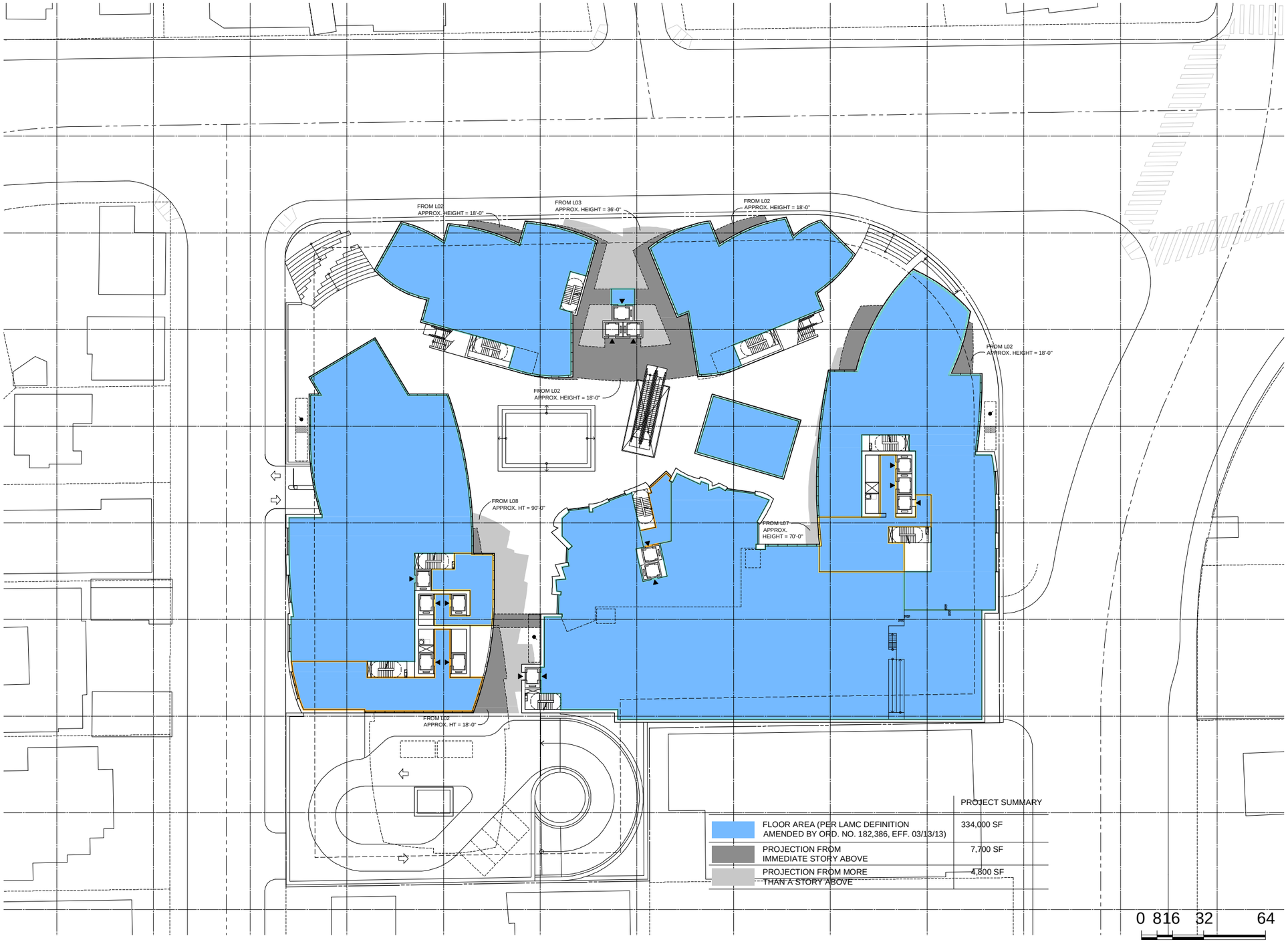
SCALE
NTS

DRAWN BY

DATE
2016-07-12

ORIGINAL SHEET SIZE:
36" x 48"

SHEET NUMBER
L-009



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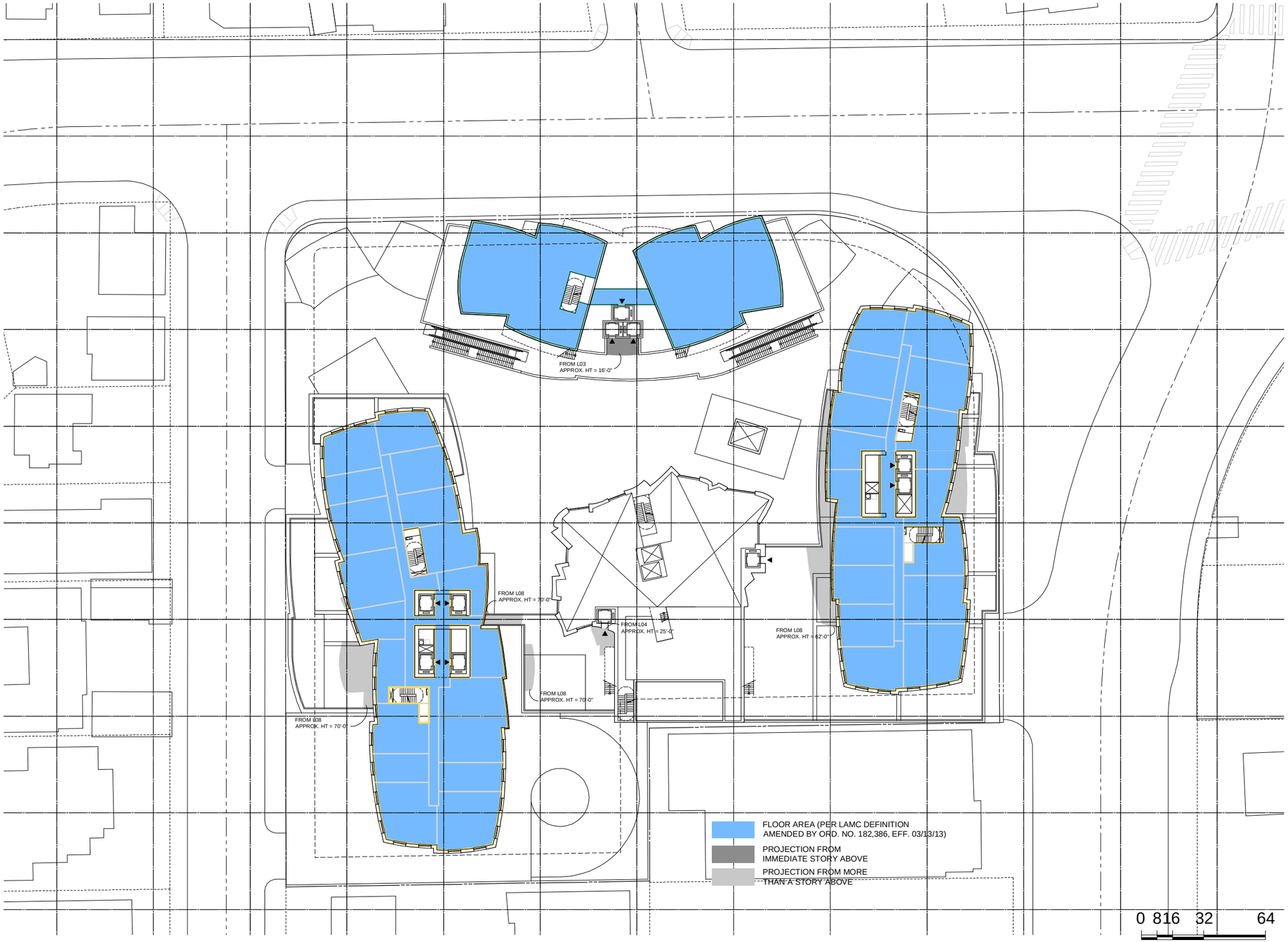
NOTES

TITLE
ALTERNATIVE 9
FLOOR AREA DIAGRAM
LEVEL 01 FLOOR PLAN

PROJECT NUMBER
2015-005
SCALE
DRAWN BY
DATE
2016-05-13
ORIGINAL SHEET SIZE:
36" x 48"

SHEET NUMBER
SK-0124-1



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NOTES

TITLE
ALTERNATIVE 9
FLOOR AREA DIAGRAM
LEVEL 02 FLOOR PLAN

PROJECT NUMBER
2015-005
SCALE
DRAWN BY
DATE
2016-05-13
ORIGINAL SHEET SIZE:
36" x 48"

SHEET NUMBER
SK-0124-2

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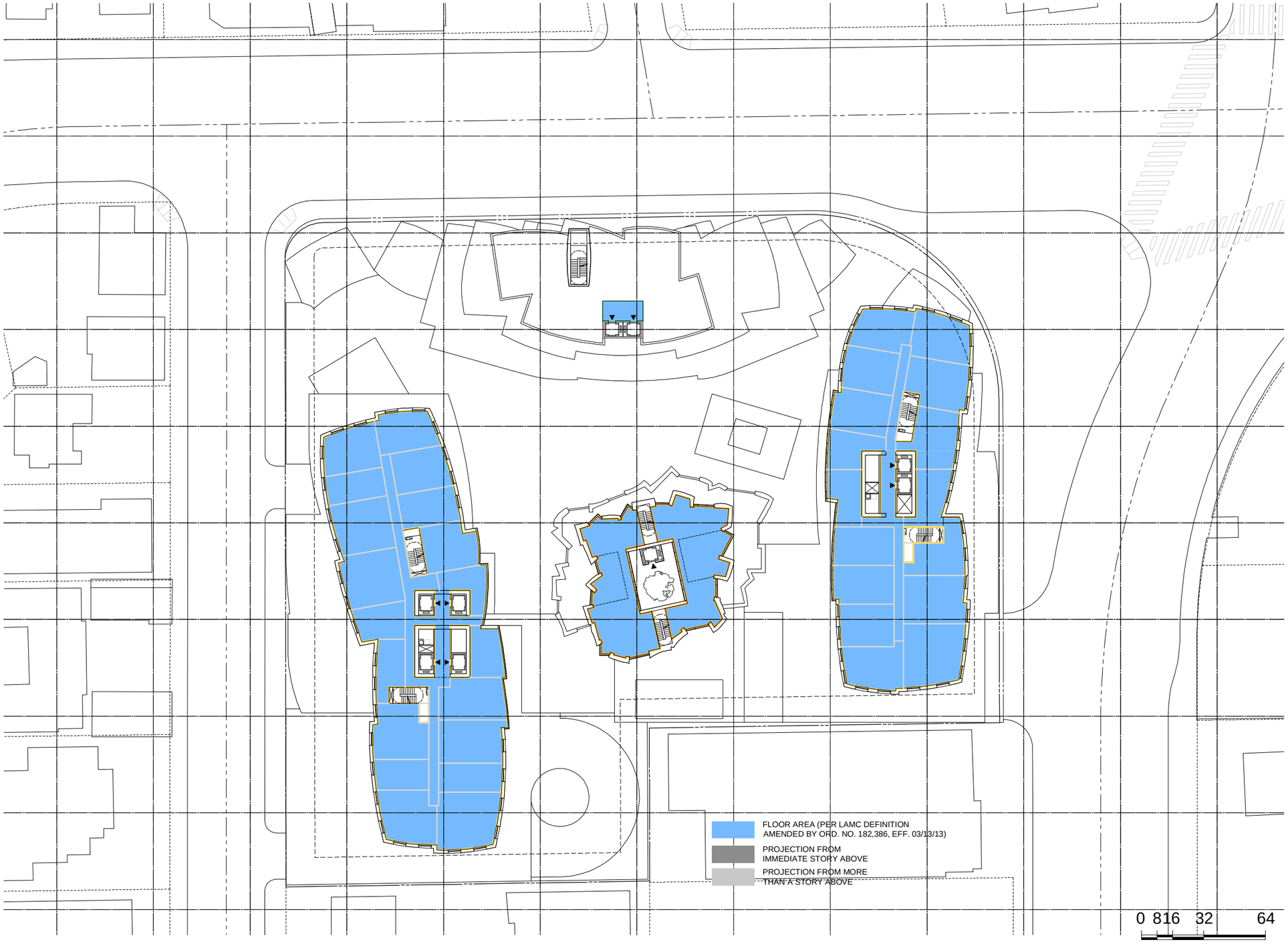
NOTES

TITLE
ALTERNATIVE 9
FLOOR AREA DIAGRAM
LEVEL 03 FLOOR PLAN

PROJECT NUMBER
2015-005
SCALE
DRAWN BY
DATE
2016-05-13
ORIGINAL SHEET SIZE:
36" x 48"

SHEET NUMBER
SK-0124-3



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NOTES

TITLE
ALTERNATIVE 9
FLOOR AREA DIAGRAM
LEVEL 04-05 FLOOR PLAN

PROJECT NUMBER
2015-005
SCALE
DRAWN BY
DATE
2016-05-13
ORIGINAL SHEET SIZE:
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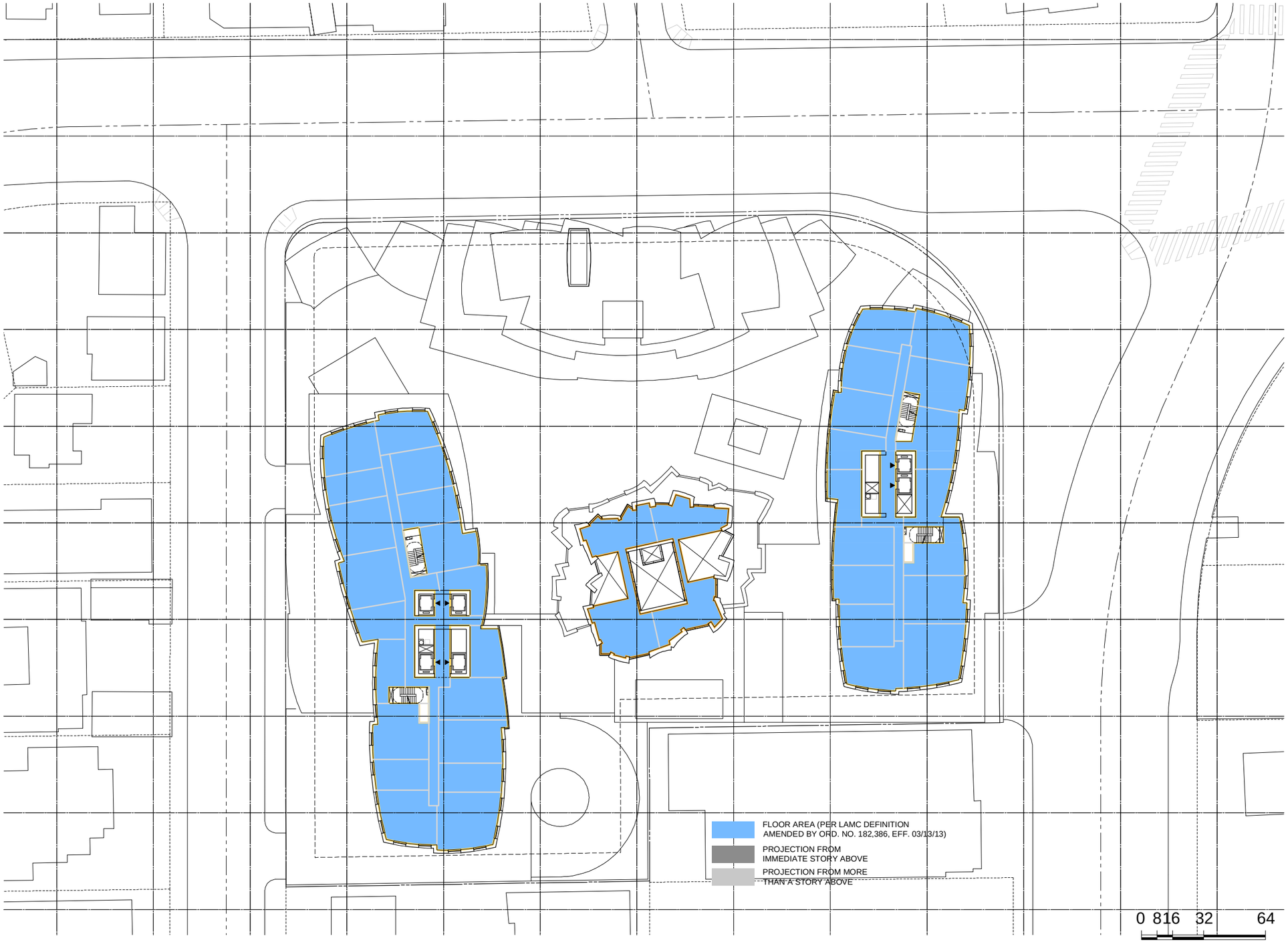
SHEET NUMBER
SK-0124-4



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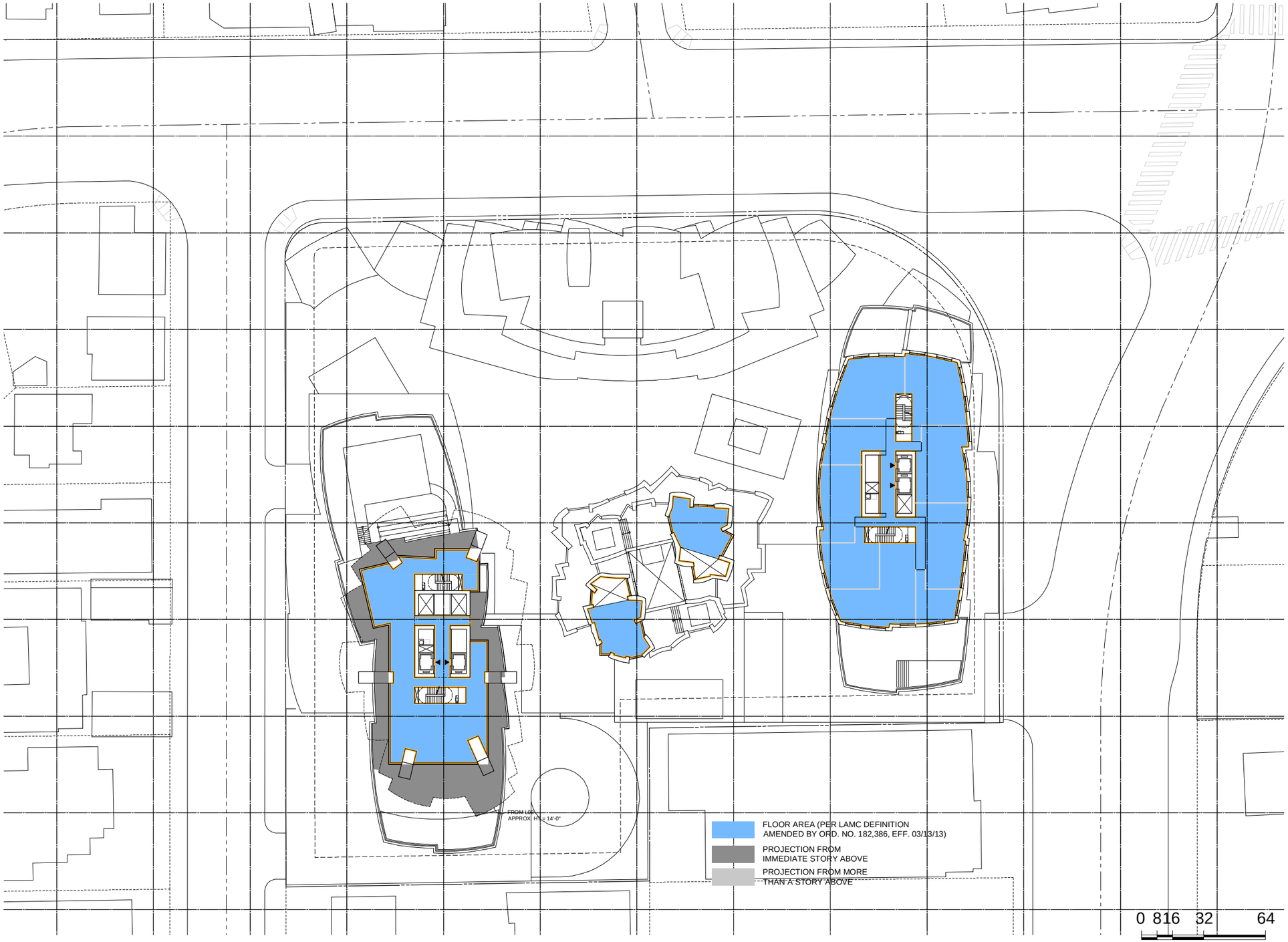
NOTES

TITLE
ALTERNATIVE 9
FLOOR AREA DIAGRAM
LEVEL 06 FLOOR PLAN

PROJECT NUMBER
2015-005
SCALE
DRAWN BY
DATE
2016-05-13
ORIGINAL SHEET SIZE:
36" x 48"

SHEET NUMBER
SK-0124-6



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NOTES

TITLE
ALTERNATIVE 9
FLOOR AREA DIAGRAM
LEVEL 07 FLOOR PLAN

PROJECT NUMBER
2015-005
SCALE
DRAWN BY
DATE
2016-05-13
ORIGINAL SHEET SIZE:
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SHEET NUMBER
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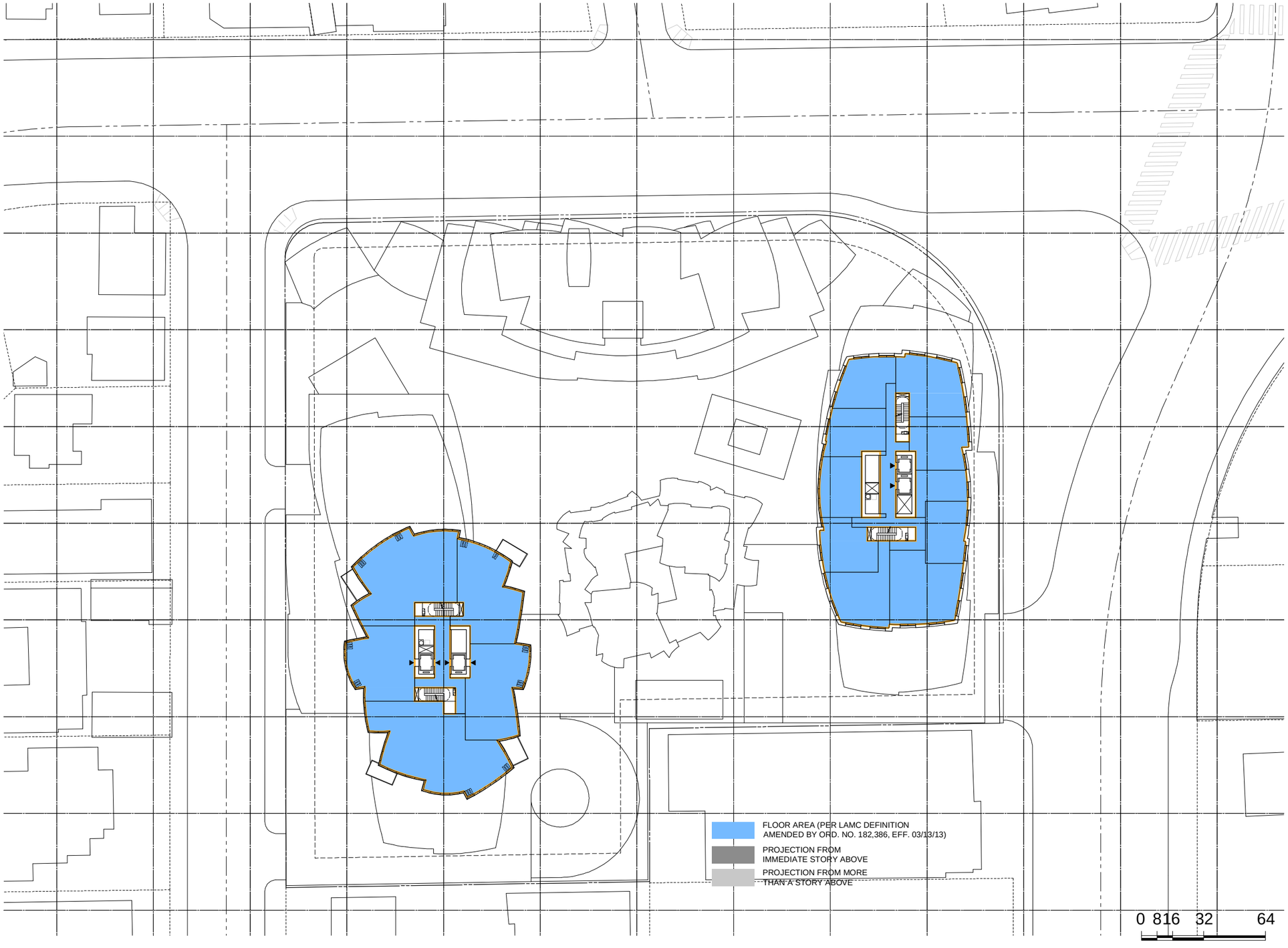

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NOTES

TITLE
ALTERNATIVE 9
FLOOR AREA DIAGRAM
LEVEL 08 FLOOR PLAN

PROJECT NUMBER
2015-005
SCALE
DRAWN BY
DATE
2016-05-13
ORIGINAL SHEET SIZE:
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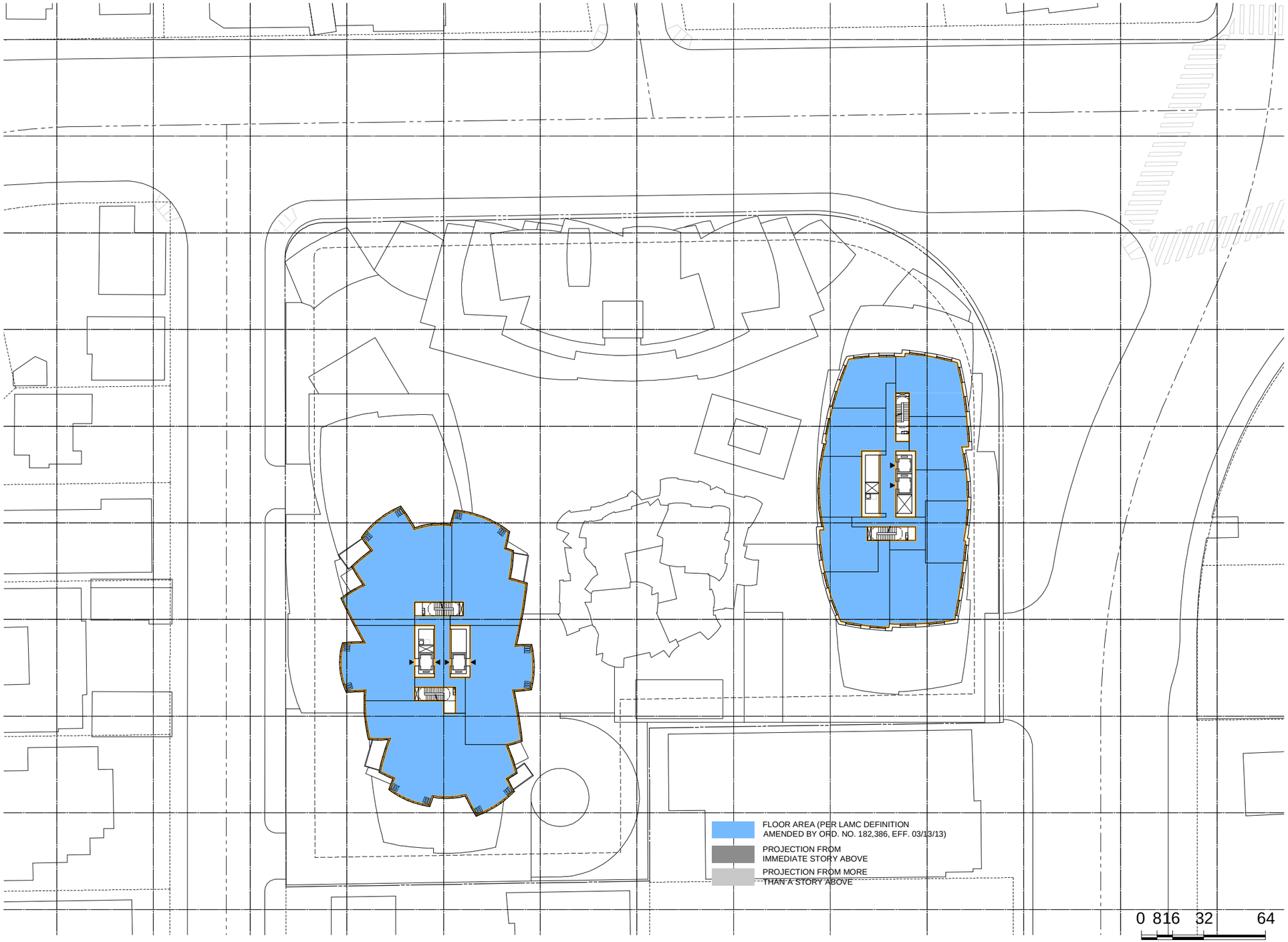
SHEET NUMBER
SK-0124-8



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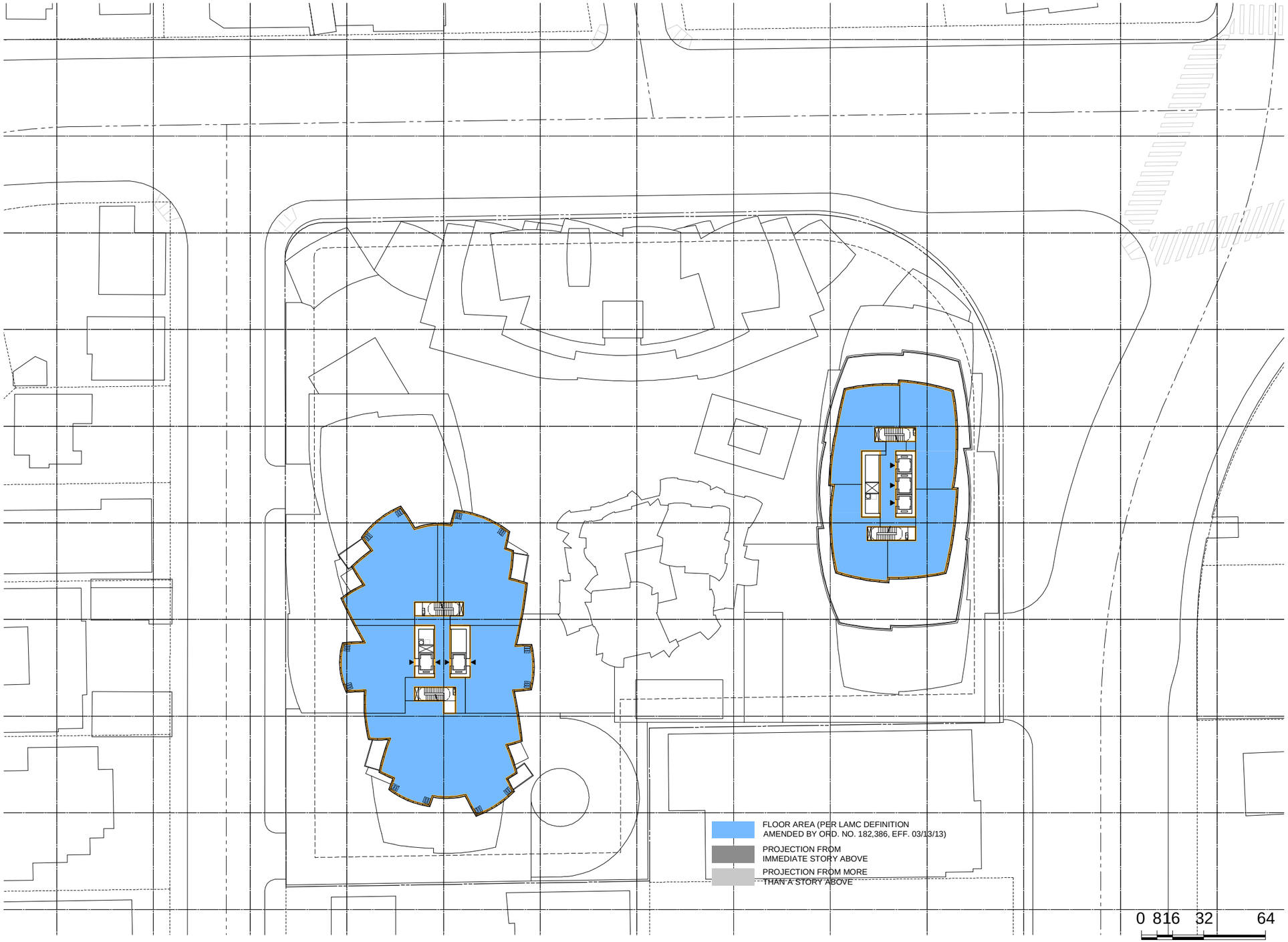
NOTES

TITLE
ALTERNATIVE 9
FLOOR AREA DIAGRAM
LEVEL 09-10 FLOOR PLAN

PROJECT NUMBER
2015-005
SCALE
DRAWN BY
DATE
2016-05-13
ORIGINAL SHEET SIZE:
36" x 48"

SHEET NUMBER
SK-0124-9



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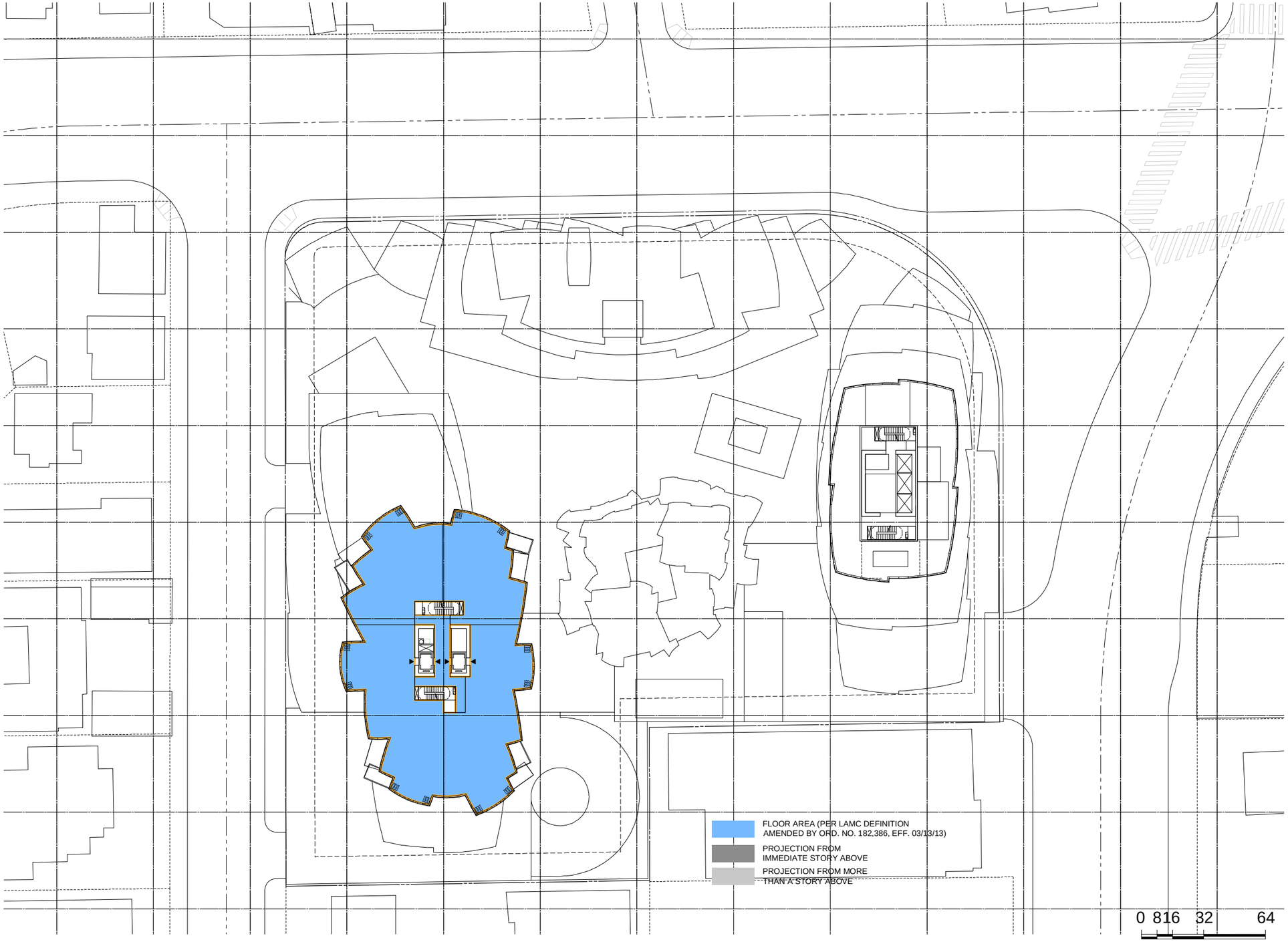
NOTES

TITLE
ALTERNATIVE 9
FLOOR AREA DIAGRAM
LEVEL 11 FLOOR PLAN

PROJECT NUMBER
2015-005
SCALE
DRAWN BY
DATE
2016-05-13
ORIGINAL SHEET SIZE:
24" x 48"

SHEET NUMBER
SK-0124-11



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NOTES

TITLE
ALTERNATIVE 9
FLOOR AREA DIAGRAM
LEVEL 12 FLOOR PLAN

PROJECT NUMBER
2015-005
SCALE
DRAWN BY
DATE
2016-05-13
ORIGINAL SHEET SIZE:
36" x 48"

SHEET NUMBER
SK-0124-12

FLOOR AREA (PER LAMC DEFINITION
AMENDED BY ORD. NO. 182,386, EFF. 03/13/13)

PROJECTION FROM
IMMEDIATE STORY ABOVE

PROJECTION FROM MORE
THAN A STORY ABOVE

0 8 16 32 64

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NOTES

TITLE
ALTERNATIVE 9
FLOOR AREA DIAGRAM
LEVEL 13 FLOOR PLAN

PROJECT NUMBER
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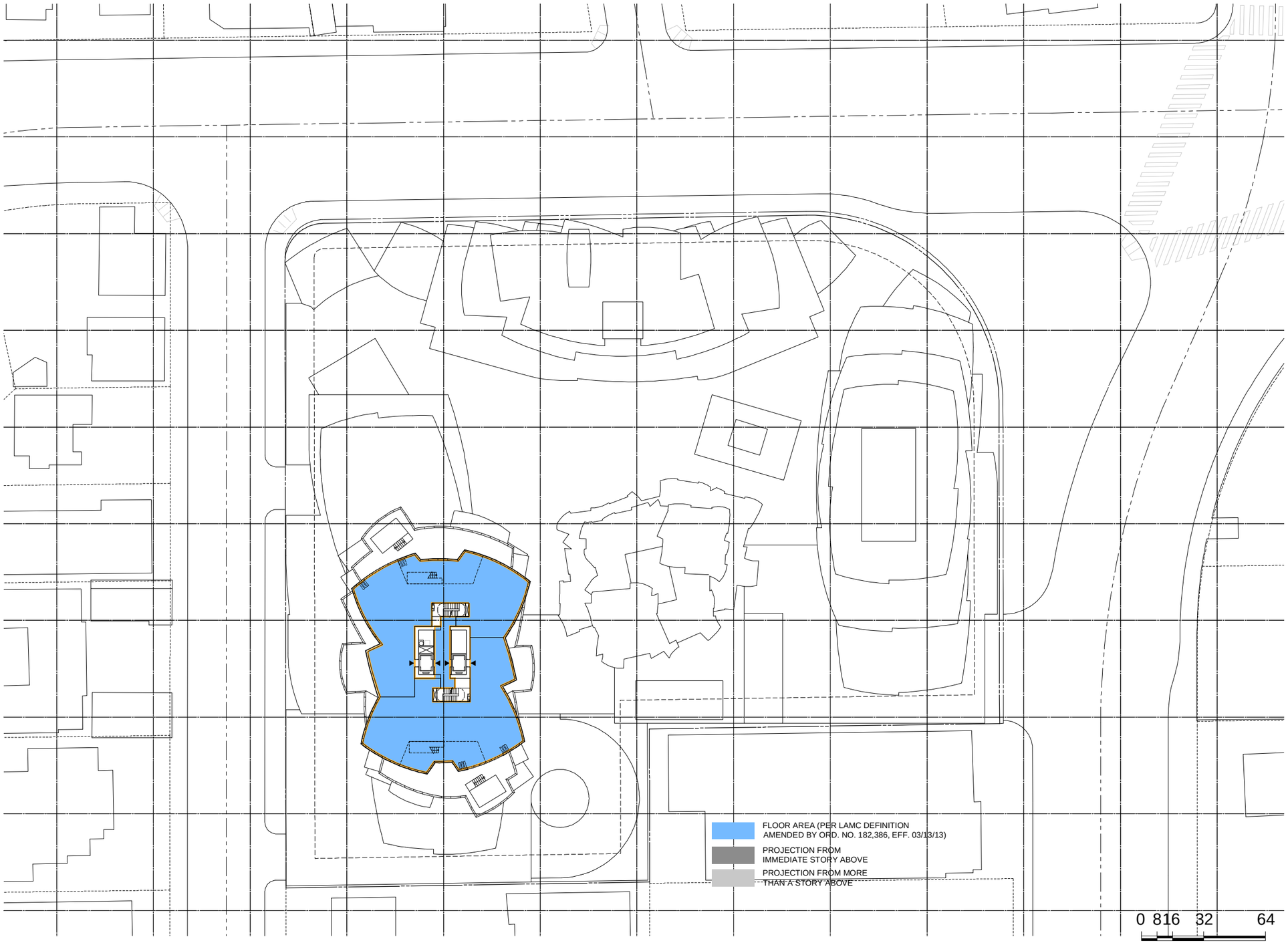
SCALE
DRAWN BY
DATE
2016-05-13
ORIGINAL SHEET SIZE:
36" x 48"

SHEET NUMBER
SK-0124-13



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NOTES

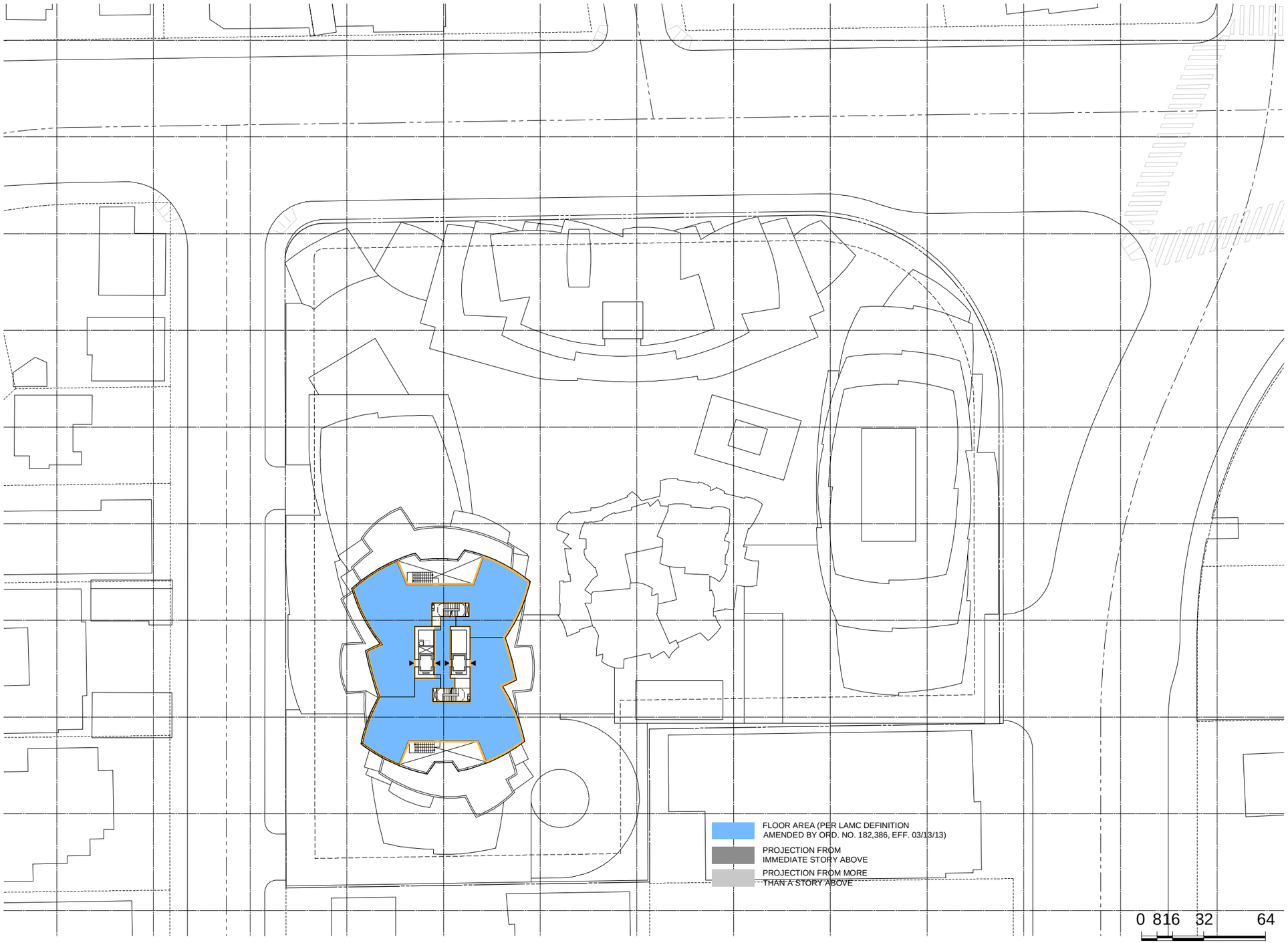
TITLE
ALTERNATIVE 9
FLOOR AREA DIAGRAM
LEVEL 14 FLOOR PLAN

PROJECT NUMBER
2015-005
SCALE

DRAWN BY

DATE
2016-05-13
ORIGINAL SHEET SIZE:
36" x 48"

SHEET NUMBER
SK-0124-14



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NOTES

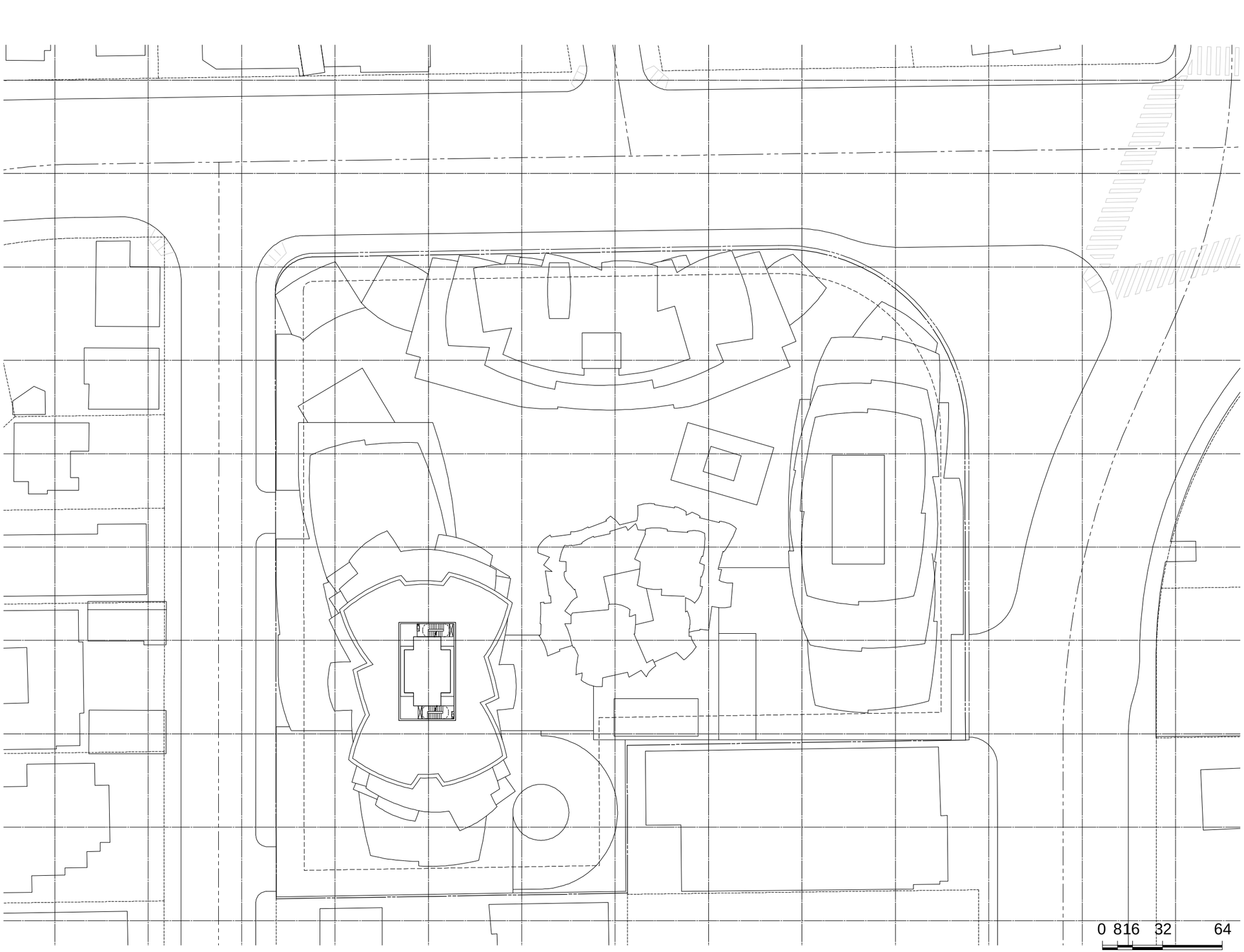
TITLE
ALTERNATIVE 9
FLOOR AREA DIAGRAM
LEVEL 15 FLOOR PLAN

PROJECT NUMBER
2015-005
SCALE

DRAWN BY

DATE
2016-05-13
ORIGINAL SHEET SIZE:
36" x 48"

SHEET NUMBER
SK-0124-15



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NOTES

TITLE
ALTERNATIVE 9
FLOOR AREA DIAGRAM
LEVEL 16 FLOOR PLAN

PROJECT NUMBER
2015-005
SCALE
DRAWN BY
DATE
2016-05-13
ORIGINAL SHEET SIZE:
36" x 48"

SHEET NUMBER
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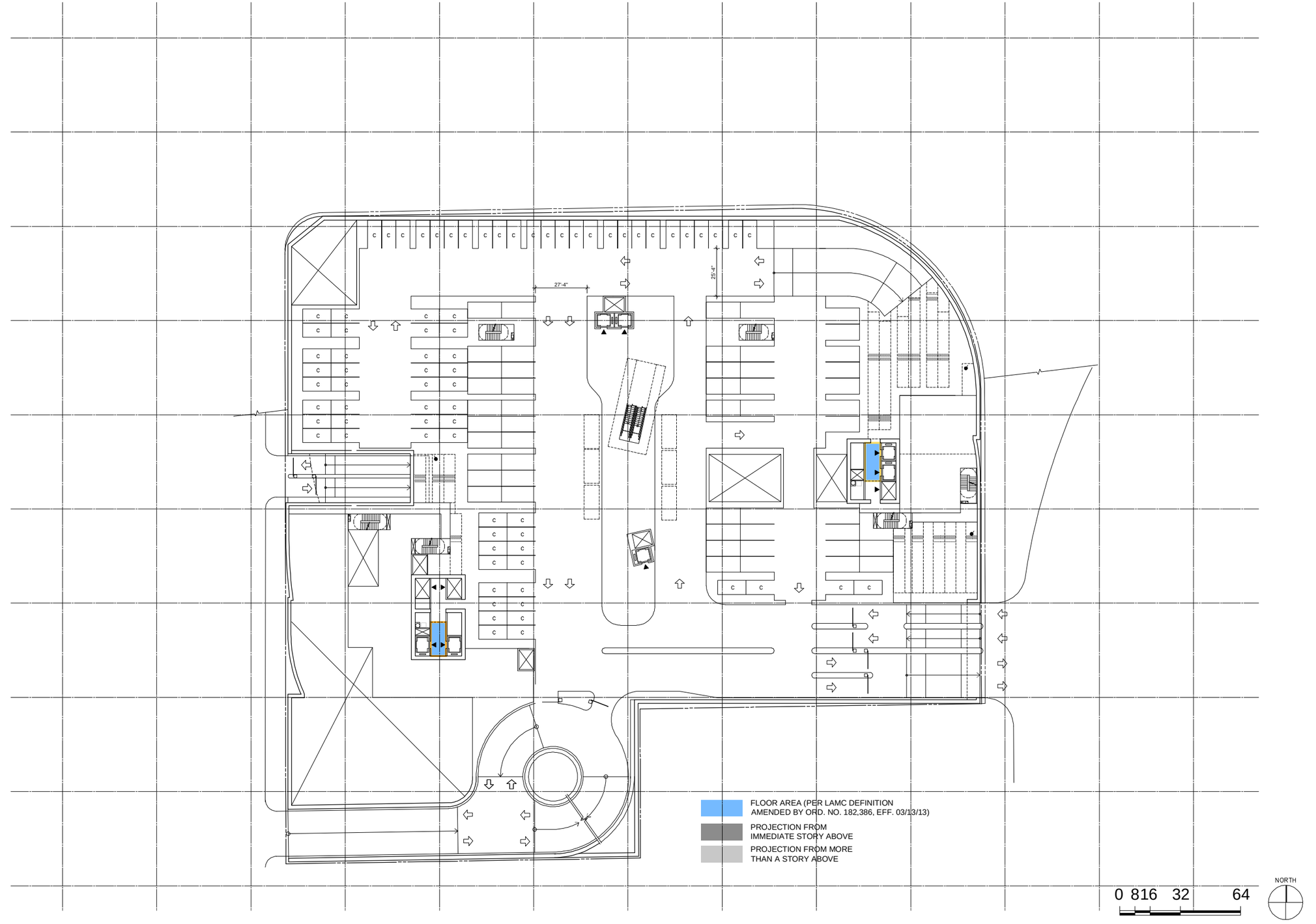

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NOTES

TITLE
ALTERNATIVE 9
FLOOR AREA DIAGRAM
BASEMENT 01 FLOOR PLAN

PROJECT NUMBER
2015-005
SCALE
DRAWN BY
DATE
2016-05-13
ORIGINAL SHEET SIZE:
36" x 48"

SHEET NUMBER
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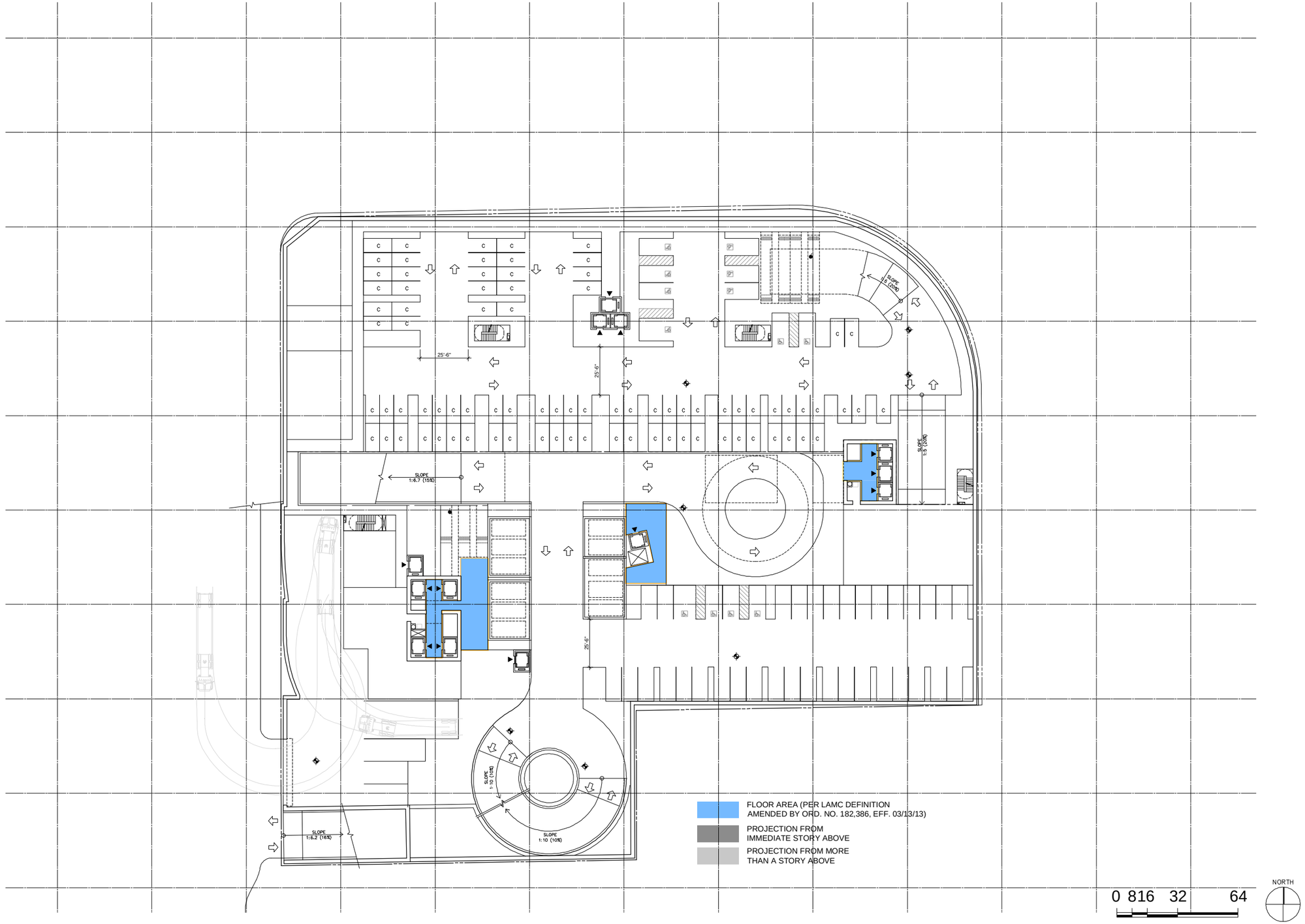

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NOTES

TITLE
ALTERNATIVE 9
FLOOR AREA DIAGRAM
BASEMENT 02 FLOOR PLAN

PROJECT NUMBER
2015-005
SCALE
DRAWN BY
DATE
2016-05-13
ORIGINAL SHEET SIZE:
36" x 48"

SHEET NUMBER
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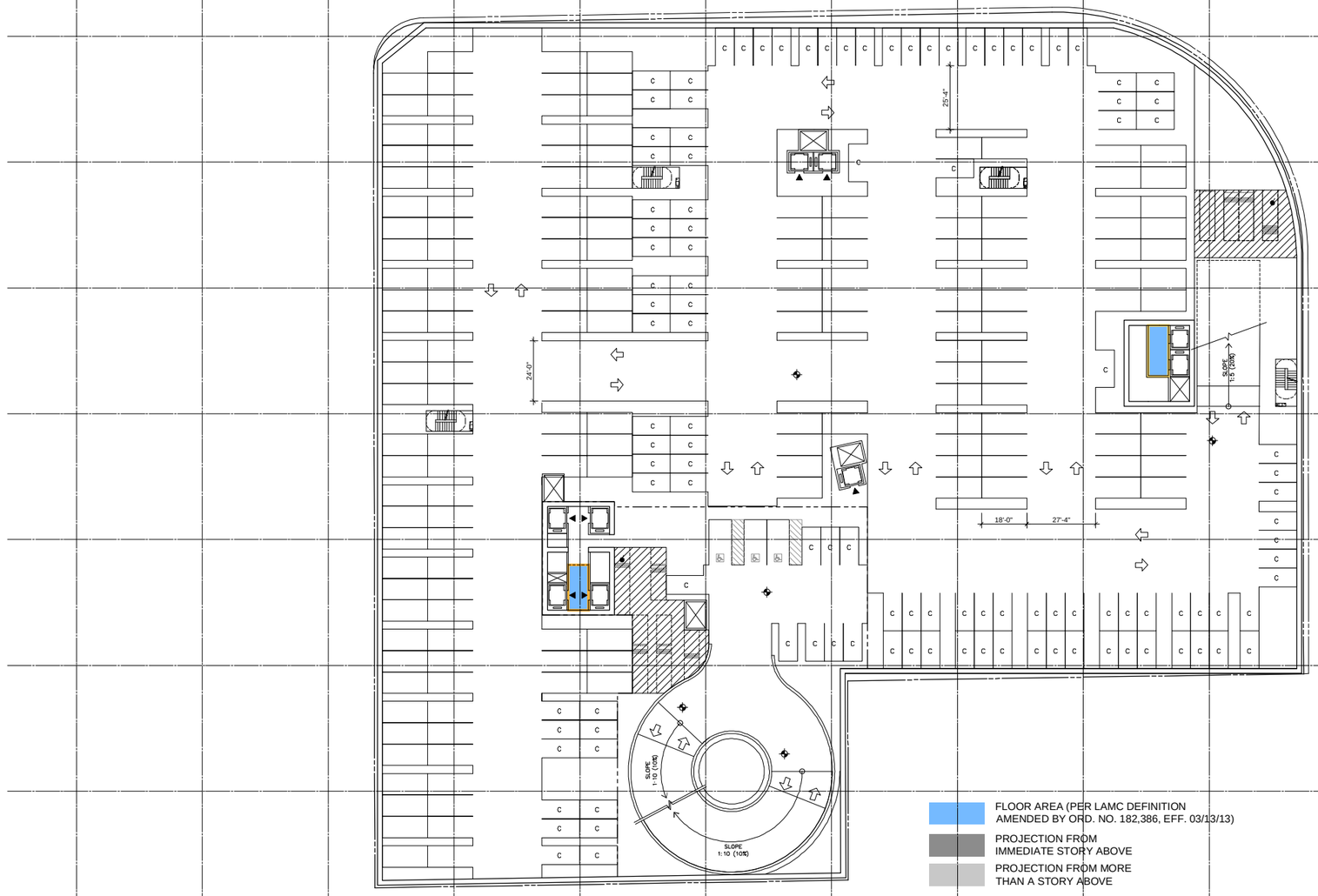

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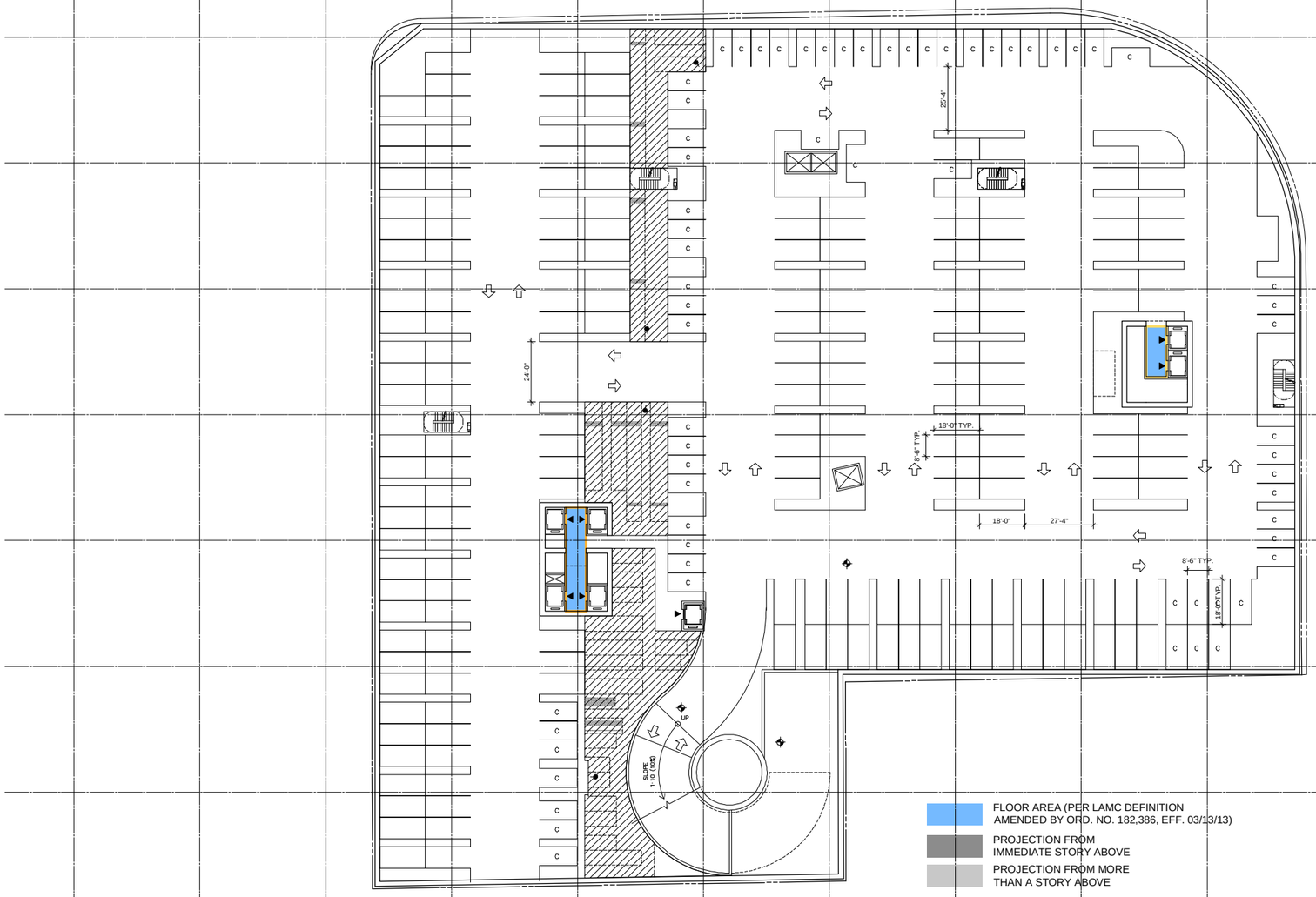
NOTES

TITLE
ALTERNATIVE 9
FLOOR AREA DIAGRAM
BASEMENT 03 FLOOR PLAN

PROJECT NUMBER
2015-005
SCALE
DRAWN BY
DATE
2016-05-13
ORIGINAL SHEET SIZE:
36" x 48"

SHEET NUMBER
SK-0124-B3



FLOOR AREA (PER LAMC DEFINITION AMENDED BY ORD. NO. 182,386, EFF. 03/13/13)

PROJECTION FROM IMMEDIATE STORY ABOVE

PROJECTION FROM MORE THAN A STORY ABOVE

0 8 16 32 64

NORTH

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NOTES

TITLE
ALTERNATIVE 9
FLOOR AREA DIAGRAM
BASEMENT 04 FLOOR PLAN

PROJECT NUMBER
2015-005

SCALE

DRAWN BY

DATE
2016-05-13

ORIGINAL SHEET SIZE:
36" x 48"

SHEET NUMBER
SK-0124-B4